



AGENDA
Town of Atherton
CITY COUNCIL/ATHERTON CHANNEL DRAINAGE
DISTRICT
December 22, 2010
8:00 A.M.
Meeting Room
Council Chambers
94 Ashfield Road
Atherton, California
Special Meeting

8:00 A.M. ROLL CALL Lewis, Dobbie, Widmer, McKeithen, Carlson

PUBLIC COMMENTS— limited to particular items on the special agenda

8:12 A.M. PUBLIC ANNOUNCEMENT OF CLOSED SESSION ITEMS

8:15 A.M. CLOSED SESSION

**A. PUBLIC EMPLOYEE APPOINTMENT: INTERIM CITY
MANAGER (Subsection (b)(1) of Government Code Section 54957)**

RECONVENE TO OPEN SESSION

Report of action taken.

8:30 A.M. REGULAR AGENDA

- 1. ADOPTION OF RESOLUTION APPROVING APPOINTMENT OF
INTERIM CITY MANAGER**
Report: Mayor Jim Dobbie
Recommendation: Adoption of Resolution appointing Interim City
Manager

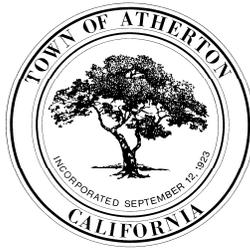
- 2. APPROVE AN AGREEMENT WITH JOHN
DANIELSON/DANIELSON ASSOCIATES, INC. FOR INTERIM
CITY MANAGEMENT SERVICES**
Report: Mayor Jim Dobbie
Recommendation: Approve an Agreement for Interim City Management
Services and authorize the Mayor to execute the agreement

- 3. APPROVE FIRST AMENDMENT TO AGREEMENT FOR
“BRIDGE” INTERIM CITY MANAGER SERVICES WITH
MANAGEMENT PARTNERS, INC.**
Report: City Attorney

Recommendation: Approve First Amendment to Agreement for “Bridge” Interim City Manager Services with Management Partners, Inc.

9:00 A.M. ADJOURN

Pursuant to the Americans with Disabilities Act, if you need special assistance in this meeting, please contact the City Clerk’s Office at (650) 752-0500. 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)



Item No. 1

Town of Atherton

CITY COUNCIL STAFF REPORT

TO: HONORABLE MAYOR AND CITY COUNCIL

FROM: THERESA N. DELLASANTA, DEPUTY CITY CLERK

DATE: FOR THE MEETING OF DECEMBER 22, 2010

SUBJECT: ADOPTION OF RESOLUTION APPROVING APPOINTMENT OF INTERIM CITY MANAGER

RECOMMENDATION:

Adopt Resolution 10-71 approving the Appointment of Interim City Manager

DISCUSSION

City Council adopted Resolution 10-64 on October 20, 2010 approving appointment of Nadine Levin as transitional Interim City Manager while the Town was in the middle of a recruitment process for an Interim City Manager. The Town continued to receive application for the position until its deadline date of October 29, 2010. City Council reviewed 52 applications and narrowed it down to 5 applicants, all of whom had previous City Manager experience.

At its December 15, 2010 regular meeting City Council approved appointment of John H. Danielson contingent upon successful negotiations of contract terms between Mr. Danielson and the ad-hoc committee consisting of Mayor Jim Dobbie and Council Member Kathy McKeithen.

RESOLUTION NO. 10-71

**A RESOLUTION OF THE CITY COUNCIL OF THE TOWN OF ATHERTON
APPOINTING TRANSITIONAL INTERIM CITY MANAGER
AND APPROVING AGREEMENT FOR SERVICES**

WHEREAS, the Town's Transitional Interim City Manager Nadine Levin has completed her assignment for the Town and will be leaving on Sunday, January 2, 2010 at 11:59 p.m.; and

WHEREAS, the City Council conducted a recruitment process for an Interim City Manager, to hold that office while the Town conducts a more extended search for an individual to be regularly appointed to the position of City Manager; and

NOW, THEREFORE, THE CITY COUNCIL OF THE TOWN OF ATHERTON RESOLVES AS FOLLOWS:

Section 1. The attached Agreement between the Town of Atherton and Danielson Associates, Inc. is hereby approved and the Mayor is authorized and directed to execute it.

Section 2. John H. Danielson is appointed to serve as Interim City Manager of the Town of Atherton, effective Monday, January 3, 2010 at 12:00 a.m.

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 22nd day of December 2010, by the following vote

*AYES: Council Members:
NOES: Council Members:
ABSENT: Council Members:
ABSTAIN: Council Members:*

Jim Dobbie, MAYOR
Town of Atherton

ATTEST:

Theresa DellaSanta, Deputy City Clerk

APPROVED AS TO FORM:

Wynne Furth, City Attorney



Town of Atherton

CITY COUNCIL STAFF REPORT

TO: HONORABLE MAYOR AND CITY COUNCIL

FROM: THERESA N. DELLASANTA, DEPUTY CITY CLERK

DATE: FOR THE MEETING OF DECEMBER 22, 2010

**SUBJECT: APPROVE FIRST AMENDMENT TO AGREEMENT FOR “BRIDGE”
INTERIM CITY MANAGER SERVICES WITH MANAGEMENT
PARTNERS, INC.**

RECOMMENDATION:

Approve First Amendment to Agreement for “Bridge” Interim City Manager Services with Management Partners, Inc.

DISCUSSION

City Council adopted Resolution 10-64 on October 20, 2010 approving appointment of Nadine Levin as transitional Interim City Manager while the Town was is in the middle of a recruitment process for an Interim City Manager.

The Agreement with Management Partners, Inc. contains a termination date of sixty-five days from the date of execution. The current agreement will expire on Saturday, December 25, 2010. In order for Town business to remain stable and to provide some overlap with the transition between the “bridge” interim City Manager and the “regular” Interim City Manager staff recommends amending the agreement with Management Partners to extend the expiration date.

The Agreement shall run through January 31, 2011, unless extended by the City Council or earlier terminated as set forth elsewhere in the Agreement. Provided, Interim City Manager Services shall terminate at midnight on January 2, 2011.

Any additional services requested in writing by the Interim City Manager between January 3, 2011 and January 31, 2011 shall be billed at an hourly rate. The cost of such services shall not exceed Five Thousand Dollars (\$5,000).

FIRST AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT BY AND BETWEEN THE TOWN OF ATHERTON AND MANAGEMENT PARTNERS, INC.

This First Amendment to the Professional Services Agreement by and between the Town of Atherton ("Town") and Management Partners, Inc. ("Consultant") for Transitional Interim City Management Services ("First Amendment") is entered into as of the ___ day of December, 2010, ("Effective Date"), by and between Town and Consultant.

RECITALS

- A. Town and Consultant are parties to that certain Professional Services Agreement for Transitional Interim City Management Services dated October 20, 2010 ("Agreement").
- B. Town is retaining the services of an Interim City Manager commencing January 3, 2011. Town wishes to continue the services of Management Partners, Inc. and Nadine Levin as Transitional Interim City Manager through January 2, 2011.
- C. Town wishes to have the services of Management Partners, Inc. and Nadine Levin available to the Interim City Manager on an hourly consulting basis through January 31, 2011.
- D. Town and Consultant now desire to enter into this First Amendment to provide for the additional services as described below.

AGREEMENT

NOW, THEREFORE, in consideration of the foregoing Recitals and for other good and valuable consideration, the receipt and adequacy of which are hereby acknowledged, the parties hereby amend the Agreement as follows:

- 1. Time for Performance. The Agreement shall run through January 31, 2011, unless extended by the City Council or earlier terminated as set forth elsewhere in the Agreement. Provided, Interim City Manager Services shall terminate at midnight on January 2, 2011.
- 2. Payment. Consultant will be paid as set forth in the Agreement for services rendered through January 2, 2011. Any additional services requested in writing by the Interim City Manager between January 3, 2011 and January 31, 2011 shall be billed at an hourly rate of One Hundred sixteen Dollars (\$116.00). The cost of such services shall not exceed Five Thousand Dollars (\$5,000).
- 3. Agreement in Effect. The parties acknowledge and agree that the Agreement, except as specifically amended by this First Amendment, remains unmodified and in full force and effect in accordance with its terms.
- 4. Counterpart Signatures. This First Amendment may be signed in multiple counterparts which, when signed by all parties, shall constitute a binding agreement.

IN WITNESS THEREOF, the parties have executed this First Amendment as of the Effective Date.

TOWN OF ATHERTON:

By: _____ / _____
Mayor (Date)

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

MANAGEMENT PARTNERS, INC.:

By: _____ / _____
Name: _____ (Date)
Title: _____

By: _____ / _____
Name: _____ (Date)
Title: _____