



Minutes
Town of Atherton
CITY COUNCIL/ATHERTON CHANNEL
DRAINAGE DISTRICT
MARCH 17, 2004
7:00 p.m.
TOWN COUNCIL CHAMBERS
94 Ashfield Road
Atherton, California

REGULAR MEETING

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

1. **PLEDGE OF ALLEGIANCE**

2. **ROLL CALL**

PRESENT: James R. Janz
 Charles E. Marsala
 Alan B. Carlson
 William R. Conwell
 Kathy McKeithen

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

3. **PRESENTATIONS**

A. **Certificates of Appreciation**

Mayor McKeithen presented Certificates of Appreciation to outgoing Atherton Arts Committee Members James Martinez and Valerie Gardner and thanked them for their service to the community.

4. **COUNCIL REPORTS**

- Vice Mayor Conwell reported on the Criminal Justice Commission annual retreat he attended. He also attended a City/County Association of Governments (C/CAG) meeting where a discussion on the renewal of Measure A was held. He expressed concerns with certain proposals for the use of future Measure A funds and recommended that the Council send a letter to the County Transportation Commission indicating the Council approves renewal of Measure A with reservations regarding proposed funding for ferries, providing financial assistance as Sam Trans' local match for capital investments

associated the BART extension, and the proposal to extend the measure from 20 to 30 years.

- **Council Member Marsala attended a Selby Lane School Education Foundation meeting last week. The Foundation is raising funds to assist in academic intervention to help with student test scores. He reported that Supervisor Hill is holding a meeting on March 29 to address the possible creation of a special county park district. He also requested that the Town Website Policy be reviewed and possibly changed to include authorization of a link for the Tennis Committee. He suggested that the Park and Recreation Commission consider recognizing the Tennis Committee as a subcommittee of the Commission. City Manager Jim Robinson responded that the Website Policy was adopted last year by the Council to allow links to government sites only. He stated that he will bring up the Tennis Committee issues at the next Park and Recreation Commission meeting. Council Member Marsala reported that the Association of Bay Area Governments (ABAG) will hold a spring general assembly in April. He also noted that an article appeared in the paper regarding the bullet train and the possible postponement of the high speed rail measure for the November ballot.**

5. PUBLIC COMMENTS

The following members of the audience spoke:

- **John Ruggeiro, Atherton, spoke regarding several properties in Town in need of attention. The City Manager stated he will follow up.**
- **Building Official Mike Hood and City Attorney Marc Hynes responded regarding Mr. Ruggeiro's comments. Mr. Hynes cited procedures authorized by the Municipal Code.**

6. STAFF REPORTS

- **City Manager Jim Robinson announced that the City Council will host a Council of Cities Dinner Meeting on May 21, 2004. He also reported that Public Works Director Duncan Jones is attending a Samtrans meeting where they are discussing high speed rail.**
- **Finance Director John Johns reported that sales tax information requested by the Council will be available in a couple of weeks.**
- **Mayor McKeithen stated that she spoke with the Public Works Director today who reported that permits are being processed for the Upper Atherton Channel work.**

7. COMMUNITY ORGANIZATION ROUNDTABLE REPORT

No report.

CONSENT CALENDAR

Mayor McKeithen asked that Items 11 and 15 be removed from the Consent Agenda for edification.

MOTION - to approve the items on the Consent Agenda with the exception of Items 11 and 15 which will be placed on the Regular Agenda.

M/S Conwell/McKeithen

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

8. **APPROVED MINUTES OF REGULAR AND SPECIAL MEETINGS OF FEBRUARY 18, 2004**
9. **APPROVED BILLS AND CLAIMS FOR FEBRUARY 2004 IN THE AMOUNT OF \$744,194**
10. **ACCEPTED MONTHLY FINANCIAL REPORT FOR FEBRUARY 2004**
11. **Removed from Consent Agenda: ADOPTION OF A RESOLUTION ACCEPTING AN EASEMENT – 19 SARGENT LANE AND AUTHORIZING TRANSFER OF EASEMENT TO THE ATHERTON CHANNEL DRAINAGE DISTRICT**
12. **APPROVED THE PURCHASE OF TWO POLICE PATROL VEHICLES**

Authorized the Town to participate in a bid with the City of Redwood City for the purchase of two marked police patrol vehicles for the Fiscal Year 2004/2005 budget cycle for a total cost of \$56,794.

13. **APPROVED PLANS AND SPECIFICATIONS AND AUTHORIZATION TO ADVERTISE THE HOLBROOK-PALMER PARK MAIN HOUSE HANDICAPPED LIFT PROJECT**

Approved the plans and specifications and authorized advertisement for bids for the Holbrook-Palmer Park Main House Handicapped Lift Project, Project No. 03-009.

14. **ADOPTED A MEMORANDUM OF UNDERSTANDING (MOU) – FOR MISCELLANEOUS EMPLOYEES**

Adopted an MOU between the Freight Checkers, Clerical Employees and Helpers, Local Union No. 856 (Teamsters representing Miscellaneous Town Employees) and the Town of Atherton for the period July 1, 2003 through June 30, 2005, and authorized the Mayor to execute an agreement on behalf of the Town.

REGULAR AGENDA

Items 11 and 15 were removed from the Consent Agenda for discussion:

McKeithen had asked that this item be removed from the February Consent Agenda to be considered at tonight's meeting.

In June 2004, the Waste Reduction Committee reconsidered participating in the commercial green-waste program. As a result of an analysis provided by consultants to SBWMA, it was determined that by offering the commercial green-waste program at a discounted rate of 75% of the normal charge for refuse collection services, the Town would generate revenue in excess of BFI's costs for commercial green-waste collection services. This will allow the Town to recover annual administrative costs in the amount of \$14,000.

Under the residential green waste program the Town had to have a separate route structure, but with the commercial program, the Town will append itself to Menlo Park's route.

Town Arborist Kathy Hughes Anderson noted that the Commercial accounts will include all schools in Town, the Circus Club, and California Water Service.

Discussion ensued regarding the economic incentive for customers to participate in the green-waste program. It was clarified that green-waste customers will receive a 25% discount by participating in the program. Mayor McKeithen asked for a progress report to the Council on how the program may affect the recycling diversion rate. City Attorney Marc Hynes stated that he had reviewed and approved the resolution and franchise amendment as to form.

MOTION – to adopt Resolution No. 04-04 approving the Third Amendment to the Franchise Agreement implementing a Commercial Plant Material Collection Program and assessing a quarterly fee under AB 939 to recover the costs associated with administering waste reduction program activities.

M/S McKeithen/Conwell

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

18. DISCUSSION AND DIRECTION TO STAFF REGARDING CALTRAIN SERVICE REDUCTION/ SCHEDULE CHANGES

City Manager Jim Robinson gave a brief staff report on this item. It is expected that the Caltrain Joint Powers Board will address the scheduling proposals at their April 1, 2004 meeting. The Atherton Caltrain Corridor Subcommittee met March 9, 2004 and discussed several issues. One issue raised was whether impacts of eliminating or reducing service levels would be subject to CEQA. April 1 will be last opportunity to make comments to the JPB Board regarding service levels and members of the Subcommittee will be in attendance.

Council Member Janz, Chair of the Caltrain Corridor Subcommittee reported on the Caltrain JPB February 5, 2004 public hearing. He stated that the petitions collected by the Subcommittee were submitted to the Board. He also related the comments he made at the public hearing and noted that the JPB attorney was directed to look into

the CEQA issue. He stated that the Subcommittee directed the City Manager to prepare a list of possible negative environmental impacts that the proposed reduction in service would have on the Town. The City Manager will also contact other cities along the train route to ascertain interest in submitting a letter prior to April 1 to the JPB Board regarding the environmental issues.

19. PUBLIC COMMENTS

- **Bob Jenkins, Atherton,**
- **Mayor McKeithen asked that Mike Hood report on any findings regarding the 85 Stockbridge property.**

20. ADJOURNMENT

The meeting adjourned at 8:32 p.m.

Respectfully submitted,

s/Sharon Barker

Sharon Barker, City Clerk