

**ACTIONS TAKEN/SUMMARY**  
**CITY COUNCIL**  
**June 16, 1999**  
**7:00 p.m.**  
**City Council Chambers**  
**94 Ashfield Road**  
**Atherton, California**

**REGULAR COUNCIL MEETING**

**CALLED TO ORDER: 7:00 p.m.**

**1. ROLL CALL          Carlson, Conwell, Dudley, Fisher, Chapman**

**ALL WERE PRESENT**

**2. PRESENTATION/RECOGNITION**

**A. Boy Scout Troop 206, William Dunn/Peter Otte: Proclamation.**

**William Dunn did not attend, but proclamation was read.**

**Peter Otte's was read and accepted by his parents.**

**B. Kyle Else, Intern Menlo College - Certificate of Appreciation for Police Department Web Site.**

**Was presented and accepted.**

**3. COUNCIL REPORTS**

**Were given.**

**4. PUBLIC COMMENTS (only for items which are not on the agenda -- limit of three minutes per person)**

**DISORDERLY CONDUCT**

**Any member or other person using profane, vulgar, loud, or boisterous language at any meeting, or otherwise interrupting the proceedings, and who refuses to be seated or keep quiet when ordered to do so by the Mayor or the Mayor Pro Tem is guilty of a misdemeanor. It shall be the duty of the**

Chief of Police or his/her designee, upon order of the presiding officer, to eject any such member or person from the meeting room.

**No one spoke.**

**4. CITY MANAGER 'S REPORT**

**Was Given.**

**6. POLICE CHIEFS 'S REPORT**

**Was Given.**

**7. COMMUNITY ORGANIZATION ROUNDTABLE'S REPORT (Directed by Resolution No. 99-6).**

**Was presented by RoyAnne Florence, President of the Atherton Dames.**

**CONSENT CALENDAR (Items 8 through 19)**

**8. MOTION TO APPROVE MINUTES OF 4/20/99, Regular Council Meeting 5/19/99,**

**Recommendation to approve minutes of 4/20/99, Regular Council meeting of 5/19/99.**

**APPROVED.**

**9. APPROVAL OF BILLS AND CLAIMS**

**Recommendation: Approve bills and claims in the amount of \$490,528.34.**

**APPROVED.**

**10. APPROVAL OF TREASURERS REPORT**

**Recommendation: Approve the Treasurers Report of June 16,1999.**

**APPROVED.**

**11. ELIMINATED CITY COUNCIL MEETING IN THE MONTH OF AUGUST**

**Recommendation: Hold no City Council meeting in the month of August. The next meeting will be September 15, 1999.**

**APPROVED.**

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**12. ADOPTION OF ORDINANCE NO. 500, AN ORDINANCE OF THE CITY COUNCIL OF THE TOWN OF ATHERTON AMENDING VARIOUS SECTIONS OF THE ATHERTON MUNICIPAL CODE REGULATING LIGHTING ON ACCESSORY STRUCTURES WITHIN THE TOWN OF ATHERTON**

**Recommendation: Adopt Ordinance No. 500 Amending Chapter 17 of the Atherton Municipal Code regulating on accessory structures within the Town of Atherton, based on the findings that the proposed ordinance will achieve the objectives of the Zoning Plan and General Plan, and waive further reading.**

**ADOPTED.**

**13. ADOPTION OF ORDINANCE NO. 502, AN ORDINANCE OF THE TOWN OF ATHERTON AMENDING SECTION 2.37.010 OF THE TOWN OF ATHERTON MUNICIPAL CODE RELATING TO MEMBERSHIP OF THE GENERAL PLAN COMMITTEE**

**Recommendation: Adopt Ordinance No. 502, an Ordinance of the Town of Atherton amending Section 2.37.010 of the Atherton Municipal Code, relating to the membership of the General Plan Committee, and waive further reading.**

**ADOPTED.**

**14. ADOPTION OF ORDINANCE NO. 503, OF THE TOWN OF ATHERTON MENDING SECTION 17.56.050 OF THE ATHERTON MUNICIPAL CODE REGARDING VARIANCE FINDINGS**

**Recommendation: Adopt Ordinance No. 503, an Ordinance of the Town of Atherton Amending Section 17.56.050 of the Atherton Municipal Code, and waive further reading.**

**ADOPTED.**

**15. ADOPTION OF RESOLUTION NO. 99-10, A RESOLUTION OF THE CITY COUNCIL OF THE TOWN OF ATHERTON RECOMMENDING THAT THE SAN MATEO COUNTY FLOOD CONTROL DISTRICT IMPOSE CHARGES FOR FUNDING THE 1999/2000 COUNTY-WIDE NATIONAL POLLUTION DISCHARGE ELIMINATION SYSTEM (NPDES) GENERAL PROGRAM**

**Recommendation: Adopt Resolution No. 99-10.**

**ADOPTED**

**16. APPROVAL OF PROPOSAL FROM NEAL MARTIN AND ASSOCIATES**

**Recommendation:** Authorize the City Manager to execute the attached agreement between the Town of Atherton and Neal Martin and Associates to provide planning services for the General Plan Committee and Planning Commission and to provide National Pollution Discharge Elimination System (N.P.D.E.S.), California Environmental Quality Act (CEQA) and other “as needed” services as requested by the City Manager.

**APPROVED.**

**17. APPROVAL OF CALL FOR BIDS FOR FURNISHING AND INSTALLING ADD-ON EQUIPMENT ON TWO (2) NEW PUBLIC WORKS TRUCKS**

**Recommendation:** Authorize the City Staff to advertise for bids to furnish and install truck beds, tool boxes, racks and associated equipment on two recently purchased truck cabs and chassis.

**APPROVED,**

**18. NEW CAR PURCHASE**

**Recommendation:** (1) Authorize City Manager or his designee to purchase one Ford Crown Victoria Police Interceptor car from Wondries Fleet Division of Alhambra, CA at a cost not to exceed \$25,000; (2) Authorize the City Manger or his designee to sign all necessary documentation; (3) Waive the purchasing requirements of the Atherton Municipal Code.

**APPROVED.**

**19. RENEWAL OF TENNIS PRO CONTRACT – ALAN MARGOT**

**Recommendation:** Authorize the City Manager to execute a one-year agreement, between the Town of Atherton and “Tennis Pro” Alan Margot.

**APPROVED.**

**PUBLIC HEARINGS (Items 20 through 22)**

**20. PUBLIC HEARING – TO CONSIDER AN APPEAL TO THE PLANNING COMMISSION’S DENIAL OF VARIANCE, ONE WINCHESTER DRIVE, TO EXCEED SIDEWALL HEIGHT ATHERTON MUNICIPAL CODE SECTION 17.56**

**Recommendation: Open public hearing; hear testimony; close public hearing; adopt findings; uphold the decision of the Planning Commission by denying the appeal.**

**PLANNING DECISION UPHELD**

**21. ADOPTION OF 1999/2001 TWO YEAR INTEGRATED OPERATING/CAPITAL BUDGET**

**Recommendation: Discussion Police Chaplain Program; Discussion Rita Corbett-Evan Trust Fund /Play School Revenue; Approve the 1999/2001 Fiscal Year Integrated Operating and Capital Budget by Adopting Resolution No. 99-11.**

**POLICE CHAPLAIN APPROVED.**

**RITA CORBETT- EVANS TRUST/FUND PLAYSCHOOL REVENUE DENIED**

**RESOLUTION ADOPTED.**

**22. PUBLIC HEARING – ADOPTION OF RESOLUTION NO. 99-12, ESTABLISHING SPECIAL PARCEL TAX FOR FISCAL YEAR 1999-2000**

**Recommendation: Listen to Staff Report; Open public hearing; Hear testimony; Close public hearing; and approve \$650 Special Parcel Tax Rate for fiscal year 1999-2000 by adopting Resolution No. 99-12.**

**ADOPTED.**

**REGULAR AGENDA (Items 23 through 24)**

**23. THE AIRPORT ROUNDTABLE /DISCUSSION**

**Recommendation: Discussion possible action.**

**DISCUSSED NO ACTION.**

**24. DISORDERLY CONDUCT PLACED ON CITY COUNCIL AGENDA**

**Recommendation: Discuss whether Council wishes to leave disorderly conduct wording on City Council Agenda in the future.**

**WAS VOTED TO REWRITE AND PLACE AT END OF AGENDA.**

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25. **ATHERTON CHANNEL DRAINAGE DISTRICT**

NO BUSINESS.

26. **AMICUS BRIEFS REQUEST**

**Vallejo Ridgecrest HOA v, City of Vallejo,**  
**First Appellate District Case No. A085723**

VOTED TO PARTICIPATE.

27. **CLOSED SESSION**

A. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION  
Pursuant to subdivision (a) of Government Code Section 54956.9(a):

**Albano, et al v. San Mateo County, et al, San**  
**Mateo County Superior Court Case No. 405721**

B. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED  
LITIGATION Initiation of litigation pursuant to subdivision (c) of Government  
Code Section 54956.9: two potential cases.

C. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED  
LITIGATION: Significant exposure to litigation pursuant to subdivision (b) (3) (A)  
of Government Code Section 54956.9 (one potential case).

**LIABILITY CLAIMS Pursuant to Government Code Section 54956.95:**

1. Claimant: Scott Munns

Agency Claimed against: Town of Atherton

Claimant: Thomas Bacon

Agency Claimed against: Town of Atherton

3. Claimant: Kevin Block

Agency Claimed against: Town of Atherton

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**LIABILITY CLAIMS – Continued.**

- 4. Claimant: Victor Holbrook**  
**Agency Claimant against: Town of Atherton**
  - 5. Claimant: Mary Jo Theriot**  
**Agency Claimant against: Town of Atherton**
- CLOSED SESSION ENTERED 9:31 p.m.**

**28. RECONVENE TO OPEN SESSION**

**Report of action taken in closed session.**

**PER CITY ATTORNEY, DISCUSSION/NO ACTION TAKEN.**

**29. ADJOURN**

**TIME OF ADJOURNMENT: 10:50 p.m.**

**\*NOTE THIS IS NOT MINUTES FOR PUBLIC VIEW, RATHER FOR DEPARTMENT USE AND REPORTS, MINUTES WILL FOLLOW**