



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

Agenda

July 18, 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
- 7:05 P.M. 2. **COUNCIL REPORTS**
- A. Set date for new City Manager reception.
B. Miscellaneous Reports
- 7:15 P.M. 3. **PUBLIC COMMENTS** (only for items which are not on the agenda – limit of three minutes per person)
- 7:25 P.M. 4. **CITY MANAGER REPORT**
- A. Housing Element Update
- 7:35 P.M. 5. **CITY ATTORNEY REPORT**
- 7:45 P.M. 6. **COMMUNITY ORGANIZATION ROUNDTABLE REPORT** (Directed by Resolution No. 99-6)
- 7:55 P.M. **CONSENT CALENDAR** (Items 7 - 14)
7. MINUTES OF REGULAR MEETING OF JUNE 20, 2001, AND SPECIAL MEETINGS OF JUNE 13, JUNE 20, AND JUNE 27, 2001
8. APPROVE BILLS AND CLAIMS FOR JUNE 13, 2001 THROUGH JULY 12, 2001

9. **ADOPT RESOLUTION NO. 01- ___ SETTING THE FISCAL YEAR 2001/02 APPROPRIATIONS LIMIT**
10. **APPROVAL OF ANNUAL INVESTMENT POLICY**
11. **APPROVAL OF AGREEMENT WITH THE CITY OF MENLO PARK FOR MIDDLEFIELD ROAD REHABILITATION PROJECT IMPROVEMENTS WITHIN THE CITY OF MENLO PARK'S RIGHT-OF-WAY**
12. **APPROVAL OF DISPOSITION OF SURPLUS PROPERTY**
13. **APPROVAL OF PURCHASE OF POLICE VEHICLE FROM CURRENT BUDGET**
14. **APPROVAL AND AWARD OF CONTRACT FOR CEILING IMPROVEMENTS TO CARRIAGE HOUSE**

PUBLIC HEARINGS (Items 15 and 16)

- 8:00 P.M. 15. **PUBLIC HEARING AND ADOPTION OF RESOLUTION NO. 01-___ SETTING FISCAL YEAR 2001/02 PARCEL TAX RATES**

Recommendation: 1) Conduct the public hearing, 2) Adopt Resolution No. 01-___ to levy the Special Parcel Tax for Fiscal Year 2001/02 and authorize the County of San Mateo to collect the tax as part of the regular property tax bill.

- 8:15 P.M. 16. **PUBLIC HEARING AND ADOPTION OF ORDINANCE NO. ____, AMENDING THE ATHERTON MUNICIPAL CODE LIMITING THE AREA IN WHICH A BASEMENT CAN BE CONSTRUCTED TO THE BUILDABLE AREA OF THE LOT**

Recommendation: 1) Conduct the public hearing, 2) Introduce Ordinance No. ___ placing limitations on the construction of basements based on the findings outlined in the staff report, and waive further reading.

REGULAR AGENDA (Items 17 - 21)

- 8:30 P.M. 17. APPROVAL OF PLANS AND SPECIFICATIONS AND AWARD OF CONTRACT FOR 2001 STREET MICRO-SEALING PROJECT, 2001-03**

Recommendation: Approve the plans and specifications for the 2001 Street Micro-surfacing Project, award a contract, and authorize the Public Works Director to approve extra work up to a maximum total contract amount.

- 8:45 P.M. 18. INTRODUCTION OF ORDINANCE NO. ____ AMENDING CHAPTER 15.40 OF THE ATHERTON MUNICIPAL CODE RELATING TO CONSTRUCTION NOISE AND THE PICKUP OF MATERIALS AND EQUIPMENT**

Recommendation: Introduce Ordinance No. ____, amending Chapter 15.40, Construction Regulations, of the Atherton Municipal Code pertaining to the retrieval of materials and equipment, and waive further reading.

- 9:00 P.M. 19. ADOPT RESOLUTION NO. 01-__ RESCINDING ALL PREVIOUS RESOLUTIONS APPROVING RATES FOR BROWNING-FERRIS INDUSTRIES REFUSE, RECYCLABLE MATERIAL AND PLANT MATERIAL COLLECTION SERVICE FEES AND APPROVING A NEW RATE SCHEDULE FOR SAME, RETROACTIVE TO MARCH 1, 2001**

Recommendation: Adopt Resolution No. 01-__ rescinding all previous resolutions approving rates for BFI, and including BFI rate schedule as Exhibit "A" of the resolution.

- 9:15 P.M. 20. DISCUSSION AND POSSIBLE ACTION - TOWN HALL RESTORATION PROJECT**

- 9:35 P.M. 21. DISCUSSION AND POSSIBLE ACTION - ESTABLISHMENT OF TOWN AGENDA FOR LONG AND SHORT TERM GOALS, RESOLUTION NO. 99-6**

- 10:00 P.M. 22. PUBLIC COMMENTS**

10:15 P.M. 23. **ADJOURN TO CLOSED SESSION**

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

San Francisco Baykeeper, et al v. California State Water Resources Control Board, et al. Case No. 416800.

24. **RECONVENE TO OPEN SESSION**

Report of action taken.

25. **ADJOURN**

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

Pursuant to the Americans with Disabilities Act, if you need special assistance in this meeting, please contact the City Clerk's Office at (650) 752-0529. Notification of 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. (29 CRF 35.104 ADA Title II)



Minutes
CITY COUNCIL MEETING
June 13, 2001
5:00 P.M.
Town Council Chambers
94 Ashfield Road
Atherton, California

Special Meeting

Mayor Fisher called the meeting to order at 5:05 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 5:10 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 Legal Counsel – Existing Litigation pursuant to Government Code Section 54956.9 (a) Patricia O’Neal v. Town of Atherton.

By unanimous vote, the firm of Stubbs and Leone was retained to defend the Town, and instructions were given to Counsel Louis Leone.

B. Conference with Legal Counsel – Anticipated Litigation Significant exposure to litigation pursuant to Government Code Section 54956.9 (b). One potential case.

Directions were given to the City Attorney.

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

Directions were given to the Interim City Manager.

- D. Conference with Labor Negotiator – Labor Negotiations pursuant to Government Code Section 54957.6
Agency Negotiator: Ralph Freedman, Interim City Manager
Employee Organization: Management**

Directions were given to the Interim City Manager.

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

By unanimous vote, Mike Hood, Building Official, will be appointed to serve as Acting City Manager during the three week period after the Interim City Manager leaves and before the new City Manager arrives.

5. ADJOURN

The meeting adjourned at 7:00 p.m.

Respectfully submitted,

Dianne M. Fisher, Mayor



**Minutes
CITY COUNCIL MEETING
June 13, 2001
7:00 P.M.
Town Council Chambers
94 Ashfield Road
Atherton, California
Special Meeting**

Mayor Fisher called the meeting to order at 7:05 p.m.

1. ROLL CALL

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

2. CITY ATTORNEY REPORT ON CLOSED SESSION

City Attorney Marc Hynes reported out of the 5:00 p.m. closed session.

3. PUBLIC COMMENTS

There were no public comments.

3A. PRESENTATIONS

Mayor Fisher presented certificates of recognition to the Menlo College Football Team and Quarterback Zamir Amin for outstanding performances in the 2000 season. Wide Receiver Nate Jackson, who was not present, also received a certificate for outstanding performance in the 2000 season. The Mayor was presented with a signed football.

4. CITY COUNCIL REPORTS

- Council Members Conwell and Janz attended a Council of Cities dinner last month. Providing affordable housing in the County was discussed. The Criminal Justice Commission will meet next week. Council Member Conwell reported that he has been speaking at local elementary schools.**
- Council Member Carlson asked the Chief of Police for information on guidelines for what constitutes a false alarm.**
- Council Member Janz reported that the City Selection Committee will meet next week. He has submitted his name for appointment to the ABAG Board.**

- **McKeithen has asked the City Attorney to look into businesses advertising that they are in Atherton, and whether the Town can derive any revenue from the businesses. She also asked to delay consideration of the Channel District issue until September so the new City Manager will have time to become familiar with this. She asked that staff report back next meeting on the increased BFI rates, and to determine if the adopted resolution correctly reflects the new rates. She asked that something be put in the Athertonian and on the Town web site explaining how the Council arrived at the rate adjustment to cover reported shortfalls in the current and previous years. She has been asked by residents to see if the Town is interested in purchasing the house next to the Administrative offices.**
- **Mayor Fisher asked that the item regarding the purchase of the house be put on the agenda for next week. She reported that the Library JPA met last week and that the County has asked for an increase in the budget for the Library building. More discussion will be held on this budget request. She reported that of the two library initiatives on the ballot last week, Millbrae's passed and San Bruno's did not. She reported on the General Plan Committee meeting where Philip Lively was chosen Chair, and Shirley Carlson Vice Chair. The limitation for basement areas will go on the next Planning Commission agenda, and the Heritage Tree ordinance will go before the General Plan Committee at their next meeting.**

5. CITY MANAGER REPORT

Interim City Manager Ralph Freedman reported on the following:

- **A proposed Agreement with Menlo School will come before the Council at the next meeting. This would allow the Arts Committee to hold approximately twelve events per year using the School facilities.**
- **Complaints have been made about traffic speed in Holbrook-Palmer Park. After discussions with the Police Chief and the Public Works Director, a recommendation was made to add six more speed bumps with appropriate signage. This was approved by the Park and Recreation Commission last week. The estimated cost is \$2500. Council requested that only three new speed bumps be added.**
- **The Interim City Manager corrected an erroneous report which appeared in the Almanac regarding the flex spending plan for child care. He stated that this was not paid for by the Town, but deducted from the Interim City Manager's paycheck.**
- **Radio alarm equipment update– FCC granted a frequency to the Town so transmitters can be placed in residences. The new equipment will enable the monitoring of over 200 zones in a house. The transfer of data to the new equipment will be done next week. Homeowners will be notified of this available service. It will be at the homeowner's cost. Physical improvements to dispatch center will be done next fiscal year.**
- **Commended the Playground Committee and specifically Michelle Dollinger, Allison Ross, and Dorthea Collins, for raising over \$300,000 for the playground project.**

CONSENT CALENDAR

MOTION – approve the consent agenda as presented with the exception of Items 8 and 11 which will be placed on the regular agenda, approve Item No. 7 with the changes as submitted by the Public Works Director, approve Item No. 10 providing that the City Attorney has reviewed and signed off on the Disadvantaged Business Enterprise draft, approve Item No. 12 with the changes submitted by Interim Finance Director Bill Yeomans.

M/S McKeithen/Janz

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

6. ADOPTED RESOLUTION NO. 01-09, DECLARING THE RESULTS OF THE JUNE 5, 2001 SPECIAL PARCEL TAX ELECTION

7. ADOPTED RESOLUTION NO. 01-10, AUTHORIZING THE APPLICATION FOR ALL AVAILABLE GRANTS UNDER THE CALIFORNIA OIL RECYCLING ENHANCEMENT ACT

9. INTERIOR LIGHTING IMPROVEMENTS AT ATHERTON LIBRARY

Approved interior lighting improvements at the Atherton Library in the amount of \$1,282, using donor monies.

10. APPROVED DISADVANTAGED BUSINESS ENTERPRISE (DBE) PROGRAM AND GOAL FOR FEDERAL FISCAL YEAR 2000/01

12. FY 2000/01 BUDGET ADJUSTMENTS

Approved adjustments to the Fiscal Year 2000/01 Budget as presented by the Interim Finance Director.

REGULAR AGENDA

11. HOLBROOK-PALMER PARK PLAYGROUND – REPLACEMENT OF EQUIPMENT AND EXPANSION OF THE PLAYGROUND AREA

Vice Mayor Carlson asked that this item be removed from the Consent Agenda for clarification. Interim City Manager Ralph Freedman explained that this item went to the Park and Recreation Commission in May, and subsequently to the City Council. It was proposed that the size of the playground would be 6600 square feet. During the course of the planning process, there were modifications proposed which pushed the project size to 8500 square feet. The proposal went back to the Park and Recreation Commission in June. It was approved that the playground should remain at 6600 square feet but that the area could be reallocated to allow for added square footage for the Sand Play Area and four trees.

MOTION - McKeithen/Carlson

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

13. AUTHORIZATION OF VALPARAISO CORRIDOR STUDY TO BE CONDUCTED JOINTLY WITH CITY OF MENLO PARK

Public Works Director Cliff Temps presented this item. Atherton Staff proposed to Menlo Park Staff a study to look globally at the Valparaiso Corridor, rather than just at individual projects. The study would address traffic and development issues affecting the boundary area between the two communities. Improvements to the intersection at Valparaiso and El Camino Real, and a signal light at University will also be considered. Menlo Park approved this study at their last meeting. The Interim City Manager has approached Menlo School and Sacred Heart to request that they fund some of the study. During the course of the study, the consultants will look into impacts the schools have on Valparaiso. Joint public hearings are planned. Phil Lively spoke from the audience.

MOTION – to authorize Staff to work with Menlo Park Staff to select a consultant to perform the study, and authorize the expenditure at a cost not to exceed \$35000 for the consultant contract.

M/s McKeithen/Conwell

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

14. DISCUSSION – FISCAL YEAR 2001/02 BUDGET

Interim City Manager Ralph Freedman presented the proposed General Fund Operating Budget for Fiscal Year 2001/02. A public hearing is scheduled for next week's meeting. The Special Funds and Capital Improvements budgets will be presented at that time. The Department Heads highlighted changes in the departmental budgets over last year. Revenue and expenditure summaries were provided along with information on authorized positions, expenditures for contract services, and comparisons to prior years.

Vice Mayor Carlson asked Staff to return with contingency plans that were in place to balance the budget in the absence of the parcel tax.

Gene Berry and Jean Schaaf spoke from the audience.

15. CONSIDER MODIFICATIONS TO ALARM FEES FOR FISCAL YEAR 2001/02

Interim City Manager Ralph Freedman provided sample data to the Council on false alarm calls. Alternatives for alarm fees were presented, along with the Hillsborough model where homeowners with an alarm system pay a permit fee to the Town of \$60 per year. Revenue estimates were given for alternative methods. Discussion ensued regarding implementing a blended fee. The Council expressed concern that any changes in the alarm fees not affect next year's budget in which \$200,000 in alarm fee revenue is estimated. The Council directed the City Attorney to review the legality of expending building permit fees for general fund purposes if alarm fee revenues are reduced. Stanley Bernhard, Gene Berry, and John Sisson spoke from the audience. This item will be placed on next week's agenda.

16. CITY MANAGER ANALYSIS OF KOFF AND ASSOCIATES CLASSIFICATION AND COMPENSATION STUDY

Interim City Manager Ralph Freedman explained how benchmarking was done in the Koff Study, and how the omission of the PERS contribution affected the survey. Discussion ensued as to how salaries were arrived at using the total compensation figures. The Council asked for the Interim City Manager to return to the Council with how current salaries were calculated when using total compensation.

17. RATIFICATION OF AGREEMENT FOR LEGAL SERVICES – TAX OPINION ON CITY MANAGER’S RESIDENCE

The City Council decided not to sign a retainer agreement with Coblenz, Patch, Duffy & Bass, LLP, and directed staff to pay the invoice when it is submitted.

8. APPROVAL OF TENNIS AGREEMENT WITH ALAN MARGOT FOR FY 2001/02

Vice Mayor Carlson asked that this item be removed from the Consent Agenda. He had questions regarding the number of people with tennis keys. Less than 40 people have keys to the courts. He has concerns with improving the courts when the general public is excluded from using them.

MOTION: to approve the agreement with changes in the notice provision, the payment of the audit amount, and the automobile liability insurance, as made by the City Attorney.

M/S McKeithen/Conwell

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

18. PUBLIC COMMENTS

There were no public comments at this time.

19. ADJOURN

The meeting adjourned at 12:05 a.m.

Respectfully submitted,

Sharon Barker, City Clerk



Minutes
CITY COUNCIL/ATHERTON CHANNEL
DRAINAGE DISTRICT

June 20, 2001

7:00 p.m.

TOWN COUNCIL CHAMBERS

94 Ashfield Road
Atherton, California

REGULAR MEETING

Mayor Fisher called the meeting to order at 7:13 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. CITY ATTORNEY REPORT ON CLOSED SESSION

No action. The Closed Session was continued to the end of the regular meeting.

3. COUNCIL REPORTS

- Council Member Conwell reported on the Criminal Justice Commission meeting where their budget was discussed. The Commission will be addressing violence in schools next month. He also reported that he has received concerns from residents that City Council meetings are too long.
- Vice Mayor Carlson stated he agreed that Council Members should speak in order. He reported that the Council had received a letter from Assemblyman Joe Simitian stating that Proposition 12 monies are available for various recreational and cultural purposes. He asked that this item be placed on the agenda since a response is required by June 29th.

MOTION – to place an item on the agenda after Council reports, that arose subsequent to the posting of the agenda, regarding the application for Proposition 12 monies.

M/S Carlson/McKeithen

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

Interim Finance Director Bill Yeomans addressed the questions set forth by Mr. Jenkins.

- **John Sisson, 26 Belleau Avenue**
- **Gene Barry, 230 Oak Grove Avenue**

5. CITY MANAGER REPORT

Interim City Manager Ralph Freedman reported on the following:

- **Passed out responses to the short survey that was in the Spring Athertonian. Seventy-four responses were received. Assistant to the City Manager Linda Kelly has put together a composite of the responses.**
- **Calls have been received from residents on when pool pumps can be operated. P.G. & E. is giving some financial incentive to people for conserving energy by setting timers so pool pumps operate during off peak hours. Some follow up may be needed since this may conflict with the noise ordinance.**
- **BFI rates: provided overheads of actual rate schedules in use by BFI for Atherton. There are 79 permutations of rate categories. The City Attorney will review the Resolution setting current rates to see if the Town is covered under a percentage increase, and whether the Resolution covers the actual rates.**

6. DEPARTMENT HEADS' REPORTS

Police Chief Bob Brennan spoke on the noise ordinance.

7. CITY ATTORNEY REPORT

City Attorney Marc Hynes reported on the following:

- **He has filed six complaints based on citations related to the noise ordinance.**
- **Letter has been sent to Mr. Hutton regarding the opinion on the City Manager's house.**
- **He will provide the Council with a memo on the issue of businesses that make it appear that they are within the Town limits.**

8. COMMUNITY ORGANIZATION ROUNDTABLE REPORT

No report

CONSENT CALENDAR (Items 9 - 16)

MOTION – to approve the items on the Consent Agenda with the exception of Items 13, 15, and 16.

M/S Conwell/McKeithen

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

9. APPROVED MINUTES OF SPECIAL MEETINGS OF MAY 7, 2001, MAY 9, 2001, MAY 16, 17, 18, 19, AND 24, 2001, AND REGULAR MEETING OF MAY 16, 2001

10. APPROVED BILLS AND CLAIMS FOR MAY 11, 2001 THROUGH JUNE 15, 2001

11. ADOPTED ORDINANCE NO. 524, PERTAINING TO THE TIMING OF LANDSCAPE SCREENING REQUIREMENTS ON APPROVED PROJECTS

Adopted Ordinance No. 524, amending the Atherton Municipal Code pertaining to the timing of landscape screening requirements on approved projects within the Town of Atherton, and waived further reading.

12. DESIGN CONTRACT FOR MIDDLEFIELD ROAD REHABILITATION

Approved a design contract with Wilsey Ham not to exceed \$245,742.00 for Middlefield Road rehabilitation, with funding as outlined in the Capital Improvement budget.

14. POST OFFICE CONTRACT

Approved a contract with the U.S. Postal Service to operate a contract Post Office for an indefinite term with the Town receiving \$51,762 per year.

REGULAR AGENDA

16. AGREEMENT WITH MENLO SCHOOL FOR JOINT ARTS PROGRAM

Atherton Arts Committee Chair Fran Eastman explained that the agreement would make the facilities of Menlo School available for arts related programs that could not be conducted in Town-owned facilities. The agreement provides that the School and the Town each provide \$500 to start the program. The Council agreed that the agreement needs some fine tuning and will look at it at the next meeting. Vice Mayor Carlson asked that in the future the City Attorney go through contracts and agreements with the City Council.

MOTION – to return this agreement to the City Attorney for further work, and to continue this item to the next Council meeting.

M/S Carlson/Janz

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

19. MODIFICATION TO ALARM FEES FOR FISCAL YEAR 2001/02

Interim City Manager Ralph Freedman proposed various methods for raising funds to replace the current alarm fees. He discussed the effects of utilizing surplus revenues from building permit fees to fund General Fund expenditures. Discussion ensued regarding options for reducing or eliminating alarm fees. A proposal for charging only for false alarms was discussed. The City Attorney stated that rates for false alarms can be set by resolution, and an ordinance amendment would not be needed.

**The following members of the audience spoke:
Jerry Carlson, 95 Mount Vernon Lane**

**Gene Barry, 230 Oak Grove
Charles Marsala, 33 Emilie Avenue**

MOTION – to eliminate the current alarm fees, and to charge only for false alarms as follows: On a fiscal year basis - one free alarm to be allowed, thereafter a charge of \$100 per false alarm.

M/S McKeithen/Conwell

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

PUBLIC HEARINGS

17. PUBLIC HEARING AND ADOPTION OF URGENCY ORDINANCE NO. 525, IMPOSING AN EXTENSION ON A MORATORIUM ON CONSTRUCTION OF BASEMENTS

Building Official Mike Hood stated that the basement limitation ordinance has been addressed by the General Plan Committee and will go to the Planning Commission at their next meeting. This urgency ordinance would continue the moratorium for a period of 10 months and 15 days, until the basement limitation ordinance has completed the process.

**Mayor Fisher opened the public hearing at 10:25 p.m.
There being no comments, the public hearing was closed.**

MOTION – to adopt Urgency Ordinance No. 525 extending the moratorium on the construction of basements based on the findings incorporated in the Staff Report, and correcting Section 5 to read that the ordinance shall be in force for 10 months and 15 days from June 30, 2001.

M/S Conwell/McKeithen

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

18. PUBLIC HEARING FOR FISCAL YEAR 2001/02 BUDGET

Interim City Manager Ralph Freedman presented the 2001/02 Special Funds and Capital Improvements budgets. A list of authorized positions was provided and will be included in the budget document.

Interim Finance Director Bill Yeomans discussed changes to the 2000/01 current budget and the 2001/02 proposed budget. He stated that if Council approves the Capital Improvements Budget, specific projects would still come back to the Council for approval. The Council agreed that parcel tax monies should be spent primarily on street and storm drainage improvements rather than for other infrastructure improvements or other purposes. Vice Mayor Carlson raised concerns regarding the funding of repairs to the tennis courts when they are not open to the general public.

Mayor Fisher opened the public hearing at 11:30 p.m. The following members of the audience spoke:

- Charles Marsala, Park and Recreation Commission, presented what the Commission has been working on and provided information on Tennis memberships. He showed pictures of the surface deterioration of the courts. He stated that the Park and Recreation Commission voted to repair the courts.
- Gene Barry, 230 Oak Grove

Mayor Fisher closed the public hearing at 12:05 a.m.

The Council set Wednesday, June 27 at 8:00 a.m. to adopt the budget resolutions.

13. APPROVAL OF PLANS AND SPECIFICATIONS AND AWARD OF CONTRACT FOR 2001 CRACK SEALING PROJECT

Public Works Director Cliff Temps asked that this item be removed from the consent agenda for clarification.

MOTION – to approve the plans and specifications and award a contract for the 2001 Crack Sealing Project to Ruberized Crackfiller Sealant, Inc. and Company, and authorize the City Engineer to approve extra work up to a maximum total contract amount of \$15,000, with funding to come from the 2001/02 Capital Improvements Budget.

M/S Janz/McKeithen

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

15. APPROVAL OF AGREEMENT FOR ENVIRONMENTAL HEALTH STORMWATER FEES

Council Member Janz asked that this item be removed from the consent agenda because the agreement did not reflect the requirements as outlined in the Staff Report. Public Works Director Cliff Temps explained that the Town still has the responsibility of following up on complaints of illegal discharges, and the County will provide routine inspection services only. If legal enforcement is needed, the Town will be responsible.

MOTION – to approve the agreement with the County of San Mateo for Stormwater Pollution Prevention Program Services for an annual fee of \$46.00.

M/S McKeithen/Janz

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

20. PUBLIC COMMENTS

Kim Freedman spoke from the audience.

21. ADJOURNED TO CLOSED SESSION

The Council adjourned to a continued closed session at 12:17 a.m.

The Council reconvened to Open Session at 12:35 a.m. The following action was taken:

- A. 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.**

- B. Conference with Labor Negotiator – Labor Negotiations pursuant to Government Code Section 54957.6. Agency Negotiator: Ralph Freedman, Interim City Manager. Employee Organization: Management**

The Council voted unanimously on a motion by Vice Mayor Carlson, seconded by Council Member Janz, to give directions to the Agency’s negotiator regarding salaries and benefits paid to employees represented by Teamsters Local 856, and to the Town’s management employees.

The meeting adjourned at 12:36 a.m.

Respectfully submitted,

Sharon Barker, City Clerk



**MINUTES
CITY COUNCIL MEETING
JUNE 27, 2001
8:00 A.M.
TOWN COUNCIL CHAMBERS
94 Ashfield Road
Atherton, California
SPECIAL MEETING**

Mayor Fisher called the meeting to order at 8:00 a.m.

1. ROLL CALL

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

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

2. PUBLIC COMMENTS

- David Hooper, 211 Stockbridge Ave. on the NPDES fees.
- Mayor Fisher announced that this is Interim City Manager Ralph Freedman's last meeting and thanked him for the successful projects he has worked on, including balancing the budget without the parcel tax, establishing a program based budget, and reorganizing the Police Department. She presented him with a Certificate of Recognition. Council Member Janz also commended him for his dedication to Town projects.

3. ADOPTED RESOLUTION NO. 01-11, A RESOLUTION OF THE CITY COUNCIL OF THE TOWN OF ATHERTON ADOPTING THE 2001/2002 INTEGRATED OPERATING/CAPITAL BUDGET

Interim City Manager Ralph Freedman presented the budget resolution based on the outcome of the public hearing last meeting. Interim Finance Director Bill Yeomans discussed the changes that mainly consisted of the elimination of the alarm fee revenues, and the implementation of revenues for false alarm fees, and the addition of some Capital Improvement projects in the amount of \$36,000, which had been left out of the draft budget. Vice Mayor Carlson asked that \$25,000 be set aside for restoration of the Council Chambers in case matching funds play a factor in obtaining grant monies. Council Member Conwell stated that he would like to see the Town continue to remain efficient and to scrutinize all expenditures.

MOTION – to adopt Resolution No. 01-11, adopting the Fiscal Year 2001/02 Operating and Capital Budget in the amount of 12,067,461, which includes a line item in the Capital Improvement Budget titled "Council Chambers Restoration" in the amount of \$25,000, and correcting the paragraph "Deflator" on Page 4 of Exhibit "A" of the Resolution to read "...For the 2001-2002 Fiscal Year, if total revenues, as estimated by the City Manager are insufficient, the amount of total Operating Budget appropriations shall be reduced as determined by the City Manager, based on his assessment of total Town needs *in consultation with the City Council;...*", and changing the line "Transfer to Capital" on Page 5 of Exhibit "A" to read "*Transfer to Vehicle Replacement Fund*", and several minor grammatical corrections.

M/S Janz/McKeithen

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

4. AGREEMENT FOR JOINT ARTS PROGRAM WITH MENLO SCHOOL

It was determined that the Arts Committee can use Menlo School facilities for events on an individual basis until next month, which will allow the Council time to review the agreement.

5. APPROVED PURCHASE OF COMPACT PICK-UP TRUCK FOR TOWN ARBORIST

Public Works Director Cliff Temps explained that the Town normally tries to purchase vehicles through the Statewide bid process but that at the present time, there are no vehicles available. John Ruggeiro spoke from the audience.

MOTION – to approve the purchase of a Ford Ranger compact pick-up truck from Peninsula Ford for a total price not to exceed \$17,000 to be funded from the vehicle and equipment replacement fund.

M/S McKeithen/Janz

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

6. ADJOURN

The meeting adjourned at 8:45 a.m.

Respectfully submitted,

Sharon Barker, City Clerk

TOWN OF ATHERTON

CLAIMS LIST

June 13 through July 12, 2001

Payroll Checks	500904 - 501031	\$ 226,846.26
Electronic Transfers		60,260.90
A/P Checks	10602-10809	<u>291,579.29</u>
	TOTAL	\$ 578,686.45

I, Michael Hood, Acting City Manager of the Town of Atherton, do hereby certify under penalty of perjury that the demands listed above, check numbers 500904 – 501031 (Payroll) and 10602-10809 (Accounts Payable), and Electronic Transfers for Employees Federal Payroll Taxes and fees, inclusive, amount to \$578,686.45 are true and correct, and that there are funds for payment.

Michael Hood
Acting City Manager

The above claims, Payroll check numbers 500904 – 501031, Accounts Payable check numbers 10602 - 10809 and Electronic Transfers for employees federal payroll taxes and fees, amount to \$578,686.45; and are hereby approved for payment.

Dianne M. Fisher, Mayor

SOURCE OF FUNDS

101	General Fund	\$ 513,552.70
105	Tennis Fund	50.00
202	Transportation Fund	0
203	Gas Tax Fund	0
206	SLESF	0
401	GF Projects	0
402	Storm Drainage	11,309.50
404	Park Playground Improvement	5,579.85
610	Vehicle Replacement	16,871.49
611	Computer Maint & Replacem't	3,505.00
612	Administrative Services	11,605.90
614	Workers Compensation Insurance	0
715	Evans Estate	16,212.01
731	M-A Little League	0
730	H-P Park Improvement	581.38
731	Tree Committee	0
	TOTAL	\$ 578.686.45



Town of Atherton

CITY COUNCIL STAFF REPORT

**TO: HONORABLE MAYOR AND CITY COUNCIL
ACTING CITY MANAGER MICHAEL HOOD**

FROM: BILL YEOMANS, INTERIM FINANCE DIRECTOR

DATE: FOR THE MEETING OF JULY 18, 2001

SUBJECT: APPROVAL OF GANN LIMIT FOR FISCAL YEAR 2001-2002

RECOMMENDATION:

To adopt an attached Resolution to approve the Town of Atherton's Fiscal Year 2001-2002 Appropriations Limit.

INTRODUCTION

Each year the Town of Atherton is required, by the voters approved State Constitutional Amendment, to calculate the appropriations limit, which sets a maximum amount that the Town of Atherton can take in as a proceeds of taxes to appropriate for its expenditures. By law, the limit can only grow by the factors of the area population growth and the change in Per Capita Personal Income. The State Department of Finance has provided the data to calculate the growth factors as follows:

1. County-wide population growth as of January 1, 2001 is 0.88 %
2. Per Capita Personal Income change for Fiscal Year 2001-2002 is 7.82 %

The passage of the Special Parcel Tax also has impacted the calculation. The tax measure passed in June allows the appropriations limit to grow at 150% of the amount of the annual Tax. The calculation has been prepared in accordance with the law and consistent with the revenues and expenditures adopted in Town's 2001-2002 budget.

ANALYSIS

Based on the above factors, the Town's Appropriations Subject to Limit for fiscal year 2001-2002 is \$ 5,544,810 (Attachment II). The Proceeds of Taxes per Town's 2001-2002 fiscal year budget is \$ 4,197,774 (Attachment III). Therefore, the Town's proceeds of taxes for budget appropriation for fiscal year 2001-2002 is under the limit by \$ 1,347,036 or 24.3 %.

If the Parcel Tax had not passed, the Town would be above the limit, as operating costs are growing faster than the growth factors. When the Parcel Tax sunsets in four years, the Town's Gann Limit status should be carefully reviewed.

CONCLUSION

As set forth in the Law, the Town Council is being requested to adopt an attached resolution approving the Town's Appropriations Limit for fiscal year 2001-2002 at \$ 5,544,810.

FISCAL IMPACT

Since the analysis shows that the Town is below the Appropriations Limit, there is no fiscal impact at this time.

Bill Yeomans, Interim Finance Director

Michael Hood, Acting City Manager

ATTACHMENTS:

- I. Summary and Analysis
- II. Calculation of Appropriations Subject to Limit
- III. Calculation of Proceeds of Taxes



Town of Atherton

CITY COUNCIL STAFF REPORT

TO: HONORABLE MAYOR AND CITY COUNCIL
FROM: BILL YEOMANS, INTERIM FINANCE DIRECTOR
DATE: FOR THE MEETING OF JULY 18, 2001
SUBJECT: INVESTMENT POLICY REVIEW

RECOMMENDATION:

Adopt the investment policy shown as Attachment A to this report.

INTRODUCTION:

The policy was last updated in March 1999. State statute requires annual review and approval by the City Council. Pursuant to that requirement, an investment policy for FY 2001-02 is being presented for City Council review and approval.

ANALYSIS:

There is no change from the existing investment policy.

Currently investments are divided almost equally between the State pool (LAIF 48%) and the County pool (SMCIP 52%).

ALTERNATIVES:

Alternatives available to the Town Council for consideration include:

- 1 Adopt the investment policy for FY2001-02 as recommended by staff;

2. Modify the proposed new policy;
3. Refer the proposed new policy to the Audit Committee for its review before City Council action.

FISCAL IMPACT:

There is no direct fiscal impact to the Town if this policy is adopted. Note that interest rates will vary related to market conditions.

Prepared by:

Approved by:

Bill Yeomans
Interim Finance Director

Michael Hood
Acting City Manager

Attachment A: Proposed Investment Policy for FY 2001-02

Attachment B: Current Investment Policy (adopted in March 1999).

ATTACHMENT A

TOWN OF ATHERTON INVESTMENT POLICY FY 2001-02

OBJECTIVES

- **Safety** To insure against losses on Town investments.
- **Minimize Idle Funds** To maximize total funds invested and minimize idle funds held in non-interest bearing checking accounts.
- **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 investment instruments authorized to provide security and Liquidity of funds.
- **Checks & Balances** To maintain a constant system for monitoring and reporting compliance with investment objectives.

I. PROCEDURES

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

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. **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 and Interest 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.
3. **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.

- 4. MAXIMUM INVESTMENT** No more than 30 percent of the Towns funds shall be deposited or invested with any single instructions other than the Local Agency Investment Fund or the San Mateo County Investment Pool.
- 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 as part of the operating budget process.
- 7. CASH FLOW AVAILABIITY** The Quarterly Investment Report will include a statement that the projected cash flow 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 monthly 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.

ATTACHMENT B

TOWN OF ATHERTON INVESTMENT POLICY

OBJECTIVES

- **Safety** To insure against losses on Town investments.
- **Minimize Idle Funds** To maximize total funds invested and minimize idle funds held in non-interest bearing checking accounts.
- **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 investment instruments authorized to provide security and Liquidity of funds.
- **Checks & Balances** To maintain a constant system for monitoring and reporting compliance with investment objectives.

PROCEDURES

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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
ACTING CITY MANAGER MICHAEL HOOD**

FROM: CLIFF TEMPS, PUBLIC WORKS DIRECTOR

DATE: FOR THE MEETING OF JULY 18, 2001

**SUBJECT: APPROVAL OF AGREEMENT BETWEEN THE TOWN OF ATHERTON
AND THE CITY OF MENLO PARK REGARDING MIDDLEFIELD ROAD
REHABILITATION PROJECT IMPROVEMENTS WITHIN THE CITY OF
MENLO PARK'S RIGHT-OF-WAY.**

RECOMMENDATION

Approve an agreement between the Town of Atherton and the City of Menlo Park regarding Middlefield Road Rehabilitation Project improvements within the City of Menlo Park's right-of-way and authorizing the City Manager to execute same.

INTRODUCTION

The Town's Middlefield Road Rehabilitation project extends about 100 feet into Menlo Park, to tie into the place where Menlo Park's last road improvement project ended. This was done because it made sense to not leave a short section of road between two upgraded sections in a state of disrepair, and to score two additional points in the competitive process that resulted in Atherton receiving a \$1,100,000 grant for the project.

ANALYSIS

The strategy of including Menlo Park's work in the project paid off, because Atherton's application edged out the next project competing for the same grant money by two points. The agreement formalizes Atherton's commitment to include Menlo Park's road work in its project and provides for Menlo Park paying the amount of matching money required by the grant program. It also includes a provision for Menlo Park to issue the Town an Encroachment Permit for the work to satisfy State and Federal review requirements.

FISCAL IMPACT

The work in Menlo Park is expected to cost about \$20,000. Menlo Park will pay 11.47 percent of that cost, the grant will pay about 50%, and the rest will be made up by Atherton. Funding for approximately 2/3 of the entire project is included in the Fiscal Year 2001/2002 Capital Improvement budget. The balance will be paid for in Fiscal Year 2002/2003.

CONCLUSION:

The agreement formalizes the deal made with Menlo Park when Atherton applied for its grant, and should be approved by the Council.

Respectfully submitted:

Reviewed/Approved:

Cliff Temps
Public Works Director

Michael Hood
Acting City Manager

ATTACHMENT:

Agreement

AGREEMENT
BETWEEN THE TOWN OF ATHERTON
AND
THE CITY OF MENLO PARK

MIDDLEFIELD ROAD REHABILITATION PROJECT
IMPROVEMENTS WITHIN THE CITY OF MENLO PARK'S RIGHT-OF-WAY

This Agreement, entered into this _____ day of _____, 2001 by and between the Town of Atherton, a municipal corporation of the State of California, hereinafter called "Atherton" and the City of Menlo Park, a municipal corporation of the State of California, hereinafter called "Menlo Park:"

WITNESSETH:

WHEREAS, Atherton will perform pavement rehabilitation work on Middlefield Road, referred to as Middlefield Road Rehabilitation Project, under a Federal grant that pays up to 88.53 percent of the cost of the work;

WHEREAS, Atherton would like to continue the pavement rehabilitation work approximately 100 feet, southeast of the Ravenswood Avenue and Middlefield Road intersection within Menlo Park's city limits, to end at the northwest limit of Menlo Park's last Middlefield Road pavement rehabilitation project;

NOW, THEREFORE, IT IS HEREBY AGREED by the parties hereto, as follows:

1. Menlo Park agrees to permit Atherton to continue its Middlefield Road Rehabilitation project approximately 100 feet, southeast of the Ravenswood Avenue and Middlefield Road intersection within Menlo Park's city limits, to end at the northwest limit of Menlo Park's last Middlefield Road pavement rehabilitation project and, if required by any State or Federal authority overseeing the use of Atherton's grant funds, to issue an encroachment permit to Atherton and/or its contractor for the work.
2. Atherton agrees to have plans and specifications for the work, and a list of the items and quantities of work to be performed within Menlo Park, prepared and presented to Menlo Park's Director of Engineering Services for approval, prior to advertising for bids for the work.
3. Atherton agrees that, upon selection of a contractor to perform the work, Atherton will notify Menlo Park of the contractor selected and the cost of work to be performed within Menlo Park, based on the list of items and quantities and the unit prices bid by the selected contractor.
4. Menlo Park agrees to reimburse Atherton for 11.47 percent of the construction cost paid to Atherton's contractor for the work within Menlo Park. The preliminary opinion of Menlo

Park's probable share of the cost is \$2,500.00. Atherton shall transmit to Menlo Park invoices for 11.47 percent of the cost of work completed in Menlo Park at the same time it makes progress payments for same to its contractor. Menlo Park agrees that it will pay on Atherton's invoices within 30 calendar days of receipt.

5. Atherton shall hire qualified consultants to inspect construction of the work within Menlo Park and to carry out testing as required by its State approved Quality Assurance Program. Menlo Park may perform additional inspection and testing, as it desires, however the standards enforced shall be those spelled out in Atherton's plans and specifications, which were previously approved by Menlo Park. Menlo Park may, at its full cost, pay Atherton to have its contractor perform extra work, beyond the scope of work in Atherton's contract, providing performance of such extra work does not negatively effect the progress of the job.
6. Maintenance responsibilities for the improvements installed under this agreement shall vest in Atherton or Menlo Park, based upon where they are within the City limits.
7. Atherton and Menlo Park shall indemnify each other from all claims, suits, or actions of every name, kind and description, arising out of or relating to the matters covered by this agreement to the extent such claims, suits or actions are due to negligence or willful misconduct of Atherton or Menlo Park or the failure of same to perform obligations required under this agreement. Atherton shall require its contractor to indemnify and name Menlo Park as additional insured in its construction contract.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed by their duly authorized officers on the day and year first above written.

ATHERTON

TOWN OF ATHERTON

By: _____
James H. Robinson, City Manager

MENLO PARK

CITY OF MENLO PARK

By: _____
David Boesch, City Manager



Town of Atherton

CITY COUNCIL STAFF REPORT

**TO: HONORABLE MAYOR AND CITY COUNCIL
MIKE HOOD, ACTING CITY MANAGER**

**FROM: ROBERT BRENNAN, CHIEF OF POLICE
CLIFF TEMPS, PUBLIC WORKS DIRECTOR**

DATE: JULY 18, 2001

**SUBJECT: DECLARATION OF SURPLUS POLICE AND PUBLIC WORKS
VEHICLES AND MISCELLANEOUS COMPUTER PARTS**

RECOMMENDATION:

Declare specific Town property as surplus and authorize the Acting City Manager, or his designee, to dispose of identified property.

INTRODUCTION:

Periodically, the Town disposes of Town-owned property that has surpassed its useful life. The Council is being requested at this time to declare the items described in Exhibit A as surplus.

ANALYSIS:

The disposal of surplus property is a routine procedure that all municipalities routinely conduct. Typically, the Town utilizes the services of an auctioneer who picks up and auctions the property. The Town pays the auctioneer 10% on vehicles from the proceeds of the sales.

CONCLUSION:

The approval of this request will facilitate the disposal of surplus property, and allow the Acting City Manager to contract with an auctioneer. The proceeds of the sale will be deposited into the Town's General Fund. Any unsold item from the auction will be donated to other municipalities or non-profit organization.

FISCAL IMPACT:

No adverse fiscal impact from the sale of surplus equipment. The Town's General Fund will be augmented from auction proceeds.

Prepared by:

Approved:

Robert Brennan
Chief of Police

Mike Hood
Acting City Manager

Cliff Temps
Public Works Director

Attachments: Exhibit A

EXHIBIT "A"

POLICE VEHICLES

1. 1990 Ford LTD Crown Victoria FACP72MFX101665 3WRL571
85,161 miles
2. 1995 Ford Crown Victoria 1FALP71WXTX118346 E030498
100,981 miles (Old Sergeants car)
3. 1989 Kawasaki motorcycle JKAKZCP26KB506456 E04K84
27,600 miles (used for training)
4. 1997 Kawasaki motorcycle JKAKZCP21VB515604 E76K40
(Motorcycle used for parts only)
5. 1997 Ford Crown Victoria 2FALP71W3VX201412 E1006624
96,836 miles (back up K-9)

PUBLIC WORKS VEHICLES

1. 1987 Ford Pickup 1FTCR10A8JUB04747 090632
(used by Arborist)
2. 1985 Dodge RAM Pickup 1B7JD24T8FS543392 471552

MISCELLANEOUS COMPUTER PARTS

Early 1980's IBM System 36 computer, miscellaneous keyboards and monitors



Town of Atherton

CITY COUNCIL STAFF REPORT

**TO: HONORABLE MAYOR AND CITY COUNCIL
MIKE HOOD, ACTING CITY MANAGER**

FROM: ROBERT BRENNAN, CHIEF OF POLICE

DATE: FOR THE MEETING OF JULY 18, 2001

SUBJECT: PURCHASE OF ONE POLICE VEHICLE

RECOMMENDATION:

Approve the purchase of one patrol vehicle from Town Ford in Redwood City for \$22,680.00.

INTRODUCTION:

The Police Department budgeted for new police vehicles to replace old vehicles that have reached the end of their serviceable life. The Council is requested to approve the purchase of one patrol car as approved in the 2001/2002 budget.

ANALYSIS:

The Town of Atherton has a unique opportunity to purchase a new patrol car from Town Ford at a discounted price. A 2000 model year Ford police equipped vehicle, that cannot be sold on the open market, was damaged in the parking lot at Town Ford. It has been repaired, painted, and is available for immediate delivery. The general manager contacted the Atherton Police Department and presented a very attractive offer of \$22,680.00 for us to take delivery of this vehicle, which includes an extended warranty. We have inspected the vehicle and have found it to be serviceable. The two year 2000 models we purchased last year cost us in excess of \$24,000 each. It is requested that the Council recognize Town Ford as the sole source vendor for this particular vehicle.

CONCLUSION:

Approval of the purchase of the year 2000 Crown Victoria police vehicle from Town Ford via this unique opportunity will add a fully functional patrol vehicle to our fleet at a discounted price.

FISCAL IMPACT:

The purchase of the year 2000 Crown Victoria, a budgeted 2001-2002 item, will result in an expenditure of \$22,680.00.

Prepared by:

Approved:

Robert Brennan
Chief of Police

Mike Hood
Acting City Manager

Attachments: Exhibit A



Town of Atherton

CITY COUNCIL STAFF REPORT

TO: HONORABLE MAYOR AND CITY COUNCIL

FROM: MICHAEL HOOD, BUILDING OFFICIAL

DATE: FOR THE MEETING OF JULY 18, 2001

SUBJECT: APPROVAL OF CAPITAL IMPROVEMENT PROJECT TO INSTALL CEILING TILE IN THE CARRIAGE HOUSE IN HOLBROOK-PALMER PARK

RECOMMENDATION:

1. The City Council approve a capital improvement project to install ceiling tile in the carriage house in Holbrook-Palmer Park, and,
2. authorize the City Manager to award the contract to the lowest responsible bidder.

INTRODUCTION:

The Atherton Dames wish to have acoustical, sound absorbing, ceiling tile installed in the Carriage House in Holbrook- Palmer Park. The project has been reviewed by the Building Official and the Park and Recreation Commission. The project should be a substantial improvement to the Carriage House and make the facility more marketable while preserving the structure's historic character.

ANALYSIS:

Specifications for the project have been prepared and advertised. Bid opening has been scheduled for July 20, 2001. Since this is a small capital project, and since there is no August City Council meeting scheduled, the City Manager may award the contract and eliminate a two month delay in installation.

FISCAL IMPACT:

This project is estimated to cost approximately \$20,000.
Reimbursement for this project is being provided by the Atherton Dames.

/S/ Michael A. Hood

Michael A. Hood, Building Official



Town of Atherton

CITY COUNCIL STAFF REPORT

TO: HONORABLE MAYOR AND CITY COUNCIL

FROM: BILL YEOMANS, INTERIM FINANCE DIRECTOR

DATE: FOR THE MEETING OF JULY 18, 2001

SUBJECT: RESOLUTION TO LEVY SPECIAL PARCEL TAX

RECOMMENDATION:

Conduct the public hearing as required. Adopt Resolution 01-___ establishing a Special Tax for Municipal Services for the Fiscal Year 2001-02.

INTRODUCTION:

With the voter approval of the special parcel tax on June 5, 2001, and the City Council adoption of the FY 2001-02 Budget at your meeting of June 27, the City Council may now consider levying the tax.

ANALYSIS:

If the Council adopts this resolution, the tax will be collected for the Town of Atherton by San Mateo County as part of the regular property tax bill due in December 2001 and April 2002. The taxes for each parcel are listed on Exhibit A of the resolution.

FISCAL IMPACT:

The tax will raise approximately \$1,600,000 in Fiscal Year 2001-2002.

Prepared by:

Approved by:

Bill Yeomans, Interim Finance Director

Michael Hood, Acting City Manager

RESOLUTION 01-__

**A RESOLUTION OF THE TOWN OF ATHERTON
ESTABLISHING A SPECIAL TAX FOR MUNICIPAL SERVICES
FOR THE FISCAL YEAR 2001-2002**

WHEREAS, there is Ordinance No. 520 of the Town of Atherton authorizing the City Council to establish a Special Tax Levy on all properties with the Town of Atherton; and

WHEREAS, such Special Tax must be utilized to finance the cost of municipal services during the year as authorized; and

WHEREAS, such Special Tax was approved by at least two-thirds of the voters voting in the June 5, 2001, Special Tax Election, at which time Ordinance No. 520 was presented to the electorate; and

WHEREAS, the City Council has held all public hearings, and made deliberations and findings of fact, as required by Ordinance 520.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the Town of Atherton hereby levies a Special Tax for municipal services in accordance with the tax rates attached and shown as Exhibit "A".

BE IT FURTHER RESOLVED that such tax shall be collected by the Tax Collector of the County of San Mateo in accordance with standard procedures and agreement between the Town of Atherton and the County of San Mateo, providing for such collection.

* * * * *

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 _____, 2001 by the following vote:

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

Dianne M. Fisher, Mayor
TOWN OF ATHERTON

ATTEST:

Sharon Barker
City Clerk

EXHIBIT “A”

**2001-2002 SPECIAL TAX RATE
FOR MUNICIPAL SERVICES**

Within the 2001-2002 annual budget is a revenue estimate of \$1,600,000 to be derived from the Special Municipal Tax as authorized by Ordinance 487 of the Town of Atherton.

This amount will be raised by the levy of the following tax rates for each of the categories listed below:

	<u>Category</u>	<u>Rate</u>
1.	For each dwelling on parcel with an area of less than 1/4 acre.	\$450
2.	For each unimproved parcel with an area of less than 1/4 acre.	225
3.	For each dwelling on parcel with an area of 1/4 acre but less than 1/2 acre.	570
4.	For each unimproved parcel with an area of 1/4 acre but less than 1/2 acre.	285
5.	For a dwelling on parcel with an area of 1/2 acre but less than 2 acres.	750
6.	For each unimproved parcel with an area of 1/2 acre but less than 2 acres.	375
7.	For each dwelling on parcel with an area of 2 acres or more.	960
8.	For each unimproved parcel with an area of 2 acres or more.	480
9.	For each private club.	10,000
10.	For each parcel available for tax owned by a utility which serves Atherton area.	450
11.	For each parcel available for tax owned by a utility which does not directly serve the Atherton community.	750

The records of the San Mateo County Assessor, as of each year, shall determine whether or not any particular lot is unimproved for purposes of this ordinance.



Town of Atherton

CITY COUNCIL STAFF REPORT

TO: HONORABLE MAYOR AND CITY COUNCIL

FROM: NEAL J. MARTIN, CITY PLANNER

DATE: FOR THE CITY COUNCIL MEETING OF JULY 18, 2001

SUBJECT: BASEMENT ORDINANCE REVISIONS

RECOMMENDATION:

Staff recommends that the City Council conduct the public hearing and introduce the attached Ordinance placing limitations on the construction of basements based on the following findings for the reasons outlined in this staff report:

1. The Ordinance is necessary to achieve the objectives of the Zoning Plan and the General Plan. *Basis for finding: The Municipal Code and General Plan policies require the preservation of landscaping and heritage trees, specifically in the tree preservation area. Limiting basements to the footprint of the building will help preserve trees and other landscaping in the tree preservation area.*

INTRODUCTION:

At the February 7, 2001 General Plan Committee Meeting, the topic of limiting basement areas in order to conserve sufficient area for tree planting and tree preservation was discussed. The Committee directed staff to prepare an Ordinance that would limit basements so that they not extend outside the footprint of the main building or accessory structure. The Planning Commission at their April 25, 2001 meeting reviewed the proposed Ordinance and voted to recommend that the City Council adopt the Ordinance as proposed. The City Council, at their May 16, 2001 meeting, reviewed the proposed Ordinance and an Ordinance imposing a Moratorium on basements constructed outside of the footprint of the main building. At that meeting, the City Council approved the Ordinance imposing a Moratorium and referred the permanent Ordinance back to the General Plan Committee and Planning Commission. The General Plan Committee made further recommendations at its June 7, 2001 meeting and the Planning Commission considered and approved those recommendations at its June 27, 2001 meeting.

ANALYSIS:

The Ordinance imposing a Moratorium took effect immediately (May 16, 2001) and is effective for 45 days. The Council extended the moratorium an additional 10 months at their June 20, 2001 meeting. The Moratorium limits the construction of a basement to within the footprint of the main building. Passing the moratorium gave the General Plan Committee, Planning Commission, and City Council time to study the issue further prior to the adoption of a permanent Ordinance.

The Atherton Municipal Code is currently interpreted to allow the construction of basements within five feet of any property line. Staff has noticed recent interest among builders to maximize basement areas.

The General Plan Committee and Planning Commission previously recommended the following additional language to section 17.36.190;

“Basements shall not extend outside the footprint of the main building or accessory structure with the exception of areas for stairway and drive way access and light wells. No basement retaining wall or impervious surface shall be located within 10’ of the property line.”

In reviewing the proposed Ordinance amendment, The City Council raised the following issues:

- Concern with the allowed size of light wells (could extend to within 10’ of the property line).
- Should there be a distance requirement from existing heritage trees to the basement or light well (at least 10’ from any heritage tree to protect from root damage).
- Why is there a limit to impervious surface within 10’ of the property line? Was this intended to limit driveways and walkways, etc?

The General Plan Committee, at their June 7, 2001 meeting discussed the above listed items and reviewed various options to basement construction. The Committee concurred that basements should be limited to the footprint of the main building and accessory structures and that light wells be limited to the main buildable area. The Committee also concurred that the intent was not to limit impervious surfaces to within 10’ of the property line, but to limit retaining walls for driveways to 10’ of the property line. The Committee felt that these limitations to basement areas and retaining walls for driveways would leave sufficient area for landscape retention in the tree preservation area as well as sufficient area for the planting of new landscape screening.

The General Plan Committee recommended the following wording for the permanent basement Ordinance:

“Basements shall not extend outside the footprint of the main building or accessory structure, with the exception of areas for stairways and light wells which shall be limited to the main buildable area. No basement retaining wall or retaining walls for driveways shall be located within 10’ of the property line.”

The Planning Commission, at its June 27, 2001 meeting recommended City Council adoption of the above wording, except they recommended deletion of the words “basement retaining wall or” as being not necessary.

CONCLUSION:

It is Planning staff's professional opinion that the proposed Ordinance would not be contrary to the purpose and intent of the General Plan and Zoning Code.

ALTERNATIVES:

The Planning Commission could modify the Ordinance.

FISCAL IMPACT:

Costs of preparing the Ordinance are paid for by the Town of Atherton.

ENVIRONMENTAL IMPACT:

The proposed Ordinance Amendment is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15305, Minor Alterations in Land Use Limitations of the CEQA guidelines.

FORMAL MOTION:

I move that the City Council introduce the Ordinance entitled "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" and waive further reading thereof, based on the findings and for the reasons incorporated in the staff report.

Neal J. Martin, City Planner

Attachments:

1. Draft Ordinance
2. General Plan Committee June 7, 2001 draft meeting minutes
3. Planning Commission June 27, 2001 meeting minutes



Town of Atherton

CITY COUNCIL STAFF REPORT

DATE: FOR THE MEETING OF JULY 18, 2001

**TO: HONORABLE MAYOR AND CITY COUNCIL
ACTING CITY MANAGER, MICHAEL HOOD**

FROM: CLIFF TEMPS, PUBLIC WORKS DIRECTOR

**SUBJECT: APPROVAL OF PLANS AND SPECIFICATIONS AND AWARD OF
CONTRACT FOR 2001 STREET MICRO-SEALING PROJECT, 2001-03**

RECOMMENDATION

Pass a motion to approve the plans and specifications for 2001 Street Micro-Surfacing Project, to award a contract for its construction to _____ (the Contractor will be recommended by the Public Works Director), and to authorize the Public Works Director to approve extra work up to a maximum total contract amount of \$_____ (amount to be recommended at meeting).

INTRODUCTION

Street micro-surfacing is the third of three street surface improvement projects the Town is putting out to contract for construction this summer. The other two, which have already been awarded, involved patching and crack sealing. The streets to be micro-surfaced are on the attached list and fall into one of two categories: heavily traveled streets that are being restored by extensive patching and light traffic streets showing surface deterioration but no evidence of serious structural failure. All streets proposed for micro-surfacing have been or will be crack sealed and, where needed, patched, before micro-surfacing. A copy of the plans and specifications for the work is available at the counter in Town Hall.

ANALYSIS

Micro-surfacing is a relatively new treatment that has been thoroughly tested by Caltrans and is now routinely used by that organization on minor highways and highways with non-structural surface defects. It results in a new surface that is about as thick as the cape seal the Town applied last year. It is put in place like a slurry seal, but dries more quickly and has an ability to fill minor depressions in pavement surfaces that cape seal does not.

Because the Council doesn't plan to meet in August, the micro-surfacing project schedule calls for opening bids on the same day as the July Council meeting. Awarding the contract in July is crucial to accomplishing the work while the weather is still warm enough to assure a good quality result.

FISCAL IMPACT

Micro-surfacing is estimated to cost approximately 20 percent more than cape sealing. It is also projected to have a life of ten years, on light traffic streets, compared to 7 years for cape seal. Besides the slight dollar/year cost advantage, it is expected to require shorter duration street closures, perform better on higher volume streets and do a better job of smoothing out surface irregularities, than cape seal.

The estimated \$150,000 cost of the work is included in the FY 2001/2002 budget. Staff will make a recommendation to award the contract for the work to the lowest responsible for a specified amount at the Council meeting. If bids come in at a much different price than expected, a different recommendation may be made.

CONCLUSION:

Provided the low bid is not significantly more than expected, the contract for 2001 Street Micro-Surfacing should be awarded.

Respectfully submitted:

Reviewed/Approved:

/s/ Cliff Temps
Cliff Temps
Public Works Director

/s/ Michael Hood
Michael Hood
Acting City Manager

ATTACHMENT:

Street List



Town of Atherton

CITY COUNCIL STAFF REPORT

TO: HONORABLE MAYOR AND CITY COUNCIL

FROM: MARC G. HYNES, CITY ATTORNEY

DATE: CITY COUNCIL MEETING OF JULY 18, 2001

SUBJECT: REVISIONS TO CONSTRUCTION ORDINANCE: PICKUP OF MATERIALS AND EQUIPMENT

RECOMMENDATION:

It is recommended that the City Council first introduce and waive all further reading after title of ordinance amending chapter 15.40 of the Municipal Code pertaining to pick up of materials and equipment from construction projects.

ANALYSIS:

Town regulations presently prohibit delivery of construction materials or equipment to construction projects outside the hours of 8 a.m. to 5 p.m. on weekdays. Delivery is prohibited on weekends. The pickup or retrieval of equipment or materials is not specifically regulated. This issue became known on Saturday, June 16, 2001, when some large construction equipment was picked up at a residence on Polhemus Avenue. Although a great deal of noise accompanied the loading of the equipment, by the time police had arrived at the site there was no ongoing violation which could be monitored for prosecution under the provisions of Chapter 8.16, the Town's noise ordinance. No action was taken under the provisions of the construction ordinance, inasmuch as the pickup activity was not regulated.

Attached is a proposed revision of Sections 15.40.110 Definitions; 15.40.120 Time Limits and 15.40.140 Operation of Vehicles to include within the prohibitions not only the delivery of construction materials and equipment to construction sites, but the pickup of construction equipment and materials from a construction site.

FISCAL IMPACT:

None.

ORDINANCE NO. _____

**AN ORDINANCE OF THE CITY COUNCIL OF THE TOWN OF ATHERTON
AMENDING CHAPTER 15.40, CONSTRUCTION REGULATIONS, OF THE ATHERTON
MUNICIPAL CODE
REGARDING RETRIEVAL OF MATERIALS AND EQUIPMENT**

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

SECTION 1: Section 15.40.110 of the Atherton Municipal Code as amended to add a new subparagraph (D) entitled "Pickup" and to renumber existing paragraph D as Paragraph E:

D. "Pickup" means pickup or retrieval of building materials or equipment from any construction project.

SECTION 2: Subsection 15.40.120 Time Limits is hereby amended to read as follows:

"15.40.120 Time limits.

"A. Except as otherwise provided in this chapter, construction, pickup and delivery shall be prohibited on any property within the town between the hours of five p.m. in the evening and eight a.m. of the following day, Monday through Friday.

SECTION 3: Subsection 15.40.120 Time Limits is hereby amended to read as follows:

"15.40.120 Time limits.

"B. Construction, pickup and delivery shall be prohibited on any property within the town on Saturday, Sunday and any holiday.

SECTION 4. Subsection 15.40.140 Operation of vehicles - Deliveries is hereby amended to read as follows:

"15.40.140 Operation of vehicles –Pickups and Deliveries.

Vehicles engaged in the delivery or pickup of supplies, equipment and materials to construction projects shall be loaded and unloaded on the construction site whenever possible. The engines of delivery and pickup vehicles shall be shut off upon arriving at the site and shall remain shut off during the time supplies, materials and equipment are being loaded onto or unloaded from the vehicle unless the operation of the engine is required to load or unload the vehicle.

SECTION 5: That the City Council hereby declares that it would have passed this Ordinance sentence by sentence, paragraph by paragraph, and section by section, and does hereby declare that any provisions of this Ordinance are severable and, if for any reason any sentence, paragraph or section of this Ordinance shall be held invalid, such decision shall not affect the validity of the remaining parts of this Ordinance.

SECTION 6: 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 following its passage and adoption.

* * * * *
* *

Introduced this _____ day of _____, 2001.

Passed and adopted as an Ordinance of the Town of Atherton at a regular meeting thereof held on the _____ day of _____, 2001, by the following vote:

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

Dianne M. Fisher, Mayor

ATTEST:

Sharon Barker, City Clerk



Town of Atherton

CITY COUNCIL STAFF REPORT

TO: HONORABLE MAYOR AND CITY COUNCIL

FROM: MARC HYNES, CITY ATTORNEY

DATE: FOR THE MEETING OF JULY 18, 2001

SUBJECT: RESOLUTION ESTABLISHING RATES FOR REFUSE COLLECTION

RECOMMENDATION:

Approve Resolution No. 01-___ establishing a rate schedule for refuse collection services in the Town of Atherton.

BACKGROUND AND ANALYSIS:

Exhibit "A" to the resolution is a schedule of rates which has been audited and approved by the firm of Hilton, Frankophf and Hobson. These rates were included in the Council's packet and provided to all interested persons at the City Council meeting on June 20, 2001. In order to adopt these rates and to confirm an effective date of March 1, 2001, the City Council should adopt the Resolution and its incorporated Exhibit "A".

FISCAL IMPACT:

None.

Item 20

Alan B. Carlson
Vice Mayor
Town of Atherton

Office Telephone: (408) 998-4150
Office Facsimile: (408) 288-5686

Town of Atherton
Town Hall Restoration Project

Dear Assemblymember Simitian:

Thank you for your June 12, 2001 letter with respect to the nomination of projects for funding through the Urban Recreation and Cultural Centers Grant Program of the State Department of Parks and Recreation. The Town of Atherton wishes to pursue grant funding for the historical restoration of its Town Hall. It is the goal of the City Council, through a historically accurate restoration and renovation, to return the Atherton's Town Hall to its original 1929 appearance.

Atherton's Town Hall has long been designated by the City Council of a site of historic interest in our town. In 1929, the building of the Town Hall was completed, four years after the Town's incorporation. Since 1929, the Town Hall has continuously served the residents of Atherton. Initially, all governmental affairs were located within the Town Hall, including the Town's police department, which occupied a small room off of the council chambers.

Since 1929, the Atherton City Council has continuously used the council chambers within the Town Hall as its meeting place. It is believed that Atherton's Town Hall is the oldest such building on the San Francisco peninsula still serving as a city's original council chambers. In addition to providing a venue for Council meetings, the Town Hall today also

S. Joseph Simitian
June 27, 2001
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serves as the repository for the Town's history. The Town has an active resident history association which maintains a small history room located within the Town Hall, and which is open to the to the public one day a week. The history room is the location for all of the historical records of the Town, as well as other collected documents and items ranging from newspaper photographs to Town artifacts of historical interest to Atherton and its residents.

Atherton is a residential community with no significant businesses located within its town limits. As a consequence, the Town has no commercial tax base which limits the availability of funds for projects such as the Town Hall restoration project. However, to demonstrate the seriousness of the City Council with respect to this project, it has budgeted \$25,000 for the Town Hall restoration. Unfortunately, this is a small amount of that necessary for the project.

The historical restoration and renovation of Atherton's Town Hall is a worthy project. It is hoped that with adequate funding the historical significance of the Town Hall. may be . properly preserved for the future in an era wherein similar municipal buildings have long since been demolished and lost to the public. Any support that you can give to this project would be greatly appreciated by the City Council and residents of Atherton. At your convenience, I will look forward to hearing from you or a member of your staff.

Very truly yours,

Alan B. Carlson

ABC/jmg

SAN-JOSE:5130793.1800000.3500

Item No. 21

Alan B. Carlson
Vice Mayor
Town of Atherton

91 Ashfield Road
Atherton, CA 94027

Office Telephone: (408) 998-4150
Office Facsimile: (408) 288-5686

July 12, 2001

Dianne M. Fisher
Mayor
Town of Atherton
91 Ashfield Road
Atherton, CA 94027

Re:

Establishment of a Town Agenda for Long and Short Term Goals Resolution No.99-6

Dear Mayor Fisher:

The past several years have seen turmoil and lack of stability within our Town government. For a time period of some length, controversy surrounded the Town's administration, ultimately leading to the departure a city manager and police chief. For a significant period of time the positions of city manager and police chief, several department head positions, as well as others in the Town organization, were either unfilled or occupied by interim employees. The Town's special parcel tax was defeated twice, and on the third attempt, only recently passed. In my view, the foregoing and other factors have distracted the City Council from one of its primary functions, planning for the future and long term governance of the Town.

In my view, the Town is lacking an agenda for the future. I believe that the City Council should formulate a Town agenda, one comprised of short and long term goals, and thereafter put in place a mechanism to monitor progress towards achieving those goals. While the City Council should take the lead in this endeavor, it should not be without the involvement of the community .

In 1999, the City Council passed Resolution No.99-6, a copy of which is attached. Unfortunately, through the lack of stability in the office of the city manager, as well as the Council's attention being directed elsewhere, the resolution has not been fully implemented. It is time to do so. The resolution provides a means and framework for interacting with the community and involving the community in the governance of the Town. Specifically, in addition to implementing other aspects of the resolution, as provided therein, the Council

Dianne M. Fisher
July 12,2001
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should schedule a community organization roundtable meeting for September to discuss a goal oriented agenda for the future of the Town.

There are many issues confronting the Town which I believe are appropriate for consideration or inclusion in such an agenda. They include:

- . Long Range Budget Considerations - While the special parcel tax has been passed, this does not alleviate the need for long term financial planning. The reality is that after reducing staff, increasing fees, and implementing a more disciplined budget, *it* is difficult to balance the Town's operating budget with existing revenue sources, and projected growth therein, in the absence of the special parcel tax. As the Town proceeds through the next four years with the special parcel tax, the trend is that more of those funds will be required for programs within the operating budget. The City Council must begin to plan now for where the Town will be financially in four years when the parcel tax expires and residents will be asked to consider a renewal thereof or some other supplemental or alternative revenue source.

- . Alternative Funding Sources - In my view, the Town has not done enough to identify and search out grant funding that may be available to the Town for identifiable projects, and which would have the effect of supplementing and reserving existing funds. Given my view of the future . financial picture of the Town, this should be a priority.

- . Streets and Drainage - The Town has done a study on the condition of its roads and has received remedial recommendations. The same has been done with respect to issues of drainage. As discussed at prior Council meetings, these studies need to be combined and coordinated, and a cost/benefit analysis done with respect to the recommended remedial action with priorities established therefor. The Council needs to return to this matter, with community involvement, as well as to the issues of funding limitations and options.

- . Capital Projects - The Town now has funding to proceed with some capital projects. However , such have not been specifically identified and prioritized. This needs to be done with the involvement of the community .

- . Atherton Channel Drainage District - The relationship between the Town and the District needs to be well defined and established. The immediate

Dianne M. Fisher
July 12,2001
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remedial action needed with respect to the channel needs to be identified and prioritized. The Town needs to investigate funding sources for the remedial action, and investigate the required or desirability of participation by other affected jurisdictions.

. Atherton Municipal Code -My sense is that the Town's municipal code . has not been thoroughly reviewed in years. While this might not be an immediate high priority .item, I believe it desirable that the codes should be reviewed for no longer applicable, archaic provisions.

. Holbrook-Palmer Park - The park will always be an issue within the Town. Such includes its present and future usage, as well as funding. At the direction of the City Council, the Park and Recreation Commission is now addressing these issues. At an appropriate point its progress should be reviewed with the Council.

The above are some issues or items which may be included in an agenda of short and long term goals for the Town. Certainly others can be formulated and should be considered. It is probably more desirable to have a limited number of goals that can be achieved in a reasonable period of time as opposed to many goals the Town does not have the resources to address. The point is, the Town should plan for the future, such should begin now, and should involve the participation of the community .

By a copy of this letter I am asking that the City Clerk place this matter on the regular agenda of the City Council for discussion and possible action at its July 18,2001 meeting.

Thank you for your consideration.

Very truly yours,

Alan B. Carlson

cc:

William R. Conwell, City Councilmember

James R. Janz, City Councilmember

Kathy McKeithen, City Councilmember

James H. Robinson, City Manager

Marc G. Hynes, City Attorney

Sharon N. Barker, City Clerk