



AGENDA
Town of Atherton
CITY COUNCIL/ATHERTON CHANNEL
DRAINAGE DISTRICT
October 16, 2002

6:00 P.M.  **NOTE TIME**

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

6:00 P.M. 1. **ROLL CALL** McKeithen, Janz, Carlson, Fisher, Conwell

6:05 P.M. 2. **PUBLIC COMMENTS**

6:10 P.M. 3. **CLOSED SESSION**

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

Agency Negotiator: James H. Robinson, City Manager
Employee Organization: Management 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

4. **RECONVENE TO OPEN SESSION**

Report of action taken.

5. **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 for information*

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)



AGENDA
Town of Atherton
CITY COUNCIL/ATHERTON CHANNEL
DRAINAGE DISTRICT
October 16, 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** (None)
- 7:05 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)
- 8:00 P.M.** **CONSENT CALENDAR** (Items 8 – 17)
8. **APPROVAL OF MINUTES OF SPECIAL MEETINGS OF SEPTEMBER
10, SEPTEMBER 18, AND SEPTEMBER 25, 2002 AND REGULAR
MEETING OF SEPTEMBER 18, 2002**
9. **APPROVAL OF BILLS AND CLAIMS FOR SEPTEMBER, 2002 IN
THE AMOUNT OF \$1,897,074**
10. **ACCEPTANCE OF MONTHLY FINANCIAL REPORT FOR
SEPTEMBER 2002**

**11. ADOPTION OF ORDINANCE AMENDING CHAPTER 17.36 OF THE
ATHERTON MUNICIPAL CODE RELATING TO BASEMENT
CONSTRUCTION**

Recommendation: Adopt Ordinance No. ___ amending Chapter 17.36 of the Atherton Municipal Code placing limitations on the construction of basements outside of the main building area.

**12. ACCEPTANCE OF WORK AND AUTHORIZATION TO RECORD A
NOTICE OF COMPLETION – WEST MIDDLEFIELD PROJECT**

Recommendation: Accept the work and authorize staff to record a Notice of Completion for the West Middlefield Road Overlay Project No. 02-003.

13. APPROVAL OF FISCAL YEAR 2002-03 INVESTMENT POLICY

Recommendation: Approve the Investment Policy for Fiscal Year 2002-03 as presented, and recommended by the Audit Committee and Staff.

**14. ADOPTION OF A RESOLUTION ADOPTING SALARIES AND
BENEFITS FOR MANAGEMENT STAFF FOR FISCAL YEARS
2002-03 THROUGH 2003-04**

Recommendation: Adopt a resolution adopting salaries and benefits for Management Staff for Fiscal Years 2002-03 through 2003-04.

**15. INFORMATION REPORT REGARDING NOMINEES FOR THE
MIDPENINSULA COMMUNITY MEDIA CENTER BOARD**

Recommendation: Receive and file report on nominating a resident to serve on the Midpeninsula Community Media Center Board.

16. ACCEPTANCE OF DONATION FOR POLICE CANINE PROGRAM

Recommendation: Accept a donation in the amount of \$8,500 to purchase a new police canine and augment Police Department budget in that amount.

**17. APPROVAL OF DONATION OF UNCLAIMED BICYCLES TO THE
SAN MATEO COUNTY RECYCLEWORKS**

Recommendation: Declare specific Town property surplus and authorize the donation of unclaimed bicycles to the San Mateo County RecycleWorks.

PUBLIC HEARING (Items 18 - 19)

- 8:10 P.M. 18. PUBLIC HEARING AND ADOPTION OF A RESOLUTION ORDERING THE VACATION OF A PORTION OF FAXON ROAD RIGHT-OF-WAY

Recommendation: Open public hearing, hear testimony, close public hearing. Adopt Resolution No. 02-___, ordering the vacation of a portion of Faxon Road right-of-way adjacent to 96 Faxon Road, with reservation of a public utility easement.

- 8:20 P.M. 19. PUBLIC HEARING – CONDITIONAL USE PERMIT TO ALLOW THE LANDING OF A HELICOPTER AT ST. JOSEPH’S SCHOOL, 150 VALPARAISO AVENUE

Recommendation: Open public hearing, hear testimony, close public hearing. Approve the Conditional Use Permit request for a helicopter landing at 150 Valparaiso Avenue for the Police D.A.R.E. Program based on the findings in the staff report and subject to the draft Conditional Use Permit.

REGULAR AGENDA (Items 20 - 23)

- 8:35 P.M. 20. CONSIDERATION OF FISCAL YEAR 2001-2002 AUDIT AND AUDIT COMMITTEE REPORT

Recommendation: Consider and accept Audit Report for year ending June 30, 2002 submitted by Caporicci and Larson and acceptance of recommendations from Town of Atherton Audit Committee.

- 8:55 P.M. 21. APPROVAL OF HOUSING REHABILITATION LOAN AGREEMENT WITH SAN MATEO COUNTY AND AUTHORIZATION FOR THE MAYOR TO EXECUTE SAID AGREEMENT

Recommendation: Approve Housing Rehabilitation Loan Agreement with San Mateo County and authorize the Mayor to execute said agreement.

- 9:05 P.M. 22. RECOMMENDATION OF TRANSPORTATION COMMITTEE TO HAVE THE CITY COUNCIL DIRECT THE PLANNING COMMISSION TO REVIEW THE SPIEKER PAVILION CONDITIONAL USE PERMIT RELATIVE TO THE CONDITION REQUIRING A NEW DRIVEWAY CONNECTION TO VALPARAISO AVENUE

Recommendation: Direct the Planning Commission to review the Sacred Heart Schools' Spieker Pavilion Conditional Use Permit relative to the condition requiring a new driveway connection to Valparaiso Avenue.

9:20 P.M. 23. DISCUSSION OF COMMUNITY ORGANIZATION ROUNDTABLE

Recommendation: Discuss the Community Organization Roundtable Resolution, and if appropriate, give direction to staff for future implementation of the Resolution.

9:30 P.M. 24. PUBLIC COMMENTS

9:40 P.M. 25. ADJOURNMENT

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**Draft Minutes
Town of Atherton
CITY COUNCIL
September 10, 2002
7:00 p.m.**

**Pavilion, Holbrook-Palmer Park
150 Watkins Avenue, Atherton, California
Special Meeting**

Community Organization Roundtable

Mayor Carlson called the meeting to order at 7:10 p.m. After the pledge of allegiance, the Mayor called for a moment of silence to commemorate those who lost their lives on September 11, 2001.

ROLL CALL

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

Also present were City Manager James H. Robinson and the following representatives from Town Commissions, Committees, and Community Organizations:

Rose Hau	Planning Commission
Shirley Carlson	Tree Committee
Marion Oster	Planning Commission, Heritage Association
Fran Eastman Arts Committee	
Vit Eckersdorf	Holbrook-Palmer Recreation Park Foundation
Nancy Greenbach	Atherton Dames
John Sisson	Lloyd Park Homeowners' Association
Bob Jenkins	Atherton Civic Interest League

PUBLIC COMMENTS

Mayor Carlson introduced Charles Marsala, who will take office in December as a Council Member.

STUDY SESSION

- 1. The Study Session was held to discuss community goals, activities and views on issues or problems confronting the community.**

Each representative gave a brief overview of their current activities and described the goals of their particular organization. Marguerette Paponis spoke from the audience regarding the possibility of the Town providing a community calendar. Discussion ensued. City Manager Jim Robinson stated that staff will explore the possibility of providing a community calendar on the Town website and will return to the Council with a proposal. Jean Schaaf spoke from the audience. Assistant to the City Manager Linda Kelly will work on creating a paper-based community calendar.

Mayor Carlson asked for discussion of neighborhood issues. Police Chief Robert Brennan responded to questions regarding traffic problems. John Ruggeiro spoke from the audience.

- 2. Discussion of Resolution No. 99-6 and views of its future.**

Community Groups will continue to be invited to speak at regular City Council meetings according to the Resolution. It was the consensus of the Council to encourage the various community groups to meet on a regular basis to coordinate events.

Charles Marsala announced that the Park and Recreation Commission is working on updating the Park Strategic Plan and will have a draft available for public viewing the first week of November.

- 3. ADJOURNMENT**

The meeting adjourned at 9:55 p.m.

Respectfully submitted,

Sharon Barker, City Clerk



DRAFT MINUTES
Town of Atherton
CITY COUNCIL/ATHERTON CHANNEL
DRAINAGE DISTRICT

September 18, 2002

7:00 p.m.

TOWN COUNCIL CHAMBERS

94 Ashfield Road
Atherton, California

REGULAR MEETING

Mayor Carlson called the meeting to order at 7:00 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**

Mayor Carlson presented the following proclamations:

- A. **Proclamation for Constitution Week - September 17-23, 2002**
- B. **Proclamation supporting the Atherton Dames and Holbrook-Palmer Recreation Park Foundation Save the Tower fundraising project.**

At this time the Mayor asked for the Community Organization Roundtable Report. Manisha Agrawal, President of the Victoria Manor Homeowners' Association, gave a report to the Council.

4. **COUNCIL REPORTS**

- Mayor Carlson asked that the Council hold a special meeting on September 25, 2002, in advance of the joint Menlo Park meeting, to discuss the Valparaiso Corridor Study issue. A special meeting was set for 5:45 p.m. on September 25th in the Administrative Offices Conference Room.

- Council Member Conwell reported on the San Francisco Airport Roundtable meeting and the C/CAG meeting. He reported on the Criminal Justice meeting which was held today. The next Council of Cities dinner meeting will be at the Ritz Carlton in Half Moon Bay on October 25th. Annual awards for outstanding contributions in Criminal Justice will be presented.
- Council Member Fisher reported on the General Plan meeting. The draft Housing Element was reviewed and will go before the Planning Commission in October and the City Council in November. The Transportation Commission's next meeting will be October 8th. She reported on the Library JPA meeting, and announced that usage has gone up at the Atherton Library.
- Vice Mayor Janz announced the League of Cities Peninsula Division meeting in Los Altos at noon on Thursday, September 19th, and the regular ABAG Board meeting on September 19th. The ABAG meeting agenda includes an update of the Metropolitan Transportation Commission merger and a discussion on Smart Growth.
- Council Member McKeithen reported that the Middlefield project is almost completed. The Lindenwood Homeowners' Association will meet this weekend. She reported on the Atherton Channel Drainage Sub-Committee which met on September 9th. City Manager Jim Robinson will meet with the City Manager from Redwood City regarding El Camino drainage. An article will appear in the next Athertonian to remind residents about illegal dumping in the Channel. A proposal for a study of the Upper Channel is on tonight's consent agenda, and a proposal for the reorganization/dissolution of the Channel District is on the regular agenda. The Committee's next meeting will be October 7th at 8:00 a.m. in the Council Chambers. The County Office of Emergency Services meets Thursday, September 19th in the Jury Room at the County Center at 5:30 p.m. An update of the radio microwave, and public health preparedness for terrorism are items on the agenda.
- Mayor Carlson reported on the Community Organization Roundtable meeting held on September 10th. He asked that an item on the Roundtable be put on the next Council agenda. He attended the Atherton 79th birthday party on September 12th which was held in the Council Chambers by the Heritage Association and the Friends of the Library.

5. PUBLIC COMMENTS

The following members of the audience spoke:

Alex Turk, new Governmental Relations Director for the San Francisco 49er's.

John Sisson, 26 Belleau Avenue

Bob Jenkins, 36 Irving Avenue

6. STAFF REPORTS

City Manager Jim Robinson announced the Joint Meeting with the Menlo Park City Council on September 25th at 7:00 p.m. in the Menlo Park City Council Chambers. An Atherton City Council Special Meeting will be held at 5:45 p.m. in the Conference Room at the Atherton Administrative Offices in preparation for the 7:00 p.m. meeting that evening. He reported on several items on the warrant list.

City Attorney Marc Hynes reported out of the Closed Session as follows:

- A. CONFERENCE WITH LABOR NEGOTIATOR – pursuant to Government Code Section 54957.6. Agency Negotiator: James H. Robinson, City Manager
Employee Organization: Management Employees**

Direction was given to the City Manager.

- B. PUBLIC EMPLOYEE PERFORMANCE EVALUATION - pursuant to Government Code Section 54957. Title: City Manager**

No action was taken.

- C. 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 the City Attorney.

The Council voted unanimously to amend the agenda and consider the following liability claims which arose subsequent to the posting of the agenda.

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

**Claimant: Modern Service Insurance Company for Sara Crosby Spang
Agency Claimed Against: Town of Atherton**

The Council voted unanimously to deny the claim.

**Claimant: Jose Aguilar
Agency Claimed Against: Town of Atherton**

The Council voted unanimously to deny the claim.

**Claimant: Jody Crossman
Agency Claimed Against: Town of Atherton**

Direction was given to the City Attorney.

- 7. COMMUNITY ORGANIZATION ROUNDTABLE REPORT**

Reported under Item No. 2.

CONSENT CALENDAR

Mayor Carlson asked that Item No. 12 be removed from the Consent Agenda and be considered with Item No. 17 on the regular agenda. Council Member McKeithen asked that Finance Director John Johns provide a written commentary with future monthly financial reports.

MOTION – to approve the Consent Agenda with the exception of Item No. 12.

M/S Fisher/Janz

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

8. APPROVED MINUTES OF SPECIAL MEETING AND REGULAR MEETING OF AUGUST 21, 2002

9. APPROVED BILLS AND CLAIMS FOR AUGUST, 2002 IN THE AMOUNT OF \$783,923

10. ACCEPTED MONTHLY FINANCIAL REPORT FOR AUGUST 2002

11. ADOPTED ORDINANCE AMENDING CHAPTER 15.40 OF THE ATHERTON MUNICIPAL CODE PERTAINING TO CONSTRUCTION REGULATIONS

Adopted Ordinance No. 535 amending Chapter 15.40 of the Atherton Municipal Code regarding demolition sales, operations of vehicles, and required signs, and penalties for violation.

12. REMOVED FROM CONSENT, ADDED TO REGULAR AGENDA, ITEM NO. 17

13. ACCEPTED THE WORK AND AUTHORIZED THE RECORDING OF A NOTICE OF COMPLETION FOR THE 2002 STREET RECONSTRUCTION – PHASE 1, PROJECT 02-002

Accepted the work and authorized a notice of completion for the 2002 Street Reconstruction, Phase 1, Project 02-002.

14. ACCEPTED TREASURER’S INVESTMENT REPORT FOR THE QUARTER ENDING JUNE 30, 2002

Noted and filed.

15. APPROVED THE FIRST AMENDMENT TO THE EMPLOYMENT AGREEMENT BETWEEN THE TOWN OF ATHERTON AND CITY MANAGER JAMES H. ROBINSON

Authorized the Mayor to execute an amendment to the employment agreement between the Town of Atherton and City Manager James H. Robinson.

PUBLIC HEARING

**16. PUBLIC HEARING – ORDINANCE AMENDING CHAPTER 17.36.190 OF THE
ATHERTON MUNICIPAL CODE RELATING TO BASEMENTS**

Building Official Mike Hood presented the staff report for this item. Under the previous ordinance, basements could be constructed within five feet of the perimeter of the property, which could cause damage to heritage trees. The Council set a moratorium limiting the construction of basements outside of the main buildable area to allow time for the General Plan Committee and the Planning Commission to review the issue. The Planning Commission, at their September 12, 2002 meeting, voted to recommend that the City Council adopt the ordinance placing limitations on the construction of basements outside of the main buildable area. The proposed ordinance would allow for the construction of basements under accessory structures only if the accessory structure is located within the buildable area. Discussion ensued.

Mayor Carlson opened the public hearing at 8:10 p.m. The following members of the audience spoke:

John Ruggeiro, 10 Stockbridge Avenue

Mayor Carlson closed the public hearing.

MOTION – to introduce the proposed Ordinance amending the Atherton Municipal Code placing limits on the construction of basements within the Town of Atherton based on the findings and for the reasons incorporated in the Staff Report, and waive further reading.

M/S Fisher/McKeithen

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

REGULAR AGENDA

Item No. 12 was removed from the Consent Agenda and considered with Item No. 17.

**12. ACCEPTANCE OF PROPOSAL FOR UPPER ATHERTON CHANNEL PROJECT
PLANNING STUDY**

**17. DISCUSSION AND CONSIDERATION OF ATHERTON CHANNEL DRAINAGE
DISTRICT, REPORT FROM CITY COUNCIL SUB-COMMITTEE, AND CITY
ATTORNEY REPORT OF LAFCO PROCEDURES AVAILABLE FOR A
REORGANIZATION OF THE ATHERTON CHANNEL DRAINAGE DISTRICT**

Public Works Director Cliff Temps presented the staff report for Item No. 12. He responded to questions regarding the proposal submitted by BKF for a planning study of approximately 1350 feet of the upper Atherton Channel. Phil Lively, Resident Advisor on the Atherton Channel Drainage District Sub-Committee, spoke in favor of the BKF proposal. Council Member McKeithen stated that the Sub-Committee reviewed and discussed the proposals, and agreed on the BKF proposal.

Council Member McKeithen outlined the reasons the Atherton Channel District Sub-Committee recommends pursuing dissolution of the District and turning it over to the County Flood Control District. Among the issues of concern is the inability of the District to raise money subsequent to the passage of Proposition 13 for maintaining or improving the Channel. Current revenue is approximately \$30,000 per year. Also of concern is liability the Town might incur as a result of the Channel flooding. The Town currently pays the annual liability insurance premium for the District.

The City Attorney described how LAFCO would process the application to dissolve the District. The District would be able to spend budgeted funds but not appropriate any additional funds after the process begins.

The following members of the audience spoke:

John Sisson, 26 Belleau Avenue

John Jessup, 27 Sargent Lane

Marts Beekley, 75 Reservoir Road

Jerry Carlson, 95 Mount Vernon Lane

Council Members continued the discussion and expressed concerns with the inability of the District to fulfill its obligations. Staff will return to the next meeting with a timeline for the dissolution process and continue to apprise the Council to ensure all issues are addressed.

MOTION – to accept the proposal of BKF Engineers, Surveyors, Planners to perform the Upper Atherton Channel Project Planning Study in the amount of \$70,765, and authorize the Mayor to sign the contract for same.

M/S McKeithen/Janz

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

18. DISCUSSION AND CONSIDERATION OF SUPPORT OF COUNTY ORDINANCE REGULATING THE DISCLOSURE OF CONFIDENTIAL CONSUMER INFORMATION BY FINANCIAL INSTITUTIONS

The County of San Mateo recently adopted an ordinance regulating the disclosure of confidential consumer information by financial institutions. Council Member Conwell asked for Council consideration of the County ordinance. It was the consensus of the Council to not take action to support the County ordinance as other agencies doing so have become the subject of lawsuits.

MOTION – to table the item of support for the County Ordinance regulating the disclosure of confidential consumer information by financial institutions.

M/S Fisher/McKeithen

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

19. DISCUSSION AND POSSIBLE ACTION REGARDING THE TOWN'S BANNER POLICY

The current Banner Policy was adopted by the City Council in 1991 and established the criteria for approval of Banners announcing Town-sponsored events. Banners are placed at Marsh and Middlefield by Town Public Works crews. Recent requests from local schools prompted Staff to request that the Council review the current policy to determine if any changes are appropriate. The Council concurred that there should be no changes to the policy.

MOTION – to make no changes to the current Banner Policy.

M/S McKeithen/Fisher

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

20. PUBLIC COMMENTS

No comments.

21. ADJOURNMENT

The meeting adjourned at 9:32 p.m.

Respectfully submitted,

Sharon Barker, City Clerk



Draft Minutes
Town of Atherton
CITY COUNCIL/ATHERTON CHANNEL
DRAINAGE DISTRICT
September 18, 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

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

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

2. PUBLIC COMMENTS

There were no public comments.

3. CLOSED SESSION – The Council adjourned to Closed Session at 6:05 p.m.

4. RECONVENE TO OPEN SESSION – The Council reconvened to Open Session at 6:55 p.m. The following action was taken:

A. CONFERENCE WITH LABOR NEGOTIATOR – pursuant to Government Code Section 54957.6

Agency Negotiator: James H. Robinson, City Manager
Employee Organization: Management Employees

Direction was given to the City Manager.

E. PUBLIC EMPLOYEE PERFORMANCE EVALUATION - pursuant to Government Code Section 54957

Title: City Manager

No action was taken.

F. 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 the City Attorney.

The Council voted unanimously to amend the agenda and consider the following liability claims which arose subsequent to the posting of the agenda.

G. LIABILITY CLAIMS – pursuant to Government Code Section 54956.95

**Claimant: Modern Service Insurance Company for Sara Crosby Spang
Agency Claimed Against: Town of Atherton**

The Council voted unanimously to deny the claim.

**Claimant: Jose Aguilar
Agency Claimed Against: Town of Atherton**

The Council voted unanimously to deny the claim.

**Claimant: Jody Crossman
Agency Claimed Against: Town of Atherton**

Direction was given to the City Attorney.

5. ADJOURN

The meeting adjourned at 6:55 p.m.

Respectfully submitted,

Alan B. Carlson, Mayor



Menlo Park City Council / Atherton Town Council
Special Joint Meeting Minutes
Wednesday, September 25, 2002, 7:00 p.m.
Menlo Park Council Chamber
801 Laurel Street, Menlo Park

I.

ROLL CALL - Mayor Schmidt called the special meeting to order at 7:05 p.m. Mayor Pro Tem Kinney, Councilmembers Collacchi, Borak and Jellins were present. Also present were Town of Atherton Mayor Alan Carson, Vice Mayor Jim Janz, Councilmembers Bill Conwell, Dianne Fisher and Kathy McKeithen. City Manager Boesch, Atherton City Manager Robinson, City Attorney McClure, Interim City Clerk Wahlsten, Atherton City Clerk Barker and other department heads were also present.

A. PUBLIC COMMENT – There was no one present wishing to speak.

B. VALPARAISO CORRIDOR STUDY

Staff report introduced by City Manager Boesch. The Valparaiso Corridor Study was prepared by consultant DKS Associates, hired jointly by Menlo Park and Atherton. It was started a year ago to address traffic circulation issues raised by citizens and affecting both communities. Mark Spencer is present from DKS, together with Jamal Rahimi, Menlo Park's Transportation Manager; Dan Smith, Menlo Park's traffic consultant, and Cliff Temps, Atherton's Director of Public Works.

Dan Smith summarized the report. It focuses on Valparaiso Avenue which is the border between the two jurisdictions, and the intersecting streets. The primary areas of concern included the El Camino/Valparaiso intersection; Valparaiso/University intersection; sidewalks; Sacred Heart Schools' master plan; new driveway approved, but not yet constructed, on Valparaiso to serve the Montessori School; and the Valparaiso/Elena intersection.

Transportation Manager Rahimi reviewed the adaptive signal system being installed in cooperation with Cal Trans at 10 intersections on El Camino Real between Encinal Avenue and Stanford Shopping Center. This gives real time monitoring of traffic. It will be completed in March, 2003 and will have an approximately two months test before it is ready for fine tuning.

Mark Spencer cited the public meetings that have been held to gather input and presented the recommendations in the report addressing each area. They include trimming some landscaping by property owners; restricting left turn access from Valparaiso to and from the commercial center; monitoring the results of Sacred Heart/St. Joseph's new pick-up and drop-off circulation plan off Emilie; monitoring the results of the El Camino Real signal project; installation of traffic signal at Valparaiso and University; possible installation of another traffic signal along the corridor to increase the "platoon" effect; possible operation of a traffic signal during non-peak hours as an "all-way flashing red" which is the same as a four-way stop; replacing the bots-dots with chatter

bars or a raised median in the Victoria Drive/Blockbuster driveway area; and safe walking paths, particularly in the school areas.

Councilmember McKeithen requested a mechanism to insure citizens' input is heard when the fine tuning of the adaptive signal system takes place. In response to her queries, Transportation Manager Rahami stated a new traffic signal costs approximately \$150,000; and Mark Spencer stated he has not yet contacted the property owner regarding trimming the vegetation that would improve sight visibility.

Councilmember Jellins asked if any changes in speed could be expected with the proposed changed conditions; what would signal at University and Valparaiso do for capacity; and why is there a six foot difference in the improved roadway width in the north and south lanes. Mark Spencer stated that it should take less time to get from one end of the corridor to the other, but speeds will not increase; and the signal would allow more through put traffic. Dan Smith explained that the striped centerline of Valparaiso indicates the city limit lines of the two jurisdictions and Menlo Park paved their side six feet wider than Atherton has. He stated that the available width should be used for the benefit of the whole street where appropriate irregardless of the city limit lines.

Councilmember Conwell stated that safety is the primary concern. He questioned a traffic signal that functioned part of the time as a four-way stop and asked if sidewalks would narrow the roadway. Mark Spencer stated we would be able to maintain twelve foot travel lanes even with sidewalks. Councilmember Conwell cited a practice in other areas where parents drop off the students at a location away from campus and a bus takes them to campus.

Councilmember Fisher expressed concern that if a traffic signal is installed on either Elena or Emilie it would draw more cars since it would give a protected turning location.

Councilmember Borak cited Menlo Park's success in working with private schools in terms of traffic control in the neighborhoods and asked how the Valparaiso corridor would function if only one traffic signal at Valparaiso and University were installed. Mark Spencer stated a second signal further west would increase the platooning effect. In response to Councilmember query, Transportation Manager Ramini stated that traffic counts are increasing about one to two percent a year which is consistent throughout the city.

Vice Mayor Janz asked if the new traffic signal and signals on El Camino would have LED lenses which gives the ability to have battery back-up for continued operation in case of a power outage. Transportation Manger Ramini stated the new signals would have LED lenses, but that is not part of the El Camino project.

Councilmember Kinney asked about using different materials for pathways to increase pedestrian safety.

Mayor Carlson asked about the traffic impacts of a new performing arts center on Sacred Heart's campus which would replace the present 250 seat facility. Mark Spencer stated it depends on where they access the campus. Mayor Carlson also asked if the existing pedestrian lights would be removed if new traffic signal are installed. Mark Spencer stated they would.

Mayor Schmidt asked if there are technical distinctions between sidewalks and paths and if there is any way to model a signal at Valparaiso and Elena. Dan Smith stated that he would have to research any technical differences. Mark Spencer stated it would be difficult to do a computer

model on just one signal and better results could be obtained by putting some expert heads together.

Joe Ciancaglini, head of Sacred Heart Schools, Atherton, pointed out some errors in the report as it concerns Sacred Heart. He stated they are in compliance with Atherton's requirements and their master plan has been approved. Their campus covers 64 acres and has 7 entrances and exits. The school has agreed to install a road from the Montessori School to Valparaiso but Atherton asked them to delay the project until this study was completed. Their new traffic circulation plan seems to have solved problems on Emilie but they will be conducting an independent traffic study to document traffic counts.

Manisha Agrawal, Atherton, requested that the bots-dots be replaced with something people can't drive over; restricted left turns out of Blockbuster; and more policing of the "keep clear" zone.

Charlie Schreck, Menlo Park, stated Sacred Heart's master plan should represent long-term plans and not be changed every year and also suggested dedicated left and right turn lanes from Emilie to Valparaiso could help reduce the vehicle stacking.

Phil Abrahamson, Atherton, stated he attended City Council and Town Council meetings in 1996 on this same issue. He is in favor of replacing the bots-dots with chatter bars or a raised median and asked what the traffic estimates were when the Blockbuster was approved since the peak hours of the study do not match the peak hours of Blockbuster. Mark Spencer responded that the peak hours of the study were the school peak hours.

Charles Marsala, Atherton, suggested that traffic is added to Valparaiso because El Camino Real goes from six to four lanes at that point.

David McAdoo, Director of Operations for Menlo School, pointed out that page 5 of the staff report states that Menlo College could cost share in the traffic signal. That should be Menlo School.

Rich Wipfler, Menlo Park, lives on Valparaiso at its intersection with Emilie and requested that a traffic signal not be installed in his front yard. He asked if a queue of cars trying to access Menlo School would defeat the platoon action afforded by a new traffic signal.

Dan Hilberman, Menlo Park, asked that there be no exit from Sacred Heart at Arbor. He requested coordination on studies of Santa Cruz, Middle and Valparaiso and stated that "no action" should be an option.

M/S Collacchi/Schmidt, to authorize the staffs of the City of Menlo Park and the Town of Atherton to work together to prepare design plans and budget to: 1) modify signal timing at the intersection of El Camino Real and Valparaiso for purposes of reducing current congestion and queuing on Valparaiso; 2) restrict left turn access on Valparaiso to/from the private parking lot near the southwest corner of the intersection; 3) install a traffic signal at the intersection of Valparaiso and University Drive; 4) install chatter bars or raised medians in certain sections of Valparaiso with an analysis of the safety and visibility issues related to each. When it is brought back to Council broader notice will be given to include the owners of the Blockbuster area. Motion carried 10-0 with both City Councils approving unanimously.

It was noted that both Councils will be taking subsequent action on the items that are in their respective jurisdictions. City Manager Robinson noted that the Atherton City Council has included funding for their share of one traffic signal in their budget.

City Manager Boesch stated that this is tentatively scheduled to come back to Council for final action in November.

Councilmembers concurred that this is a historic evening and recommended another joint meeting as soon as there is more information regarding Sacred Heart's Master Plan in order to finalize the remainder of the issues on this corridor. Mayor Carlson thanked Mayor Schmidt for the invitation to meet jointly.

ADJOURNMENT – 10:05 P.M.

TOWN OF ATHERTON

Item 9

CLAIMS LIST
September, 2002

Payroll Checks	1190 - 1276	\$ 53,734
Electronic Transfers		261,846
A/P Checks	13684 - 13946	1,581,494
	TOTAL	\$ 1,897,074

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 1190 through 1276 (Payroll) and 13684 through 13946 (Accounts Payable), and Electronic Transfers for Employees Federal Payroll Taxes and fees, inclusive, amount to \$1,897,074 are true and correct, and that there are funds for payment.

James H. Robinson
City Manager

The above claims, Payroll check numbers 1190 through 1276, Accounts Payable check numbers 13684 through 13946 and Electronic Transfers for employees federal payroll taxes and fees, amount to \$1,897,074; and are hereby approved for payment.

Alan Carlson
Mayor, Town of Atherton

SOURCE OF FUNDS

101	General Fund	\$541,257
105	Tennis Fund	-
201	Special Parcel Tax	227,197
202	Transportation	22,696
203	Gas Tax Fund	-
210	Road Construction Impact Fees	-
401	General Capital Projects	379
402	Storm Drainage	63,037
403	Atherton Channel District	-
404	Park Playground Improvement	-
405	Middlefield Road Rehab.	1,001,848
406	Facilities Construction	388
610	Vehicle Replacement	-
611	Computer Maint. & Replacement	3,810
612	Administrative Services	1,755
614	Workers Compensation Insurance	23,944
715	Evans Estate	10,762
730	H-P Park Improvement	-
740	Tree Committee	-
	TOTAL	\$1,897,074



Town of Atherton

CITY COUNCIL STAFF REPORT

TO: HONORABLE MAYOR AND CITY COUNCIL

FROM: JOHN P. JOHNS, FINANCE DIRECTOR

DATE: FOR THE MEETING OF OCTOBER 16, 2002

SUBJECT: MONTHLY FINANCIAL REPORT, SEPTEMBER, 2002

RECOMMENDATION:

Receive and file Monthly Financial Report for September, 2002.

INTRODUCTION:

The attached schedules show revenues and expenditures and fund balance for all funds as of September 30, 2002.

HIGHLIGHTS

With 25 percent of the year elapsed, the Town has realized 11 percent of budgeted General Fund revenues and has expended 20 percent of available General Fund appropriations. This compares to having realized 12 percent of estimated revenues and having expended 16 percent of available General Fund appropriations by the end of the first quarter in FY 2000-2001.

The Town received a donation in the amount of \$84,000 from the Atherton Dames/Holbrook Park Foundation. These funds were deposited into the Capital Improvement Fund to finance the restoration of the water tower.

The Library Special Revenue Fund was credited with another \$80,000 in donor city funds. These funds are in excess of the \$20,000 that had been budgeted for the Library Fund as investment income. Hence, we will revise our revenue estimate to \$100,000 as part of the mid-year budget review.

A progress payment in the amount of \$1 million was made to El Camino Paving for the work on Middlefield Road. Of this amount, \$600,000 was recorded as a current period expense while the remainder had been accrued as a liability in FY 2002.

The fund balance figures have been updated to reflect the results of our annual audit.

With 25 percent of the year elapsed, revenues for sales taxes and other taxes amounted to only 17 percent and 9 percent of budgeted revenues respectfully. These amounts were predicated upon the assumption of a recovery in the economic climate in the second half of 2002. Accordingly, a downward revision in estimates for these two revenue categories may be warranted at mid-year unless retail sales activity accelerates during the second quarter of FY 2002-03.

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 Month ended September 30th, 2002

Fund	Revenue Source	2002-03 Estimate	Current Period Revenues	Year to Date Revenues	% Received
	Property Tax	\$ 2,927,487	5,749	\$ 12,075	0%
	Sales and Use Tax	255,000	19,957	44,518	17%
	Other Taxes	882,158	44,649	81,919	9%
	Licenses & Permits	1,407,000	54,817	348,444	25%
	Fines & Forfeitures	70,000	5,646	13,317	19%
	Revenue from Other Agencies	394,868	-	102,954	26%
	Charges for Services	352,400	37,527	170,192	48%
	Investment & Rental Income	220,974	3,069	18,011	8%
	Other Revenues	3,000	(166)	9,254	308%
	Total General Fund Revenues	6,512,887	171,248	800,684	12%
	Interfund (Operating) Transfers In	694,000	-	-	0%
101	General Fund Total	7,206,887	171,248	800,684	11%
	Special Revenue Funds:				
105	Tennis	9,000	225	1,130	13%
201	Special Parcel Tax	1,570,000	-	-	0%
202	Transportation	270,000	13,403	36,298	13%
203	Street Improvement (Gas Tax)	200,000	29,071	30,641	15%
208	Police on the Street	-	-	-	100%
209	Law Enforcement	100,000	-	-	0%
210	Road Construction Impact Fees	400,000	10,673	63,751	16%
211	State Park Grants Fund	-	-	-	0%
213	Library	20,000	80,148	80,148	
	Total	2,549,000	133,520	211,968	8%
	Capital Project Funds:				
401	Capital Improvement	10,000	84,717	84,717	847%
402	Storm Drainage	10,000	-	-	0%
403	Channel Drainage District	52,280	83	174	0%
404	Park Playground Improvement	-	-	2,200	0%
405	Middlefield Road Grants	1,200,000	-	-	0%
406	Facilities Construction	22,000	-	-	0%
	Total	1,294,280	84,800	87,091	7%
	Internal Service Funds:				
610	Vehicle Replacement	39,400	-	-	0%
611	Information Technology	91,371	-	-	0%
612	Administrative Services	406,256	-	-	0%
614	Workers Compensation Insurance	110,129	-	-	0%
	Total	647,156	-	-	0%
Total Revenues and Transfers -- All Funds		\$ 11,697,323	389,568	\$ 1,099,743	9%
	Trust and Agency Funds:				
715	Evans Creative Design	116,900	4,794	7,429	6%
720	Library Extension	-	-	-	0%
727	Colley Trust Fund	-	-	-	0%
730	H-P Park Improvement	-	-	-	0%
731	MA Little League	-	-	-	0%
740	Tree Committee	-	-	-	0%
	Total	116,900	4,794	7,429	6%
Total Revenues		11,814,223	394,362	1,107,172	9%

TOWN OF ATHERTON
Expenditure Summary
For the Month Ended September 30th, 2002

Fund	Description	2002-03	Current Period	Year to Date	%
	Department	Budget	Expenditures	Expenditures	Spent
101	General Fund				
	11 City Council	\$ 21,650	\$ 16	6,012	28%
	12 City Manager	476,686	37,895	97,987	21%
	16 City Attorney	195,734	17,791	26,679	14%
	18 Finance	401,879	40,000	95,066	24%
	25 Building	867,699	48,568	149,483	17%
	40 Police	3,687,057	233,090	719,355	20%
	50 Public Works	1,738,907	139,926	379,007	22%
	Contingency	100,000	-	-	0%
	Total General Fund Expenditures	<u>7,489,612</u>	<u>517,286</u>	<u>1,473,589</u>	<u>20%</u>
	Interfund (Operating) Transfers Out	-	-	-	0%
101	General Fund Total	<u>\$ 7,489,612</u>	<u>\$ 517,286</u>	<u>\$ 1,473,589</u>	<u>20%</u>
Special Revenue Funds:					
105	Tennis	29,946	-	-	0%
201	Special Parcel Tax	1,480,309	227,197	228,041	15%
202	Transportation	273,992	22,696	42,859	16%
203	Street Improvement (Gas Tax)	155,319	-	-	0%
208	Police on the Street	40,000	-	-	
209	Law Enforcement	100,000	22,678	67,558	68%
210	Road Impact Fees	684,294	-	-	0%
211	State Park Grants	89,259	-	-	0%
213	Library Fund	25,384	-	-	0%
	Total	<u>2,878,503</u>	<u>272,571</u>	<u>338,458</u>	<u>12%</u>
Capital Project Funds:					
401	Capital Improvement	396,861	379	379	0%
402	Storm Drainage	-	63,037	63,037	0%
403	Channel Drainage District	90,848	-	-	0%
404	Park Playground Fund	-	-	108	100%
405	Middlefield Road Grants	1,299,000	601,848	601,848	46%
406	Facilities Construction	198,454	388	388	0%
	Total	<u>1,786,709</u>	<u>665,264</u>	<u>665,760</u>	<u>37%</u>
Internal Service Funds:					
610	Vehicle Replacement	45,000	-	-	0%
611	Information Technology	100,500	3,810	6,346	6%
612	Administrative Services	325,335	7,418	145,534	45%
614	Workers Compensation Insurance	125,000	23,944	23,944	19%
	Total	<u>595,835</u>	<u>35,172</u>	<u>175,824</u>	<u>30%</u>
Trust and Agency Funds:					
715	Evans Creative Design	84,750	10,762	28,331	33%
727	Colley Reward Fund	-	-	-	
730	H-P Park Improvement	-	-	-	
731	MA Little League	-	-	-	
740	Tree Committee	730	-	-	
	Total	<u>85,480</u>	<u>10,762</u>	<u>28,331</u>	
	Total Expenditures	<u>12,836,139</u>	<u>1,501,055</u>	<u>2,681,962</u>	<u>21%</u>

TOWN OF ATHERTON
Budget Summary
Fiscal Year 2002-03
As of September 30th, 2002

Fund	Description	Beginning Fund Balance July 1, 2002	Revenues to Date	Transfers to Date	Expenditures To Date	Ending Fund Balance to Date
101	General Fund	5,194,187	800,684	-	1,473,589	4,521,282
	Special Revenue Funds:					
105	Tennis	21,926	1,130	-	-	23,056
201	Special Municipal Tax	847,820	-	-	228,041	619,779
202	Transportation	26,779	36,298	-	42,859	20,218
203	Street Improvement (Gas Tax)	85,697	30,641	-	-	116,338
208	Police on the Street	44,434	-	-	-	44,434
209	Law Enforcement	9,121	-	-	67,558	(58,437)
210	Road Construction Impact Fees	646,417	63,751	-	-	710,168
213	Library Special Revenue Fund	400,000	-	-	-	400,000
	Sub Total	<u>2,082,194</u>	<u>131,820</u>	<u>-</u>	<u>338,458</u>	<u>1,875,556</u>
	Capital Projects Funds:					
401	Capital Improvement	446,802	84,717	-	379	531,140
402	Storm Drainage	56,786	-	-	63,037	(6,251)
403	Channel Drainage District	445,509	174	-	-	445,683
404	Park Playground Improvement	58,417	2,200	-	108	60,509
405	Middlefield Road Grants (173)	-	-	-	601,848	(602,021)
406	Facilities Construction	447,477	-	-	-	447,477
	Sub Total	<u>1,454,818</u>	<u>87,091</u>	<u>-</u>	<u>665,372</u>	<u>876,537</u>
	Internal Service Fund					
610	Vehicle Replacement	357,952	-	-	-	357,952
611	Information Technology	54,979	-	-	6,346	48,633
612	Administrative Services	6,143	-	-	145,534	(139,391)
614	Workers Compensation Insurance	(51,490)	-	-	23,944	(75,434)
	Sub Total	<u>367,584</u>	<u>-</u>	<u>-</u>	<u>175,824</u>	<u>191,760</u>
	Trust and Agency Funds					
715	Evans Creative Design	116,028	7,429	-	28,331	95,126
727	Colley Reward Fund	2,291	-	-	-	2,291
730	H-P Park Improvement	5,851	-	-	-	5,851
731	MA Little League	4,821	-	-	-	4,821
740	Tree Committee	226	-	-	-	226
	Sub Total	<u>129,217</u>	<u>7,429</u>	<u>-</u>	<u>28,331</u>	<u>108,315</u>
	Grand Total	<u>\$ 9,228,000</u>	<u>\$ 1,027,024</u>	<u>\$ -</u>	<u>\$ 2,681,574</u>	<u>\$ 7,573,450</u>



Town of Atherton

CITY COUNCIL STAFF REPORT

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

FROM: MARC G. HYNES, CITY ATTORNEY

DATE: FOR THE MEETING OF OCTOBER 16, 2002

**SUBJECT: ORDINANCE AMENDING CHAPTER 17.36 OF THE ATHERTON
MUNICIPAL CODE – BASEMENT CONSTRUCTION**

RECOMMENDATION

Adopt Ordinance No. ____, amending Chapter 17.36 of the Atherton Municipal Code placing limitations on the construction of basements outside of the main building area.

BACKGROUND

This ordinance was previously introduced and reading of the ordinance beyond title was waived at the regular City Council meeting on September 18, 2002. It is now appropriate to consider adopting the ordinance. A majority vote will adopt the ordinance which will become effective 30 days from and after the adoption.

FISCAL IMPACT

None.

Respectfully,

Marc G. Hynes

Attachment

ORDINANCE NO. ____

**AN ORDINANCE OF THE CITY COUNCIL OF THE TOWN OF ATHERTON
AMENDING THE ATHERTON MUNICIPAL CODE PLACING LIMITS ON
BASEMENTS WITHIN THE TOWN OF ATHERTON**

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

SECTION 1: Section 17.36.190 of the Atherton Municipal Code is hereby amended to read as follows:

17.36.190 Basements

“Basements shall not exceed two feet in height above the surrounding average natural grade. Exceptions to the requirements of this section for hillside properties (where the average cross-slope is greater than twenty percent as determined under Section 16.24.050) may be permitted upon issuance of a conditional use permit. Basements are only permitted under the footprint of buildings located within the buildable area. Areas for stairways and light wells may extend beyond the footprint of buildings, but shall be limited to the buildable area”.

SECTION 2: 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 on this Ordinance are severable and, if for any reason any sentence, paragraph or section of this Ordinance shall be held invalid, such decision shall not effect the validity of the remaining parts of this Ordinance.

SECTION 3: 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 18th day of September, 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

ATTEST:

Alan B. Carlson, Mayor
Town of Atherton

Sharon Barker, City Clerk

APPROVED AS TO FORM:

Marc G. Hynes, City Attorney



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 OCTOBER 16, 2002

**SUBJECT: ACCEPTANCE OF WORK AND AUTHORIZATION TO RECORD NOTICE OF
COMPLETION – WEST MIDDLEFIELD ROAD OVERLAY 02-003**

RECOMMENDATION

Accept the work and authorize the recording of a notice of completion for West Middlefield Road Overlay Project No 02.003.

INTRODUCTION

The Council awarded a contract to G. Bartolotto Company for Middlefield Road overlay, between Fair Oaks and the northwest city limit line. Patching in preparation for the overlay was performed under a separate contract. Both projects have been completed.

ANALYSIS

The final contract amount for the work is \$85,897.30.

FISCAL IMPACT

Funding for the project was provided from parcel tax in the FY 02/03 budget, and the Council award of contract authorized spending up to \$86,000.

CONCLUSION:

It is appropriate for the Council to accept the work and authorize recording a Notice of Completion at this time.

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: JOHN P JOHNS, FINANCE DIRECTOR

DATE: FOR THE MEETING OF OCTOBER 16, 2002

SUBJECT: APPROVAL OF FY 2002-03 INVESTMENT POLICY

RECOMMENDATION

Approve the Investment Policy as shown in Attachment A to this staff report.

DISCUSSION

Pursuant to Government Code Section 53600 et seq. each municipality is required to review and, if necessary update its Investment Policy at annual intervals.

Based upon a review of the current Investment Policy, staff recommends the following changes:

- Restate the objectives of the Town's Investment Policy to conform to Government Code 53600;
- Establishes limits on the amount of funds invested with either the State of California Local Agency Investment fund or the San Mateo County Investment Pool to 66 percent of available cash balances (currently no such limit exists); and,
- Requires the Investment Policy be reviewed by no later than the end of the first quarter of each fiscal year, rather than conducting the review as part of the annual budget process.

The proposed changes to the Town's Investment Policy was the subject of discussion at the October 2nd Audit Committee Meeting. At that meeting the Audit Committee approved a motion recommending that the City Council adopt the changes proposed herein.

FISCAL IMPACT

Approval of the attached investment policy will not require any adjustment to appropriations or estimated revenues.

Prepared by:

Approved by:

John P. Johns, CPA
Finance Director

Jim Robinson
City Manager

Attachment A: Town of Atherton Investment Policy FY 2002-03

**TOWN OF ATHERTON
INVESTMENT POLICY
FY 2002-03**

OBJECTIVES

In accordance with the Section 53600 et seq. of the California Government the primary objectives of the Town of Atherton investment policy is as follows:

- **Safety** To safeguard principal against loss in value.

- **Liquidity** To maintain an adequate cash flow to fund operations and meet present and future expenditures of the Town.

- **Yield** To obtain the maximum return possible within the range of permissible investments authorized to provide security and liquidity of funds.

These procedures are also intended to adhere to the prudent investor standard as is codified in statute. Additionally, these investment policies are designed to provide assurance that available cash balances in non-interest bearing checking accounts is minimized and to ensure that all transactions involving cash and cash equivalents are subject to adequate internal controls.

PROCEDURES

Investment Instruments: Authorized investment instruments for the Town of Atherton are: 1) State of California Local Agency Investment Fund (LAIF);
2) San Mateo County Investment Pool; and, 3) Certificates of deposit in California financial institutions.

1. **LAIF** Authorizes transfer to and from the Town of Atherton checking and savings accounts or other authorized investment instruments. Transfers are initiated by the City Manager or the Finance Director. A written authorization to LAIF, signed by the City Manager, is required to make changes to employees holding the title of City Manager and Finance Director or to change investment instruments. Summary copies of the investment information will be included with the Treasurers report to Council on a quarterly basis.

2. **SAN MATEO COUNTY INVESTMENT POOL** Authorizes transfer to and from the Town of Atherton's checking and savings accounts or other authorized investment instruments. Only the City Manager or the Finance Director initiates transfers. Written authorization that specifies bank accounts and authorized signatures will be signed by the City Manager and kept on file with both the Town and the County Treasurer's Office. Summary copies of the investment information will be included with the Treasurers report to Council on a quarterly basis.

3. **CERTIFICATES OF DEPOSIT** Negotiable certificates of deposit that are issued by a nationally or State chartered bank or a State or Federal Savings and Loan Association. Principal

on each investment will not exceed \$100,000, or the maximum amount insured by FDIC. The maturity of any certificate of deposit will not exceed 12 months.

4. **INVESTMENT PORTFOLIO COMPOSITOIN** No more then two-thirds of available cash balances should be held in deposit with either the State of California Local Agency Investment Fund or the San Mateo County Investment Pool. Additionally, no more one third of available cash balances will be held as direct investments with any single bank or other financial institution.
5. **RESTRICTIONS** No investment will be made directly by staff in financial futures, financial option contracts, derivatives or repurchase agreements. Repurchase agreements and reverse repurchase agreements will be allowed by third parties (Local Agency Investment Fund and San Mateo County Investment Pool).
6. **ANNUAL UPDATE** The Town Council will annually review, evaluate and adopt an investment policy by no later than the quarter ended September 30th of each fiscal year.
7. **CASH FLOW AVAILABIITY** The Quarterly Investment Report will include a statement that the projected cash available is adequate to meet expected obligations over the next six months.

RESPONSIBILITIES

CITY MANAGER Has overall responsibility for monitoring investment activity and insuring compliance to the Investment Policy. The City Manager will authorize all investment documents on behalf of the Town and verify that investments are accurately reported to the City Council on a quarterly basis.

FINANCE DIRECTOR Has responsibility for initiating investments, insuring compliance with the Investment Policy, reporting to the City Manager changes in the financial status of investments and institutions, and executing all investment documents on behalf of the Town.



Town of Atherton

CITY COUNCIL STAFF REPORT

TO: HONORABLE MAYOR AND CITY COUNCIL

FROM: JAMES H. ROBINSON, CITY MANAGER

DATE: FOR THE MEETING OF OCTOBER 16, 2002

SUBJECT: ADOPTION OF RESOLUTION ADOPTING SALARIES AND BENEFITS FOR MANAGEMENT STAFF FOR FISCAL YEAR 2002-03 THROUGH 2003-04

RECOMMENDATION

Adopt the attached Resolution setting salaries and benefits for Management staff for Fiscal Year 2002-03 through Fiscal Year 2003-04.

BACKGROUND

On November 6, 2001, the City Council adopted Resolution 01-21, the Town's first Management Resolution which identified salaries and benefits for Management personnel for Fiscal Year 2001-02 in one comprehensive document. Resolution 01-21 outlined the Town's benefits package for Management employees and set salaries at the 70th percentile for comparator positions in benchmark comparator agencies.

Attached is a proposed two-year salary and benefit resolution, to cover the period of July 1, 2002 through June 30, 2004. The benefits enhancements are outlined below, and the salary is proposed to remain at the 70th percentile for each of the two fiscal years covered by the resolution. The benchmark comparator agencies remain the same as last year. Salaries would be adjusted as of July 1, 2002 and July 1, 2003.

ANALYSIS:

Salaries:

The proposed salary adjustments represent an average increase of 3.2% for Fiscal Year 2002-03. Last fiscal year's average increase for Management employees was 5.9%. Note when reviewing the salary schedule attached to the proposed Resolution, that due to length of service, not all Management employees are at the top step of their range. An internal equity adjustment is proposed for the positions of Assistant to the City Manager and City Clerk. These positions' salary ranges would be adjusted to match that of the Assistant Finance Director.

Benefits:

The attached table lists the proposed changes to benefits as outlined in the current Management Resolution. Also, the attached Resolution is highlighted with the proposed changes.

Provision	Current Resolution	Proposed Resolution
Term	One-year Resolution	Two-year Resolution
Covered Employees	10 Management Employees	11 Management Employees, adding the Associate Engineer, which is a limited-term position approved by the City Council on January 16, 2002.
Sick Leave	Accrual rate of 3.69 hours per pay period, cap of 1,080 hours.	Removal of cap of 1,080 hours. Award for Non-Use Provision: Conversion of sick leave to vacation (for every 8 hours of sick leave not used, automatically converted to 2 hours vacation at the end of the calendar year). This is currently the Town's practice for Management and Miscellaneous employees.
Leave Without Pay	Not Addressed	Adds a Leave without Pay provision to address this issue, similar to the Miscellaneous MOU.
Uniform Allowance	Not Addressed	Adds a Uniform Allowance provision for the Police Chief and Lieutenant, which matches the current practice of \$675 allowance per year.
Safety Shoe Allowance	Not Addressed	Adds a Safety Shoe Allowance of \$200 per year for the Public Works Superintendent position, matching Public Works field employees safety shoe provision in the Miscellaneous MOU.

Provision	Current Resolution	Proposed Resolution
Flexible Scheduling	Not Addressed	Upon the approval of the City Manager, a Management employee may work a flexible schedule, provided that Town services are not negatively impacted. The program would be implemented on a six-month trial basis with evaluation by the City Manager.
Military Buy Back of Service Credit from Public Employees Retirement System	Not Addressed	Directs the Town to implement the PERS Military Buy Back Program for eligible Management employees. There is no additional cost to the Town to implement this provision.

Note that Exhibit B to last year's Resolution is being deleted, as all former employment agreements between Management employees and the Town were superceded by last year's Resolution.

The attached Resolution was reviewed by the Town's labor relations attorney and the City Attorney.

FISCAL IMPACT:

The total fiscal impact of implementing the adjustments set forth in the proposed resolution is \$36,906. This amount includes adjustments as follows:

Salary Increases:	\$33,482.00
PERS Contribution Increase*	2,344.00
Workers Compensation Premium Increase*	400.00
Long Term Disability Premium Increase*	340.00
Medicare Contribution Increase*	140.00
Safety Shoe Allowance (1 employee)	200.00
<u>Total</u>	<u>\$36,906.00</u>

*These premiums are tied to salary and are automatically adjusted whenever there is a change in salary.

The adopted Fiscal Year 2002-03 Budget contains sufficient funds to accommodate the above adjustments.

Prepared by:

Approved by:

Linda Kelly
Assistant to the City Manager

James H. Robinson
City Manager

RESOLUTION NO. 02-_____

A RESOLUTION OF THE CITY COUNCIL OF THE TOWN OF ATHERTON ADOPTING SALARIES AND BENEFITS FOR MANAGEMENT STAFF FOR FISCAL YEAR 2002-03 THROUGH 2003-04

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

WHEREAS, the City Council has determined that it is in the best interests of the Town to bring uniformity to the salaries and benefits of Management employees in the form of a resolution, and

WHEREAS, Attachment A to this Resolution specifies terms and conditions of employment for Management employees for the Fiscal Year 2002-03 through 2003-04.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the Town of Atherton that the salaries and benefits of the Management Employees of the Town of Atherton shall be as stated in Attachment A.

* * * * *

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

APPROVED AS TO FORM:

 s/Marc Hynes
Marc Hynes, City Attorney

ATTACHMENT A

The purpose of this ~~Fiscal Year 2001-02~~ Management Resolution is to provide salary and benefit information for Management Employees of the Town of Atherton in one document rather than in multiple, individual agreements with various employees.

1. TERM: The term of this Resolution is July 1, 2002 through June 30, 2004 (Fiscal Years 2002-03 and 2003-04).

2. COVERED CLASSIFICATIONS:

Assistant Finance Director	Planning Administrator/Building Official
Assistant to the City Manager	Police Chief
Associate Engineer	Police Lieutenant
City Clerk	Public Works Director
Finance Director	Public Works Superintendent
Park Program Manager	
Administrator	

3. SALARY: The Atherton City Council recognizes the importance of maintaining a competitive salary and benefit package for its management employees. In order for this to be possible, it is necessary to establish a list of those municipalities that should be used as benchmark agencies. The following agencies are hereby used as a benchmark for management employees' salaries and benefits: Menlo Park, Hillsborough, Millbrae, San Carlos, Los Gatos, Belmont, Brisbane, San Bruno, Los Altos, Woodside, and Saratoga, with the exception of the Police Lieutenant position, which shall be benchmarked against those agencies utilized as benchmarks in the Atherton Police Officers Association Memorandum of Understanding (MOU).

For the term of this Resolution, July 1, 2002 through June 30, 2004, the City Council authorizes compensation of management employees at the 70th percentile for salary and Public Employees Retirement System (PERS) contribution as compared to like positions with the benchmark agencies. The salary ranges for the first year of this Resolution are as shown in Exhibit "A" – Town of Atherton Management Salary Schedule - Fiscal Year 2002-03. The salary ranges for the second year of this Resolution shall be calculated using the benchmark agencies for comparator positions with salaries effective July 1, 2003, utilizing those salary adjustments that are made public by August 15, 2003. Due to the unique duties of the Park Program ~~Administrator~~ Manager position and the inability to locate comparator positions, the salary for this position will not be set at the 70th percentile as described above. Instead, the salary for the Park Program Administrator position will be set at 1% above the Public Works Supervisor position for each Fiscal Year covered by this Resolution, in order to maintain internal equity. In order to establish internal equity for the positions of Assistant to the City Manager and City Clerk, these positions' salary ranges shall match that of the Assistant Finance Director for each Fiscal Year covered by this Resolution.

4. **OVERTIME:** All management employees are exempt from overtime compensation in accordance with the provisions of the Fair Labor Standards Act. No management employee is entitled to receive overtime compensation.
5. **HOLIDAYS:** The following holidays will be observed by all Management employees:

January 1	New Year's Day
Third Monday in January	Martin Luther King, Jr. Day
Third Monday in February	President's Day
Last Monday in May	Memorial Day
July 4	Independence Day
First Monday in September	Labor Day
Second Monday in October	Columbus Day
November 11	Veterans' Day
Fourth Thursday in November	Thanksgiving Day
Fourth Friday in November	Day after Thanksgiving Day
December 25	Christmas Day

In addition, a personal holiday on a date to be determined by the employee subject to the approval of the City Manager. This holiday will be credited to the employee each January.

If any of the holidays falls on a Saturday, the Friday preceding shall be observed as the holiday. If the holiday falls on a Sunday, the following Monday shall be observed as the holiday.

6. **VACATION LEAVE:** Except as limited by this section, all Management employees shall accrue Vacation Leave at the following rates:

- Less than three years of service – 80 hours per year.
- Three years of service to eight years of service – 120 hours per year.
- Eight years of service and above – 160 hours per year.

For purposes of this resolution, “years of service” shall include full-time employment with the Town of Atherton, plus full-time service with other public or private agencies prior to Town employment. Full-time years of service with other agencies shall be credited on a two-for-one basis as follows: credit for one year of service for every two years of service outside the Town. Partial years shall not be rounded up to the next year. Employees covered by this provision include all current Management employees and all Management employees hired during the term of this Management Resolution.

The maximum vacation accrual is 800 hours. Vacation accrual in excess of the maximum allowed will be liquidated by monetary payment during the month of November. Those employees with vacation balances in excess of the maximum accrual stated herein at the time this Resolution is adopted, are required to meet with the City Manager to arrange a schedule for liquidation or use of the excess time.

7. **SICK LEAVE:** The Town shall provide each Management employee in paid status with paid sick leave at the rate of 3.69 hours per pay period. There is a **no** cap of ~~1,080 hours~~ of on the hours of sick leave accrual.

An employee may only use sick leave that has accrued prior to the current pay period. Sick leave is not cashed out upon separation. Probationary employees can earn and use sick leave.

Sick Leave shall be allowed and used in cases of actual personal sickness or disability, medical or dental treatment, or as authorized for other health-related reasons. Up to six (6) days per year of sick leave may be used in cases of actual sickness or disability, medical or dental treatment of members of the employee's immediate family, or as otherwise provided by law. The City Manager may require an employee who uses sick leave to provide an original doctor's certificate to support the sick leave claimed. An employee who claims sick leave of three consecutive days or more may be required to submit a statement from a physician that the employee is fit to return to work with or without reasonable accommodation.

Unless he or she has submitted a doctor's note stating the length of absence, each employee on sick leave shall personally call in each day prior to the beginning of scheduled work hours to his or her immediate supervisor stating the following:

1. Non-detailed nature of the illness;
2. Estimated length of absence; and
3. Any necessary information about work which needs attention during the employee's absence.

Award for Non-Use

Provided that the following conditions are met, regular full-time employees may receive two hours of vacation leave on December 31 of any calendar year for every eight hours of sick leave earned but not used during that calendar year:

1. The employee must have completed one year of service by December 31 of the calendar year;
2. The employee must have received a satisfactory overall rating on his/her most recent performance review for work done during that calendar year; and
3. The employee only earns the Award for Non-Use to the extent that the Award does not exceed the vacation accrual cap.

Sick leave is not diminished as a result of an Award for Non-Use.

8. **BEREAVEMENT LEAVE:** Management employees shall be allowed paid leave for not more than five working days when absent because a death has occurred in his/her immediate family. For the

purpose of bereavement leave, members of the immediate family include mother, stepmother, father, stepfather, mother-in-law, father-in-law, child, grandparent, grandchild of the employee, or spouse, brother, stepbrother, sister, stepsister, cohabitant or dependent of the employee. Bereavement Leave because of a death of someone who is not a member of the employee's immediate family is limited to one day per request. Bereavement Leave cannot be accumulated and is not part of the sick leave benefit. Bereavement Leave cannot be used on a Town holiday.

In order to receive Bereavement Leave, a Management employee must make a written request to the City Manager that identifies the relationship of the deceased to the employee.

- 9. MILITARY LEAVE:** Military leave of absence shall be granted and compensated in accordance with all applicable laws upon satisfactory proof of the need to report to active duty. Management employees must give the City Manager advance notice, to the greatest extent possible, when military duty is scheduled.
- 10. LEAVE FOR PREGNANCY DISABILITY:** A pregnant Management employee shall be entitled to an unpaid leave of absence for the duration of disability due to pregnancy to a maximum of four months. The employee may use her accumulated sick or vacation leave for all or part of the leave. The employee's request for Pregnancy Disability Leave must be supported by a physician's statement that sets forth the anticipated duration of the disability.
- 11. FAMILY AND MEDICAL ACT LEAVE:** Provided that the Town's workforce consists of at least 50 full-time employees, leave of absence shall be granted in accordance with the State and Federal Family and Medical Leave Acts.
- 12. JURY DUTY:** A Management employee required to report for jury duty or to answer a subpoena as a witness shall be granted a leave of absence with pay from his/her assigned duties until released by the court, provided the employee remits to the Town all fees received for such duties, other than mileage or subsistence allowances, as soon as the employee receives such fees. The employee must report to work for any portion of the work day that the employee is not required to be absent due to jury duty or to answer a subpoena.
- 13. LEAVE WITHOUT PAY:** Upon the written request of a management employee and recommendation of the Department Head (if applicable), the City Manager may grant a leave of absence without pay for good cause shown in cases of personal emergency or when such absences would not be contrary to the best interest of the Town.

The City Manager may grant a leave of absence without pay for a period not to exceed one year, during which time no benefits and no seniority credit will accrue. Upon expiration of an approved leave, or within five working days after written notice to return to duty, the employee shall be reinstated in the position held at the time the leave was granted. An employee's failure to report promptly at the expiration of a leave, or within five working days after notice to report to duty, may be deemed notice of resignation and/or cause for disciplinary action.

During unpaid leaves of absence, the employee may elect to use accrued vacation time.

14. BENEFITS PROGRAMS: The following benefits are provided to Management employees. Benefits are not vested and are subject to change or to being discontinued.

A. HEALTH/DENTAL/VISION INSURANCE: The Town of Atherton currently contracts with the Public Employees Retirement System for health insurance benefits. The Town will pay the full cost of the health insurance for the employee and his/her family for any health plan currently offered through PERS. Health insurance offered by PERS commences on the first day of the month following employment, and remains in effect for one month after one terminates employment with the Town. The City Manager may contract with different health care insurers/providers, with City Council approval, at the beginning of a calendar year, as long as the new contract does not reduce the level of benefits.

Exempt from the Management health insurance program is the Police Lieutenant, who is covered by the cafeteria benefit plan as stated in the Atherton Police Officers Association (APOA) MOU. The Police Lieutenant shall be entitled to 80% of any unused portion of his allocated cafeteria plan amount, subject to appropriate tax withholding as provided for in the APOA MOU.

The Town will pay the full cost of the employee's and his/her family dental and vision insurance with insurers/providers as determined by the City Council based upon a recommendation of the City Manager.

B. LIFE INSURANCE: The Town will provide management employees with Town-paid life and accidental death and dismemberment insurance policies in the following amounts:

Police Chief, Police Lieutenant: \$140,000

Finance Director,
Planning Administrator/Building Official,
Public Works Director: \$100,000

Assistant Finance Director,
Assistant to the City Manager,
City Clerk,
Park Program Administrator,
Public Works Superintendent: \$75,000

C. EMPLOYEE ASSISTANCE PLAN: The Town will continue its program for psychological counseling to employees and dependents, with total Town expenditures not to exceed \$3,000 in any fiscal year, for payment of professional psychological counseling fees. Employee family groups are entitled to attend up to six sessions each year when he/she/they determine(s) that psychological counseling is needed to ensure continued good mental health.

D. LONG TERM DISABILITY INSURANCE (LTD): Coverage for this insurance is 67% of monthly earnings to a maximum of \$6,000.00. This insurance becomes effective the first day of the month following date of employment subject to the terms and provisions contained in the policy.

The waiting period following a disability is sixty (60) days. An employee does not accrue sick or vacation leave while on Long Term Disability Leave.

- E. DEFERRED COMPENSATION:** Management employees are eligible to participate in the ICMA Retirement Corporation 457 Deferred Compensation Plan.
 - F. SHORT TERM DISABILITY INSURANCE (STD):** Short Term Disability Insurance can only be utilized after an employee has exhausted all of his/her available sick leave. The benefit is an amount equal to 70% of the employee's weekly earnings to a maximum of \$500.00 per week.
 - G. FLEXIBLE SPENDING PLAN:** Full-time management may enroll in this plan and take advantage of tax benefits as they pertain to medical and dependent care. Employees enroll upon employment and once a year thereafter in the month of January.
 - H. PUBLIC EMPLOYEES' RETIREMENT SYSTEM:** All full-time management employees are covered by California's PERS in lieu of Social Security coverage. The Town pays both the employer's and the employee's portion of PERS under the 2% @55 program for non-sworn management employees and 3% @50 program, as of July 1, 2002, (calculated at single-highest year) for sworn management employees.
- 15. PERFORMANCE REVIEWS:** All management employees shall have their performance reviewed at least once prior to the end of the fiscal year in June. These reviews provide a planned and orderly means to evaluate individual performance in the areas of program responsibility, management of personnel, accountability, and teamwork with other staff members.
- 16. AUTOMOBILE PROVISION/MILEAGE REIMBURSEMENT:** The City Council recognizes different needs of management employees regarding automobile use. All management employees will be compensated for mileage at the current Internal Revenue Service rate in the performance of his/her job except for the following positions as provided herein:
- a. Police Chief - Provision of an automobile to take home
 - b. Police Lieutenant - Provision of an automobile to take home
 - b. Planning Administrator/Building Official - \$200/month
 - c. Public Works Director - \$200/month
 - d. Public Works Superintendent - Provision of an automobile during work hours

The specific policy for use of Town-owned automobiles will be established by the City Manager.

- 17. EDUCATIONAL REIMBURSEMENT:** The Town shall establish a \$2,000 annual educational reimbursement plan for Management employees. A Management employee who successfully completes courses that have been approved by the City Manager may receive up to \$600 reimbursement for each fiscal year of the term of this MOU until the funds are depleted. At the end of the fiscal year, any unused amount in the plan shall be distributed to Management participants in the plan during that year on an equal basis provided that such additional payments to participants shall be based on actual expenditures incurred by the participants.

18. UNIFORM ALLOWANCE: The positions of Police Chief and Police Lieutenant shall receive a uniform allowance in the amount of \$675 per fiscal year, payable in equal amounts of \$168.75 on the first payday at the beginning of each quarter. The amount advanced is subject to all withholding taxes, but is not dependent on remaining in service for the entire quarter. Positions covered by this allowance are required to purchase and maintain uniforms in accordance with Atherton Police Department Rules and Regulations.

19. SAFETY SHOE ALLOWANCE: The position of Public Works Superintendent shall receive a safety shoe allowance of \$200 per fiscal year. On presentation of appropriate receipts, the Town shall reimburse the Public Works Superintendent for up to \$200 per fiscal year toward the cost of no more than one pair of OSHA approved safety shoes/boots per year. Shoe repair is reimbursable under this provision. Shoes/boots purchased under this provision are for the exclusive use of the employee.

20. FLEXIBLE SCHEDULING:

At the request of the Department Head and following review and approval by the City Manager, a flexible work schedule may be implemented for Management employees covered by this Resolution. The City Manager's evaluation shall give consideration to the needs of the Department/Employee as well as the desire of the City Council to continue to provide all Town services on a schedule that is conducive to providing uninterrupted service to its residents throughout the week.

Each flexible schedule approved shall be evaluated by the City Manager no later than six months following its implementation. The purpose of the evaluation will be to determine if it is in the best interests of the Town of Atherton to continue the flexible schedule, or any modifications to the schedule that would be necessitated by the City Manager's evaluation.

21. MILITARY BUY-BACK OF SERVICE CREDIT: During Fiscal Year 2002-03, the Town shall take the necessary actions to enable eligible management employees to participate in the Military Buy Back of Service Credit program available through the Public Employees Retirement System (PERS).

22. PERS ACTUARIAL STUDY: ~~During the Fiscal Year 2001-02, the Town shall request an actuarial study of the cost of implementing the single highest year Public Employees Retirement System (PERS) program and final year conversion of employee paid member contributions.~~

23. The provisions of this Management Resolution supercede and terminate any and all prior or existing MOUs, understandings, rules, policies, agreements, resolutions or correspondence, whether formal or informal, regarding the compensation, benefits and terms and conditions of employment, to the extent that those items are inconsistent with the terms of this Management Resolution. Existing MOUs, understandings, rules, policies, agreements, resolutions or correspondence that do not conflict with the matters set forth herein remain in effect.

**TOWN OF ATHERTON
MANAGEMENT SALARY SCHEDULE
Fiscal Year 2001-02 2002-03**

<u>Position</u>	<u>Bottom Step</u>	<u>Top Step</u>
Assistant Finance Director	6,038 6,315	7,103 7,430
Assistant to the City Manager	5,511 6,315	6,484 7,430
Associate Engineer*	5,802	6,826
City Clerk	5,785 6,315	6,806 7,430
Finance Director	8,600 8,841	10,118 10,401
Park Program Manager Administrator*	4,535 5,315	5,335 6,253
Planning Administrator/ Building Official	8,565 8,745	10,076 10,288
Police Chief	9,151 9,370	10,766 11,024
Police Lieutenant	7,302 7,522	8,591 8,849
Public Works Director	9,012 9,292	10,603 10,932
Public Works Superintendent	6,916 7,075	8,136 8,323

*Park Program Administrator salary is current salary. Salary is to be adjusted 1% higher than Public Works Supervisor once Miscellaneous Memorandum of Understanding for FY 2001-02 is adopted by City Council.

*Limited-term position approved by City Council on January 16, 2002. No change in salary range from the range adopted on January 16, 2002.

EXHIBIT B

ADDENDUM TO EMPLOYMENT AGREEMENT WITH TOWN OF ATHERTON

WHEREAS, [NAME] was the recipient of employment compensation and benefits as described in [name of agreement with Town] on [date signed agreement] regarding [his/her] at will employment with the Town of Atherton;

WHEREAS, the TOWN and [NAME] desire to replace that [name of agreement] with the terms and conditions of an annual Management Resolution that is applicable to all at will employees of the Town;

THE PARTIES AGREE AS FOLLOWS:

1. The [name of agreement] between [NAME] and the Town of Atherton is hereby terminated in its entirety and is null and void as of the date that the City Council adopts the Management Resolution that is attached hereto; and

2. As of the date of the City Council's adoption of the Management Resolution, the terms and conditions of employment for [Name] will be governed by: the Management Resolution attached hereto and as amended from time to time; Town rules, resolutions, ordinances and Municipal Code provisions; and all applicable state and federal laws.

Date _____ Date _____

[Name of Employee] _____ James H. Robinson, City Manager

APPROVED AS TO FORM:

Marc Hynes, City Attorney



Town of Atherton

CITY COUNCIL STAFF REPORT

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

FROM: LINDA KELLY, ASSISTANT TO THE CITY MANAGER

DATE: FOR THE MEETING OF OCTOBER 16, 2002

SUBJECT: INFORMATION REPORT REGARDING NOMINEES FOR THE MID-PENINSULA COMMUNITY MEDIA CENTER BOARD

RECOMMENDATION

Receive and file this Report on nominating a resident to serve on the Mid-Peninsula Community Media Center Board. Once applications have been received, the Council Screening Committee will be presented with the applicants, with a nomination to be made by the Council. The actual appointment is made by the Mid-Peninsula Community Media Center Board itself in accordance with their bylaws.

BACKGROUND

The attached document contains the background on the Mid-Peninsula Community Media Center. In 2001, the Boards of Directors of the Mid-Peninsula Access Corporation and Silicon Valley Community Communications merged to form one Board, referred to as the Mid-Peninsula Community Media Center, or "Media Center." The main goal of the Media Center is to build a new facility with enhanced media technologies with services to government, education, non-profits and the community at large, mostly in the area of cable television productions. The service area is made up of Atherton, Palo Alto, East Palo Alto, Menlo Park and the Stanford area. The funding for the Media Center is the result of the 1999 sale of Cable Co-op to AT&T, wherein AT&T donated \$17 million to Silicon Valley Community Communications. Of this amount \$7 million was paid to the IRS since it was deemed a charitable pledge as party of the purchase price paid by AT&T. The remaining \$10 million is in investments and is considered working capital and is earmarked for a new facility to serve the covered jurisdictions.

Currently, the Assistant to the City Manager serves on the Media Center Board representing Atherton. However, due to the increase in the activity of the Board with more frequent meetings, the Assistant to the

City Manager is not able to devote the time necessary to be a contributor to the Board, given other priority Town duties. In addition, it is recommended that a Town resident who is cognizant of the perspective of Atherton residents with respect to cable and media needs represent the Town in this function. The Board is especially interested in an individual with fundraising experience, as the Media Center is not going to be a self-sustaining entity due to the nature of its public business once the facility is completed. They are also looking for a nominee with either design and construction expertise, new technologies, or youth programs.

Regular meetings are once a month, and special meetings are called as needed, which recently has been up to two additional meetings per month. Meetings are held in Palo Alto, typically at 4:30 p.m. lasting two hours or more.

CONCLUSION

It is recommended that the City Council receive and file this report. If Council Members are aware of individuals interested in serving on the Media Center Board, please notify the City Clerk. Once applicants have been identified, the Council Screening Committee could interview them, with the nomination being made at a future Council Meeting.

Prepared by:

Approved by:

Linda Kelly
Assistant to the City Manager

James H. Robinson
City Manager

Attachment: Media Center Board Development Program Document



Town of Atherton

CITY COUNCIL STAFF REPORT

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

FROM: ROBERT J. BRENNAN, CHIEF OF POLICE

DATE: FOR THE MEETING OF OCTOBER 16, 2002

SUBJECT: ACCEPTANCE OF DONATION OF \$8,500 FOR POLICE CANINE

RECOMMENDATION:

Accept a donation in the amount of \$8,500 to purchase a new police canine and augment budget line item 40-141-3221 in that amount.

INTRODUCTION:

The Town of Atherton Police Department did not budget for the addition of a new police canine in the Fiscal Year 2002-03 budget because of anticipated staffing levels of canine handlers and canines. Unfortunately, an officer and canine handler recently resigned from the Department. That officer purchased his canine partner at a prorated basis on the remaining working expectancy of the canine. Subsequently, the Police Department is “down” one police canine on patrol.

The Atherton Crime Prevention Task Force was recently informed that the Police Department was in need of another canine, and that funds were not budgeted for the purchase and training of a canine in FY 2002-03. The Task Force located a source that wants to fully fund the purchase of the canine and required training.

ANALYSIS:

The Atherton Police Department Canine Unit was created in 1964 to help the department with its primary function, the preservation of life and property. The Canine Unit assists in achieving this goal by promoting an atmosphere of service and safety in the community, utilizing canines in general and specialized patrol to enhance crime prevention, crime suppression, criminal investigation, and Police Officer/Citizen protection.

The Unit has always utilized German Shepherds as service dogs. The German Shepherd Dog is the best suited for police work as it is the best utilitarian breed. They are intelligent, courageous, agile, medium sized, easy to train, easy to care for, and are generally a healthy breed. For approximately one hundred years now, the German Shepherd Dog has been bred to be a working dog, with priority on temperament and character.

Possibly the greatest value of Police Service Dogs lies in their mere presence on the street. The psychological effect of a Police Service Dog is tremendous, and their deterrent effect on crime cannot be measured. Their function is not to replace the Police Officer, but to work as a member of a canine/handler team. The dog's remarkable olfactory and hearing senses are the main reason we utilize dogs. These senses allow the dogs to perform functions that the human officer just cannot do. Canine/Handler teams can be used in the following situations utilizing these skills:

- **TRACKING** - Providing that conditions for tracking are suitable, the canine can track human scent. Tracking is used mostly in tracking suspects from the scene of various crimes, such as burglary, robbery, prowling, etc.
- **BUILDING SEARCHES** - The use of dogs to search buildings and homes is perhaps the most utilized of all the abilities they possess. A large warehouse, office building, house or school which has been burglarized, or in which the alarm has been activated, are the places where the dog is most functional.
- **CRIME SCENE SEARCHING** - The dogs can point out objects within a specified area that are foreign to the ground. Dogs can be very useful in recovery of physical evidence in brush and tall grass.
- **OPEN AREA SEARCHES** - Atherton, with its densely vegetated residential areas, provides suspects with many hiding places. Often these suspects can be armed and pose a danger to the officers who are required to arrest them. A properly trained dog can be used in these situations to locate the suspect while minimizing danger to the officers. The dog, with his superior olfactory and hearing senses, is capable of conducting a more thorough search in less time than even a large number of officers.
- **APPREHENSION OF FLEEING SUSPECTS** - Occasionally the dog may be called upon to apprehend and contain a fleeing suspect. This can prevent the use of greater force to subdue a fleeing or combative suspect.

Atherton Police canine handlers and their canines attend mandatory training twice a month through a local vendor that trains the majority of the police canines in the Bay Area. The officers go to this training on-duty if the training falls on their regular work day, or off-duty for which they are compensated with overtime or compensating time off.

FISCAL IMPACT:

None. The amount of \$8,500 will cover the purchase and month-long training of a new police canine. The on-going training costs were already budgeted in the FY 02-03 budget.

Prepared by:

Approved:

Robert J. Brennan
Chief of Police

James Robinson
City Manager



Town of Atherton

CITY COUNCIL STAFF REPORT

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

FROM: KATHY HUGHES ANDERSON

DATE: FOR THE MEETING OF OCTOBER 16, 2002

**SUBJECT: APPROVAL OF DONATION OF UNCLAIMED BICYCLES TO THE SAN
MATEO COUNTY RECYCLEWORKS**

RECOMMENDATION:

The City Council declares specific Town property as surplus and authorizes City Manager, or his designee, to donate surplus bicycles to the San Mateo County RecycleWorks.

INTRODUCTION:

Periodically, the Town disposes of property that has been found and/or recovered. The Police Department has a number of bicycles that have been stored for more than the 6 months required before they can be purged. All attempts to locate the rightful owners have been unsuccessful. The Council is being requested at this time to declare the items described in Exhibit A as surplus. The County of San Mateo RecycleWorks is sponsoring a bicycle recycling event to donate used bicycles to non-profit organizations. (See attached flyer.)

ANALYSIS:

The disposal of surplus property is a procedure that all municipalities routinely conduct. Typically, the Town utilizes the services of an auctioneer who picks up and auctions the property. Bicycles are sold by lots of 60-80 bicycles for scrap value price. The amount the Town receives is very minimal and requires staff time to prepare for auction. Also, the Police Department is experiencing a storage problem at this time due to the new construction about to begin and would like to free up the space being taken up by the bicycles.

CONCLUSION:

The approval of this request will facilitate the disposal of surplus property, allow the Town to participate in San Mateo County's recycling event and free up space in the Police Department facility.

FISCAL IMPACT:

There will be a minimal loss of revenue by donating rather than auctioning the surplus bicycles.

Prepared by:

Approved:

Kathy Hughes Anderson
Town Arborist

Jim Robinson
City Manager

Attachments: Exhibit A



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 OCTOBER 16 ,2002

**SUBJECT: PUBLIC HEARING AND ADOPTION OF RESOLUTION ORDERING
VACATION OF A PORTION OF FAXON ROAD RIGHT-OF-WAY
ADJACENT TO NUMBER 96 FAXON ROAD, WITH RESERVATION OF A
PUBLIC UTILITY EASEMENT, SAID PORTION AND SAID EASEMENT
RESERVATION BENG MORE PARTICULARLY DESCRIBED IN EXHIBITS
“A” AND “B” ATTACHED HERETO AND MADE A PART HEREOF**

RECOMMENDATIONS

Hold a public hearing on the vacation of a portion of Faxon Road, then adopt the resolution ordering the vacation of a portion of Faxon Road right-of-way, with reservation of an easement for public utilities.

INTRODUCTION

When Atherton Woods was first subdivided, Faxon Road dead-ended near the southerly corner of 96 Faxon Road, where the road right-of-way was widened to provide room for a turn-around. Faxon Forest subdivision later extended the road and provided a turn-around at the ultimate end of the street. The area proposed to be vacated is a portion of the now unneeded turnaround at number 96. It is shown on the attached Exhibit “B.” The property owner is not requesting and staff is not recommending vacation of the entire turn-around widening because the driveway serving 98 Faxon cuts across part of the area to avoid going through an unpaved island with substantial trees in what would be a straight-line extension of number 98’s driveway.

ANALYSIS

The Planning Commission considered this vacation in August of last year and found it to conform to the

General Plan. Utilities have also looked at it and requested that a Public Utilities Easement covering the entire area to be vacated be reserved.

If the Council approves the vacation, the resolution ordering it will be recorded at the County. After this happens, the property owner adjacent to the abandoned section of street will have the ability to file quiet title actions to acquire title to the portion of vacated right-of-way. Any removal or change in existing improvements within the vacated area will thereafter be the responsibility of its new owner and will need to accommodate access by utilities with rights to the reservation.

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 vacating this portion of Faxon Road can be done without any impact to other Town facilities or resources.

Respectfully submitted:

Reviewed/Approved:

Cliff Temps
Public Works Director

James Robinson
City Manager

RESOLUTION NO. 02-___

A RESOLUTION OF THE CITY COUNCIL OF THE TOWN OF ATHERTON ORDERING THE VACATION OF A PORTION OF FAXON ROAD RIGHT-OF-WAY, WITH RESERVATION OF AN EASEMENT FOR PUBLIC UTILITIES, SAID PORTION AND EASEMENT RESERVATION BEING MORE PARTICULARLY DESCRIBED IN EXHIBITS “A” AND “B” ATTACHED HERETO AND MADE A PART HEREOF

WHEREAS, Notice of a Public Hearing concerning the vacation of a portion of Faxon Road right-of-way was published and posted pursuant to the requirements of Part 3, Chapter 1, Section 8300 et.seq. of the California Streets and Highways Code; and

WHEREAS, the City Council has duly conducted a Public Hearing on the 21st day of August, 2002, and all persons interested in the proposed vacation appearing at the hearing were heard; and

WHEREAS, utility companies serving properties in the area have been notified regarding the proposed vacation and have requested the reservation of easements and imposition of conditions.

- NOW, THEREFORE, BE IT RESOLVED by the City Council of the Town of Atherton that:
1. The City Council finds from all the evidence submitted, that the portion of Faxon Road right-of-way described and shown in Exhibits “A” and “B” is unnecessary for public use, except for use by utilities for which a reservation is therein described.
 2. The portion of Faxon Road right-of-way described and shown in Exhibits “A” and “B” is hereby declared vacated, except for the Public Utilities easement described and reserved therein.
 3. Said vacation is subject to the condition that private fencing or landscaping of all or any portion of the area being vacated shall be constructed or installed in such a way as to permit reasonable access by utility workers to any utility or sanitary sewer within the vacated area for use, maintenance, replacement or repair, by the public or entity having authority over the utility and/or sewer.

* * * * *

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 16th day of October, 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>

ATTEST:

Alan B. Carlson, Mayor
Town of Atherton

Sharon Barker, City Clerk

APPROVED AS TO FORM

*s/Marc Hynes*_____
Marc Hynes, City Attorney

EXHIBIT “A”
**DESCRIPTION OF PORTION OF FAXON ROAD RIGHT-OF-WAY TO BE
VACATED**

COMMENCING at the most southerly corner of lot 1, Atherton Woods Unit 1 Subdivision, recorded in the office of the San Mateo County Recorder on December 30, 1954, in volume 40 of maps at page 50, thence along a westerly line of the right-of-way of Faxon Road, shown on said map, at a bearing of north 15° 19' 55" east a distance of 7 feet to the POINT OF BEGINNING, thence continuing along said westerly line of Faxon Road north 15° 19' 55" east 33.00 feet, thence north 71° 28' east 48.19 feet, thence, leaving said right-of way line, south 15° 05' 09" west 15.00 feet, thence south 57° 06' 43" west to the point of beginning. Containing 962.07 square feet.

RESERVING therefrom a Public Utility Easement over the entire area of the parcel described above.



Town of Atherton

CITY COUNCIL STAFF REPORT

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

FROM: LISA COSTA SANDERS, DEPUTY TOWN PLANNER

DATE: FOR THE CITY COUNCIL MEETING OF OCTOBER 16, 2002

**SUBJECT: 150 VALPARAISO (APN 070-390-010)
CONDITIONAL USE PERMIT - HELICOPTER LANDING**

RECOMMENDATION:

Staff recommends that the City Council conduct the public hearing and approve the Conditional Use Permit request for a helicopter landing at 150 Valparaiso Avenue based on the following finding for the reasons outlined in this staff report and subject to the draft Conditional Use Permit:

1. That the proposed helicopter landing at the proposed location would not be detrimental or injurious to persons, property or improvements in the vicinity, and would not be detrimental to the public health, peace, morals, safety, comfort, general welfare or convenience.
2. That the proposed helicopter landing is not in conflict with the Atherton General Plan policies.

INTRODUCTION

The Atherton Police Department is requesting a Conditional Use Permit to allow a helicopter landing at St. Joseph's School for a D.A.R.E event. The landing would take place during "Red Ribbon Week" (October 21-31), which is a "say no to drugs" awareness week. The Police Department would like to arrange for a National Guard Blackhawk helicopter to land at the St. Joseph campus.

The Planning Commission reviewed this item at their September 25, 2002 meeting. At that meeting, the Commission voted unanimously to recommend the City Council approve the Conditional Use Permit for the helicopter landing.

ANALYSIS:

Atherton Municipal Code, Chapter 12.28, allows for helicopter landing on private property with a conditional use permit from the Planning Commission and City Council. The code requires property owners within a 1,500 foot radius of the landing site be notified of the public hearings.

As stated above, the Atherton Police Department would like to hold a drug awareness event at the St. Joseph School with the landing of a helicopter. The helicopter would land at the soccer field near Park Lane on October 28, 2002 between the hours of 9:00 a.m. and 3:00 p.m.. The landing location is adjacent to Park Lane and Emilie. Across the street on Park Lane are the Menlo Circus Club and one residence. There are also residences along Emilie.

The helicopter is a National Guard Blackhawk helicopter and would be drawn from the 129th Rescue Wing based at Moffett Field. The focus of this aircraft is rescue and it is not armed in anyway. Upon landing the helicopter, the crew would talk to the students. The use of the helicopter is intended as a display of technology. The onboard instruments are rather sophisticated. At other events, the children have been inspired with the job of the pilot and computer programmer. The message to students during the event will be; "to succeed, you need to stay in school and don't do drugs".

Police Staff is coordinating the necessary permits and safety inspections for the landing site from the Federal Aviation Administration and the California Department of Transportation.

Police Staff noted participating in a similar event last year at Burton Park in San Carlos, with no negative impacts.

The Town's General Plan and Zoning designate the site for public facilities and schools.

At the September 25, 2002 Planning Commission meeting, the Commission recommended the following conditions be added to the Conditional Use Permit;

- If the event is unable to occur on this date, this Conditional Use Permit shall be valid for one occurrence only within one year of the effective date of this Use Permit. The applicant shall provide at least 10-day notification of the rescheduled event to all property owners within 1,500 feet of the subject site.
- The approach and departure pattern shall be at a normal and safe altitude until directly over the landing site.
- Property owners within 1,500 feet of the subject site shall be notified one week prior to the event. (*property owners were notified of the potential dates of the event and of the Planning Commission and City Council meetings in which the item will be discussed – notice attached*).

These recommended conditions have been included in the draft Conditional Use Permit attached to the staff report.

CONCLUSION:

It is Planning Staff's professional opinion that the proposed project is not in conflict with the General plan.

ALTERNATIVES:

The Council could deny the request or add conditions of approval to the Conditional Use Permit.

FISCAL IMPACT:

The General Fund (Building Division) is charged with the cost of processing of this application. It should be noted that the additional property owner notification condition recommended by the Planning Commission would be at a cost of over \$500.00 borne by the Town of Atherton (copy expense, postage and staff time).

ENVIRONMENTAL IMPACT:

The proposal has been determined to be exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to CEQA 15322; Educational or training programs involving no physical changes.

FORMAL MOTION:

I move that the City Council adopt the findings enumerated in the Staff Report for the reasons noted in the Staff Report and approve the Conditional Use Permit request for a helicopter landing at 150 Valparaiso Avenue.

s/Lisa Costa Sanders

Lisa Costa Sanders, Deputy Town Planner

James Robinson, City Manager

Attachments:

1. Draft Conditional Use Permit
2. Letter of request
3. Site Plan
4. Chapter 12.28 of the Atherton Municipal Code
5. Notice of Public Hearing
6. Draft meeting minutes from the September 25, 2002 Planning Commission meeting
7. Letters addressed to the Planning Commission



Town of Atherton

CITY COUNCIL STAFF REPORT

TO: HONORABLE MAYOR AND CITY COUNCIL

FROM: JOHN P JOHNS, FINANCE DIRECTOR

DATE: FOR THE MEETING OF OCTOBER 16, 2002

SUBJECT: FY 2002-2003 FINANCE STATEMENTS AND INDEPENDENT AUDITORS' REPORT

RECOMMENDATION:

Accept the financial statements and independent auditors' report for the year ended June 30, 2002.

SUMMARY

The auditing firm of Caporicci and Larson has completed its annual financial audit and has issued the financial statements for the year ended June 30, 2002. The auditing firm has expressed an opinion that the Town's financial statements are fairly stated and in conformity with generally accepted governmental accounting standards. The auditors have also provided recommendations to improve financial controls that are designed to protect the integrity of the town's financial reporting system and to safeguard assets within the custody of the Town. The independent auditors' report and accompanying management letter are provided as an attachment to this staff report.

Based upon interviews, analytic review, substantive testing and other procedures the auditors deemed necessary, the auditors have concluded that the financial position of the town as of June 30th, 2002 and the revenues, expenditures and cash flows for the year ended June 30th, 2002 are presented fairly and in accordance with generally accepted governmental accounting principals in all material respects. Additionally, the auditors have identified three opportunities to improve the Town's financial controls that are designed to protect the town's financial assets and to protect the integrity of the Town's financial records. These recommendations are to:

- Acquire and implement a fixed asset accounting system;

- Implement the purchase order module of the town's integrated financial management system; and,
- Document the Town's policies and procedures as they relate to the acquisition and disposition of fixed assets.

Management agrees with the recommendations of the auditors. The response of management has been incorporated within the Auditors' management letter and provide a brief description of the actions management will take to rectify the reportable conditions that the auditor has cited. The Audit Committee has also reviewed the work of the auditors and has prepared its own comments pertaining to the Auditors.

Finally, the auditors have reviewed the status of implementation of the prior-year management letter recommendations. The auditors determined that three of the four recommendations made as part of the FY 2000-01 review have been fully implemented. The final recommendation, implementation of GASB 34 has been partially implemented. (Full implementation of GASB 34 is not required until June 30th, 2003).

The audit committee has reviewed the independent auditors' report and recommends that the Council accept the report.

MANAGEMENT DISCUSSION AND ANALYSIS

The Financial Statements provided by the auditors include the following elements:

- Statements of revenues, expenditures and changes in fund equity for all funds and account groups;
- Balance sheets for all major fund categories and account groups;
- Statements of cash flows for proprietary funds;
- A comparative analysis of budgeted versus actual revenues and expenditures as well as a comparative analysis of asset, liabilities and fund equity accounts as of June 30th, 2001 and June 30th, 2002; and,
- Notes to the financial statements that disclose significant accounting policies and other pertinent issues.

These financial statements, accompanying notes and auditors' opinion are intended to provide the City Council and other interested party with an understanding of the financial results for the year ended June 30th 2002 and the financial position as of June 30th, 2002. The financial statements are the responsibility of the Town's management. It is the responsibility of the independent auditor to audit the financial statements and to express an opinion as to whether the financial statements present fairly the financial position of the town as of the end of the fiscal year. It is also the responsibility of the auditor to identify opportunities to improve the town's system of financial controls.

The following is a summary of significant events that have occurred during the fiscal year. This summary is organized according to major fund and account group.

II. General, Special Revenue and Capital Projects Funds

At the beginning of FY 2001-02 the town had budgeted for a *decrease* in its financial reserves by approximately \$450,000 to fund current year operations. However, because revenues exceeded budgetary estimates by \$437,703 and because expenditures amounted to approximately \$111,191 less than what was appropriated, General Fund revenues and other financing sources exceeded expenditures and other financing uses by \$133,222. As a result, the General Fund Balance *increased* from \$5,060,965 to \$5,194,187.

The Town collected \$1,516,430 in special parcel tax revenues. Of this amount, \$350,000 was transferred to the General Fund to provide for public protection and capital improvement program support. Additionally, \$329,917 was expended for the sealing, patching and overlay of surface streets and arterial roadways within the town. The balance of \$847,820 remained within the Parcel Tax Special Revenue Fund for future capital improvements.

Building permit revenues exceeded budgetary projections by \$100,000. Due to higher than expected building activity and related building inspection work as well as the need to acquire external consultants to support various planning activities, Building Department expenditures exceeded appropriations by \$120,000.

In FY 2001-02, the Town approved a four-year, \$10 million comprehensive capital improvement program. This program identified approximately \$3.4 million in expenditures for various street, drainage and town facility improvements to be made in FY 2002-03. However, due to unanticipated delays in initiating certain capital projects as well as delays in receiving progress billings from certain contractors, only \$1.7 million, or 50 percent had been expended by FY 2001-02 year-end. The unexpended balances have been re-programmed for FY 2002-03 through FY 2004-05.

Business license revenues amounted to approximately \$100,000, only 55 percent of the \$180,000 that had been budgeted at the beginning of the year. Staff has conducted research into why business license revenues have performed so poorly with respect to budgetary estimates and has prepared a staff report with recommendations to rectify this condition which will be presented to Council in November.

In June the Town received \$400,000 from the San Mateo County Library Joint Powers Agency (JPA). This \$400,000 represents the amount of property taxes that have been collected to support the operations of the Atherton Library in excess of the Atherton Library's operating costs. Pursuant to a recommendation of the Atherton Mayor and City Manager, the Library JPA Board of Directors authorized a disbursement of these "donor city" funds to Atherton provided that the Town establish a separate fund and use such monies exclusively for the maintenance of its library. Accordingly, the Town has established a special revenue fund to account for Library revenues and expenditures. Based upon a review of historical expenditure trends, we believe that the interest income on the Library Fund will be sufficient to cover the cost of utilities and ongoing maintenance of the Library in FY 2002-03.

In FY 2001-02 Sales Taxes revenues amounted to \$156,672 or \$149,328 less than the \$306,000 that had been budgeted. The poor performance in this revenue account was a result of the unfavorable economic climate.

The Atherton Channel Drainage District Fund balance includes an adjustment from the previous year in the amount of \$9,800. This amount represents property revenues that had been improperly credited to the General Fund in FY 2000-01.

Expenditures for park playground construction amounted to \$287,153 leaving a balance of \$58,417. Although construction of the playground was completed in June, the Public Works Department expects that a portion of the fund balance remaining will be required to cover expenses associated with modifying the playground for safety reasons and to reduce future maintenance costs. Accordingly, the Finance Department and the Public Works Department will provide a staff report to council as part of the mid-year budget review process that recommends how the \$58,417 balance within the Park Playground Improvement Fund should be disposed of.

Proprietary Funds

The town maintains four internal service funds, workers compensation, administrative services, vehicle replacement and computer services. These funds represent separate self balancing sets of accounts that are used to record the results of services provided to the town of a whole, the costs of which are recovered through user charges to individual programs and activities. Combined, these funds realized an operating loss in the amount of \$14,965. However due to an operating transfer from the General Fund to the Vehicle Maintenance Fund in the amount of \$100,000 which was authorized by Council as part of the budget process, the net income for these four funds amounted to \$87,264.

Depreciation expense for the vehicle replacement fund amounted to \$66,802, nearly double the \$35,434 in the previous year. The increase in depreciation resulted from a reduction in an assumption of useful lives for police patrol vehicles from ten years to four years.

Trust and Agency Funds

In FY 2001-02 the Atherton Arts Committee expended \$109,663 to host a variety of social and cultural events, most notably Jazz in the Meadow and the Community sculpture. In total the Arts committee received \$108,000 in the form of social fees, class fees and interest income.

CONCLUSION

During FY 2001-02, the Financial Condition of the Town improved slightly from the previous fiscal year. The independent auditors have expressed a favorable opinion as to the reliability of the Town's financial statements. Additionally, the auditors identified three opportunities for improving financial controls while indicating that all recommendations of the previous fiscal year had been either fully or partially implemented.

Prepared by:

Approved by:

John P. Johns, CPA
Finance Director

Jim Robinson
City Manager



Town of Atherton

CITY COUNCIL STAFF REPORT

TO: HONORABLE MAYOR AND CITY COUNCIL

FROM: LISA COSTA SANDERS, SENIOR PLANNER

DATE: FOR THE CITY COUNCIL MEETING OF OCTOBER 16, 2002

SUBJECT: AUTHORIZE THE MAYOR TO ENTER INTO AN AGREEMENT WITH THE COUNTY OF SAN MATEO FOR REHABILITATION LOAN PROGRAM SERVICES

RECOMMENDATION:

Staff recommends that the City Council authorize the Mayor to enter into an agreement with the County of San Mateo for Rehabilitation Loan Program Services.

INTRODUCTION:

The County of San Mateo, through its Office of Housing, provides housing rehabilitation services to non-entitlement cities within the County. Entitlement cities include: Redwood City, San Mateo, Daly City and South San Francisco. The County has offered to continue offering these services to non-entitlement cities, including Atherton, with the attached three-year Corporation Agreement.

ANALYSIS:

The housing rehabilitation services that would be provided by the County of San Mateo are outlined in Section B of the attached agreement. These services include: providing housing rehabilitation financing services (loans) to eligible residents, providing technical assistance to eligible residents for determining necessary work, selecting contractors and completing the work. It is stated in the agreement that the County will not replace the legal responsibilities and duties of the Town Building Official under this program. The County will provide all administrative services (expenses) and loan funds. The Town is asked to furnish support for the outreach effort including the following;

- Space to disseminate rehabilitation program information

- Provide meeting and working space to facilitation coordination between property owner and county staff
- Provide use of telephone for local calls.

Residents must meet the following low and very low-income limitations to be eligible for the program:

	1 person	2 persons	3 persons	4 persons
Very low	35,650	40,700	45,800	50,900
Low	57,000	65,150	73,300	81,450

The term of the agreement is three years, and is automatically renewed unless action is taken by the County or the Town to terminate the Agreement.

CONCLUSION:

The program would provide beneficial housing rehabilitation funding and technical assistance to any eligible residents of the Town of Atherton at no cost to the Town.

ALTERNATIVES:

The Town could choose not to participate in the housing rehabilitation services offered by the County.

FISCAL IMPACT:

No fiscal impact to the Town of Atherton. All funds and staff time would be of the County of San Mateo.

s/Lisa Costa Sanders
 Lisa Costa Sanders, Deputy Town Planner

 James Robinson, City Manager

Attachments:

1. Agreement
2. Letter from Norman Pascoe, County of San Mateo Office of Housing



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 OCTOBER 16, 2002

**SUBJECT: RECOMMENDATION OF TRANSPORTATION COMMITTEE TO HAVE
THE CITY COUNCIL DIRECT THE PLANNING COMMISSION TO REVIEW
THE SPIEKER PAVILION CONDITIONAL USE PERMIT RELATIVE TO
THE CONDITION REQUIRING A NEW DRIVEWAY CONNECTION TO
VALPARAISO AVENUE**

RECOMMENDATION

Request the Planning Commission to review the Spieker Pavilion Conditional Use Permit relative to the condition requiring a new driveway connection to Valparaiso Avenue.

INTRODUCTION AND ANALYSIS

A copy of the staff report prepared for the Transportation Committee meeting on October 10, 2002 is attached. Comments from the public and Committee made at that meeting will be summarized and presented to the Council at its meeting, along with any changes in the anticipated recommendation.

FISCAL IMPACT

The fiscal impact is unknown. If the Planning Commission decides to replace the requirement to construct the driveway with different conditions, one could be for the school to construct or participate financially in other Valparaiso corridor improvements.

CONCLUSION:

The recommendation at the head of this staff report may be reconsidered after the comments from the Transportation Committee are received.

Respectfully submitted:

Reviewed/Approved:

Cliff Temps
Public Works Director

James Robinson
City Manager

ATTACHMENTS

Transportation Committee staff report
Spieker Pavilion Conditional Use Permit

TRANSPORTATION COMMITTEE STAFF REPORT

TO: TRANSPORTATION COMMITTEE

FROM: CLIFF TEMPS, PUBLIC WORKS DIRECTOR

DATE: FOR THE MEETING OF OCTOBER 10, 2002

**SUBJECT: DISCUSSION OF EFFECTIVENESS OF ST. JOSEPH'S/
MONTESSORI DROP OFF/PICK UP CHANGES IN REDUCING
CONGESTION ON EMILIE AND POSSIBLE RECOMMENDATION
REGARDING RECONSIDERATION OF NEED FOR NEW DRIVEWAY
CONNECTION TO VALPARAISO**

RECOMMENDATIONS

1. Receive the staff report and public comments regarding the effectiveness of St. Joseph's and Montessori School's drop off and pick up changes in reducing congestion on Emilie Avenue
2. Formulate a recommendation to the City Council regarding reconsideration of the need for a new driveway connecting to Valparaiso

INTRODUCTION

Construction of the much debated and long awaited new driveway connection from the east end of the Sacred Heart campus to Valparaiso Avenue has been delayed since details of the connection and its precise location on Valparaiso were reviewed and approved by the Atherton City Council two years ago. The requirement to build the new driveway came as a condition of the 1998 approval of the Conditional Use Permit to build the sports pavilion and interior remodeling at St. Joseph's School. The purpose of the driveway was to provide relief to traffic congestion on Emilie during drop off and pick up times. It was predicted to reduce school traffic on Emilie by 40%.

Driveway construction was held up first by the winter non-construction period that follow the Council's action and later by waiting for the joint Atherton/Menlo Park Valparaiso Corridor Study. In the meantime, the school made significant changes in pick up and drop facilities and operations. These include the following:

4. Encouraging use of the Park Lane entrance for drop off and pick up of Middle School students
5. Significantly expanding and revamping the on-site drop off and pick up area adjacent to Emilie

6. Assigning specific time windows to school families for delivering and picking up students and rules to be followed when doing so
7. Committing school personnel to making sure rules are followed and that the operation runs safely and smoothly.

These measures are described in more detail in section 5 d of the attached letter to Mayor Carlson. As a result of the school's efforts, the traffic queues that previously formed on Emilie, between Valparaiso and the second St. Joseph's driveway, have for the most part disappeared.

ANALYSIS

Sacred Heart states that it continues to be ready to construct the driveway from Montessori school to Valparaiso, when the Town reaffirms it wants it built. Three factors give rise to reconsidering the need for of building the driveway:

8. The apparent success of the drop off and pick up area physical and operational changes made by the school in reducing congestion on Emilie.
9. The recent commitments by Atherton and Menlo Park City Councils to construct a traffic signal at the intersection of Valparaiso and University, which will create gaps in Valparaiso traffic that will make it easier for Emilie traffic to turn on to and off of Valparaiso
10. The observation by DKS, traffic consultant for both the Valparaiso Corridor Study and the Sacred Heart Master Plan update, that making another connection to Valparaiso could cause further deterioration in the traffic flow on Valparaiso

A key element in evaluating whether or not there is still a need for the new driveway is input from neighborhood residents regarding the effectiveness of Sacred Heart's changes in reducing traffic backup on Emilie. The purpose of bringing this matter back before the Transportation Committee is to provide a focused opportunity for interested Atherton residents to present their views and for the Committee to apply its traffic expertise in formulating a recommendation regarding whether or not the driveway issue should be reopened.

The formal venue for reconsidering the Conditional Use Permit requirement that the driveway be constructed is the Town's Planning Commission. The Commission is the body that established the requirement, and since the condition was not appealed, it is the proper body to consider changing it.

If the Transportation Committee decides that reopening the issue of building the driveway is appropriate, the action that staff suggests be taken is to recommend to the Council that it request the Planning Commission to reopen the Conditional Use Permit for the purposes of evaluating alternatives to the new driveway for mitigating the traffic impacts of the sports pavilion on Emilie. The timing should be such that the driveway and its alternatives are

discussed by the Commission at the same time as Sacred Heart's Master Plan Update review. This will allow the traffic impacts of all planned new and expanded uses to be considered at the same time.

ATTACHMENTS:

October 1, 2002 letter from Sacred Heart's Director of Schools to the Mayor
September 30, 2002 letter from DKS



Town of Atherton

CITY COUNCIL STAFF REPORT

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

FROM: LINDA KELLY, ASSISTANT TO THE CITY MANAGER

DATE: FOR THE MEETING OF OCTOBER 16, 2002

SUBJECT: DISCUSSION OF COMMUNITY ORGANIZATION ROUNDTABLE

RECOMMENDATION

That the City Council discuss the Community Organization Roundtable Resolution and, if appropriate, give direction to staff for future implementation of the Resolution.

BACKGROUND

In 1999, the City Council adopted Resolution No. 99-6 (attached), which established a Community Organization Roundtable. The purpose of the Resolution was to establish an annual meeting of the City Council with all community groups in the Town, to create a means for facilitating dialogue between the Town and its community groups, and to tap into community groups' ideas and resources.

The first Annual Community Organization Roundtable meeting was held on September 9, 1999 and the second meeting was held on September 10, 2002. Attached are the minutes of each meeting.

OUTCOMES OF 2002 MEETING

At the Annual Community Organization Roundtable meeting of September 10, 2002, the following community groups were represented:

- Arts Committee
- Atherton Civic Interest League
- Atherton Dames
- Heritage Association
- Holbrook-Palmer Recreation Park Foundation
- Lloyd Park Homeowners' Association
- Planning Commission
- Tree Committee

Following discussion at the meeting, the following action items were outcomes:

1. **Community Calendar**: At the suggestion of Marguerette Paponis, Member of the Atherton Arts Committee, discussion was held on the benefits of a centralized community calendar for community groups to list their events and activities. It was the general consensus of those present that a community calendar could help prevent conflicting event dates and serve as a means of further publicizing events.

Action Item: The Town has begun the creation of a "paper-based" Community Calendar, which is currently located on the wall of the Town's Administrative Conference Room. The issue of a website-based Community Calendar was discussed with the Town's new computer services contractor, the City of Palo Alto, and staff obtained a preliminary estimate that a Community Calendar could be added to the Town's existing web site at no extra cost, within the budgeted hours under the new contract. The goal is to have the Community Calendar on the web site by December 2002. On October 7, 2002, letters were mailed to all community groups, asking them to submit upcoming event information for inclusion on the Community Calendar. (See attached letter.)

2. **Meetings of Community Groups**: Discussion was held regarding the benefits of Community Groups meeting on a quarterly, or as needed, basis in order to share information and coordinate events.

Action Item: It was the consensus of the Council to encourage the community groups to meet together on a regular basis, with meeting space provided by the Town, although no formal meeting plan was decided upon.

3. **Community Group Presentation at Council Meetings**: The Resolution's provision of having community organizations speak at Council meetings was discussed.

Action Item: It was the consensus of the Council that Community Groups would continue to be invited to speak at regular City Council meetings. (See attached table of Implementation of Resolution regarding the Community Groups which have spoken at Council meetings held in 2002.)

IMPLEMENTATION OF RESOLUTION

Attached to this report is a listing of the actions taken by the Town to implement the various provisions of the Community Organization Roundtable Resolution.

CONCLUSION

If the Council wishes to provide further direction to staff regarding the implementation of the Community Organization Roundtable Resolution, or to amend the Resolution, it would be appropriate at this time to provide such direction.

Prepared by:

Approved by:

Linda Kelly
Assistant to the City Manager

James H. Robinson
City Manager

Attachments: Table Outlining the Implementation of Resolution No. 99-6
Resolution No. 99-6
Minutes of September 9, 1999 Community Organization Roundtable Meeting
Draft Minutes of September 10, 2002 Community Organization Roundtable Meeting
Letter to Community Groups Regarding Community Calendar

TOWN OF ATHERTON

RESOLUTION NO. 99-6

A RESOLUTION OF THE CITY COUNCIL OF THE TOWN OF ATHERTON, CALIFORNIA ESTABLISHING AN ANNUAL COMMUNITY ORGANIZATION ROUNDTABLE AND TO FACILITATE COMMUNICATION BETWEEN THE CITY COUNCIL AND COMMUNITY COMMITTEES AND GROUPS OF ATHERTON

WHEREAS, Atherton has a wealth of community committees and groups, some established by City Council action, each composed of many caring residents interested in the preservation and betterment of Atherton. The common goal of each, which is shared with the City Council, is to make Atherton a better community for its residents.

WHEREAS, each committee or group represents a potentially unique resource for Atherton and the City Council. First, each committee and group represents a link to the residents of the Town and their views and thoughts on the many issues that confront the Town. Second, each represents a source of new ideas or different perspectives on existing issues. Third, each represents a resource of individual residents with particular abilities or talents that may be enlisted to help or give input on particular issues, problems or projects. Finally, each organization represents a group of Town residents that can be potentially mobilized around or in support of solutions to issues and problems that can currently or will confront the Town in the future.

WHEREAS, the City Council can potentially benefit from the resource re represented by Atherton's community committees and groups.

THEREFORE, BE IT RESOLVED by the City Council of the Town of Atherton that the following be adopted establishing an annual Community Organization Roundtable and to facilitate communications between the City Council and community committees and groups of Atherton:

1. That each September an annual Community Organization Roundtable meeting shall be held. Those invited to the meeting shall be each member of the City Council, the City Manager, chairpersons or representatives of the Atherton General Plan Committee, Atherton Planning Commission, Atherton Park and Recreation Commission, Atherton Arts Committee, and a representative from each recognized community committee and group. Staff department heads shall be available during the meeting as a resource. The meeting shall be chaired by the Mayor who will establish and distribute an agenda prior to the meeting.
2. That in advance of the Community Organization Roundtable, in order to make it potentially more productive, each community committee and group shall be requested by the City Manager to provide to the City Council, and each other committee and group, annual report of its goals, activities, and views on current issues, problems confronting the community, or matters which they believe should be addressed by the Town. Providing such shall be entirely voluntary on the part of each committee or group.

3. That at each regular City Council meeting time shall be provided on the agenda for a Community Organization Report. On a scheduled, rotating basis, one committee or group shall be invited by the City Manager to have a representative make up to a ten minute presentation reporting on the activities of the organization and its adopted views or positions on matters arising from time to time. Given the activities of an organization, it may be most appropriate for a group to address Council at a particular time of the year in which case an attempt shall be made to schedule the group's appearance at that time. At the option of the committee or group, it may supplement its oral presentation with a more comprehensive or detailed written report.
4. That each community committee and group shall be asked by the City Manager to appoint an officer or representative to act as a liaison person who is authorized to represent the organization to the Town, and through which communication between the Town and group can be coordinated.
5. That the City Manager shall provide in a timely manner by mail, email or facsimile to the liaison person for each committee and group copies of the agenda and approved minutes for each City Council.
6. That each committee and group shall be requested by the City Manager to provide to the Town, for distribution to each City Councilmember, copies of approved minutes for their regular meetings and any newsletters they might publish. Providing such shall be entirely voluntary on the part of each committee group.
7. That the City Manager shall designate one issue of the Athertonian each year to articles submitted by Atherton committees and groups, and that the City Manager shall solicit such articles for this issue.
8. That for purposes of this resolution the following committees and groups are recognized by the City Council: Atherton Arts Committee, Atherton Civic Interest League, Atherton Dames, Atherton Heritage Association, Atherton Tree Committee, Holbrook-Palmer Recreation Park Foundation, Lindenwood Homes' Association, Lloyd Park Homeowner's Association, The Crime Prevention Task Force, The Friends of the Atherton Library, Victoria Manor Homeowner's. At the discretion of the City Council, the foregoing list shall be periodically reviewed by the Council for additions and deletions.
9. That with respect to the responsibilities given the City Manager by this resolution, the City Manager may delegate to staff those responsibilities he deems appropriate for such delegation.
10. That one year after adoption of this resolution, the City Manager shall place this matter on the agenda of the City Council for evaluation, and that with respect thereto each community committee and group shall be requested to submit its views on the success or failures of this resolution.

**

I HEREBY CERTIFY that the foregoing Resolution was passed and adopted by the City Council of the Town of Atherton at a regular meeting of said Council duly held on April 20, 1999 by the following roll call vote.

AYES:	5	Councilmembers: Carlson, Conwell, Dudley, Fisher, Chapman
NOES:	0	Councilmembers:
ABSENT: 0		Councilmembers:
ABSTAIN:0		Councilmembers:

Nanette F. Chapman, Mayor
Town of Atherton

ATTEST:

Marti Brown
Town of Atherton

IMPLEMENTATION OF RESOLUTION

The following table cites each provision of the Resolution and explains what the Town has done to date to implement the provision.

	Provision of Resolution	Town Action
1	<p>That each September an annual Community Organization Roundtable meeting shall be held. Those invited to the meeting shall be each member of the City Council, the City Manager, chairpersons or representatives of the Atherton General Plan Committee, Atherton Planning Commission, Atherton Park and Recreation Commission, Atherton Arts Committee, and a representative from each recognized committee and group. Staff department heads shall be available during the meeting as a resource. The meeting shall be chaired by the Mayor who will establish and distribute an agenda prior to the meeting.</p>	<p>Meetings were held on September 9, 1999 and September 10, 2002.</p> <p>Those invited to the 2002 meeting were as listed in the Resolution, plus the following groups which were not listed: Cowell Lane Homeowners Association, Atherton Oaks Neighborhood Association.</p>
2	<p>That in advance of the Community Organization Roundtable, in order to make it potentially more productive, each community committee and group shall be requested by the City Manager to provide to the City Council, and each other committee and group, an annual report of its goals, activities, and views on current issues, problems</p>	<p>For the September 10, 2002 meeting, the invitation letter to community groups from the Mayor contained the following statement:</p> <p>“In accordance with Resolution No. 99-6 you may, if your group so chooses, provide to the City Council an annual report of your organization’s goals, activities, views on current issues and problems confronting the community, or matters which your group believes should be addressed by the Town. If you choose to provide such a report, please bring copies to the meeting for distribution to the Council and attendees.”</p> <p>Two groups presented written reports at the meeting: the Atherton Arts Committee and the Friends of the Atherton Library.</p>

	Provision of Resolution	Town Action
	<p>confronting the community, or matters which they believe should be addressed by the Town. Providing such shall be entirely voluntary on the part of each committee or group.</p>	<p>A similar request was made for the 1999 meeting, and two groups submitted written reports at that meeting: the Atherton Arts Committee and the Atherton Tree Committee.</p>
3	<p>That at each regular City Council meeting time shall be provided on the agenda for a Community Organization Report. On a scheduled, rotating basis, one committee or group shall be invited by the City Manager to have one representative make up to a ten minute presentation reporting on the activities of the organization and its adopted views or positions on matters arising from time to time. Given the activities of an organization, it may be most appropriate for a group to address Council at a particular time of the year in which case an attempt shall be made to schedule the group's appearance at that time. A the option of the committee or group, it may supplement its oral presentation with a more comprehensive or detailed written report.</p>	<p>In November 2001, a letter was mailed to all community groups, inviting them to avail themselves of this opportunity. Beginning in January 2002, the following groups have spoken to Council:</p> <p>January 16, 2002 – Charles Ramorino, Atherton Civic Interest League February 13, 2002 – Mindy Perez Rubio, Atherton Dames March 20, 2002 – Francesca Eastman, Arts Committee April 17, 2002 – Joan Sanders, Friends of the Atherton Library May 15, 2002 – Robert Simonds, Holbrook-Palmer Recreation Park Foundation (unable to attend but submitted written report) June 19, 2002 – Shirley Carlson, Atherton Tree Committee August 21, 2002 – Marion Oster, Atherton Heritage Association September 18, 2002 – Manisha Agrawal, Victoria Manor Homeowners</p> <p>Scheduled for November 20, 2002 – Sharon Turner, Crime Prevention Task Force Declined invitation to speak – Lloyd Park Homeowners Association Have not received a response from – Lindenwood Homes Association</p>
4	<p>That each community committee and group shall be asked by the City Manager to appoint an officer or representative to act as a liaison person who is authorized to represent the organization to the Town, and through which communication between the Town and group</p>	<p>This has not been done; however, communications between the City Manager's Office and each group have been taking place with the Chairperson or President of each group.</p>

	Provision of Resolution	Town Action
	can be coordinated.	
5	That the City Manager shall provide in a timely manner by mail, e-mail or facsimile to the liaison person for each committee and group copies of the agenda and approved minutes for each City Council [meeting].	For the past three years, the Chair of each group has been mailed each City Council meeting agenda, via U.S. Postal mail or through e-mail, if an e-mail address was provided to the Town. Minutes of City Council meetings have not been mailed to the groups; however, they are readily available on the Town's website.
6	That each committee and group shall be requested by the City Manager to provide to the Town, for distribution to each City Councilmember, copies of approved minutes for their regular meetings and any newsletters they might publish. Providing such shall be entirely voluntary on the part of each committee [or] group.	It is unknown if this request was ever formally made in writing to the groups. Some of the Community Groups do provide their newsletters and minutes to the City Manager.
7	That the City Manager shall designate one issue of the Athertonian each year to articles submitted by Atherton committees and groups, and that the City Manager shall solicit such articles for this issue.	Instead of only designating one issue of the Athertonian per year to the community groups, these groups are solicited for articles for each issue. For the past two years, letters have been sent to the groups inviting them to submit items for publication, along with the Athertonian publishing schedule. Many groups have submitted articles which have been published.
8	That for purposes of this resolution the following committees and groups are recognized by the City Council: Atherton Arts Committee, Atherton Civic Interest League, Atherton Dames, Atherton Heritage Association, Atherton Tree Committee, Holbrook-Palmer Recreation Park Foundation, Lindenwood Homes Association, Lloyd Park Homeowners Association, The Crime Prevention Task Force, The Friends of the Atherton Library, Victoria	The named groups have been invited to speak at Council meetings, have been invited to the Annual Community Organization Roundtable, and were sent a letter inviting them to submit items for the Community Calendar. In addition, the following groups were also invited to the 2002 Annual Community Organization Roundtable: Cowell Lane Homeowners Association, Atherton Oaks Neighborhood Association, Atherton Planning Commission, Atherton Park and Recreation Commission, and Atherton General Plan Committee.

	Provision of Resolution	Town Action
	Manor Homeowners. At the discretion of the City Council, the foregoing list shall be periodically reviewed by the Council for additions and deletions.	
9	That with respect to the responsibilities given the City Manager by this resolution, the City Manager may delegate to staff those responsibilities he deems appropriate for such delegation.	Procedural administration of the Community Organization Roundtable is handled by the Assistant to the City Manager and the City Clerk.

	Provision of Resolution	Town Action
1)	That one year after adoption of this resolution, the City Manager shall place this matter on the agenda of the City Council for evaluation, and that with respect thereto each community committee and group shall be requested to submit its views on the success [and]failures of this resolution.	<p>At the City Council meeting of September 20, 2000, an item was on the regular agenda “Annual Community Organization Roundtable Meeting.” The following motion was adopted 5-0, “Have the Interim City Manager meet with the representatives of the committees, organizations, and groups involved in the Community Organization Roundtable, and return with this discussion after the new Council Members are seated.” The discussion referred to did not take place.</p> <p>At the September 10, 2002 Annual Roundtable, the item “Discussion of Resolution 99-6 and views of its future” was on the agenda.</p>