



**Town of Atherton  
CITY COUNCIL/ATHERTON CHANNEL  
DRAINAGE DISTRICT**

**Agenda**

**January 17, 2001**

**7:00 p.m.**

**TOWN COUNCIL CHAMBERS**

94 Ashfield Road  
Atherton, California

**REGULAR MEETING**

- 7:00 P.M. 1. **ROLL CALL** McKeithen, Janz, Carlson, Fisher, Conwell
2. **PRESENTATIONS** - None
- 7:05 P.M. 3. **COUNCIL REPORTS**
- 7:15 P.M. 4. **PUBLIC COMMENTS** (only for items which are not on the agenda – limit of three minutes per person)
- 7:25 P.M. 5. **CITY MANAGER REPORT**
- 7:35 P.M. 6. **CITY ATTORNEY REPORT**
- 7:40 P.M. 7. **DEPARTMENT HEADS' REPORTS**
- 7:45 P.M. 8. **COMMUNITY ORGANIZATION ROUNDTABLE REPORT** (Directed by Resolution No. 99-6)
- 7:45 P.M. **CONSENT CALENDAR** (Items 9 through 10)
9. **MINUTES OF SPECIAL MEETINGS OF 12/13/00 AND 12/20/00, AND REGULAR MEETING OF 12/20/00**
10. **BILLS AND CLAIMS FOR DECEMBER 9, 2000 THROUGH JANUARY 8, 2001, IN THE AMOUNT OF \$500,867.22**

**PUBLIC HEARING**

- 7:50 P.M. 11. PUBLIC HEARING – APPEAL OF PLANNING COMMISSION DECISION TO APPROVE LOT LINE REDESIGNATION – ONE BELBROOK WAY**

**Recommendation: 1) Conduct public hearing 2) Deny the appeal and approve the Lot Line Redesignation, designating Belbrook Way as the front property line at One Belbrook Way, for the reasons outlined in the Staff Report.**

**REGULAR AGENDA (Items 12 - 16)**

- 8:05 P.M. 12. APPROVAL OF REPLACEMENT AND EXPANSION OF PLAYGROUND EQUIPMENT AT HOLBROOK-PALMER PARK**

**Recommendation: Approve the proposal for the replacement of the playground equipment and the expansion of the playground area in Holbrook-Palmer Park.**

- 8:30 P.M. 13. CONSIDERATION OF RENEWAL OF CONTRACT WITH J. EDWARDS & ASSOCIATES, INC. FOR WASTE DIVERSION TECHNICAL ASSISTANCE PROFESSIONAL SERVICES**

**Recommendation: Approve a six-month extension to an existing twelve-month professional services agreement with Joan Edwards and Associates, Inc. not to exceed \$54,600.**

- 8:35 P.M. 14. DISCUSSION AND POSSIBLE ACTION – CITY MANAGER RECRUITMENT, DISCUSSION OF SALARY AND BENEFITS FOR THE POSITION, AND IMPROVEMENTS TO THE HOUSE**

- 9:15 P.M. 15. CONSIDERATION OF HIRING NEW STAFF ABOVE THE 60<sup>TH</sup> PERCENTILE, RECLASSIFY THE FINANCE ANALYST POSITION TO AN ASSISTANT FINANCE DIRECTOR POSITION, USE OF “POLICE ON THE STREET” FUND FOR LATERAL POSITIONS, AND THE PROGRESSION FOR ELEVATING POLICE SALARIES TO THE 70<sup>TH</sup> PERCENTILE FOR NEW POLICE OFFICERS**

**REGULAR AGENDA - Continued**

**Recommendation: Authorize the Interim City Manager to pay up to the 70<sup>th</sup> percentile for the Public Works Superintendent position and the Assistant to the City Manager position, advertise above the 70<sup>th</sup> percentile for the Finance Analyst position and reclassify this position as the Assistant Finance Director position, use the donated funds for incentives to attract laterals from other Police Departments, and elevate new Police Academy graduates to the 70<sup>th</sup> percentile after they pass probation.**

- 9:35 P.M. 16. DISCUSSION AND POSSIBLE ACTION – PARCEL TAX**
- 10:25 P.M. 17. PUBLIC COMMENTS**
- 10:35 P.M. 18. ADJOURN**

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

**Dated & Posted 01.12.01**



**Minutes**  
**CITY COUNCIL MEETING**  
**December 13, 2000**  
**7:00 p.m.**  
**TOWN COUNCIL CHAMBERS**  
94 Ashfield Road  
Atherton, California  
**SPECIAL MEETING**

**Vice Mayor Fisher called the meeting to order at 7:10 p.m.**

**1. ROLL CALL**

**PRESENT:** Alan B. Carlson  
William R. Conwell  
Malcolm H. Dudley  
Robert E. Huber  
Dianne M. Fisher

**Interim City Manager Ralph Freedman and City Attorney Marc Hynes were also present.**

**2. COUNCIL REPORTS**

- **Council Member Conwell reported on the Airport Roundtable meeting where \$4 million was approved to fund improvements to aircraft noise monitoring methods.**
- **Vice Mayor Fisher reported that the Town of Atherton is now in compliance with State regulations for recycling requirements. She thanked members of the Waste Reduction Committee, including members of the staff, representatives from BFI, and San Mateo County.**
- **Vice Mayor Fisher also reported on the General Plan Committee meeting. They will meet in February to review proposed revisions to the Tree Ordinance.**

**3. PUBLIC COMMENTS The following members of the audience spoke:**

**Marion Oster, Atherton Heritage Association**  
**Shirley Carlson, Atherton Tree Committee, reported on Sudden Oak Syndrome**

**REGULAR AGENDA**

**4. RESOLUTION NO. 00-29, DECLARING THE RESULTS OF THE GENERAL MUNICIPAL ELECTION HELD ON NOVEMBER 7, 2000**

**MOTION – Adopt Resolution No. 00-29, certifying the results of the November 7, 2000 General Municipal election.**

**M/S Dudley/Carlson**

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

**5. PRESENTATIONS TO COUNCIL MEMBERS MALCOLM H. DUDLEY AND ROBERT E. HUBER**

**Vice Mayor Fisher presented outgoing Council Member Dudley with a plaque from the Town and commended him for his years of dedication to the community including his work on regional Transportation issues. She also presented resolutions from Representative Anna Eshoo and Assembly Member Ted Lempert.**

**San Mateo County Supervisor Richard Gordon presented a resolution on behalf of the Board of Supervisors to Council Member Dudley for his service to the Town and the County.**

**Vice Mayor Fisher presented a plaque to Council Member Robert Huber in appreciation for serving to complete the term of former Council Member Nan Chapman.**

**6. OATHS OF OFFICE - COUNCIL MEMBERS-ELECT JAMES R. JANZ AND KATHY MCKEITHEN**

**Interim City Manager Ralph Freedman administered oaths of office to newly elected Council Members James R. Janz and Kathy McKeithen. The new Council Members were seated.**

**7. COUNCIL REORGANIZATION**

**Interim City Manager Ralph Freedman opened nominations for Mayor and Vice Mayor. Council Member McKeithen asked that this item be tabled until the next meeting in order to consider a policy for nominating the Mayor and Vice Mayor. Council Member Carlson asked what the current Municipal Code states regarding this matter. City Attorney Marc Hynes stated that the Code requires the Council to choose the Mayor and Vice Mayor at the first meeting after the election. Council Member Carlson stated that historically the Vice Mayor has stepped up to serve as the Mayor.**

**MOTION – nominate Vice Mayor Dianne Fisher to the office of Mayor.**

**M/S Carlson/Janz**

**There being no further nominations, Interim City Manager Freedman called for a roll call vote:**

**Ayes: Carlson, Janz, Fisher**

**Noes: Conwell, McKeithen**

**MOTION – nominate Council Member Alan Carlson as Vice Mayor.**

**M/S Janz/Fisher**

**There being no further nominations, Interim City Manager Freedman called for the vote.**

**Ayes: 3**

**Noes: 2 (Conwell, McKeithen)**

**8. PRESENTATION OF FINAL REPORT ON TOWNWIDE STREET STUDY BY NICHOLS CONSULTING ENGINEERS**

**The City Council received and considered the Town of Atherton’s Townwide Street Study, and heard the presentation of the report by Lisa Peterson, Project Manager from Nichols Consulting Engineers. Detailed discussion ensued. Public Works Director Cliff Temps answered questions from the Council on specific methods for street repair and maintenance.**

**The following members of the audience spoke: John Rugeiro, 10 Stockbridge Avenue, James Dobbie, 124 James Avenue, Henry Ilg, 86 Leon Way, Scott Feamster, 230 Park Lane, Virginia Rugeiro, 10 Stockbridge Avenue, and Eugene Berry, 230 Oak Grove Avenue.**

**The Council asked the consultants to return with information for upgrading streets on a rotating basis, and cost estimates for bringing some residential streets to “good” condition versus “superior” condition.**

**9. PRESENTATION OF FINAL REPORT ON TOWNWIDE STORM DRAINAGE STUDY BY NOLTE ASSOCIATES**

**The City Council received and considered the Townwide Storm Drainage Study and heard the presentation of the report by George Otte, consultant with Nolte Associates. His report addressed ninety-seven potential drainage problems that have been identified throughout Town. The major purposes of the study were to develop an inventory of the drainage system, assess the weaknesses in the system, and develop an estimated cost and plan for improvements to the system.**

**The following members of the audience spoke:**

**Donna Hopkins, 7 Fair Oaks**  
**Art Speakly, Reservoir Road**  
**Virginia Rugeiro, 10 Stockbridge Avenue**  
**Sandy Crittenden, 117 Heather Drive**  
**John Rugeiro, 10 Stockbridge Avenue**  
**John Sisson, 26 Belleau Avenue**  
**Scott Feamster, 230 Park Lane**  
**Jean Schaaf, 29 Stockbridge Avenue**

**10. PUBLIC COMMENTS – There were no additional public comments.**

**11. ADJOURN**

**The meeting adjourned at 11:22 p.m.**

**Respectfully submitted,**

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**Sharon Barker**  
**City Clerk**



**Minutes**  
**CITY COUNCIL MEETING**  
**Wednesday, December 13, 2000**  
**5:00 p.m.**  
**Town Administrative Offices**  
**91 Ashfield Road**  
**Atherton, California**

**SPECIAL MEETING**

**Vice Mayor Fisher called the meeting to order at 5:00 p.m.**

**1. ROLL CALL**

**PRESENT:**           **Alan B. Carlson**  
                          **William R. Conwell**  
                          **Malcolm H. Dudley**  
                          **Robert E. Huber**  
                          **Dianne M. Fisher**

**2. PUBLIC COMMENTS**

**There were no public comments.**

**3. CLOSED SESSION - The Council adjourned to closed session at 5:10 p.m.**

**A. Conference with Labor Negotiator – Labor Negotiations  
pursuant to Government Code Section 94957.6**

**Agency Negotiator: Ralph Freedman, Interim City Manager**  
**Employee Organization: Management**

**B. Conference with Labor Negotiator – Labor Negotiations  
pursuant to Government Code Section 54957.6**

**Agency Negotiator: Ralph Freedman, Interim City Manager**  
**Employee Organization: Local Union No. 856**  
**Non-management miscellaneous employees**

**4. RECONVENE TO OPEN SESSION**

**The Council reconvened to open session at 6:55 p.m.**

**There was no action taken.**

**5. ADJOURN**

**The meeting adjourned at 7:00 p.m.**

**Respectfully submitted,**

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**Sharon Barker, City Clerk**



**Minutes**  
**CITY COUNCIL MEETING**  
**Wednesday, December 20, 2000**  
**5:00 p.m.**  
**Town Administrative Offices**  
**91 Ashfield Road**  
**Atherton, California**

**SPECIAL MEETING**

**Mayor Fisher called the meeting to order at 5:00 p.m.**

**1. ROLL CALL**

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

**2. PUBLIC COMMENTS - There were no public comments.**

**3. CLOSED SESSION**

**The Council adjourned to closed session at 5:05 p.m.**

**4. RECONVENE TO OPEN SESSION**

**The following action was taken:**

**A. Liability Claim pursuant to Government Code Section 54956.95**  
**Claimant: Maria Julia Fuentes**  
**Agency claimed against: Town of Atherton**

**Action: The City Council voted unanimously to deny the claim.**

**B. Conference with Labor Negotiator – Labor Negotiations**  
**pursuant to Government Code Section 94957.6**  
**Agency Negotiator: Ralph Freedman, Interim City Manager**  
**Employee Organization: Management**

**No action was taken.**

- C. Conference with Labor Negotiator – Labor Negotiations pursuant to Government Code Section 54957.6  
Agency Negotiator: Ralph Freedman, Interim City Manager  
Employee Organization: Local Union No. 856  
Non-management miscellaneous employees**

**No action was taken.**

- D. Public Employment pursuant to Government Code Section 54957  
Title: City Manager**

**No action was taken.**

**The following items were added to the closed session agenda because they were received following the preparation of the agenda:**

- E. Conference with Legal Counsel - Existing Litigation pursuant to Government Code Section 54956.9: Patricia O’Neal versus Town of Atherton.**

**Direction was given to the City Attorney to defend the litigation.**

- F. Conference with Legal Counsel – Anticipated Litigation pursuant to Government Code Section 54956.9: Stephen Chaput versus Town of Atherton.**

**Direction was given to the City Attorney.**

- G. Conference with Legal Counsel – Anticipated Litigation pursuant to Government Code Section 54956.9: Patrick McTaggart versus Town of Atherton.**

**Direction was given to the City Attorney.**

**5. ADJOURN**

**The meeting adjourned at 6:55 p.m.**

**Respectfully submitted,**

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**Sharon Barker  
City Clerk**



**Minutes  
CITY COUNCIL/ATHERTON CHANNEL  
DRAINAGE DISTRICT MEETING**

**December 20, 2000**

**7:00 p.m.**

**TOWN COUNCIL CHAMBERS**

94 Ashfield Road  
Atherton, California

**REGULAR MEETING**

**Mayor Fisher called the meeting to order at 7:07 p.m.**

**1. ROLL CALL**

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

**Interim City Manager Ralph Freedman and City Attorney Marc Hynes were also present.**

**2. COUNCIL REPORTS**

**Vice Mayor Carlson asked that the City Manager place discussions on storm drainage and street improvements on all future agendas.**

**3. PUBLIC COMMENTS**

**The following members of the public spoke:**

**Henry Ilg, 86 Leon Way  
Mia Meyer, 26 Southerland Drive, on sports courts built close to property lines.  
Sandy Crittenden, 117 Heather Drive  
John Rugeiro, 10 Stockbridge Avenue  
John Sisson, 26 Belleau Avenue**

**The Council requested that the City Manager report back on the issue of sports courts causing a nuisance.**

#### 4. CITY MANAGER REPORTS

Item received late and added to the agenda:

- **Request from San Mateo County Board of Supervisors for funding for a new emergency shelter in South San Francisco.**

**MOTION – to contribute \$5,000 from the Contingency Fund toward funding of a new emergency shelter in South San Francisco.**

**M/S Conwell/Janz**

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

**CITY MANAGER REPORTS - continued:**

- **An Employee Recognition Luncheon was held this week with the following employees receiving recognition for years of service: Mike Hood 5 years, Jean Cardona, 10 years, Brad Mills, 10 years, Mike Anderson, 15 years, Mike Guerra, 15 years, Chris Madsen, 20 years, and Glenn Nielsen, 20 years.**
- **A summary of issues that were addressed during the year 2000 included the following:**
  - **New fees were put into place to fund operations as a result of the parcel tax failure.**
  - **A new audit firm was hired.**
  - **The Town contracted with an outside firm to audit potential management problems.**
  - **McKinsey and Company's recommendation for program budgeting was implemented in this year's budget.**
  - **The issue of openness in the activities of the Town has been addressed.**
  - **The Town Web Site has been developed, providing access to the Municipal Code, Agendas, Minutes, and other information.**
  - **Town purchases have been streamlined, including gasoline now being purchased from Redwood City, and State contracts being used for cell phone service.**
  - **Deficiencies in the Finance Department have been identified.**
  - **A classification and compensation study was conducted and all job classifications have been rewritten.**
  - **A new five-year police agreement was signed.**
  - **The Town conducted a successful search for a new Police Chief.**
  - **Reorganized the structure of the Police Department.**
  - **Modified the structure of the Public Works Department, including placing the Park Department under Public Works.**
  - **Contracted for street and storm drainage studies.**

- **Suggested items to be addressed in 2001:**
  - **The Council should become more cohesive in future issues.**
  - **Newly elected Council Members may be interested in the League of Cities New Council Member Conference.**
  - **Goal setting sessions should be conducted with the City Manager and Staff.**
  - **Team building sessions should be considered with an outside facilitator for the City Manager and City Council.**
  - **Council should consider placing a Parcel Tax on the June ballot for funding for overhires for the Police Department, keeping compensation competitive for all Town employees, maintenance of streets and storm drainage, and miscellaneous Capital Improvements.**
  - **Council should continue to address restoring trust and confidence.**
  - **Discuss financing streets and storm drainage improvements.**
  - **A formal plan for Holbrook-Palmer Park should be developed.**
  - **The City Manager will continue to try to fill vacancies in order to provide optimum services to the Town.**
  
- **The Interim City Manager and the Public Works Director have talked to consultants from Nichols Consulting Engineers regarding amending their contract to include specific data on the remaining 70% of the streets that were not tested.**

**Mayor Fisher directed the Interim City Manager to bring back proposals for goal setting meetings and a team building session. She also asked that the Parcel Tax, and Streets and Storm Drainage issues be placed on the January agenda.**

**5. DEPARTMENT HEADS' REPORTS – No reports.**

**6. COMMUNITY ORGANIZATION ROUNDTABLE REPORT**

**Mike McPherson, Park and Recreation Commission, gave an update on the report on Holbrook-Palmer Park being prepared as required by Resolution 00-28. Each item in the resolution has been assigned to either a member of the Park and Recreation Commission or a member of Staff. The Park and Recreation Commission will address this at their January meeting and plan to present a final report to the City Council in March.**

## **CONSENT CALENDAR**

**MOTION – to remove Items 10 and 12 and place on the regular agenda as Items 15 and 16.**

**M/S Conwell/Carlson**

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

**MOTION – to approve the remaining items on the Consent Calendar.**

**M/S Conwell/McKeithen**

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

- 7. APPROVED OF MINUTES OF SPECIAL MEETING OF 11/15/00, AND REGULAR MEETING OF 11/15/00**
- 8. APPROVED BILLS AND CLAIMS FOR NOVEMBER 9, 2000 THROUGH DECEMBER 8, 2000 IN THE AMOUNT OF \$440,043.27**
- 9. RESOLUTION NO. 00-30, DESIGNATING PERMIT PARKING ON PORTIONS OF ALEJANDRA AVENUE, BRITTANY MEADOWS, MACBAIN AVENUE, AND HOWARD WAY**

**Adopted Resolution No. 00-30, designating permit parking on portions of Alejandra Avenue, Brittany Meadows, MacBain Avenue, and Howard Way and repealing any other resolutions related to permit parking on these streets.**

- 11. DECLARATION OF SURPLUS PROPERTY**

**Declared specific Town property as described in Exhibit “A” as surplus, and authorized the City Manager to dispose of said property.**

- 13. CITY ATTORNEY REPORT ON POLITICAL SIGNS**

**Accepted City Attorney report on political signs.**

#### **REGULAR AGENDA**

- 14. COUNCIL COMMITTEE ASSIGNMENTS FOR 2001**

**MOTION – to approve the Council Committee assignments as submitted by the Mayor with the following changes: Council Member Janz will serve as the ABAG representative, with Council Member Conwell serving as alternate, and Council Member Conwell will serve on CCAG, with Council Member Janz serving as first alternate.**

**M/S Conwell/Carlson**

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

- 15. ACCEPTANCE OF WORK AND AUTHORIZATION TO RECORD A NOTICE OF COMPLETION FOR THE LITTLE LEAGUE BALL FIELD AT HOLBROOK-PALMER PARK**

**Council Member McKeithen expressed concerns regarding Staff’s request for acceptance of the work prior to completion of the project. Interim City Manager Ralph Freedman explained that the project is basically completed with only cleanup**

work to be done. If the Council does not accept the work at this meeting, it would have to be held over for another thirty days.

**MOTION – to accept the work and authorize the recording of a notice of completion for the Holbrook-Palmer Park Little League Field, Project 00-004, upon the City Manager’s determination that the final punch list items have been attended to.**

**M/S McKeithen/Janz**

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

**16. CONSIDERATION OF LETTER FROM LINDA LIEBES, GENERAL PLAN COMMITTEE – HERITAGE TREE PROTECTION**

Mayor Fisher discussed the letter from Linda Liebes regarding the Council’s consideration that basements should not extend outside the footprint of a structure in order to ensure adequate soil for large, future Heritage trees.

Council Member McKeithen requested that the General Plan Committee address the issues of enforcement of Heritage tree removal, and the provision for noticing neighbors of permit applications.

**MOTION – to accept the letter from Linda Liebes and refer the matter, along with a request for further review of the Heritage Tree Ordinance, back to the General Plan Committee.**

**M/S McKeithen/Janz**

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

**17. PUBLIC COMMENTS #2**

Henry Ilg, 86 Leon Way  
John Sisson, 26 Belleau Avenue  
John Rugeiro, 12 Stockbridge Avenue  
Charles Marsala, 33 Emilie Avenue  
Smith McKeithen, 11 Maple Leaf Way

**18. ADJOURN TO CLOSED SESSION**

**MOTION - to adjourn to closed session.**

**M/S Conwell/Carlson**

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

**19. CLOSED SESSION**

The meeting adjourned at 9:20 p.m. to a closed session continued from the 5:00 p.m. meeting.

**The Council reconvened to open session at 12:00 a.m. The following action was taken:**

- A. Conference with Labor Negotiator pursuant to Government Code Section 94957.6. Agency Negotiator – Ralph Freedman, Interim City Manager. Employee Organization: Management.**

**The Council voted unanimously to pay Management employees at the 60<sup>th</sup> percentile as it pertains to salary based on the Koff and Associates survey of twelve benchmark cities.**

**The meeting adjourned at 12:05 a.m.**

**Respectfully submitted,**

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**Sharon Barker, City Clerk**

**TOWN OF ATHERTON**  
CLAIMS LIST  
December 9 through January 8, 2000

Payroll Checks	14693 – 14696	\$ 7,104.40
Payroll Checks	50000 – 50123	145,993.62
Electronic Transfers		47,375.03
A/P Checks	19309 – 19471	<u>300,394.17</u>
TOTAL		\$ 500,867.22

I, Ralph Freedman, Interim City Manager of the Town of Atherton, do hereby certify under penalty of perjury that the demands listed above, check numbers 14693 – 14696 and 50000 – 50123 (Payroll) and 19309 - 19471 (Accounts Payable), and Electronic Transfers for Employees Federal Payroll Taxes and fees, inclusive, amount to \$550,867.22 are true and correct, and that there are funds for payment.

\_\_\_\_\_  
Ralph Freedman  
Interim City Manager

The above claims, Payroll check numbers 14693 – 14696 and 50000 – 50123, Accounts Payable check numbers 19309 - 19471 and Electronic Transfers for employees federal payroll taxes and fees, amount to \$500,867.22; and are hereby approved for payment.

\_\_\_\_\_  
Mayor, Town of Atherton

SOURCE OF FUNDS

101	General Fund	\$ 407,336.69
105	Tennis Fund	0
202	Transportation Fund	19,091.80
203	Gas Tax Fund	78.41
206	SLESF	0
401	GF Projects	0
402	Storm Drainage	0
403	Atherton Channel Drainage	28,446.08
441	Releaf Grant	0
611	Computer Maint & Replacem't	3,702.31
612	Administrative Services	3,449.06
715	Evans Estate	19.95
731	M-A Little League	0
730	H-P Park Improvement	38,012.59
740	Tree Committee	730.33
TOTAL		\$ 500,867.22

**Item No. 11**



Town of Atherton

## **CITY COUNCIL STAFF REPORT**

**TO: HONORABLE MAYOR AND CITY COUNCIL,  
RALPH FREEDMAN, INTERIM CITY MANAGER**

**FROM: LISA COSTA SANDERS, SENIOR PLANNER**

**DATE: FOR THE CITY COUNCIL MEETING OF JANUARY 17, 2001**

**SUBJECT: ONE BELBROOK WAY (APN 073-212-010)  
APPEAL OF THE PLANNING COMMISSION DECISION TO APPROVE A  
LOT LINE REDESIGNATION**

### **RECOMMENDATION:**

Staff recommends that the City Council conduct the public hearing, and make the following findings to deny the appeal and approve the Lot Line Redesignation, designating Belbrook Way as the front property line at One Belbrook Way in Atherton, for the reasons outlined in this Report and the attached Planning Commission Staff Report:

1. The proposed front property line redesignation for the subject site will not be detrimental or injurious to persons, property or improvement in the vicinity and will not be detrimental to the public health, peace, safety, comfort, general welfare or convenience.  
Basis for finding: The redesignation of the front property line will not be detrimental to the neighborhood as it will better fit the neighboring development pattern and will maintain sufficient perimeter setbacks..
2. The proposed front property line redesignation for the subject site is consistent with the Town of Atherton General Plan and the purposes of that plan and the Zoning Code.  
Basis for finding: The redesignation of the front property line to Belbrook Way meets the zoning code definition for front lot line and is consistent with the General Plan policy for visually harmonious and compatible with neighborhood character.

### **INTRODUCTION:**

This item was first reviewed by the Planning Commission at their October 25, 2000 meeting. At

that meeting, Commissioners expressed concern with the information presented and at the request of the applicant, voted to continue the public hearing. The applicant then met with adjacent property owners and prepared a complete landscape screening plan. The applicant also modified the design of the home and withdrew the request for an Excessive Height Permit. The Lot Line Redesignation request was then reviewed at the December 6, 2000 Planning Commission meeting. At that meeting, the Commission voted 5-0 to approve the redesignation request.

**ANALYSIS:**

The attached Staff Reports from the December 6, 2000 and October 25, 2000 Planning Commission meetings provide a complete analysis on the lot line redesignation.

**CONCLUSION:**

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

**ALTERNATIVES:**

If the Council approves the appeal, and thereby denies the lot line redesignation, Walsh Road would remain as the front property line and the applicant would need to redesign the proposed new residence to fall within the current setback requirements.

**FISCAL IMPACT:**

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

**ENVIRONMENTAL IMPACT:**

The proposal has been determined to be exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to CEQA Sections 15305, Class 5, which permits minor alterations in land use limitations.

**FORMAL MOTION:**

I move that the City Council deny the appeal and uphold the decision of the Planning Commission based on the findings listed in the Staff Report.

s/Lisa Costa Sanders  
Lisa Costa Sanders  
Senior Planner

\_\_\_\_\_  
Ralph Freedman  
Interim City Manager

**Attachments:**

1. Lot Line Redesignation Certificate
2. Letter of Appeal dated December 15, 2000

3. Planning Commission Staff Report for the meetings of December 6, 2000 and October 25, 2000
4. Planning Commission draft meeting minutes
5. Correspondence received:
  - Letter to John Stewart from Pat McNulty dated December 5, 2000
  - Summary of Landscape screening plan submitted by Hossein Alae dated November 27, 2000
  - Mayne Tree Expert Company report dated November 14, 2000
  - Letters from Hossein Alae dated November 22, 2000, November 13, 2000, November 16, 2000, and November 21, 2000
  - Letter from Allan & Heidi Will dated November 14, 2000
  - Letter from Hossein Alae dated October 25, 2000. Letter from Rod & Laurie Shephard dated October 24, 2000
  - Letter from Clarence Ferrari dated October 24, 2000
  - Letter from Allan & Heidi Will dated October 24, 2000
6. Site Plan, Floor Plan and Elevations prepared by Stewart Associates dated 1/17/00
7. Landscape Plan

**Item No. 12**



## Town of Atherton

### CITY COUNCIL STAFF REPORT

**TO: HONORABLE MAYOR AND CITY COUNCIL**

**FROM: RALPH FREEDMAN, INTERIM CITY MANAGER**

**DATE: FOR THE MEETING OF JANUARY 17, 2001**

**SUBJECT: HOLBROOK-PALMER PARK PLAYGROUND - REPLACEMENT OF EQUIPMENT AND EXPANSION OF THE PLAYGROUND AREA**

#### **RECOMMENDATION:**

Approve the proposal for the replacement of the playground equipment and the expansion of the playground area in Holbrook-Palmer Park.

#### **INTRODUCTION:**

The Park and Recreation Commission approved this playground proposal at their January 3<sup>rd</sup> meeting by a vote of 6-0-1, and is thus recommending acceptance by the City Council. If the City Council approves this request, the Commission will review the final plans prior to the bidding out of the project. Over the past several months, Michelle Dollinger and Dorothea Collins have made presentations to the Park and Recreation Commission. At their own expense, they have contracted with MIG, Inc., which is a planning and design firm with extensive playground experience. This generated a number of siting alternatives and concepts, which resulted in the proposal that is attached to this Staff Report.

The existing playground equipment and area is not in compliance with applicable codes and regulations. The proposal, which was approved by the Park and Recreation Commission, calls for 4,000 square feet of playground area and an additional 2,600 square feet of picnic and seating areas. The current playground measures approximately 1,500 square feet.

The Park and Recreation Commission asked for and received survey information from both Atherton residents and non-residents on why they either use or do not use the playground at

Holbrook-Palmer Park. The survey also provided information on what attracts these users to other parks in both Menlo Park and Redwood City. Ms. Dollinger and Ms. Collins conducted this survey.

The proposed new location is adjacent to the current playground, and will not interfere with **the** soccer activities that occur in the Park or the Little League field that was recently built. By moving the playground out from under the oak trees, it will eliminate the detrimental impact of the current playground on the root systems of the oak trees in that area.

**ANALYSIS:**

This proposal addresses the inadequacy of the existing playground as it relates to ADA standards, distance between the pieces of equipment, materials under the equipment, separation of equipment based upon age groupings, state of the art equipment, etc. The increase in the playground space size is due to the fact that the playground equipment will be segregated by age groupings, the need for better spacing between playground equipment for safety reasons, and the allocation of space for picnic and seating areas.

**FISCAL IMPACT:**

It is anticipated that the first phase of this project will cost approximately \$150,000 to \$160,000. Ms. Dollinger and Ms. Collins will be raising all of the funds needed for this project by soliciting donations from Atherton residents. Recognition of these donations will be made on pavers that will form the path from the parking lot to the playground. Additional funds may be raised in the future if it is necessary to put in additional playground equipment. No Town funds will be expended on this project.

**Item No. 13**



## **Town of Atherton**

### **CITY COUNCIL STAFF REPORT**

**TO: HONORABLE MAYOR AND CITY COUNCIL**

**FROM: MICHAEL HOOD, BUILDING OFFICIAL**

**DATE: FOR THE MEETING OF JANUARY 17, 2001**

**SUBJECT: EXTENSION OF CONTRACT, PROFESSIONAL SERVICES AGREEMENT  
- JOAN EDWARDS & ASSOCIATES, INC.**

### **RECOMMENDATION:**

That the City Council approve a six-month extension to an existing twelve-month professional services agreement with Joan Edwards and Associates, Inc. The total amount of the agreement is not to exceed \$54,600.

### **INTRODUCTION:**

Effective January 17, 2000, the Town of Atherton entered into a twelve-month contract with Joan Edwards and Associates, Inc. for the purpose of implementing the Town's new Construction and Demolition Ordinance. It is now recommended that that contract be extended for another six months.

### **ANALYSIS:**

Section 40000 et seq. of the California Public Resources Code required Town of Atherton to implement procedures that would reduce the waste stream going to landfills by 50%.

The Town of Atherton formed a Waste Reduction Committee, and on November 1, 1999, Ordinance 506, Recycling and Diversion of Construction and Demolition Debris, went into effect. The purpose of the ordinance was to comply with Section 40000 of the Public Resources Code, as well as to establish a constructive, educational program that would change the trade practice of disposing of construction and demolition debris. In order to administer the provisions of the Recycling and Diversion Ordinance, Joan Edwards and Associates, Inc. was hired effective January 17, 2000.

The recycling and diversion program has been operating successfully for the last twelve months. The goals of Ordinance 506 and Section 40000 of the Public Resources Code have been met. However, at the last Waste Reduction Committee meeting, it was suggested that the contract with Joan Edwards and Associates, Inc. be extended for another six months. Since the first twelve months of the program was devoted to implementation and education, it was felt that an additional period of time was necessary to monitor and verify that the goals of Section 40000 of the Public Resources Code continue to be met.

**FISCAL IMPACT:**

Funding for the administration of this program is paid for directly by the Town's waste disposal franchisee, Brown Ferris Industries. There would be no direct charge to the Town's budget. The original twelve-month agreement was for a sum not to exceed \$36,400. A six-month extension would add an additional sum of \$18,200 for a total amount not to exceed \$54,600.

Respectfully submitted,

Reviewed/Approved by,

s/ Mike Hood  
Mike Hood  
Building Official

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Ralph Freedman  
Interim City Manager

**Item No. 15**



## Town of Atherton

### **CITY COUNCIL STAFF REPORT**

**TO: HONORABLE MAYOR AND CITY COUNCIL**

**FROM: RALPH FREEDMAN, INTERIM CITY MANAGER**

**DATE: FOR THE MEETING OF JANUARY 17, 2001**

**SUBJECT: CONSIDERATION OF HIRING NEW STAFF ABOVE THE 60<sup>th</sup> PERCENTILE, RECLASSIFY THE FINANCE ANALYST POSITION TO AN ASSISTANT FINANCE DIRECTOR POSITION, USE OF THE "POLICE ON THE STREET" FUND MONIES FOR LATERAL POLICE OFFICERS, AND THE TIMETABLE FOR ELEVATING POLICE SALARIES TO THE 70<sup>th</sup> PERCENTILE FOR NEW POLICE OFFICERS**

#### **RECOMMENDATION:**

Authorize the Interim City Manager to pay up to the 70<sup>th</sup> percentile for the Public Works Superintendent position and the Assistant to the City Manager position, advertise above the 70<sup>th</sup> percentile for the Finance Analyst position and reclassify this position as the Assistant Finance Director position, use the donated funds for incentives to attract laterals from other Police Departments, and elevate new Academy graduates to the 70<sup>th</sup> percentile after they pass probation.

#### **INTRODUCTION:**

The Town unsuccessfully tried to recruit for the Public Works Superintendent position, the Assistant to the City Manager position, and the Finance Analyst position in the middle of last year. For the second recruitment, we advertised at the 70<sup>th</sup> percentile. I am confident that we will be successful in hiring at that level for the Public Works Superintendent position and the Assistant to the City Manager position. If possible, we will hire at a lesser salary. We have received only a handful of resumes for the Finance Analyst position. I would like to reclassify this position as an Assistant Finance Director, and pay at a higher salary after surveying market salaries.

The effort to raise donations for putting additional police officers on the street has raised approximately \$20,000. I would propose that these funds be used as incentives to attract laterals by giving payments to these officers after the completion of their first, second, and third years in the

Department. At the same time, I am recommending that their service time in other departments be reflected in their vacation time, by giving them vacation time at a higher accrual rate than a starting officer.

Finally, I would propose that new Academy graduates be paid at the bottom of the salary range as specified in the Koff & Associates Compensation Study. Their salary would be increased at the end of six months, at the end of twelve months, and at the end of eighteen months with the Department. Police officers are on probation for their first eighteen months. Upon completing the probationary period, the officer would be at the 70<sup>th</sup> percentile. This increase in salary schedule will make us competitive in the marketplace, and help to lessen the departure of officers who might possibly leave after completing the probationary period.

**ANALYSIS:**

All of the proposed actions are intended to bring the Town's staffing to its authorized level, and to enable us to both retain and attract quality employees to serve the Atherton community. We have operated at less than full staffing for an extended period of time, and this has been stressful on all staff members.

**FISCAL IMPACT:**

Since the Town has not filled the positions in the Public Works Department, the City Manager's Office, and the Finance Department to date, there have been considerable financial savings. Paying at the 70<sup>th</sup> percentile or above will only use a fraction of the monies budgeted for these positions. The use of donations to attract laterals for the Police Department, means that it will have no financial impact on the Town's budget. Increasing new Police Academy graduates to the 70<sup>th</sup> percentile should be cost effective because of saving Town resources that would be expended if the Town has a higher rate of turnover. We are trying to be proactive in all of these areas because we feel that in the long run these actions will save the Town money.