



AGENDA
Town of Atherton
CITY COUNCIL
ATHERTON CHANNEL DRAINAGE DISTRICT
March 20, 2013
7:00 p.m.
94 Ashfield Road
Atherton, California
REGULAR MEETING

This Agenda may not reflect the actual order of items. The order of items is subject to change based on Council action.

1. **PLEDGE OF ALLEGIANCE**
2. **ROLL CALL** Lewis, Dobbie, Widmer, Wiest, Carlson
3. **PRESENTATIONS**

RED CROSS PROCLAMATION

EARTH DAY PROCLAMATION

4. **PUBLIC COMMENTS** *(This portion of the meeting is reserved for persons wishing to address the Council on any matter not on the Agenda that is within the subject matter jurisdiction of the City Council. State law prohibits the Council from acting on items not listed on the Agenda except by special action of the City Council under specified circumstances. Speakers' time is limited to three minutes.)*
5. **REPORT OUT OF CLOSED SESSION**
6. **CITY MANAGER'S REPORT**
a. Community Center Advisory Committee Report
7. **COMMUNITY ORGANIZATION ROUNDTABLE REPORT**

CONSENT CALENDAR (Items 8-21)

(Consent Calendar items are routine in nature and are generally considered in one motion and adopted by a single vote of the City Council. If discussion regarding a Consent Calendar item is desired, the member(s) of the City Council, public, and/or staff wishing to pull the item should so indicate at the time the Mayor calls for consideration of the Consent Calendar.)

8. **APPROVAL OF FEBRUARY 12 SPECIAL MEETING AND FEBRUARY 20 REGULAR MEETING MINUTES**
Recommendation: Approve meeting minutes

9. **APPROVAL OF BILLS AND CLAIMS FOR FEBRUARY, 2013 IN THE AMOUNT OF \$818,309**
Recommendation: Approve Bills and Claims in the amount of \$818,309
10. **FINANCIAL REPORT FOR FEBRUARY 28, 2013**
Report: Finance Director Robert Barron III
Recommendation: Receive the General Fund Financial Report for February 28, 2013
11. **RESOLUTION TO REJECT CLAIM OF TOM AND WENDE HUTTON**
Report: City Clerk Theresa DellaSanta
Recommendation: Adopt Resolution 13-xx denying the claim in the amount of \$9,201.00 filed by Tom and Wendé Hutton for damages
12. **RESOLUTION APPROVING EMPLOYER PAID MEMBER CONTRIBUTION**
Report: City Manager George Rodericks
Recommendation: Approve Resolution No. 13-xx for Employer Paid Member Contributions (EPMC)
13. **DISPOSITION OF THE ARTS COMMITTEE**
Report: City Manager George Rodericks
Recommendation: Consider the request of the Arts Committee on the disposition of the Arts Committee and, if supported, move the disbandment of the Arts Committee and direct staff to amend the appropriate Resolution for Council consideration
14. **STORAGE AND OPERATION OF I-NET EQUIPMENT**
Report: City Manager George Rodericks
Recommendation: Approve the agreement between the Town of Atherton and the Cable Joint Powers Agency for storage and operation of institutional network equipment
15. **APPROVAL OF CONTRACT WITH CMS SOLUTIONS TO IMPLEMENT THE INSTALLATION OF SHORETEL VOIP TELECOMMUNICATIONS SYSTEMS**
Report: City Manager George Rodericks
Recommendation: Approve contract with CMS Solutions to implement the installation of Shoretel VoIP telecommunications systems
16. **RESOLUTION AUTHORIZING THE CITY MANAGER TO SUBMIT A CALTRANS COMMUNITY-BASED TRANSPORTATION PLANNING GRANT AND TO ENTER INTO A CONTRACT WITH THE STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION UPON RECEIPT OF THE GRANT**
Report: Community Services Director Mike Kashiwagi
Recommendation: Authorize the City Manager to submit a Caltrans Community-Based Transportation Planning Grant and to enter into a contract with the State of California Department of Transportation upon receipt of the Grant
17. **2012 ANNUAL REPORT TO THE CITY COUNCIL ON THE ATHERTON GENERAL PLAN IMPLEMENTATION**

Report: Town Planner Lisa Costa Sanders

Recommendation: Accept the Annual Report and authorize its transmittal to the California Governor's Office of Planning and Research and the California Department of Housing and Community Development pursuant to Section 65400 of the California Government Code (CGC)

18. RESOLUTION APPROVING ENVIRONMENTAL PROGRAMS COMMITTEE FUNDING REQUEST FOR EARTH DAY EVENT

Report: Town Planner Lisa Costa Sanders

Recommendation: Approve the proposed program for Earth Day at Holbrook-Palmer Park and Adopt resolution authorizing a budget amendment in the amount of \$1,000 in support of the event

19. AWARD OF CONTRACT FOR THE 2013 SPRING PATCHING PROJECT

Report: Community Services Director Mike Kashiwagi

Recommendation: Award the contract for 2013 Spring Patching Project, project number 56055 to G. Bortolotto and Sons of San Carlos, the low bidder on the March 13, 2013 bids, for \$89,250.00; and to authorize the City Manager to execute the contract on behalf of the Town

20. PATROL VEHICLE PURCHASE

Report: Police Chief Ed Flint

Recommendation: Authorize the Police Department to purchase two 2013 Ford Police Interceptor sedans as replacement patrol vehicles for a cost of \$78,625.50, which includes sales and tire tax, license, emergency equipment, and installation costs

21. BUDGET AMENDMENT MID-YEAR FISCAL YEAR 2013-13

Report: Finance Director Robert Barron III

Recommendation: Receive the General Fund Financial Report for February 28, 2013

PUBLIC HEARINGS - None

REGULAR AGENDA – (Items 22-24)

22. STRATEGIC PLANNING FOR PARCEL TAX RENEWAL

Report: City Manager George Rodericks

Recommendation: Consider the use of professional services for assistance with the upcoming parcel tax renewal and evaluation of other potential revenue sources

23. APPROVAL OF CIVIC CENTER MASTER PLAN RFP

Report: Community Service Director Mike Kashiwagi

Recommendation: Approve the Request for Proposal (RFP) for preparation of a Civic Center Master Plan, and Authorize staff to advertise and distribute the Civic Center Master Plan RFP

24. INFORMATIONAL STAFF REPORT - START-UP OF WEDDINGS AT HOLBROOK-PALMER PARK

Report: Community Service Director Mike Kashiwagi

Recommendation: Provide direction to staff regarding resumption of weddings at Holbrook-Palmer Park beginning July 1, 2013

25. COUNCIL REPORTS/COMMENTS

26. FUTURE AGENDA ITEMS

27. PUBLIC COMMENTS

28. ADJOURN

PLEASE NOTE THE FOLLOWING INFORMATION:

If you challenge a Town zoning, planning, or any other decision in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this agenda, or in written correspondence delivered to the City Council at, or prior to, the public hearing. Judicial review of any Town administrative decision may be had only if a petition is filed with the court not later than the 90th day following the date upon which the decision becomes final.

Judicial review of environmental determinations may be subject to a shorter time period.

Copies of all staff reports and documents subject to disclosure that relate to each item of business referred to on the agenda are available for public inspection by 5:00 p.m. the Friday before each regularly scheduled City Council meeting at the Atherton Library, 2 Dinklespiel, Station Lane, and the Town Administrative Offices, 91 Ashfield Road, Atherton,

CA 94027. Additionally, agendas and staff reports may be accessed on the town website at: www.ci.atherton.ca.us

In compliance with SB 343, materials related to an item on this Agenda submitted to the City Council after distribution of the agenda packet are available for public inspection in the Town Administrative Offices,

91 Ashfield Road, during normal business hours.

The order of items appearing on this agenda is not a guarantee of the order the items may be heard by the City Council.

Items on this Agenda may be reordered at the discretion of the City Council at the meeting.

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)

Proclamation
American Red Cross Month 2013

The American Red Cross has touched many lives in Atherton, as well as across the country and around the world.

During American Red Cross Month, we thank those who contribute to the mission of the Red Cross, whether through time, money or blood, and we invite others to support the Red Cross in helping people in need down the street, across the country and around the world.

The American Red Cross is synonymous with helping people, and has been doing so for more than 130 years. Throughout the past year, the American Red Cross launched hundreds of disaster relief operations in the United States to help people affected by fires, floods, hurricanes, and tornadoes. The American Red Cross also supported major international disasters, including the Japan earthquake and tsunami response, while continuing its work on the 2010 Haiti earthquake response and recovery.

In Atherton, the American Red Cross Bay Area Chapter works tirelessly through its nearly 1,000 volunteers to support us when disaster strikes, when someone needs life-saving blood, or the comfort of a helping hand. It provides 24-hour support to members of the military, veterans and their families, and provides training in CPR, aquatics safety, and first aid.

The American Red Cross Bay Area Chapter helped over 1,405 people with temporary housing, clothing, food and mental health counseling during 392 local disasters last year alone; trained over 117,345 people in lifesaving CPR, First Aid, and water safety and over 173,555 individuals received preparedness training; provided emergency communications, counseling, financial assistance and a caring presence to over 1,810 local military families; and supported 31 Bay Area hospitals, providing them with nearly 150,000 units of red cells, platelets and plasma to patients in need.

For nearly 100 years, United States presidents have called on the American people to support the Red Cross and its humanitarian mission. Our community depends on the American Red Cross and because it is not a government agency, the Red Cross depends on support from the public to continue its humanitarian work. This is especially important in these challenging economic times--which impact the Red Cross and many people in our community and across the nation.

NOW, THEREFORE, I Elizabeth Lewis, Mayor of the Town of Atherton, by virtue of the authority vested in me by the Constitution and laws of the Town of Atherton of California do hereby proclaim March 2013 as American Red Cross Month. I encourage all Americans to support this organization and its noble humanitarian mission.

IN WITNESS WHEREOF, I have hereunto set my hand this 20th day of March, two thousand thirteen, and of the Town of Atherton, California.

Elizabeth Lewis, Mayor
Town of Atherton, California

PROCLAMATION

OF THE CITY COUNCIL OF THE TOWN OF ATHERTON

EARTH DAY - APRIL 22, 2013

WHEREAS the global community now faces extraordinary challenges, such as global health issues, food and water shortages, and economic struggles; and

WHEREAS all people, regardless of race, gender, income, or geography, have a moral right to a healthy, sustainable environment with economic growth; and

WHEREAS it is understood that the citizens of the global community must step forward and take action to create a green economy to combat the aforementioned global challenges; and

WHEREAS a green economy can be achieved on the individual level through educational efforts, public policy, and consumer activism campaigns; and

WHEREAS it is necessary to broaden and diversify this global movement to achieve maximum success; and

FURTHERMORE, let it be known that the Town of Atherton, California hereby encourages its residents, businesses and institutions to use EARTH DAY to celebrate the Earth and commit to building a sustainable and green economy;

NOW THEREFORE IT BE RESOLVED, the Town of Atherton, California, hereby pledges this Earth Day, April 22, 2013, to support green economy initiatives in Town of Atherton, California and to encourage others to undertake similar actions.

**Elizabeth Lewis, Mayor
Town of Atherton**



ITEM 6 Town of Atherton

CITY COUNCIL STAFF REPORT – MANAGER’S REPORT

TO: HONORABLE MAYOR AND CITY COUNCIL
FROM: GEORGE RODERICKS, CITY MANAGER
DATE: MARCH 20, 2013
SUBJECT: CITY MANAGER WRITTEN REPORT

ADMINISTRATION:

Atherton Drainage Channel

Staff met with a couple of neighbors adjacent to the Atherton Drainage Channel on Marsh Road to discuss the recent rains and the damage done by the water flowing through the channel. The Drainage District (the Town) has made improvements within the channel at some locations and historically has advised residents that the channel belongs to the Atherton Drainage District and improvements within it are the sole responsibility of the District.

With the recent storm event, there are a number of areas in the channel that will require remediation. Residents adjacent to these areas stand ready to make those improvements. There is history connected to the Atherton Drainage District and the collection of funds for improvements within its boundaries.

The Town does not own the channel and merely has an “easement” through it for drainage. This clouds responsibility for maintenance and improvements within the channel. Staff will work with adjacent residents, comb through some historical documentation related to the channel and the District, and develop a plan to address the issue(s) so that improvements can be made within the channel.

All improvements must be permitted by the Army Corp of Engineers.

Grand Jury Report – Water Recycling

The 2012-2013 San Mateo Grand Jury has released a report that requires the Town prepare a response. The report is entitled “*Water Recycling – An Important Component of Wise Water*”

Management.” A response is required to be approved by the Town Council by June 4, 2013 which means that it would be appropriate that it be approved at the May 2013 Council Meeting.

Staff will meet with the Mayor to discuss whether a review/recommendation from the Environmental Programs Committee would be an appropriate step prior to preparing the response.

The Report is available online via the County website at:

http://www.sanmateocourt.org/court_divisions/grand_jury.

Legislative Response

I will be adding a section in future City Manager Reports on Legislation. The League of Cities has released its preliminary list of bills of interest to cities for 2013. In the future section, the Council will be provided with a review of potential legislation of interest along with a recommendation to authorize the Mayor to issue a letter of support or opposition.

Construction Parking

Staff continues to work with neighborhoods impacted by construction parking. Contractors are required to park on the construction site where feasible and then advised to use available public parking lots (Town Hall and/or Caltrain or even other areas outside of Town) where possible to keep excess vehicles off the street and out of the adjacent neighborhoods. Vehicle owners are ticketed and the construction site is subject to a stop work order when they park in adjacent neighborhoods or anywhere outside of the direct property frontage.

Shutting down projects only impacts the neighborhood more significantly. As we shut down available public parking opportunities we end up "pushing" the parking problem around the neighborhood.

The law only allows contractors to use their own frontage. This limits the amount of cars they can park (typically 4-5 vehicles). If they can park on-site they are required/encouraged to use that option first before parking elsewhere. That creates significant challenges once the building footprint is complete, trees are protected using proper tree protection measures, landscaping is installed and/or flatwork is completed.

It's a balancing act and we will not make everyone happy and it is a problem encountered in other communities with similar solutions - public parking lots as overflow and carpool alternatives.

Arbor Day

On Saturday, March 2 the Atherton Tree Committee and volunteers celebrated Arbor Day by planting five deodora cedars in Holbrook-Palmer Park. The trees will improve screening between the Park and Watkins Avenue. The trees continue a row of mature deodora cedars along the front of the Park.

Street Light Outage

As the Council is aware when conducting maintenance on a streetlight the testing crew experienced technical difficulties, as the power to the light was not fully disabled. The testing equipment blew up in the hands of crewmember. While there were no significant injuries, the situation could have been fatal as the light was a 5kv fixture.



Because of the Town's antiquated series streetlighting, in order to facilitate repairs the power had to be cut to numerous other areas of the community (power to streetlights). We appreciate the patience of the affected community as staff worked with PG&E and repair crews to remedy the situation. The lights are old, parts are difficult to find, and the series connectivity makes repairs challenging.

Most, if not all lights are re-energized. The only remaining areas are non-functional or damaged light areas. Replacement parts and wiring will keep the non-functional lights in the "down" phase until solutions can be found.

In the long-term, the Town needs to evaluate its series lighting and ultimately consider upgrades.

Rethink Waste Hits 2M Ton Mark

Recently, an event was held at Shoreway Environmental Center noting that Rethink Waste has hit the 2M Ton Mark for diversion of waste. I attended the event.

The two million tons of waste diverted from the Ox Mountain Landfill resulted in the reduction of approximately five million pounds of carbon dioxide emissions. Early in March, a celebration was held at the Shoreway Environmental Center to mark the milestone. Also known as the South Bayside Waste Management Authority, RethinkWaste is a joint powers authority in San Mateo County that works to develop innovative waste and recycling programs. The Shoreway Environmental Center serves approximately 450,000 residents in southern and central San Mateo County.

Town Hall Carpeting

If you've been in Town Hall lately you may have noticed a large amount of duct tape across sections of the carpeted floor areas. The carpet at the Town Hall Administrative Offices, Police Department, and Permit Center has been in need of replacement for several years. Areas of the carpet are deteriorating rapidly and are apparent safety hazards. Last week, a visitor in my office tripped and nearly collided with the corner of my desk on their way down when their shoe got caught on a wayward strand of carpeting. After the visit, I covered all the torn areas of carpet with duct tape until we can get the carpeting replaced.

Replacement of the carpet is within the 2012/2013 Budget. Staff will be replacing the carpet with an inexpensive solution acknowledging that in the next 3-5 years the facilities could be demolished. The existing carpet cannot last that long.

Atherton Dames

Staff is working with the Atherton Dames to coordinate their annual fundraiser set for September 2013.

In 2012 when the Council discussed event bookings at Holbrook-Palmer Park they established “designated community groups.” For these groups and the specific types of events, the Town does not charge a fee; however, the groups must pay any direct Town costs associated with their event. The policy does not cover events outside of Holbrook-Palmer Park and for these such events (considered Special Events) all groups must pay any required fees, provide any required insurance, and pay all costs connected thereto. Below is an excerpt from the established policy. **It is provided as informational only and is not a topic for current discussion under the agenda.**

“...bookings at Holbrook Palmer Park through the 2012 Calendar Year...

- Type of events approved for bookings from Council Report Attachment 2 (attached) include Parties/Gatherings, Group Activities/Fundraisers, Designated Community Organizations (Local Group Meetings), City Meetings and Classes.
- *Weddings, wedding receptions and Large Corporate Events were not approved.*
- Designated Community Groups include the Park Foundation, Atherton Dames, Friends of the Library, and Atherton Civic Interest League and other similar groups as approved by City Manager.
- Large Activities/Fundraisers (Easter Egg Hunt, Swing in the Park, etc.) are acceptable as long as they are a Designated Community Group event.
- Non-designated Large Activities/Fundraisers require review and approval of the City Manager.
- There are no size limitations, except for the Pavilion, as determined by occupancy loads per the Building Code.
- Fees will not be charged to Designated Community Groups; however, they must pay direct Town costs associated with their event.
- Insurance requirements will be determined by the City Manager and requirements of ABAG (Town of Atherton Risk Liability insurance carrier).
- All event organizers/sponsors will be required to fill out an application stating the type, size, and dates of events/meetings. All applications shall be approved by the City Manager or designee.

City Meetings	Social Events	Meeting Groups & Classes
City Council City Staff City Trainings City Manager approved hosted events (i.e. Council of Cities)	<u>Parties/Gatherings:</u> Birthdays Bah Mitzvahs Memorial Services Bridal Showers Other similar celebratory events	<u>Local Group Meetings:</u> Community Discussions Park Foundation Atherton Dames Friends of the Library Atherton Civic Interest League

City Meetings	Social Events	Meeting Groups & Classes
	approved by CM <u>Group Activities/Fundraisers:</u> School Picnics Graduation Ceremonies Art Expositions Ice Cream Socials Family Picnic/BBQ Other similar events approved by CM <u>Large Activities/Fundraisers:</u> Dames Easter Egg Hunt Dames Swing in the Park Jazz in the Park Dames Valentine's Day Dance Other similar events approved by CM	Other similar groups as approved by CM <u>Classes:</u> Yoga Folk Dance Music for Families Dog Training Country Dance Team Sheeper Other similar classes as approved by CM

Projects and Priorities Report

Attached is the Projects and Priorities list.

Atherton Library Information

Below is an excerpt from an email I received from Anne-Marie Despain, Director of Library Services for the San Mateo County Library System. The Council asked that I provide this information generally through the City Manager's Written Report. It is provided as informational only as Anne-Marie and I continue to discuss the issues it raises.

With respect to the use of *donor city* funds, Section VI. D. of the Library JPA Agreement states the following: In the event that the allocated library service revenue (San Mateo County Free Public Library property taxes attributed to parcels located within member city boundaries) exceeds the amount required to maintain the minimum library service for each city as described in this Agreement, such excess funds shall be spent on library related activities within that city library (hereinafter, "Donor City") including, but not limited to, facility maintenance, facility remodeling or expansion, increased service hours, or increased book purchases, as mutually agreed by the Library JPA and the city council of the affected Donor City and consistent with requirements applicable to County Free Library Law.

	FY 2009-10	FY 2010-11	FY 2011-12
County Free Library property tax attributed to the parcels located within the boundaries of Atherton	\$1,924,384	\$1,897,931	\$1,943,278
Cost of Direct Services	\$474,794	\$489,482	\$594,367
Cost of Indirect Services	\$560,522	\$534,189	\$507,906
Total Annual cost of providing service at the Atherton Library	\$1,035,316	\$1,023,671	\$1,102,273

Cost of Direct Services: Personnel costs including salaries and benefits associated with staffing the Atherton Library and miscellaneous goods and services represent approximately 49% of

annual operating costs. The Atherton Library is open a total of 57 hours per week (17 additional hours above the minimum required per the JPA Agreement based on a request by the Town and mutually agreed upon by the Library JPA).

Cost of Indirect Services: Approximately 51% of remaining operating costs are associated with goods and services including collections, information technology support, outreach services, materials delivery, the shared online library catalog and website, human resources support and payroll support. Internal economies of scale are achieved because as a system, SMCL is able to centralize these support activities.

The cost for attorney services incurred by the SMCL system totaled \$7,207 for the last three fiscal years. The cost of the Atherton Library Needs Assessment issued in 2010 totaled \$33,076.

The SMCL JPA is governed by a Board consisting of representatives from each member entity. Oversight responsibility, the ability to conduct independent financial affairs, approve budgets, sign contracts, and otherwise influence operations and account for fiscal matters is exercised by the San Mateo County Library Governing Board.

In recent ongoing conversations with the Director of Library Services, SMCL took the lead on conducting the Needs Assessment. Funding for the Needs Assessment did *not* come from established donor funds, rather it appears to have been included as a “direct cost” associated directly with the Atherton Library. I am still talking with the Director to extract more detail.

COMMUNITY SERVICES DEPARTMENT:

See attached community services report (Attachment 1).

PLANNING DEPARTMENT:

See attached Community Services Department update.

POLICE DEPARTMENT:

Police Activity

There were 84 criminal investigations for the month of February. 62 offenders were cited, arrested or referred to the San Mateo County District Attorney’s Office for prosecution. 44 of those cases were for vehicle code violations that include driving without a license, driving on a suspended license, driving under the influence of alcohol, and possession of marijuana in a vehicle. The other cases were for possession of a controlled substance, bringing weapons into a county jail, false information to a peace officer, warrant arrests, possession of burglary tools, child abuse, and use of offensive words in a public place.

Of the 1,212 total police incidents for the month of February, 670 were officer initiated incidents, which resulted in 546 citations being issued for vehicle code violations. Officers also initiated 198 other types of incidents that included contacting suspicious people on the street or in cars, as well as security checks at schools and Holbrook Palmer Park.

There were two DUI collisions during the month of February. One occurred in the construction zone on southbound El Camino Real just south of Stockbridge Avenue. The driver was arrested and taken to First Chance. The other DUI collision occurred on Ridgeview Drive. The driver was arrested and taken to First Chance. The department had a total of 7 DUI arrests for the month of February.

Holbrook Palmer Park had 23 incidents this reporting period, 15 of which were security checks by officers. Other police activity at the park included a call of a flood near the tennis courts, leash law violations, a non-injury vehicle collision, suspicious vehicles, and a welfare check on the occupants of a disabled vehicle.

641 House/Vacation checks were completed during the month of February.

Officers responded to 10 ordinance violation calls this month. These calls were for illegal solicitors, loud music, construction ordinance violations, and leash law violations.

School Incidents

Officers responded to 72 school incidents during this reporting period. The incidents involved thefts, alarms, traffic issues, suspicious vehicles, security checks, traffic enforcement, and gang activity. The following depicts the number of incidents per school:

SCHOOL	TRAFFIC	OTHER	TOTAL
ENCINAL SCHOOL	9	4	13
LAS LOMITAS SCHOOL	0	1	1
LAUREL SCHOOL	2	3	5
MENLO-ATHERTON HIGH	1	17	18
MENLO COLLEGE	7	7	14
MENLO SCHOOL	0	4	4
SACRED HEART PREP	5	2	7
ST. JOSEPH'S	0	0	0
SELBY LANE SCHOOL	5	5	10

Response Times

The average response time for Priority 1 calls for service (incidents are categorized from 1 to 3 with one being the highest priority) was 6 minutes during this time period, which met our goal of having an average response time of less than 8 minutes.

Disaster Preparedness

Police staff has purchased and received three, 5'x8' mobile trailers that will house emergency supplies for the Atherton Preparedness and Disaster Team (A.D.A.P.T.). In the event of an emergency, designated members of A.D.A.P.T can respond to the police department and access these trailers.

Special Events and Community Activities

On Wednesday, February 13, 2013, three Atherton Police officers were honored at the 2013 Law Enforcement Recognition luncheon sponsored by the California Office of Traffic Safety and Mothers Against Drunk Driving. Sgt. Anthony Kockler, Officer Tony Dennis and Officer Bill Lane were all honored at this event for their DUI enforcement efforts.

Training

The police department sent the following personnel to training in February for a total of 128 hours:

<u>Officer</u>	<u>Training</u>	<u>Dates/Hours</u>
J. Yoakum	Field Training Officer Update	Feb. 11-13,2013 24 hours
D. Gomez	Basic K-9 Tracking Course	Feb. 11 -15, 2013 40 hours
K. Haselbach	Inner Perspectives Course	Feb. 13- 14, 2013 24 hours
D. Gomez	Advanced K-9 Tracking Course	Feb. 18-22, 2013 40 hours

Investigations

On February 7 & 8, Detective Yoakum gave a presentation to Encinal School staff regarding School Safety. Topics for the discussion included: police response to an active shooter, first responder training, school and staff responsibilities during a lockdown, and a question and answer period.

PUBLIC WORKS PROJECT UPDATES:

Public works update – February 2013

- Sweep contracted monthly streets :
 - FEBRUARY 2013 Unavailable, will report next month
- Service requests –
 - Repairs in women's restroom (toilet & light)- Library
 - Tree limb hanging in lane – Encinal Ave.
 - Loose fence at playground.
 - Debris – Fairview & Camino al Lago
 - Floodlights out – APD back lot
 - Light out – PD report writing room
 - Clogged drain – Knox playschool
 - Sewage smell - APD
 - Graffiti – Middlefield & Encinal
 - Fill large crack in concrete at Carriage House
 - Pothole – Valpariaso/Santiago
 - Sink plugged – Permit center
 - Down stop sign ECR and Winchester.

- Weekly litter removal on ECR (Fridays 2 staff, 2 hours).
- Litter Marsh Road, Middlefield Road and Alameda.
- General duties – Garbage cans, town wide and ECR litter, Town Center landscape, ECR landscape, corp yard clean-up, vehicle/tool maintenance.
- Park duties including expanded efforts on bringing irrigation system to automatic status. Added FIBAR chips to playground area and performed extensive pruning to Oleanders in parking lot. Repaired park benches.
- MCE crews large effort pruning back town landscaping along ECR, West Atherton and in Town Center.
- MCE Crews laid pre-emergent chemicals out in Town R of W for weed control, and spot sprayed post emergent's where needed. They also did mechanical weed control. Cleaned up PD antennae site.
- Park General daily duties – mowing, empty garbage/recycling, restroom oversight, fire extinguishers (checked/re-charged), playground inspections, elevator inspections, open/close buildings, meeting room set-ups/tear downs.
- See attached spreadsheet of Events.

	<p>2-13-13 Pruning at HP Park Parking lot</p>
	<p>PD cell site clean-up</p>
	<p>New FIBAR in playground</p>

The following bar chart can be used as a reference as to the amount of dollars budgeted for the MCE contract for maintenance services vs. actual dollars spent. The graph is broken into the 6 families of expenditures that make up the whole of the contract. Public Works intends to supply this information on a monthly basis to the council in the monthly City Managers report and to the public upon their request.

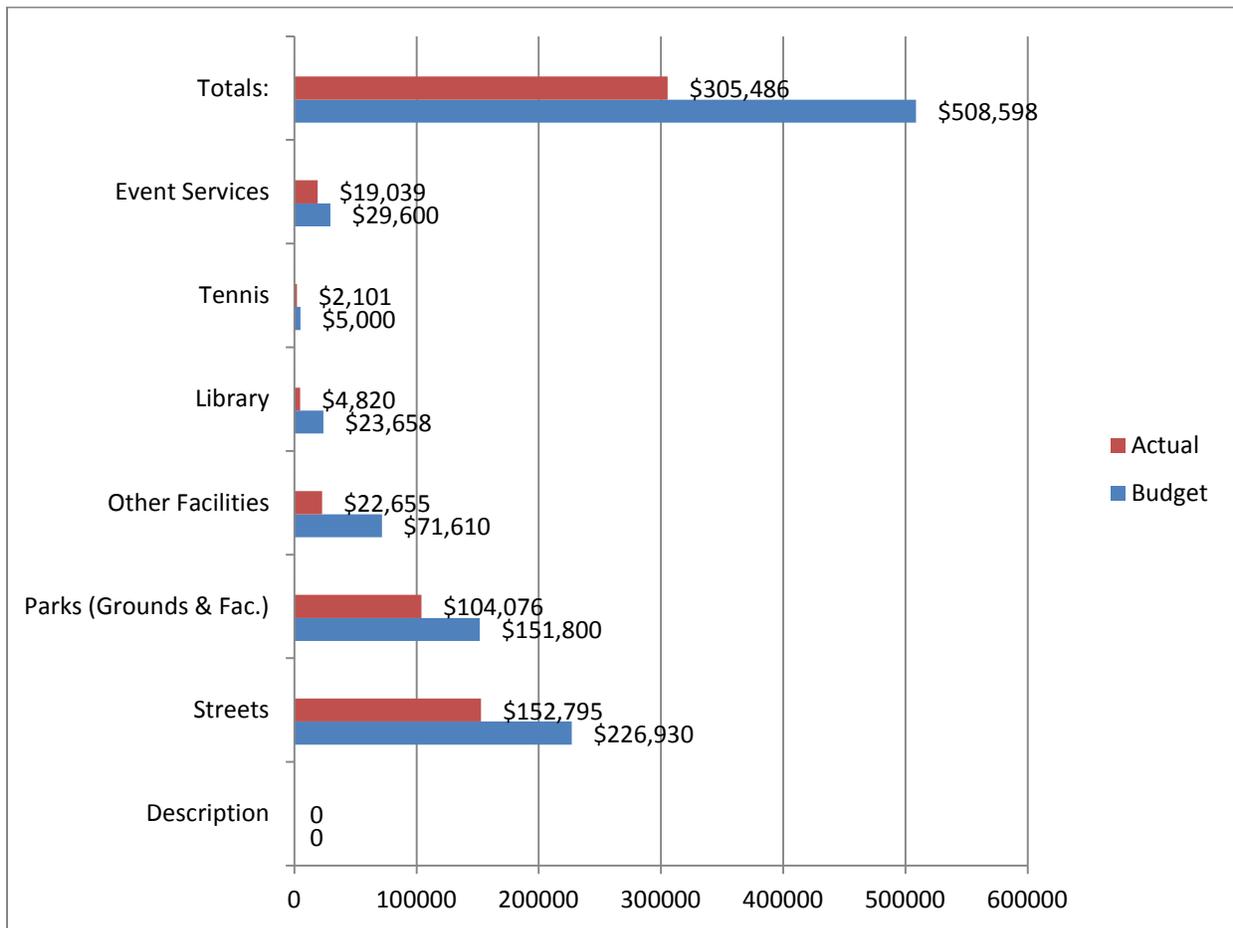
Town of Atherton
MCE Corporation Public Works Maintenance
Budget vs. Actual Expenditures FY 12-13
6 months (through February) through fiscal year

Description	Budget Dollars	Actual Dollars	% used
Streets	\$ 226,930	\$ 152,795	67.33
Parks (Grounds & Fac.)	\$ 151,800	\$ 104,076	68.56
Other Facilities	\$ 71,610	\$ 22,655	31.64
Library	\$ 23,658	\$ 4,820	20.37
Tennis	\$ 5,000	\$ 2,101	42.02
Event Services	\$ 29,600	\$ 19,039	64.32
Totals:	\$ 508,598	\$ 305,486	60.06

City Manager's Written Report

January 16, 2013

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Town of Atherton

CITY COUNCIL STAFF REPORT – CITY MANAGER’S REPORT

TO: HONORABLE MAYOR AND CITY COUNCIL

FROM: GEORGE RODERICKS, CITY MANAGER

DATE: MARCH 20, 2013

SUBJECT: COMMUNITY CENTER ADVISORY COMMITTEE

RECOMMENDATION

Receive and File.

BACKGROUND/FINDINGS

This section of the Council Agenda is reserved for reports specific to the Community Center Advisory Committee.

Most of the information provided is informational; however, some require brief consensus direction from the Council.

March 18 – Open House

On Monday, March 18 the Town hosted an Open House for potential applicants to the Committee. The Agenda included a distribution of some historic materials for potential applicants and a walk-through of the grounds, Town offices, and the Library.

There was an opportunity for Q&A following the presentations.

Establishing Criteria for CCAC Member Selection

It is recommended that the Council provide some general consensus on criteria that will be used to review and select applicants to serve on the Committee. Staff will consolidate the information and provide it to the Council during the meeting at which the Council will make appointments. This meeting date has not yet been determined.

Please provide staff with some consensus criteria.

March 22 – Applicants

Applications are due to the City Clerk by March 22.

Civic Center Master Plan Request for Proposal (RFP)

On the Agenda this evening is final review/approval of the Civic Center Master Plan RFP.



Draft Minutes
Town of Atherton
CITY COUNCIL
ATHERTON CHANNEL DRAINAGE DISTRICT
February 20, 2013
7:00 p.m.
94 Ashfield Road
Atherton, California
REGULAR MEETING

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

PLEDGE OF ALLEGIANCE

ROLL CALL Lewis, Dobbie, Widmer, Wiest, Carlson

PRESENTATIONS

PROCLAMATION FOR BRUCE AND RUTH POTTS – Mayor Lewis presented a proclamation to the Potts for their hard work and dedication over the years.

PROCLAMATION FOR SUSAN BLAKE- Mayor Lewis noted that Susan Blake donated the art sculptures in the park.

4. PUBLIC COMMENTS

William Grindley reported out about High Speed Rail.

Lou Paponis, spoke about High Speed Rail.

Anne McNertney, questioned whether it was appropriate for former Council Member McKeithen to have authorized a purchase for \$14,000.

5. REPORT OUT OF CLOSED SESSION – None.

6. CITY MANAGER’S REPORT

City Manager Rodericks made comments on the Community Center Advisory Committee (CCAC) Master Plan RFP and suggested that the City Council consider the City Council Subcommittee appointed to the CCAC as a body to assist staff in the preparation and release of the RFP. Rodericks also mentioned the cancellation of the Goal Workshop tentatively scheduled for March 4. Scheduling conflicts have forced the workshop to be rescheduled.

Vice Mayor Carlson requested an update on the Police Department involvement with Redwood City and local schools for their “active shooter” scenarios and response. Carlson requested an update on the Library JPA at the next meeting.

Council Member Widmer suggested that the City Manager evaluate contract staffing versus hired staff for the Account Technician position under recruitment.

Mayor Lewis asked for an update on the Recology rate setting at the next meeting.

7. **COMMUNITY ORGANIZATION ROUNDTABLE REPORT** - None.

CONSENT CALENDAR (Items 8-22)

Council Member Dobbie pulled items 12 and 18.

Council Member Widmer pulled items 13 and 17.

Council Member Wiest pulled item 15.

8. **APPROVAL OF JANUARY 16 REGULAR MEETING MINUTES**

Recommendation: Approve meeting minutes

9. **APPROVAL OF BILLS AND CLAIMS FOR JANUARY, 2013 IN THE AMOUNT OF \$978,555**

Recommendation: Approve Bills and Claims in the amount of \$978,555

10. **FINANCIAL REPORT FOR JANUARY 31, 2013**

Report: Finance Director Robert Barron

Recommendation: Receive the General Fund Financial Report for January 31, 2013

11. **ACCEPTANCE OF TREASURER'S REPORT FOR THE FIRST QUARTER ENDED DECEMBER 31, 2012**

Report: Finance Director Robert Barron

Recommendation: Accept the Treasurer's Report for the First Quarter Ended December 31, 2013

14. **APPROVAL OF ONE -YEAR LEASE EXTENSION WITH KNOX PLAYSCHOOLS, INC. AT HOLBROOK-PALMER PARK**

Report: City Manager George Rodericks

Recommendation: Approve a lease extension from September 1, 2013-August 30, 2014 with Knox Playschools, Inc. for the operation of the Playschool in Holbrook-Palmer Park

16. **APPROVAL OF PLANS AND SPECIFICATIONS AND AUTHORIZATION TO ADVERTISE FOR THE 2013 SPRING PATCHING PROJECT**

Report: Public Works Director Mike Kashiwagi

Recommendation: Approve the plans and specifications and authorize advertisement for bids for the 2013 Spring Patching Project, Project No.56055

19. **RESOLUTION REQUESTING SUPPORT AND COMMITMENT OF THE SAN MATEO COUNTY TRANSPORTATION AUTHORITY AND CALTRAIN JOINT**

POWERS BOARD TO FUND IMPROVEMENTS NECESSARY TO ELIMINATE THE HOLD OUT RULE AT THE ATHERTON STATION

Report: Public Works Director Mike Kashiwagi

Recommendation: Adopt Resolution urging the support and commitment of the San Mateo County Transportation Authority and Caltrain Joint Powers Board to approve funding for necessary improvements to eliminate the hold out rule at the Atherton Station

20. ADOPTION OF A RESOLUTION APPROVING BUDGET AMENDMENT FOR FISCAL YEAR 2012-2013

Report: City Manager George Rodericks

Recommendation: Adopt resolution approving a budget amendment to the FY 2012-2013 budget for the transfer of \$20,000 from the Unappropriated General Fund to the Labor Relations Services Account

21. RESOLUTION TO REJECT CLAIM OF RANJIT PRADHAN

Report: City Clerk Theresa DellaSanta

Recommendation: Adopt Resolution 13-xx denying the claim filed by Ranjit Pradhan for damages

22. CALTRAIN ELECTRIFICATION PROJECT NOTICE OF PREPARATION COMMENTS

Report: Public Works Director Mike Kashiwagi

Recommendation: Staff recommends that the City Council request Councilmember Carlson work with Planning and Public Works Staff to develop comments on the Caltrain Electrification Project Notice of Preparation. It is further recommended that the City Council request Councilmember Carlson to present the Atherton Comment Letter at a Caltrain Scoping Meeting

MOTION by Carlson, second by Dobbie to approve the consent calendar excluding items 12, 13, 15, 17, and 18. The motion passed unanimously.

Pulled Items were taken up next

12. POLICE DEPARTMENT: RECORDS DESTRUCTION

Report: Police Chief Ed Flint

Recommendation: The City Council, upon the advice of the City Attorney and the Chief of Police, authorize the destruction of the noted Department records, documents, instruments, and other papers set forth in this request

Council Member Dobbie said he talked to Chief Flint at length about this item and he is supportive of the Chief's decision to destruct records. Dobbie added that the boxes full of files at the carriage house need to be looked at and destroyed if they have hit their time limit for storage.

Council Member Widmer said he spoke to Chief Flint as well. He thinks the Police department is being run better than it ever has under Flint's leadership. Widmer said that even though there are laws that allow for destruction of records it shouldn't always happen because there is still some resident distrust because of certain issues they have encountered. He concluded that Council needs to make sure that the residents are comfortable and have no doubts in their mind.

Council Member Wiest said he wouldn't want to give off the perception that files of deep concern are being destructed. Wiest said he supports Chief Flint's discretion in his professional judgment with reviewing the files and determining if they are ready to be destroyed.

Council Member Carlson felt the Town has been remiss in following a records retention policy and that it needs to be done in every department. Carlson said part of the discomfort is that internal investigations seem to be at the top priority list. Carlson asked how staff determined that destroying these records would not be later regretted.

City Attorney Conners noted that he reviewed all 18 files and every single file is trivial. There is not one important file that is considered to be part of a lawsuit. Conners noted that a retention policy is an agency's legal authority to receive, create, retain, and dispose of official public records. Destruction of older records pursuant to the Town's records retention policy and State law is a routine process and staff should be returning for destruction authorization in all departments.

Chief Flint said he went through the files with a fine tooth comb and asked himself if there are any reoccurring deficiencies or concerns with the employee. Flint noted that if there was ever any indication that there is a problem then he would maintain the files. Flint said the files are minor in nature and none of them involved employees with reoccurring deficiencies. Flint concluded that the Town has a well-run Police Department with good people doing good things. He encouraged residents to approach him if there are any concerns.

Council Member Dobbie reminded everyone that storing documents costs money. He encouraged staff to get rid of documents that are no longer required for storage.

Mayor Lewis said the records retention has not been done on a routine basis. Lewis said all other cities and municipalities do it routinely. She said it's a new day with a new Chief and we need to continue to look forward.

MOTION by Lewis, second by Dobie to approve the resolution authorizing the destruction of the noted Department records, documents, instruments, and other papers set forth in this request. The motion passed unanimously.

13. STORAGE AND OPERATION FOR I-NET EQUIPMENT

Report: City Manager George Rodericks

Recommendation: Approve the agreement between the Town of Atherton and the Cable Joint Powers Agency for storage and operation of institutional network equipment

This item involved the storage and operation of institutional network equipment at Town Hall in connection with the existing fiber network used throughout the County. Because the Town is considering development of a new Town Hall the Agreement was continued to March to allow the City Manager to discuss issues related to relocation of the existing equipment and costs associated thereto.

MOTION by Carlson, second by Lewis to continue the item to the March meeting. The motion passed unanimously.

15. APPROVAL OF PLANS AND SPECIFICATIONS AND AUTHORIZATION TO ADVERTISE FOR THE 2013 CAPE SEAL PROJECT

Report: Public Works Director Mike Kashiwagi

Recommendation: Approve the plans and specifications and authorize advertisement for bids for the 2013 Cape Seal Project, Project No.56056

With the approval of this item the 2013 Cape Seal Project will get underway. The Town has a comprehensive pavement management system that assists staff in determining which streets are in need of repair in order to avoid a much more costly street reconstruction.

Council requested that the Town conduct a mailing to the residents on the impacted streets to provide them with information on the timing of the project and its impact to their area as well as asking their assistance in identifying any construction projects in the area that may “damage” the new roadway.

17. ATHERTON PEDESTRIAN & BICYCLE MASTER PLAN CONSULTANT SELECTION

Report: Public Works Director Mike Kashiwagi

Recommendation: Approve the selection of Alta Planning & Design (Alta) to prepare the Town’s Pedestrian & Bicycle Master Plan and authorize the City Manager to execute an agreement with Alta in an amount not to exceed \$39,980; And Solicit nominations for an ad-hoc Pedestrian/Bike Stakeholder Advisory Group whose members will be appointed by the Mayor.

Mayor Lewis appointed herself and Council Member Widmer to the ad-hoc committee for Pedestrian/Bike Stakeholder Group.

MOTION by Dobbie, second by Widmer to approve the selection of Alta Planning & Design (Alta) to prepare the Town’s Pedestrian & Bicycle Master Plan and authorize the City Manager to execute an agreement with Alta in an amount not to exceed \$39,980; And Solicit nominations for an ad-hoc Pedestrian/Bike Stakeholder Advisory Group whose members will be appointed by the Mayor.

18. CONSIDERATION OF A POLICY REGARDING CITY COUNCIL IPADS AND UPDATE ON PAPERLESS AGENDA PROJECT

Report: City Manager George Rodericks

Recommendation: Adopt policy regarding the issuance and use of iPads to City Council Members

Council Member Dobbie noted that he was not interested in utilizing an iPad if he can only use it to download agenda packets. He added that he would like to use the iPad for several things in order to get used to using it. Dobbie requested further clarification on personal use.

In an effort to clarify approved uses of the iPad the Town developed a policy. Rodericks suggested several changes that would allow for personal usage of which is lawful, and which does not result in a gain or advantage to the user or a loss to the Town is permitted. Council agreed to the changes.

MOTION by Dobbie, second by Widmer to adopt policy regarding the issuance and use of iPads to City Council Members. The motion passed unanimously.

PUBLIC HEARINGS - None

REGULAR AGENDA – (Items 23-26)

23. APPOINTMENT TO FILL VACANCY ON TRANSPORTATION COMMITTEE AND CONSIDER APPOINTMENT OF TWO COUNCIL MEMBERS TO THE COMMUNITY CENTER ADVISORY COMMITTEE (CCAC)

Report: City Clerk Theresa DellaSanta

Recommendation: Appoint member to fill vacancy on Transportation Committee and Appoint two Council Members to Community Center Advisory Committee (CCAC)

Each Council Member was provided with a ballot to choose one of two applicants. Council approved with a 3-2 vote appointment of Gary Lauder to fill the Transportation Committee vacancy expiring in June of 2016.

MOTION by Widmer, second by Dobbie to appoint Mayor Lewis and Council Member Dobbie to the CCAC, with Council Member Widmer acting as an alternate should one of the appointees be unable to attend. The motion passed unanimously.

24. FEE WAIVER REQUEST – END OF YEAR PICNIC FOR GRADUATING 5TH GRADERS @ ENCINAL SCHOOL USE OF HPP CARRIAGE HOUSE

Report: City Manager George Rodericks

Recommendation: To Be Determined

Council expressed their concern with setting a precedent for the waiver of fees. Council denied the request and directed staff to come back with a policy that governs fee waivers and banners.

MOTION by Widmer, second by Dobbie to direct staff to come back with policies. The motion passed unanimously.

25. COMMUNITY CENTER MASTER PLAN CONSULTANT SELECTION UPDATE

Report: Public Works Director Mike Kashiwagi

Recommendation: Waive requirement for City Council approval for the Request for Proposal for Civic Center Master Plan Preparation, and authorize staff to prepare and distribute the Community Center Master Plan RFP

Community Service Director Mike Kashiwagi gave background on the report. He noted that staff is requesting a waiver of the Municipal Code requirement that an RFP should be reviewed and approved by City Council prior to it being issued so that the RFP can be advertised and issued as soon as it is completed.

Council Member Dobbie was concerned with the cost of the master plan.

Council Member Widmer said the purchasing policy requirement is there for a reason and he does not support waiving the requirement. Widmer said this is a very large amount and he believes the Council should have a good look at the RFP.

Vice Mayor Carlson said he is comfortable with the process. He noted his concern with the fact that the current architect for the Town Center gave a substantially lower cost for a master plan.

Council Member Wiest echoed Carlson. He had concerns with the overall estimated cost of the master plan.

Mayor Lewis felt the estimate was just too high.

City Manager Rodericks noted that as the scope of work is reviewed and refined the engineer's estimate will be revised.

Council discussed waving the requirement for the RFP to go to full Council for review.

MOTION by Dobbie, second by Widmer to authorize staff to prepare the RFP and come back to the entire Council for review. The motion failed 2-3 (Lewis, Carlson, Wiest opposed).

MOTION by Carlson, second by Wiest to waive requirement for City Council approval for the Request for Proposal for Civic Center Master Plan Preparation, and Authorize staff to prepare an RFP, and if the d-hoc CCAC committee does not approve of the RFP then go back to full Council for approval before distribution of the Community Center Master Plan RFP. The motion passed 4-1 (Widmer opposed).

26. CONSIDERATION TO CONTRIBUTE TO CITIZENS FOR CALIFORNIA HIGH SPEED RAIL ACCOUNTABILITY (CCHSRA) TO FUND LITIGATION CHALLENGING THE LEGAL USE OF PROPOSITION 1A FUNDING BY THE CALIFORNIA HIGH SPEED RAIL AUTHORITY

Report: Public Works Director Mike Kashiwagi

Recommendation: Consider a funding allocation of \$5,000 - \$10,000 to the CCHSRA to fund litigation challenging the legal use of Proposition 1A funding by the California High Speed Rail Authority

Council Member Carlson noted that the Town has budgeted \$30,000 in the rail budget and spending 1/3 of it on the lawsuit challenging legal use of the proposition 1A funding is worth it.

MOTION by Carlson, second by Lewis to approve a funding allocation of \$10,000 to the CCHSRA to fund litigation challenging the legal use of Proposition 1A funding by the California High Speed Rail Authority. The motion passed unanimously

27. COUNCIL REPORTS/COMMENTS – Nothing further to add to written reports.

28. FUTURE AGENDA ITEMS – None.

29. PUBLIC COMMENTS – None.

30. ADJOURN

MOTION by Lewis, second by Dobbie to adjourn the meeting. The motion passed and Mayor Lewis adjourned the meeting at 10:07 p.m.

Respectfully submitted,

**Theresa DellaSanta
City Clerk**



Draft Minutes
Town of Atherton
CITY COUNCIL/ATHERTON CHANNEL DRAINAGE
DISTRICT
FEBRUARY 12, 2013
6:00 P.M.
Town Council Chambers
94 Ashfield Road
Atherton, California
Special Meeting

ROLL CALL Lewis, Carlson, Dobbie, Widmer, Wiest

PUBLIC COMMENTS

REGULAR

1. CONSIDERATION OF REVISIONS TO RESOLUTION NO. 12-16 GOVERNING COMMITTEES AND COMMISSIONS

- a) Dissemination of information regarding the design and development of a Master Plan and Design for the Community Center;
- b) Provide input during the development of a Master Plan for the Community Center;
- c) Provide input during the design phase of the Community Center, which includes facilities for Administration, Building, Police, Public Works, and the Library;
- d) Assist in discussions about the short-term improvements needed for the Library and Town Center.

2. PROVIDE DIRECTION TO STAFF ON THE SELECTION PROCESS FOR THE COMMUNITY CENTER ADVISORY COMMITTEE

3. PROVIDE DIRECTION TO STAFF ON HOW THE COUNCIL WOULD LIKE THE COMMUNITY CENTER ADVISORY COMMITTEE TO FUNCTION

4. PROVIDE DIRECTION TO STAFF ON THE ARCHITECTURAL FIRM(S)

City Manager Rodericks outlined issues related the size of the committee, the selection process, its method of function, and asked the Council for direction with respect to the use of architects for the project.

After taking comments from the public in attendance and comments from members of the City Council, the Council voted to adopt the following charter for the CCAC:

The Community Center Advisory Committee (CCAC) shall have the following powers and duties:

- a. *Assist staff in the development of a master planning process to determine the key issues that need to be addressed by the community as well as a process for keeping the community at large informed and involved.*
- b. *Work with staff to solicit feedback through tools such as surveys, community gatherings, and workshops to disseminate information regarding the key issues and questions involved in the development of a Master Plan for the proposed new Community Center.*
- c. *Engage in public outreach to solicit substantive feedback and opinions on the Master Plan and the Community Center project and provide Council with a summary of findings for consideration. Support staff with updates for the Town website and periodic updates for residents.*
- d. *The CCAC may form Ad Hoc Subcommittees and/or host community workshops to involve a broader base of residents for the purposes of information gathering on specific issues, thus creating more community involvement and more in-depth visioning.*
- e. *Once the Council adopts a Master Plan, the CCAC will continue to work with staff to coordinate public outreach and collect resident input during the design phase of the Community Center project.*
- f. *Assist in discussion about the short-term improvements needed for the Library and Town Center facilities.*

The Community Center Advisory Committee consists of up to 9 members including two Council members. The Committee is setup for specific purposes listed above and when the purposes are accomplished the Committee will disband. The Community Center Project consists of the Town's Administrative Offices, Police Department, Public Works, Building and Planning Departments, Council Chambers, Library, community meeting rooms and associated outdoor facilities. The

Comments from the public attending the meeting centered on the following issues:

- A determination of funding needs and sources;
- The creation of a master plan and visioning process;
- Assessment of needs;
- Community involvement in the process;
- Development of a true civic center and community center versus town center;
- Level of architect involvement;
- Ensuring a concentration on cohesive design;
- Addressing impacts of high speed rail and inclusion of the depot;
- Inclusion of historic buildings; and
- General process.

Comments from the City Council echoed some of the public's comments but centered on the following:

- Fundraising;
- Use and function questions;
- Assessments of needs;
- The use of subcommittees and workshops;

- The size of the committee;
- A review of committee applicants;
- Recruitment process for volunteers to serve on the committee;
- Designing a framework for the Master Plan;
- The inclusion of library staff as “staff” to the committee; and
- Use and involvement of the prior architectural firms.

Following the discussion, the Council’s direction to staff was to:

- Extend the date for the recruitment to 30 days beyond a mailed postcard to every resident inviting their application to serve on the CCAC;
- Focus on a Master Plan first and foremost;
- Have the CCAC evaluate the issue of the architect and provide a recommendation to the City Council;
- The full Council will review applicants for the CCAC;
- Include the Library Manager as part of the “staff” for the CCAC; and
- Initiate a Request for Proposal (RFP) to solicit consultants to serve as the Master Plan Consultant

Staff will return an item for the February 20 regular City Council meeting to appoint the two City Council representatives to the CCAC and ask that the Council formally authorize the RFP process.

ADJOURN

MOTION by Carlson, second by Widmer to adjourn the meeting. The motion passed and Mayor Lewis adjourned the meeting at 7:28 p.m.

Respectfully submitted,

**Theresa DellaSanta
City Clerk**

TOWN OF ATHERTON
CLAIMS LIST **FEBRUARY 2013**

	<u>Amount</u>
A/P Checks (#14803-14929)	\$ 363,138
Payroll Checks (#366-367)	371
Direct Deposit - Payroll	207,170
Electronic Transfer - A/P & Payroll	247,630
FEBRUARY 2013 Total	818,309

I, George Rodericks, City Manager of the Town of Atherton, do hereby certify that the demand listed above, check numbers 366-367 (payroll), and 14803-14929 (accounts payable), and electronic transfers for employees direct deposits, federal payroll taxes and fees, inclusive, amount to \$818,309 are true and correct based on the information provided to me and that there are sufficient funds for payment.

George Rodericks
City Manager

The above claims, check numbers 366-367 (payroll), and 14803-14929 (accounts payable), and electronic transfers for employees direct deposits, federal payroll taxes and fees, inclusive, amount to \$818,309 are true and correct and are authorized for payment.

Elizabeth Lewis
Mayor, Town of Atherton

SOURCE OF FUNDS

101	General	\$ 772,364
105	Tennis	646
213	Library	1,552
610	Equipment Replacement	7,215
615	General Liability	671
616	Employee Benefits	35,861
	TOTAL	818,309

Town of Atherton							
Checks by Date - Detail by Check Number							
For the Month of February 2013							
Check#	Vendor Name	Check Date	Invoice#	Fund	Dept	Description	Amount
14803	AFLAC	2/5/2013	501-012013	General Fund		PR Batch 501 1 2013 Aflac Accident (Pre-Tax)	166.91
14803	AFLAC	2/5/2013	501-012013	General Fund		PR Batch 501 1 2013 Aflac Cancer Ins(Pre-Tax)	170.64
14803	AFLAC	2/5/2013	501-012013	General Fund		PR Batch 501 1 2013 Aflac Dental Plan (Pre-Tax)	65.22
14803	AFLAC	2/5/2013	501-012013	General Fund		PR Batch 501 1 2013 Aflac Hosp. Conf. Id (Pre-Tax)	23.36
14803	AFLAC	2/5/2013	501-012013	General Fund		PR Batch 501 1 2013 Aflac Hosp. Int care (Pre-Tax)	16.26
14803	AFLAC	2/5/2013	501-012013	General Fund		PR Batch 501 1 2013 Aflac Life (Pre-Tax)	5.63
14803	AFLAC	2/5/2013	501-012013	General Fund		PR Batch 501 1 2013 Aflac STD (After-Tax)	56.12
14803	AFLAC	2/5/2013	501-012013	General Fund		PR Batch 501 1 2013 Aflac STD (Pre-Tax)	21.46
14803	AFLAC	2/5/2013	501-012013	General Fund		PR Batch 501 1 2013 Aflac Speci Health (Pre-Tax)	52.68
14803	AFLAC	2/5/2013	502-01-2013	General Fund		PR Batch 502 1 2013 Aflac Accident (Pre-Tax)	166.91
14803	AFLAC	2/5/2013	502-01-2013	General Fund		PR Batch 502 1 2013 Aflac Cancer Ins(Pre-Tax)	170.64
14803	AFLAC	2/5/2013	502-01-2013	General Fund		PR Batch 502 1 2013 Aflac Dental Plan (Pre-Tax)	65.22
14803	AFLAC	2/5/2013	502-01-2013	General Fund		PR Batch 502 1 2013 Aflac Hosp. Conf. Id (Pre-Tax)	23.36
14803	AFLAC	2/5/2013	502-01-2013	General Fund		PR Batch 502 1 2013 Aflac Hosp.Int Care (Pre-Tax)	16.26
14803	AFLAC	2/5/2013	502-01-2013	General Fund		PR Batch 502 1 2013 Aflac Life (Pre-Tax)	5.63
14803	AFLAC	2/5/2013	502-01-2013	General Fund		PR Batch 502 1 2013 Aflac STD (After-Tax)	56.12
14803	AFLAC	2/5/2013	502-01-2013	General Fund		PR Batch 502 1 2013 Aflac STD (Pre-Tax)	21.46
14803	AFLAC	2/5/2013	502-01-2013	General Fund		PR Batch 502 1 2013 Aflac Speci Health (Pre-Tax)	52.68
14803 Total							1,156.56
14804	TEAMSTERS LOCAL 856 H & W	2/5/2013	501-01-2013	General Fund		PR Batch 501 1 2013 Dental Insurance	4,464.00
14804	TEAMSTERS LOCAL 856 H & W	2/5/2013	Jan 2013	General Fund	Administration	Dental J. Herren Jan 2013	144.00
14804	TEAMSTERS LOCAL 856 H & W	2/5/2013	Jan 2013	General Fund	Police	Dental C. Vigil Jan 2013	144.00
14804 Total							4,752.00
14805	VISION SERVICE PLAN	2/5/2013	501-01-2013	General Fund		PR Batch 501 1 2013 Vision Insurance	556.92
14805	VISION SERVICE PLAN	2/5/2013	Feb 2013	General Fund	Administration	Vision J. Herren Feb 2013	(10.88)
14805	VISION SERVICE PLAN	2/5/2013	Feb 2013	General Fund	Police	Vision K. Lopez Feb 2013	(15.77)
14805	VISION SERVICE PLAN	2/5/2013	Feb 2013	General Fund	Police	Vision C. Vigil Feb 2013	(10.88)
14805	VISION SERVICE PLAN	2/5/2013	Feb 2013	General Fund	DPW-Street Maint.	Vision cobra M. Rubalcava Feb 2013	10.88
14805 Total							530.27
14806	ABOVE ALL ROOFING SERVICES	2/7/2013	BP12-00553	General Fund	Pass thru	Refund recycling dep BP12-00553, 297 Park Ln	500.00
14806 Total							500.00
14807	ACCONTEMPS	2/7/2013	37206115	General Fund	Finance	Temp Phonpradith, Noy 1/22/13 - 1/24/13	321.60
14807	ACCONTEMPS	2/7/2013	37206115	General Fund	Finance	Temp Phonpradith, Noy 1/22/13 - 1/24/13	642.72
14807 Total							964.32
14808	ACTION TOWING	2/7/2013	282889-271845	General Fund	Police	Tow services Crown Victoria patrol car	113.00
14808 Total							113.00
14809	AT&T CALNET 2	2/7/2013	000004037874	General Fund	Police	1053 Teleminder loop line PD 12/20/12 - 1/19/13	84.78
14809	AT&T CALNET 2	2/7/2013	000004037875	General Fund	Police	1953 Circuit# PD to 590 Hamilton 12/20/12 - 1/19/13	97.73
14809	AT&T CALNET 2	2/7/2013	000004037876	General Fund	Police	8343 83 Ashfield/KCEA radio PD 12/20/12 - 1/19/13	57.44

Town of Atherton							
Checks by Date - Detail by Check Number							
For the Month of February 2013							
Check#	Vendor Name	Check Date	Invoice#	Fund	Dept	Description	Amount
14809	AT&T CALNET 2	2/7/2013	000004037877	General Fund	Police	5840 83 Ashfield/Industrial PD 12/20/12 - 1/19/13	267.66
14809	AT&T CALNET 2	2/7/2013	000004037878	General Fund	Police	7360 Circuit date line PD 12/20/12 - 1/19/13	362.28
14809	AT&T CALNET 2	2/7/2013	000004037879	General Fund	Police	6689 MP fire to PD voter 12/20/12 - 1/19/13	66.79
14809	AT&T CALNET 2	2/7/2013	000004037880	General Fund	Police	6690 MP police to PD voter 12/20/12 - 1/19/13	66.79
14809	AT&T CALNET 2	2/7/2013	000004037881	General Fund	Police	6691 Cal water/Bear gulch voter PD 12/20/12 - 1/19/13	77.16
14809	AT&T CALNET 2	2/7/2013	000004054627	General Fund	Police	0686 Alarm line -police shed 12/27/12 - 1/26/13	15.94
14809	AT&T CALNET 2	2/7/2013	000004054628	General Fund	Police	0280 Disaster line PD 12/27/12 - 1/26/13	215.20
14809 Total							1,311.77
14810	BARRON ANTHONY	2/7/2013	Jan16-18, 2013	General Fund	Police	Toll fee Drug Influence training A. Barron 1/16/13 - 1/18/13	10.00
14810	BARRON ANTHONY	2/7/2013	Jan16-18, 2013	General Fund	Police	Breakfast Drug Influence training A. Barron 1/16/13	15.26
14810	BARRON ANTHONY	2/7/2013	Jan16-18, 2013	General Fund	Police	Lunch Drug Influence training A. Barron 1/16/13	11.52
14810	BARRON ANTHONY	2/7/2013	Jan16-18, 2013	General Fund	Police	Dinner Drug Influence training A. Barron 1/16/13	8.15
14810	BARRON ANTHONY	2/7/2013	Jan16-18, 2013	General Fund	Police	Breakfast Drug Influence training A. Barron 1/17/13	9.81
14810	BARRON ANTHONY	2/7/2013	Jan16-18, 2013	General Fund	Police	Lunch Drug Influence training A. Barron 1/18/13	13.75
14810 Total							68.49
14811	BRAYER CONSTRUCTION & DESIGN	2/7/2013	BP12-00438	General Fund		Refund recycling dep BP12-00438, 362 Selby Ln	3,675.00
14811 Total							3,675.00
14812	BUNDELLI BROOKE	2/7/2013	316	General Fund		Refund park dep Inv#316, 2/2/13	250.00
14812 Total							250.00
14813	CCAI ROUNDTABLE 5	2/7/2013	Feb 11, 2013	General Fund	Police	Fire Investigations training J. Wade 2/11/13	50.00
14813 Total							50.00
14814	CHESLER CONSTRUCTION	2/7/2013	BP12-00690	General Fund		Refund recycling dep BP12-00690, 119 Atherton	2,505.00
14814	CHESLER CONSTRUCTION	2/7/2013	BP12-00184	General Fund		Refund recycling dep BP12-00184, 234 Polhemus	1,000.00
14814	CHESLER CONSTRUCTION	2/7/2013	BP12-00252	General Fund		Refund recycling dep BP12-00252, 234 Polhemus	1,000.00
14814 Total							4,505.00
14815	D-PREP LLC	2/7/2013	April 2-5, 2013	General Fund	Police	Critical Incident Response training J. Wade 4/2/13 - 4/5/13	290.00
14815 Total							290.00
14816	GOVERNMENT FINANCE OFFICERS ASSOCIATION	2/7/2013	Mar 6, 2013	General Fund	Finance	GFOA training R. Barron 3/6/13	147.50
14816	GOVERNMENT FINANCE OFFICERS ASSOCIATION	2/7/2013	Mar 6, 2013	General Fund	Finance	GFOA training J. Pan 3/6/13	147.50
14816 Total							295.00
14817	GUTIERREZ ANTOINETTE	2/7/2013	Jan 23, 2013	General Fund	Police	Mileage Ca Sex and Arson Registry training A. Gutierrez 1/23/13	35.20
14817	GUTIERREZ ANTOINETTE	2/7/2013	Jan 23, 2013	General Fund	Police	Lunch CA Sex and Arson Registry training A. Gutierrez 1/23/13	7.61
14817 Total							42.81
14818	HAU ROSE	2/7/2013	BP11-00168	General Fund		Refund grading & drainage dep BP11-00168, 43 Selby Ln	1,000.00

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Checks by Date - Detail by Check Number							
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Check#	Vendor Name	Check Date	Invoice#	Fund	Dept	Description	Amount
14818 Total							1,000.00
14819	HOUSTON COMMUNICATIONS INC	2/7/2013	200003695-1	General Fund		Sale tax- Waris cosmetic kit	(5.36)
14819	HOUSTON COMMUNICATIONS INC	2/7/2013	200003695-1	General Fund		Sale tax- Name plate	(0.65)
14819	HOUSTON COMMUNICATIONS INC	2/7/2013	200003695-1	General Fund		Sale tax- Battery	(1.03)
14819	HOUSTON COMMUNICATIONS INC	2/7/2013	106002317-1	General Fund		Sale Tax - Battery nicad ultra high	(24.75)
14819	HOUSTON COMMUNICATIONS INC	2/7/2013	200003696-1	General Fund		Sale tax-Transistor	(2.58)
14819	HOUSTON COMMUNICATIONS INC	2/7/2013	200003696-1	General Fund	Police	(1) ea Transistor	33.82
14819	HOUSTON COMMUNICATIONS INC	2/7/2013	200003695-1	General Fund	Police	(1) ea Waris cosmetic kit	70.36
14819	HOUSTON COMMUNICATIONS INC	2/7/2013	200003695-1	General Fund	Police	(1) ea Name plate	8.51
14819	HOUSTON COMMUNICATIONS INC	2/7/2013	200003695-1	General Fund	Police	(1) ea Battery	13.56
14819	HOUSTON COMMUNICATIONS INC	2/7/2013	200003695-1	General Fund	Police	Labor for radio installation/repair	86.52
14819	HOUSTON COMMUNICATIONS INC	2/7/2013	200003696-1	General Fund	Police	Labor for radio installation/repair	86.52
14819	HOUSTON COMMUNICATIONS INC	2/7/2013	106002317-1	General Fund	Police	(5) ea Battery nicad ultra high	338.16
14819 Total							603.08
14820	IMPAC. GOVERNMENT SERVICES	2/7/2013	4960/01-22-13TD	General Fund	City Council	2013 New Council Members Academy Registration C. Wiest	550.00
14820	IMPAC. GOVERNMENT SERVICES	2/7/2013	4960/01-22-13TD	General Fund	City Council	2013 New Mayors Members Academy Registration E. Lewis	550.00
14820	IMPAC. GOVERNMENT SERVICES	2/7/2013	4960/01-22-13TD	General Fund	City Council	2x10 Black on gold name plates Council C. Wiest	35.72
14820	IMPAC. GOVERNMENT SERVICES	2/7/2013	7481/01-22-13GR	General Fund	Administration	2013 City Managers conference 1/30/13 - 2/1/13	625.00
14820	IMPAC. GOVERNMENT SERVICES	2/7/2013	7481/01-22-13GR	General Fund	Administration	Plaque for T. DellaSanta	244.13
14820	IMPAC. GOVERNMENT SERVICES	2/7/2013	5424/01-22-13KR	General Fund	Planning	2013 Subdivision Map Act Planning	29.63
14820	IMPAC. GOVERNMENT SERVICES	2/7/2013	5424/01-22-13KR	General Fund	Planning	2013 California Environmental Quality Act Planning	29.63
14820	IMPAC. GOVERNMENT SERVICES	2/7/2013	5424/01-22-13KR	General Fund	Planning	2013 Planning and Zoning Laws Planning	29.64
14820	IMPAC. GOVERNMENT SERVICES	2/7/2013	5432/01-22-13JF	General Fund	Non-Dept	(5) Tape cartridge - IT	120.27

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Check#	Vendor Name	Check Date	Invoice#	Fund	Dept	Description	Amount
14820	IMPAC. GOVERNMENT SERVICES	2/7/2013	5432/01-22-13JF	General Fund	Non-Dept	(1) Cleaning cartridge - IT	54.38
14820	IMPAC. GOVERNMENT SERVICES	2/7/2013	2431/01-22-13JW	General Fund	Police	Lunch -new officer applicant	37.71
14820	IMPAC. GOVERNMENT SERVICES	2/7/2013	2431/01-22-13JW	General Fund	Police	DeWalt mobile lock fee PD Jan 2013	19.95
14820	IMPAC. GOVERNMENT SERVICES	2/7/2013	5432/01-22-13JF	General Fund	Police	2013 CA Criminal Justice Warrant Service Assoc. membership	75.00
14820	IMPAC. GOVERNMENT SERVICES	2/7/2013	5432/01-22-13JF	General Fund	Police	Lodging Public Records Act training J. Miller 1/31/13 - 2/1/13	197.46
14820	IMPAC. GOVERNMENT SERVICES	2/7/2013	5432/01-22-13JF	General Fund	Police	Motorcycle update training C. Vigil 5/1/13 - 5/3/13	451.00
14820	IMPAC. GOVERNMENT SERVICES	2/7/2013	5432/01-22-13JF	General Fund	Police	Lodging Drug influence training A. Barron 1/16/13 - 1/18/13	184.90
14820	IMPAC. GOVERNMENT SERVICES	2/7/2013	2431/01-22-13JW	General Fund	Police	(2) Digital data traveler flash drive/USB	24.46
14820	IMPAC. GOVERNMENT SERVICES	2/7/2013	2431/01-22-13JW	General Fund	Police	(3) Digital hi-speed data traveler flash drive/USB	25.47
14820	IMPAC. GOVERNMENT SERVICES	2/7/2013	2431/01-22-13JW	General Fund	Police	Ties- 5 & 8" plastic	19.17
14820	IMPAC. GOVERNMENT SERVICES	2/7/2013	2431/01-22-13JW	General Fund	Police	16GB SDHC polaroid	14.11
14820	IMPAC. GOVERNMENT SERVICES	2/7/2013	5432/01-22-13JF	General Fund	Police	(2) Fingerprint pack	102.70
14820	IMPAC. GOVERNMENT SERVICES	2/7/2013	5432/01-22-13JF	General Fund	Police	(2) Fingerprint pack	102.70
14820	IMPAC. GOVERNMENT SERVICES	2/7/2013	5432/01-22-13JF	General Fund	Police	(2) Wireless mobile kit -patrol car	476.93
14820	IMPAC. GOVERNMENT SERVICES	2/7/2013	5432/01-22-13JF	General Fund	Police	(2) Alarm signs	55.76
14820	IMPAC. GOVERNMENT SERVICES	2/7/2013	5432/01-22-13JF	General Fund	Police	Range equipment	313.41
14820	IMPAC. GOVERNMENT SERVICES	2/7/2013	5432/01-22-13JF	General Fund	Police	(1) Wireless router	33.99
14820	IMPAC. GOVERNMENT SERVICES	2/7/2013	5432/01-22-13JF	General Fund	Police	(1728) Bottle water - Pd disaster	446.39
14820	IMPAC. GOVERNMENT SERVICES	2/7/2013	5424/01-22-13KR	General Fund	DPW-Engineering	2013 American Society Civil Engineers membership D. Huynh	265.00
14820	IMPAC. GOVERNMENT SERVICES	2/7/2013	5408/01-22-13ST	General Fund	DPW-Park Program	Internet fee HP Park Jan 2013	77.53
14820 Total							5,192.04
14821	IN GRAPHIC DETAIL	2/7/2013	3616	General Fund	Police	911 Trading cards online single PDF files	100.00
14821 Total							100.00
14822	KREFELD'S AWARDS, INC	2/7/2013	23677	General Fund	Police	Plate engraved for employee of 4th quarter PD	27.13
14822 Total							27.13

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Checks by Date - Detail by Check Number							
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Check#	Vendor Name	Check Date	Invoice#	Fund	Dept	Description	Amount
14823	LAMPHIER - GREGORY	2/7/2013	9350 1	General Fund	Pass thru	Professional services for environmental review/Cartan Field	4,732.62
14823 Total							4,732.62
14824	MERREDEW CLIVE	2/7/2013	BP12-00833	General Fund		Refund recycling dep BP12-00833, 52 Wilburn	1,000.00
14824 Total							1,000.00
14825	METZGER DAVE	2/7/2013	Jan 21, 2013	General Fund	Police	Fuel for K-9 car - Officer funeral at Galt	43.00
14825 Total							43.00
14826	MILLER JANELLE	2/7/2013	Jan 31-2, 2013	General Fund	Police	Mileage Public Records Act training J. Miller 1/31/13 - 2/1/13	81.02
14826	MILLER JANELLE	2/7/2013	Jan 31-2, 2013	General Fund	Police	Lunch Public Records Act training J. Miller 1/31/13	7.23
14826	MILLER JANELLE	2/7/2013	Jan 31-2, 2013	General Fund	Police	Dinner Public Records Act training J. Miller 1/31/13	10.02
14826	MILLER JANELLE	2/7/2013	Jan 31-2, 2013	General Fund	Police	Breakfast Public Records Act training J. Miller 2/1/13	7.30
14826	MILLER JANELLE	2/7/2013	Jan 31-2, 2013	General Fund	Police	Lunch Public Records Act training J. Miller 2/1/13	8.52
14826 Total							114.09
14827	MOROSO CONSTRUCTION	2/7/2013	BP11-00429Rec	General Fund		Refund recycling dep BP11-00429, 39 Laburnum	1,000.00
14827 Total							1,000.00
14828	OFFICE DEPOT	2/7/2013	640463041001	General Fund	Administration	(1) ea Cartridge Admin	11.83
14828	OFFICE DEPOT	2/7/2013	640463041001	General Fund	Administration	(1) ea Tape Admin	9.62
14828	OFFICE DEPOT	2/7/2013	640463041001	General Fund	Administration	(1) rm Copier paper Admin	5.64
14828	OFFICE DEPOT	2/7/2013	640463041001	General Fund	Building	(2) ea 2013 Calendar Bldg	19.57
14828	OFFICE DEPOT	2/7/2013	640463041001	General Fund	Building	(1) ea Deskpad Bldg	3.59
14828	OFFICE DEPOT	2/7/2013	640463041001	General Fund	Building	(1) ea Sorter Bldg	24.59
14828	OFFICE DEPOT	2/7/2013	640463041001	General Fund	Police	(10) ea 3-ring binder PD Transportation Comm	31.13
14828	OFFICE DEPOT	2/7/2013	640463041001	General Fund	DPW-Engineering	(2) ea Copier paper DPW	85.39
14828	OFFICE DEPOT	2/7/2013	640463041001	General Fund	DPW-Engineering	(2) dz Box DPW	37.26
14828	OFFICE DEPOT	2/7/2013	640463041001	General Fund	DPW-Engineering	(2) pk Ink DPW	60.74
14828	OFFICE DEPOT	2/7/2013	640463041001	General Fund	DPW-Engineering	(2) ea Black ink DPW	40.38
14828	OFFICE DEPOT	2/7/2013	640463041001	General Fund	DPW-Engineering	(1) pk Battery DPW	29.45
14828	OFFICE DEPOT	2/7/2013	640463041001	General Fund	DPW-Engineering	(2) pk AA Battery DPW	17.27
14828	OFFICE DEPOT	2/7/2013	640463041001	General Fund	DPW-Engineering	(1) pk AAA Battery DPW	9.13
14828	OFFICE DEPOT	2/7/2013	640463041001	General Fund	DPW-Engineering	(1) pk Scotch tape DPW	25.38
14828	OFFICE DEPOT	2/7/2013	640463041001	General Fund	DPW-Engineering	(1) pk Correction tape DPW	7.23
14828	OFFICE DEPOT	2/7/2013	640463041001	General Fund	DPW-Engineering	(1) bx Folder DPW	14.51
14828	OFFICE DEPOT	2/7/2013	640463041001	General Fund	DPW-Engineering	(1) bx Label DPW	20.53
14828	OFFICE DEPOT	2/7/2013	640463041001	General Fund	DPW-Engineering	(1) bx Label DPW	15.80
14828	OFFICE DEPOT	2/7/2013	640463041001	General Fund	DPW-Engineering	(1) bx #2 Pencil DPW	1.79
14828	OFFICE DEPOT	2/7/2013	640463041001	General Fund	DPW-Engineering	(1) dz Highlighter DPW	7.82
14828	OFFICE DEPOT	2/7/2013	640463041001	General Fund	DPW-Engineering	(1) dz Pen DPW	2.92
14828	OFFICE DEPOT	2/7/2013	640463041001	General Fund	DPW-Engineering	(1) dz Pen DPW	2.92
14828	OFFICE DEPOT	2/7/2013	640463041001	General Fund	DPW-Engineering	(1) pk Paper clip DPW	0.75
14828 Total							485.24

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Check#	Vendor Name	Check Date	Invoice#	Fund	Dept	Description	Amount
14829	PACIFIC PENINSULA GROUP	2/7/2013	BP11-00057	General Fund		Refund grading & drainage dep BP11-00057, 96 Selby Ln	1,500.00
14829 Total							1,500.00
14830	PG & E	2/7/2013	95313129439/113	General Fund	DPW-Street Maint.	93 Dinkelspiel station Ln 12/21/12 - 1/22/13	190.00
14830	PG & E	2/7/2013	92913025489/113	General Fund	DPW-Street Maint.	Corp office/Storage 12/21/12 - 1/22/13	77.07
14830	PG & E	2/7/2013	34579695882/113	General Fund	DPW-Street Maint.	Signal El Camino/Atherton 12/22/12 - 1/23/13	89.34
14830	PG & E	2/7/2013	91663025566/113	Library Fund	Non-Dept	Atherton Library 12/21/12 - 1/22/13	416.62
14830 Total							773.03
14831	POTTS BRUCE	2/7/2013	Jan 2013-DARE	General Fund	Police	DARE hat for relay race	3.24
14831	POTTS BRUCE	2/7/2013	Jan 2013-DARE	General Fund	Police	DARE BBQ charcoal	8.66
14831	POTTS BRUCE	2/7/2013	Jan 2013-DARE	General Fund	Police	DARE BBQ drop cloth	9.60
14831	POTTS BRUCE	2/7/2013	Jan 2013-DARE	General Fund	Police	DARE BBQ ice-cream	128.00
14831	POTTS BRUCE	2/7/2013	Jan 2013-DARE	General Fund	Police	DARE BBQ foods	55.91
14831	POTTS BRUCE	2/7/2013	Jan 2013-DARE	General Fund	Police	(12) dz DARE Prizes pencil assortment	61.49
14831	POTTS BRUCE	2/7/2013	Jan 2013-DARE	General Fund	Police	(12) ea DARE Prizes moody face stress ball	38.78
14831	POTTS BRUCE	2/7/2013	Jan 2013-DARE	General Fund	Police	DARE BBQ hot dogs	172.50
14831	POTTS BRUCE	2/7/2013	Jan 2013-DARE	General Fund	Police	(175) ea DARE Drug Free is Me magnets	179.50
14831 Total							657.68
14832	RUSH HOUR, INC.	2/7/2013	9041	General Fund	Police	(72) Coffee Service for PD training 1/29/13	144.00
14832	RUSH HOUR, INC.	2/7/2013	9041	General Fund	Police	(24) Linens - 24 tables for PD training 1/29/13	120.00
14832	RUSH HOUR, INC.	2/7/2013	9041	General Fund	Police	(72) Box lunches for PD training 1/29/13	684.00
14832	RUSH HOUR, INC.	2/7/2013	9041	General Fund	Police	(72) Bottled Waters for PD training 1/29/13	72.00
14832	RUSH HOUR, INC.	2/7/2013	9041	General Fund	Police	(72) Coffee Service for PD training 1/29/13	126.00
14832	RUSH HOUR, INC.	2/7/2013	9041	General Fund	Police	Delivery - \$30 for am/\$30 -pm for PD training 1/29/13	60.00
14832	RUSH HOUR, INC.	2/7/2013	9041	General Fund	Police	Tax for PD training 1/29/13	126.87
14832	RUSH HOUR, INC.	2/7/2013	9041	General Fund	Police	(47) ea Assorted Juices for PD training 1/29/13	70.50
14832	RUSH HOUR, INC.	2/7/2013	9041	General Fund	Police	(72) ea Assorted pastries for PD training 1/29/13	216.00
14832 Total							1,619.37
14833	SAGAN STUART	2/7/2013	BP11-00502	General Fund		Refund recycling dep BP11-00502, 177 Toyon	500.00
14833 Total							500.00
14834	SAN MATEO CNTY LAW ENFORCEMENT	2/7/2013	Pony# POL175/13	General Fund	Police	2013 SMCO Training Managers membership	75.00
14834 Total							75.00
14835	SAN MATEO COUNTY CHAPLAINCY	2/7/2013	315	General Fund		Refund park dep Inv#315, 1/30/13	250.00
14835 Total							250.00
14836	SANTA CRUZ POOLS	2/7/2013	BP12-00641	General Fund		Refund recycling dep BP12-00641, 202 Camino Al Lago	1,500.00
14836 Total							1,500.00
14837	SHELLEY DANA	2/7/2013	BP12-00143	General Fund		Refund recycling dep BP12-00143, 46 Douglass Way	1,000.00
14837 Total							1,000.00
14838	SPRINT	2/7/2013	130538811-062	General Fund	Police	Mobile data communication PD 12/26/12 - 1/25/13	427.02
14838 Total							427.02

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14839	US BANCORP EQUIPMENT FINANCE INC.	2/7/2013	221256373	General Fund	Police	Lease Sharp MXM283N copier PD 1/25/13 - 2/25/13	239.79
14839 Total							239.79
14840	WILLIAMS SCOTSMAN, INC	2/7/2013	96838764	General Fund	Police	Trailer rental PD 1/29/13 - 2/28/13	728.40
14840 Total							728.40
14841	ABAG	2/14/2013	9011130211	General Liability Fund	Non-Dept	GL claim# 071703 period 2/3/13 - 2/9/13	671.10
14841 Total							671.10
14842	ABAG POWER PURCHASING POOL	2/14/2013	8005348	General Fund	Administration	91 Ashfield Admin 12/22/12 - 1/23/13	20.96
14842	ABAG POWER PURCHASING POOL	2/14/2013	8005348	General Fund	Planning	Station Lane Planning 12/22/12 - 1/23/13	7.35
14842	ABAG POWER PURCHASING POOL	2/14/2013	8005348	General Fund	Building	Station Lane Bldg 12/22/12 - 1/23/13	44.09
14842	ABAG POWER PURCHASING POOL	2/14/2013	8005348	General Fund	Police	91 Ashfield PD 12/22/12 - 1/23/13	35.69
14842	ABAG POWER PURCHASING POOL	2/14/2013	8005348	General Fund	DPW-Engineering	Station Lane DPW 12/22/12 - 1/23/13	22.05
14842	ABAG POWER PURCHASING POOL	2/14/2013	8005348	General Fund	DPW-Street Maint.	99 Dinkenspiel/Corp Office 12/22/12 - 1/22/13	36.09
14842	ABAG POWER PURCHASING POOL	2/14/2013	8005348	General Fund	DPW-Park Maint.	160 Watkins (CM House) 12/25/12 - 1/24/13	2.62
14842	ABAG POWER PURCHASING POOL	2/14/2013	8005348	General Fund	DPW-Park Program	150 Watkins HP Activity Bldg 12/25/12 - 1/24/13	5.72
14842	ABAG POWER PURCHASING POOL	2/14/2013	8005348	General Fund	DPW-Park Program	150 Watkins Town of Atherton 12/25/12 - 1/24/13	94.20
14842	ABAG POWER PURCHASING POOL	2/14/2013	8005348	Library Fund	Non-Dept	2 Dinkenspiel/Station Ln Library 12/22/12 - 1/23/13	43.95
14842 Total							312.72
14843	ACCOUNTEMPS	2/14/2013	37288119	General Fund	Finance	Temp Phonpradith, Noy 1/28/13 - 1/31/13	1,285.76
14843 Total							1,285.76
14844	ACTION TOWING	2/14/2013	280629-276555	General Fund	Police	Tow service 2001 Pontiac to evidence yard	240.00
14844 Total							240.00
14845	ADVANTAGE: PRINT, MARKETING AND MORE	2/14/2013	47861	General Fund	Police	(250) Business card C. Vigil	71.24
14845 Total							71.24
14846	AT&T CALNET 2	2/14/2013	000004070231	General Fund	Non-Dept	4866 Fax credit card post office 01/01/13 - 01/31/13	15.93
14846	AT&T CALNET 2	2/14/2013	000004054629	General Fund	Non-Dept	0600 PBX switch board line 12/27/12 - 1/26/13	113.73
14846	AT&T CALNET 2	2/14/2013	000004054630	General Fund	Non-Dept	8099 Town Hall main line 12/27/12 - 1/26/13	330.59
14846 Total							460.25
14847	BARAJAS LUZ	2/14/2013	325	General Fund		Refund park dep canceled event Inv#325, 4/13/13	250.00
14847 Total							250.00
14848	BARRON III ROBERT	2/14/2013	Jan 29, 2013	General Fund	Finance	Mileage BAERS meeting 1/29/13	22.89
14848	BARRON III ROBERT	2/14/2013	Jan 29, 2013	General Fund	Finance	Live scan 9/14/12	20.00
14848	BARRON III ROBERT	2/14/2013	Feb 2013	General Fund	Finance	Fedex SB90 claims	31.52

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14848 Total							74.41
14849	BAY CITIES MOLD INSPECTION SERVICE	2/14/2013	P#571604	General Fund	DPW-Building Maint.	Mold inspection service Jan 2013	1,690.00
14849 Total							1,690.00
14850	BURLINGAME POLICE DEPARTMENT	2/14/2013	Feb 2013	General Fund	Police	20,000 rounds of .40 caliber	7,400.00
14850	BURLINGAME POLICE DEPARTMENT	2/14/2013	Feb 2013	General Fund	Police	8.25% Sales Tax	610.50
14850 Total							8,010.50
14851	CITY OF MENLO PARK	2/14/2013	Jan 2013	General Fund	Pass thru	Circulation System Assessment Report and Traffic Matrix	4,000.00
14851 Total							4,000.00
14852	CITY OF REDWOOD CITY	2/14/2013	BR28656	General Fund	Non-Dept	(33.4) hrs Contract IT support Dec & Jan 2013	4,798.58
14852 Total							4,798.58
14853	CITY OF REDWOOD CITY	2/14/2013	BR28682	General Fund	Police	Maintenance services Camry	116.72
14853	CITY OF REDWOOD CITY	2/14/2013	BR28682	General Fund	Police	Maintenance service Crwn victoria interceptor	263.13
14853	CITY OF REDWOOD CITY	2/14/2013	BR28682	General Fund	Police	Repair screw loose tire K-9 patrol	35.85
14853	CITY OF REDWOOD CITY	2/14/2013	BR28682	General Fund	Police	Maintenance service K-9 patrol	263.13
14853	CITY OF REDWOOD CITY	2/14/2013	BR28682	General Fund	Police	Replace tire, map light, front brake K-9 patrol	844.95
14853	CITY OF REDWOOD CITY	2/14/2013	BR28682	General Fund	Police	Replace wiper, spark plug, ignition wire, cooling sys Crwn vic	1,312.27
14853	CITY OF REDWOOD CITY	2/14/2013	BR28682	General Fund	Police	Replace/install wiper, front tire, data 911 camera patrol	659.97
14853	CITY OF REDWOOD CITY	2/14/2013	BR28682	General Fund	Police	Maintenance services Crwn victoria patrol	263.13
14853	CITY OF REDWOOD CITY	2/14/2013	BR28682	General Fund	Police	Replace 3 tires, marker light bulb Crwn victoria patrol	491.35
14853	CITY OF REDWOOD CITY	2/14/2013	BR28682	General Fund	Police	Replace headlight bulb crwn victoria	29.57
14853	CITY OF REDWOOD CITY	2/14/2013	BR28682	General Fund	Police	Replace fuse/repair wire to unitrol system Crwn victoria	119.49
14853	CITY OF REDWOOD CITY	2/14/2013	BR28682	General Fund	Police	Maintenance services Command unit	263.53
14853	CITY OF REDWOOD CITY	2/14/2013	BR28682	General Fund	Police	Replace/install wiper, brakes, steering hoses Command unit	851.96
14853	CITY OF REDWOOD CITY	2/14/2013	BR28682	General Fund	Police	Maintenance service Crwn victoria flat top	265.94
14853	CITY OF REDWOOD CITY	2/14/2013	BR28682	General Fund	Police	Replace interstate battery Crwn victoria flat top	174.00
14853	CITY OF REDWOOD CITY	2/14/2013	BR28682	General Fund	Police	Replace rear tires, cleans fan & vents Crwn victoria interceptor	367.41
14853 Total							6,322.40
14854	CITY OF REDWOOD CITY	2/14/2013	BR28724	General Fund	Police	Fuel charge PD 12/15/12 - 1/15/13	3,557.66
14854 Total							3,557.66
14855	COMMUNICATION STRATEGIES	2/14/2013	13077	Equipment Replacement	Non-Dept	Telecommunication consulting services Dec 2012	4,347.50
14855	COMMUNICATION STRATEGIES	2/14/2013	13108	Equipment Replacement	Non-Dept	Telecommunication consulting services Jan 2013	2,867.50
14855 Total							7,215.00
14856	COMPUTER TECHNICIANS, INC	2/14/2013	33626	General Fund	Police	HP 2430n Fuser	166.01
14856	COMPUTER TECHNICIANS, INC	2/14/2013	33626	General Fund	Police	HP 2400 Gear kit	19.00
14856	COMPUTER TECHNICIANS, INC	2/14/2013	33626	General Fund	Police	Repair service HP 2430n laser printer	97.00

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Check#	Vendor Name	Check Date	Invoice#	Fund	Dept	Description	Amount
14856 Total							282.01
14857	CREATIVE PRODUCT SOURCING, INC.	2/14/2013	56935	General Fund	Police	DARE sweat shirts/medallion/balloons for graduation	397.65
14857 Total							397.65
14858	CSG CONSULTANTS INC	2/14/2013	023708	General Fund	Building	Code enforcement services 12/29/12 - 1/25/13	5,150.00
14858 Total							5,150.00
14859	CU JENNIFER	2/14/2013	BP11-00443	General Fund		Refund 2nd utility dep BP11-00443, 317 Walsh	5,000.00
14859 Total							5,000.00
14860	DUNBAR ARMORED INC	2/14/2013	3191468	General Fund	Finance	Armored car monthly service fee Feb 2013	107.14
14860	DUNBAR ARMORED INC	2/14/2013	3191468	General Fund	Finance	Armored car monthly fuel surcharge fee Feb 2013	16.77
14860 Total							123.91
14861	ERNST DEVELOPMENT, INC.	2/14/2013	APW12-00157	General Fund		Refund road bond dep APW12-00157, 65 Adam Way	2,500.00
14861 Total							2,500.00
14862	GRAINGER INC	2/14/2013	9050976456	General Fund	DPW-Engineering	(3) Magnetic clip DPW	18.14
14862	GRAINGER INC	2/14/2013	9053713864	General Fund	DPW-Engineering	(12) Marking paint DPW	75.52
14862 Total							93.66
14863	GREENSTEIN ANNIE & SETH	2/14/2013	317	General Fund		Refund park dep Inv#317, 2/9/13	250.00
14863 Total							250.00
14864	HDL COREN & CONE	2/14/2013	0019046-IN	General Fund	Finance	Contract services property tax Jan-Mar 2013	2,250.00
14864 Total							2,250.00
14865	J.P. COOKE CO	2/14/2013	218997	General Fund	Planning	(1) N28 Custom xstamper approved by Arborist 23% Planning	33.26
14865	J.P. COOKE CO	2/14/2013	218997	General Fund	Building	(1) N28 Custom xstamper approved by Arborist 77% Bldg	86.63
14865	J.P. COOKE CO	2/14/2013	218997	General Fund	Building	(2) N28 Custom xstamper approved Bldg	250.27
14865	J.P. COOKE CO	2/14/2013	218997	General Fund	Building	(1) M41 Classix dater received/Town of Atherton Bldg	71.99
14865	J.P. COOKE CO	2/14/2013	219401	General Fund	Building	Self inking #2/replacement ink Bldg	19.92
14865 Total							462.07
14866	JARVIS, FAY, DOPORTO & GIBSON, LLP	2/14/2013	5212	General Fund	City Attorney	Legal services re. status of settlement Flecher-Ridgeview	212.29
14866 Total							212.29
14867	KIELTY KEVIN R.	2/14/2013	2532	General Fund	Planning	Contract Arborist Services- 23% Planning Jan 2013	2,156.25
14867	KIELTY KEVIN R.	2/14/2013	2532	General Fund	Building	Contract Arborist Service - 77% Bldg Jan 2013	7,218.75
14867 Total							9,375.00
14868	KREFELD'S AWARDS, INC	2/14/2013	23764	General Fund	Police	(2) Plates engraved for employee board Pronske & Vigil Haselbach	33.64
14868 Total							33.64
14869	LAMPHIER - GREGORY	2/14/2013	9370	General Fund	Pass thru	Professional services environmental review/Cartan Field	10,881.42
14869 Total							10,881.42
14870	MACDONALD JACK	2/14/2013	BP10-00547	General Fund		Replacement check#14361(Refund Temp Occ dep 2 Wisteria)	5,000.00

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14870 Total							5,000.00
14871	MID-PENINSULA ANIMAL HOSPITAL	2/14/2013	505303	General Fund	Police	Hospital visit k-9 police dog -Rex	657.11
14871	MID-PENINSULA ANIMAL HOSPITAL	2/14/2013	505414	General Fund	Police	Hospital visit K-9 police dog -Rex	18.50
14871 Total							675.61
14872	MUNISERVICES LLC	2/14/2013	SalinasLandscap	General Fund		Bus Lic. Salinas Landscapes	51.00
14872	MUNISERVICES LLC	2/14/2013	GonzalezConcret	General Fund		Bus Lic. Gonzalez Concrete	76.00
14872	MUNISERVICES LLC	2/14/2013	Lozano'sAeratin	General Fund		Bus Lic. Lozano's Aerating	51.00
14872 Total							178.00
14873	OFFICE DEPOT	2/14/2013	643937761001	General Fund	Administration	(1) ea Drive USB Admin	27.08
14873	OFFICE DEPOT	2/14/2013	643937762001	General Fund	Police	(1) pk Notes w/flag PD	13.01
14873	OFFICE DEPOT	2/14/2013	640463902001	General Fund	DPW-Engineering	(1) pk Lead DPW Eng	5.96
14873	OFFICE DEPOT	2/14/2013	640463901001	General Fund	DPW-Engineering	(1) pk Notes w/flag DPW Eng	13.01
14873 Total							59.06
14874	PG & E	2/14/2013	86713555828/113	General Fund	DPW-Street Maint.	Signal Middlefield/Encinal 12/25/12 - 1/24/13	40.79
14874	PG & E	2/14/2013	08963023620/113	General Fund	DPW-Park Maint.	160 Watkins (CM House) 12/25/12 - 1/23/13	30.10
14874 Total							70.89
14875	PURCHASE POWER	2/14/2013	38852315/0113	General Fund	Non-Dept	Postage meter fee Jan 2013	1,371.16
14875 Total							1,371.16
14876	RECALL SECURE DESTRUCTION SERV	2/14/2013	2303094306	General Fund	Police	Shred document services 12/28/12	41.45
14876	RECALL SECURE DESTRUCTION SERV	2/14/2013	2303094306	General Fund	Police	Shred document services 1/11/13	41.45
14876 Total							82.90
14877	SAN MATEO CNTY CITY MANAGERS ASSOCIATION	2/14/2013	FY2013	General Fund	Administration	2013 SMC City Manager membership	250.00
14877 Total							250.00
14878	SAN MATEO CNTY CONTROLLERS OFFICE	2/14/2013	Jan 2013	General Fund		Allocation of parking penalties Jan 2013	327.70
14878 Total							327.70
14879	SAN MATEO CNTY FORENSIC LAB	2/14/2013	CL03510	General Fund	Police	Phlebotomy/RCFL cost allocation services Jan 2013	305.43
14879 Total							305.43
14880	STATE BOARD OF EQUALIZATION	2/14/2013	2012 Sale Tax	General Fund		2012 User sale tax	(30.76)
14880	STATE BOARD OF EQUALIZATION	2/14/2013	2012 Sale Tax	General Fund		2012 User sale tax	90.76
14880	STATE BOARD OF EQUALIZATION	2/14/2013	2012 Sale Tax	General Fund	Police	2012 User sale tax	30.76
14880 Total							90.76
14881	TURBO DATA SYSTEMS INC	2/14/2013	19851	General Fund	Police	Citation processing January 2013	35.61
14881 Total							35.61
14882	USPS	2/14/2013	Feb 2013	General Fund	City Council	Bulk mail - postcard council commission/committee	386.90

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Check#	Vendor Name	Check Date	Invoice#	Fund	Dept	Description	Amount
14882 Total							386.90
14883	VERIZON WIRELESS	2/14/2013	1157753736	General Fund	Building	Wireless services Bldg 12/22/12 - 1/21/13	0.34
14883	VERIZON WIRELESS	2/14/2013	1157753736	General Fund	Police	Wireless services PD 12/22/12 - 1/21/13	67.36
14883	VERIZON WIRELESS	2/14/2013	1157753736	General Fund	DPW-Engineering	Wireless services DPW Eng 12/22/12 - 1/21/13	1.54
14883	VERIZON WIRELESS	2/14/2013	1157753736	General Fund	DPW-Street Maint.	Wireless services DPW Street 12/22/12 - 1/21/13	5.69
14883	VERIZON WIRELESS	2/14/2013	1157753736	General Fund	DPW-Park Maint.	Wireless services DPW Park 12/22/12 - 1/21/13	0.17
14883	VERIZON WIRELESS	2/14/2013	1157753736	General Fund	DPW-Park Program	Wireless services DPW Park Prog 12/22/12 - 1/21/13	0.34
14883 Total							75.44
14884	VOYAGER FLEET SYSTEMS INC.	2/14/2013	869016477304	General Fund	Police	Motorcycle fuel PD Jan 2013	39.54
14884 Total							39.54
14885	WITMER-TYSON IMPORTS INC	2/14/2013	T9622	General Fund	Police	K-9 Maintenance training Jan 2013	500.00
14885	WITMER-TYSON IMPORTS INC	2/14/2013	T9622	General Fund	Police	Dog boarding service Karli	220.00
14885	WITMER-TYSON IMPORTS INC	2/14/2013	T9622	General Fund	Police	Dog food, grooming and walking service Karli	231.05
14885 Total							951.05
14886	WOODLANE PROPERTIES	2/14/2013	BP10-00200	General Fund		Refund grading & drainage BP10-00200, 83 Alejandra	1,500.00
14886 Total							1,500.00
14887	ACCONTEMPS	2/21/2013	37299416	General Fund	Finance	Temp Phonpradith, Noy 2/4/13 - 2/7/13	1,285.76
14887 Total							1,285.76
14888	CHON YUNG LING	2/21/2013	BP12-00105	General Fund		Replace check#14778 (refund recycling dep 88 Sutherland)	1,000.00
14888 Total							1,000.00
14889	COMPUCOM SYSTEMS INC	2/21/2013	61671990	General Fund	Non-Dept	Gov End-point protec 12.1 Anti-virus renewal	1,326.00
14889 Total							1,326.00
14890	INTERWEST CONSULTING GROUP, INC	2/21/2013	13993	General Fund	Building	Inspection services for permits issued prior 8/22/11	1,480.00
14890	INTERWEST CONSULTING GROUP, INC	2/21/2013	13993	General Fund	Building	58% Total Revenue Bldg Jan 2013	41,141.99
14890	INTERWEST CONSULTING GROUP, INC	2/21/2013	13938	General Fund	DPW-Engineering	Interim Public Works Director Jan 2013	14,500.00
14890 Total							57,121.99
14891	LAMPHIER - GREGORY	2/21/2013	9390	General Fund	Pass thru	Environmental review/Menlo-Cartan Field 1/5/13 - 2/1/13	23,828.11
14891 Total							23,828.11
14892	MACDONALD JACK	2/21/2013	BP10-00547	General Fund		Refund recycling dep BP10-00547, 2 Wisteria	1,000.00
14892	MACDONALD JACK	2/21/2013	BP10-00553	General Fund		Refund recycling dep BP10-00553, 2 Wisteria	5,999.00
14892 Total							6,999.00
14893	MAZE & ASSOCIATES	2/21/2013	4862	General Fund	Finance	Basic F/S & Memorandum on Internal Control Report FY2012	103.75
14893 Total							103.75
14894	MERCER JOSEPH	2/21/2013	Apr-Dec 2012	Employee Benefits Funds	DPW-Park Maint.	Retiree Health reimbursement Apr - Dec 2012	561.15
14894 Total							561.15
14895	MUNISERVICES LLC	2/21/2013	BlackDiamondP	General Fund		Bus Lic. Black Diamond Power Stone & Landscape Inc.	126.00

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14895	MUNISERVICES LLC	2/21/2013	JamesHeating	General Fund		Bus Lic. James Heating & Air Conditioning	51.00
14895	MUNISERVICES LLC	2/21/2013	JohnAinleyConst	General Fund		Bus Lic. John Ainley Construction Inc.	51.00
14895	MUNISERVICES LLC	2/21/2013	CRBPainting	General Fund		Bus Lic. CRB Painting	76.00
14895 Total							304.00
14896	NEAL MARTIN & ASSOCIATES	2/21/2013	1285	General Fund	Pass thru	Menlo-Cartan Field deposit Jan 2013	1,424.26
14896	NEAL MARTIN & ASSOCIATES	2/21/2013	1285	General Fund	Pass thru	Sacred Heart deposit Jan 2013	1,783.38
14896	NEAL MARTIN & ASSOCIATES	2/21/2013	1285	General Fund	Planning	Contract planning services Jan 2013	12,458.89
14896	NEAL MARTIN & ASSOCIATES	2/21/2013	1286	General Fund	Planning	Housing planning services Jan 2013	564.38
14896 Total							16,230.91
14897	PITNEY BOWES INC	2/21/2013	592871	General Fund	Non-Dept	Postage meter rental 3/16/13 - 6/15/13	165.00
14897 Total							165.00
14898	URS CORP	2/21/2013	5423913	General Fund	Pass thru	Project prep draft-Sacred Heart practice gym Feb 2013	4,528.82
14898	URS CORP	2/21/2013	5391392	General Fund	Pass thru	Project prep draft-Sacred Heart practice gym Jan 2013	10,332.93
14898 Total							14,861.75
14899	US HEALTHWORKS MEDICAL GROUP P	2/21/2013	2232647-CA	General Fund	Administration	Management physical exam	172.00
14899 Total							172.00
14900	A-A LOCK & ALARM INC	2/28/2013	229319	Tennis Fund	DPW-Park Program	To rekey (3) existing double cylinder deadbolts/door knob Tennis	180.00
14900	A-A LOCK & ALARM INC	2/28/2013	229319	Tennis Fund	DPW-Park Program	(60) Commercial keys for Tennis court	227.85
14900 Total							407.85
14901	ACCONTEMPS	2/28/2013	37345385	General Fund	Finance	Temp Phonpradith, Noy 2/11/13 - 2/14/13	1,285.76
14901 Total							1,285.76
14902	AT&T CALNET 2	2/28/2013	000004067429	General Fund	Police	5396 ESL service line PD 1/1/13 - 1/31/13	65.92
14902	AT&T CALNET 2	2/28/2013	000004090471	General Fund	Police	9743 Direct connect fax line PD 1/10/13 - 2/9/13	16.39
14902	AT&T CALNET 2	2/28/2013	000004090472	General Fund	Police	6500 Main line PD 1/10/13 - 2/9/13	449.91
14902	AT&T CALNET 2	2/28/2013	000004090466	General Fund	Police	6131 Emergency line PD 1/10/13 - 2/9/13	105.13
14902	AT&T CALNET 2	2/28/2013	000004090470	General Fund	Police	3220 Fax Admin PD 1/10/13 - 2/9/13	15.98
14902	AT&T CALNET 2	2/28/2013	000004091998	General Fund	Police	1804 Dispatch fax PD 1/10/13 - 2/9/13	15.36
14902	AT&T CALNET 2	2/28/2013	000004090468	General Fund	Police	7653 Fax request service PD 1/10/13 - 2/9/13	14.65
14902	AT&T CALNET 2	2/28/2013	000004089833	General Fund	Police	9297 Dinkelspiel alarm line PD 1/10/13 - 2/9/13	15.91
14902	AT&T CALNET 2	2/28/2013	000004090467	General Fund	Police	6452 Voice print-911 PD 1/10/13 - 2/9/13	15.91
14902	AT&T CALNET 2	2/28/2013	000004090469	General Fund	Police	2801 Trailer PD 1/10/13 - 2/9/13	155.55
14902	AT&T CALNET 2	2/28/2013	000004093547	General Fund	DPW-Street Maint.	1470 PW Corp yard 1/11/13 - 2/10/13	23.01
14902	AT&T CALNET 2	2/28/2013	000004090850	General Fund	DPW-Park Program	2677 Park elevator 1/10/13 - 2/9/13	15.48
14902	AT&T CALNET 2	2/28/2013	000004067431	General Fund	DPW-Park Program	4859 HP Main house 1/1/13 - 1/31/13	65.61
14902 Total							974.81
14903	BELL PLUMBING	2/28/2013	APW13-00001	General Fund		Refund road bond dep APW13-00001, 171 Glenwood Ave	2,500.00
14903 Total							2,500.00
14904	CAL WATER SERVICE	2/28/2013	4726166666/113	General Fund	City Council	94 Ashfield Council 12/6/12 - 1/7/13	19.15
14904	CAL WATER SERVICE	2/28/2013	4726166666/113	General Fund	Administration	91 Ashfield Admin 12/6/12 - 1/7/13	19.15
14904	CAL WATER SERVICE	2/28/2013	4726166666/113	General Fund	Planning	Station Lane 12/6/12 - 1/7/13	1.92

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14904	CAL WATER SERVICE	2/28/2013	4726166666/113	General Fund	Building	Station Lane 12/6/12 - 1/7/13	11.49
14904	CAL WATER SERVICE	2/28/2013	4726166666/113	General Fund	Police	83 Ashfield 12/6/12 - 1/7/13	66.52
14904	CAL WATER SERVICE	2/28/2013	4726166666/113	General Fund	DPW-Engineering	Station Lane 12/6/12 - 1/7/13	5.74
14904	CAL WATER SERVICE	2/28/2013	9293092658/113	General Fund	DPW-Street Maint.	99 Ashfield/Corp yard 1/8/13 - 2/5/13	48.52
14904	CAL WATER SERVICE	2/28/2013	0686127445/113	General Fund	DPW-Street Maint.	Station Lane/Amtrak 1/8/13 - 2/5/13	13.45
14904	CAL WATER SERVICE	2/28/2013	4726166666/113	General Fund	DPW-Street Maint.	Alameda/Atherton 12/6/12 - 1/7/13	126.41
14904	CAL WATER SERVICE	2/28/2013	4726166666/113	General Fund	DPW-Street Maint.	El Camino Real (M#62051499) 12/6/12 - 1/7/13	73.12
14904	CAL WATER SERVICE	2/28/2013	4726166666/113	General Fund	DPW-Street Maint.	El Camino Real (m#97947324) 12/29/12 - 1/29/13	73.85
14904	CAL WATER SERVICE	2/28/2013	4726166666/113	General Fund	DPW-Park Program	150 Watkins 12/29/12 - 1/29/13	115.65
14904	CAL WATER SERVICE	2/28/2013	4726166666/113	General Fund	DPW-Park Program	150 Watkins (Fire Protection) 1/1/13 - 1/31/13	28.35
14904	CAL WATER SERVICE	2/28/2013	4726166666/113	Library Fund	Non-Dept	2 Station Lane Library 12/6/12 - 1/7/13	36.92
14904	CAL WATER SERVICE	2/28/2013	4726166666/113	Library Fund	Non-Dept	Maple Library 12/6/12 - 1/7/13	32.15
14904 Total							672.39
14905	CENTRAL MAINTENANCE COMPANY	2/28/2013	3152-0213	General Fund	DPW-Park Maint.	Janitorial Services Park Feb 2013	560.00
14905	CENTRAL MAINTENANCE COMPANY	2/28/2013	3152-0213	General Fund	DPW-Building Maint.	Janitorial Services Facilities Feb 2013	1,152.85
14905	CENTRAL MAINTENANCE COMPANY	2/28/2013	3152-0213	Library Fund	Non-Dept	Janitorial Services Library Feb 2013	342.00
14905 Total							2,054.85
14906	CLARK PEST CONTROL	2/28/2013	13828022	Library Fund	Non-Dept	Pest control services Library Feb 2013	95.00
14906 Total							95.00
14907	COMCAST	2/28/2013	0122498/0213	General Fund	Non-Dept	High speed internet 2/21/13 - 3/20/13	209.90
14907 Total							209.90
14908	CONNERS WILLIAM B.	2/28/2013	Feb 2013	General Fund	City Attorney	City Attorney Retainer Feb 2013	12,800.00
14908 Total							12,800.00
14909	CONTRACT SWEEPING SERVICES	2/28/2013	INV130000191	General Fund	DPW-Street Maint.	Contract Sweeping Service Jan 2013	1,091.97
14909 Total							1,091.97
14910	CUTWATER INVESTOR SERVICES CORP.	2/28/2013	17274A	General Fund	Finance	Investment advisory svcs Jan 2013	1,000.00
14910 Total							1,000.00
14911	DISCOUNT PLUMBING & ROOTER CO	2/28/2013	APW11-00138	General Fund		Refund road bond dep APW11-00138, 76 Rittenhouse	2,500.00
14911	DISCOUNT PLUMBING & ROOTER CO	2/28/2013	APW13-00003	General Fund		Refund road bond dep APW13-00003, 39 Barry Ln	2,500.00
14911 Total							5,000.00
14912	ERNST DEVELOPMENT, INC.	2/28/2013	BP11-00646	General Fund		Refund 2nd utility dep BP11-00646, 65 Adam Way	5,000.00
14912 Total							5,000.00
14913	HERRERO CONTRACTORS INC.	2/28/2013	APW11-00148	General Fund		Refund road bond dep APW11-00148, 150 Valparaiso	2,500.00
14913 Total							2,500.00
14914	J & N PRINTING	2/28/2013	10904	General Fund	City Council	(2550) Committee recruitment postcards	279.93
14914 Total							279.93

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14915	MASSIHPOUR SHAWN	2/28/2013	39357 Land	General Fund		Refund landscape screen dep P#39357, 297 Polhemus	5,000.00
14915	MASSIHPOUR SHAWN	2/28/2013	39357 Utility	General Fund		Refund 2nd utility dep P#39357, 297 Polhemus	5,000.00
14915 Total							10,000.00
14916	MCE CORPORATION	2/28/2013	1301117	General Fund	DPW-Street Maint.	Contract maintenance services Street Jan 2013	21,111.48
14916	MCE CORPORATION	2/28/2013	1301117	General Fund	DPW-Park Maint.	Contract maintenance services Park Jan 2013	11,516.95
14916	MCE CORPORATION	2/28/2013	1301117	General Fund	DPW-Park Program	Contract maintenance services Park Program Jan 2013	1,711.78
14916	MCE CORPORATION	2/28/2013	1301117	General Fund	DPW-Building Maint.	Contract maintenance services Facilities Jan 2013	4,674.20
14916	MCE CORPORATION	2/28/2013	1301117	Tennis Fund	DPW-Park Program	Contract maintenance services Tennis court Jan 2013	238.40
14916	MCE CORPORATION	2/28/2013	1301117	Library Fund	Non-Dept	Contract maintenance services Library Jan 2013	585.51
14916 Total							39,838.32
14917	MILNE DESIGN AND BUILD	2/28/2013	APW11-00142	General Fund		Refund road bond dep APW11-00142, 123 Austin Ave.	2,500.00
14917 Total							2,500.00
14918	NEC CORPORATION OF AMERICA	2/28/2013	TM0000036496	General Fund	Building	Phone service switched extension Bldg	203.75
14918	NEC CORPORATION OF AMERICA	2/28/2013	TM0000036496	General Fund	DPW-Engineering	Phone service switched extension DPW	203.75
14918 Total							407.50
14919	OFFICE DEPOT	2/28/2013	646478864001	General Fund	Administration	(1) ca Copier paper Admin	42.69
14919	OFFICE DEPOT	2/28/2013	646478864001	General Fund	Administration	(2) dz 3"x3" Post it note pad Admin	22.11
14919	OFFICE DEPOT	2/28/2013	646478864001	General Fund	Administration	(2) pk Post it note Admin	28.30
14919	OFFICE DEPOT	2/28/2013	646478864001	General Fund	Administration	(1) pk 1.5x2" Post it note pad Admin	5.79
14919	OFFICE DEPOT	2/28/2013	646478864001	General Fund	Administration	(1) pk 1.5x2" Post it pad Admin	5.18
14919	OFFICE DEPOT	2/28/2013	646478864001	General Fund	Administration	(4) bx Large clip Admin	2.83
14919	OFFICE DEPOT	2/28/2013	646478864001	General Fund	Administration	(1) pk Small clip Admin	1.15
14919	OFFICE DEPOT	2/28/2013	646478864001	General Fund	Administration	(4) bx Mini clip Admin	3.17
14919	OFFICE DEPOT	2/28/2013	646478864001	General Fund	Administration	(1) dz highlighter Admin	7.82
14919 Total							119.04
14920	PG & E	2/28/2013	56788311910/113	General Fund	Administration	91 Ashfield/Town Hall 12/21/12 - 1/23/13	618.98
14920	PG & E	2/28/2013	56788311910/113	General Fund	Planning	Station Lane Planning 12/31/12 - 1/29/13	17.11
14920	PG & E	2/28/2013	56788311910/113	General Fund	Building	Station Lane Bldg 12/31/12 - 1/29/13	102.65
14920	PG & E	2/28/2013	74579693321/113	General Fund	Police	83 Ashfield 12/22/13 - 1/23/13	1,603.77
14920	PG & E	2/28/2013	56788311910/113	General Fund	DPW-Engineering	Station Lane DPW 12/31/12 - 1/29/13	51.33
14920	PG & E	2/28/2013	56788311910/113	General Fund	DPW-Street Maint.	Signal Middlefield/Oak Grove 12/25/12 - 1/24/13	39.36
14920	PG & E	2/28/2013	56788311910/113	General Fund	DPW-Street Maint.	Signal E/S Middlefield 12/25/12 - 1/24/13	59.04
14920	PG & E	2/28/2013	56788311910/113	General Fund	DPW-Street Maint.	Signal Marsh/Middlefield 12/25/12 - 1/24/13	10.18
14920	PG & E	2/28/2013	56788311910/113	General Fund	DPW-Street Maint.	Street lights 1/1/13 - 1/30/13	4,121.51
14920	PG & E	2/28/2013	56788311910/113	General Fund	DPW-Park Maint.	Pump-150 Watkins 12/31/12 - 1/29/13	80.59
14920	PG & E	2/28/2013	56788311910/113	General Fund	DPW-Park Program	Activity Bldg -150 Watkins 12/31/12 - 1/29/13	199.33
14920	PG & E	2/28/2013	56788311910/113	General Fund	DPW-Park Program	Modular Bldg -150 Watkins 12/31/12 - 1/29/13	313.61
14920 Total							7,217.46
14921	RADAR SHOP THE	2/28/2013	9256	General Fund	Police	Re-certified 7 radar units PD	462.00

Town of Atherton							
Checks by Date - Detail by Check Number							
For the Month of February 2013							
Check#	Vendor Name	Check Date	Invoice#	Fund	Dept	Description	Amount
14921	RADAR SHOP THE	2/28/2013	9255	General Fund	Police	Re-certified 1 laser unit PD	89.00
14921	RADAR SHOP THE	2/28/2013	9255	General Fund	Police	Re-certified 3 radar units PD	198.00
14921 Total							749.00
14922	ROTO ROOTER SERVICES CO	2/28/2013	19317009967	General Fund	DPW-Building Maint.	Video inspect sewer pipe PD	292.50
14922 Total							292.50
14923	SAN MATEO CNTY INFO SERV DEPT	2/28/2013	1YAT11301	General Fund	Police	Microwave micro channel Jan 2013	152.00
14923	SAN MATEO CNTY INFO SERV DEPT	2/28/2013	1YAT11301	General Fund	Police	MessageSwitch lines Jan 2013	1,154.08
14923 Total							1,306.08
14924	SAN MATEO REGIONAL NETWORK INC	2/28/2013	20529	General Fund	Police	Network monthly access fee T-1 service Feb 2013	385.00
14924 Total							385.00
14925	SIEMENS	2/28/2013	400092278	General Fund	DPW-Street Maint.	Traffic signal maint service Middlefield/Encinal Dec 2012	104.67
14925	SIEMENS	2/28/2013	400092278	General Fund	DPW-Street Maint.	Traffic signal maint service Middlefield/Marsh Dec 2012	104.67
14925	SIEMENS	2/28/2013	400092278	General Fund	DPW-Street Maint.	Traffic signal maint service Middlefield/Oak Grove Dec 2012	104.67
14925	SIEMENS	2/28/2013	400092278	General Fund	DPW-Street Maint.	Illuminated in-pavement x-walk Valparaiso/Emilie Dec 2012	50.00
14925	SIEMENS	2/28/2013	400095090	General Fund	DPW-Street Maint.	Traffic signal maint service Middlefield/Encinal Jan 2013	104.67
14925	SIEMENS	2/28/2013	400095090	General Fund	DPW-Street Maint.	Traffic signal maint service Middlefield/Marsh Jan 2013	104.67
14925	SIEMENS	2/28/2013	400095090	General Fund	DPW-Street Maint.	Traffic signal maint service Middlefield/Oak Grove Jan 2013	104.67
14925	SIEMENS	2/28/2013	400095090	General Fund	DPW-Street Maint.	Illuminated in-pavement x-walk Valparaiso/Emilie Jan 2013	50.00
14925 Total							728.02
14926	TELECOMMUNICATIONS ENGINEERING	2/28/2013	42291	General Fund	Police	Facilities mgmt & maint for public safety comm center	934.00
14926	TELECOMMUNICATIONS ENGINEERING	2/28/2013	42291	General Fund	Police	Facilities mgmt & maint for public safety comm center	292.00
14926 Total							1,226.00
14927	THE WORNICK COMPANY	2/28/2013	INV-055525	General Fund	Police	(96) cases Emgergency Meal Kits	5,184.00
14927	THE WORNICK COMPANY	2/28/2013	INV-055525	General Fund	Police	Freight charge - Emgergency Meal Kits	375.00
14927 Total							5,559.00
14928	WEST COAST ARBORISTS, INC.	2/28/2013	85570	General Fund	DPW-Street Maint.	Tree removal 38 Atherton Ave. Dec 2012	1,036.00
14928	WEST COAST ARBORISTS, INC.	2/28/2013	85812	General Fund	DPW-Street Maint.	Tree removal 1 Holbrook Ln Jan 2013	999.00
14928 Total							2,035.00
14929	YAFFE JOSEPH & KATHERINE	2/28/2013	BP11-00647	General Fund		Refund grading & drainage dep BP11-00647, 65 Adam Way	1,500.00
14929 Total							1,500.00
Grand Total							363,137.83



Town of Atherton

CITY COUNCIL STAFF REPORT - CONSENT

**TO: HONORABLE MAYOR AND CITY COUNCIL
GEORGE RODERICKS, CITY MANAGER**

FROM: ROBERT BARRON III, FINANCE DIRECTOR

DATE: MARCH 20, 2013

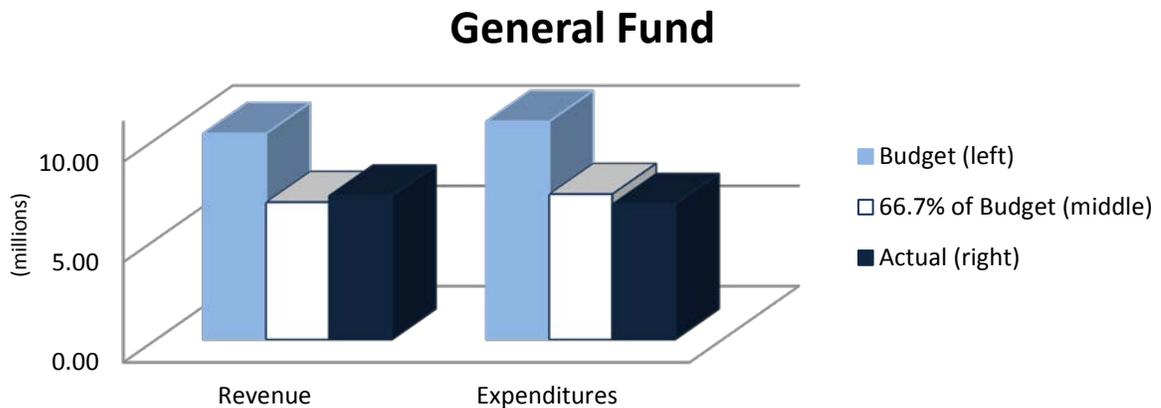
SUBJECT: FINANCIAL REPORT FOR FEBRUARY 28, 2013

RECOMMENDATION

Receive the General Fund Financial Report for February 28, 2013

DISCUSSION

This report is a snap shot of our financials at the end of February 28th. Below is a chart to reflect the eight months of the fiscal year.



General Fund Revenues

As of February 28th the General Fund has reported Revenues of \$7,166,071 and is 69.7% of the annual budgeted revenue of \$10,275,267 for FY 2013.

Property Taxes which comprises of 68% of our budgeted revenue are at \$4,736,611 and are 12.5% higher than actual property taxes received at this time last year. This is attributed to earlier County projections of about 8% increase in revenues. Secured property tax is 9.8% more than revenue received by the same time last year. Current secured tax received is \$2,904,393. Projected increase in total property taxes received for fiscal year is \$558,474.

Sales and Use Tax revenue is budgeted at \$115,000. We have received \$78,361 and this represents 67.8% of our budgeted sales tax revenues.

Franchise Taxes to the Town of Atherton come from PG&E, Cal Water, Garbage, and Cable. Garbage Franchise fees collected year to date are \$204,852 or 62.1% of budgeted fees of \$330,000. With the presentation of Mid-Year budget, staff expects a decrease in garbage fees of \$23,300. The Town has received the Cable Franchise fees of \$57,274.

Business license renewals are sent out in June each year and therefore the majority of the revenue is received in August and September with ongoing business fees being processed throughout the year. This year receipts to date are about 2.3% more than last year. Current year business license revenue is \$139,220 or 87% of budget amount of \$160,000.

Overall building development related fees are \$808,642, or 59.7% of annual budget of \$1,354,800. With Mid-Year projections staff projects a decrease in building fees of about \$186,900. Zoning and Planning fees are \$125,569 and at 82% of budget.

General Fund Expenditures

The General Fund reported expenditures ending February 28th are \$6,749,316 which is 62.1% of the annual expenditure budget for FY 2013. Our General Fund Expenditures are down 1.6% from this time last year. The Town departments are within the target budgets of 66.7% as of February 28th. Staff presented the Mid-Year budget report and expects an overall increase in operating revenue \$967,102 as well as a net decrease of operating department expenditures of \$126,000.

As of February 28th the Town Net Change in fund balance is \$416,755. With the Mid-Year budget review of revenues and expenditures the Town expects a net projected fund balance of \$1,093,100 and year-end of fund balance of \$1,533,708.

FISCAL IMPACT

There is no fiscal impact associated with accepting this report.

Prepared by:

Approved by:

Robert Barron III, Finance Director
Attachment: Financial Report

George Rodericks, City Manager

Town of Atherton
General Fund
 Financial Report for the Eighth Months Ended February 28, 2013
 (Excl. Encumbrances)

Dept	Description	Budget Adopted 2013	Revised Budget FY12/13	8/12 of Budget	Actual July 12 to Feb 13	Accrual	Adjusted Actual July 12 to Feb 13	Variance of 8/12 of Budget	% of 8/12 Budget	Year-To-Date Variance	% of Annual Budget	Adjusted Actual July 11 to Feb 12	Incr/(decr) over PY	% Change
			(a)	(b)	(c)	(d)	(e)	(b-e)	(e/b)	(a-e)	(e/a)	(f)	g=(e-f)	(g/f)
	Revenues			66.7%										
	Secured	5,038,000	5,038,000	3,358,667	2,904,393		2,904,393	454,274	86.5%	2,133,607	57.6%	2,644,711	259,682	9.8%
	Unsecured	278,000	278,000	185,333	306,592		306,592	(121,259)	165.4%	(28,592)	110.3%	273,019	33,573	12.3%
	SB813 Redemption (Supplemental)	70,000	70,000	46,667	55,517		55,517	(8,850)	119.0%	14,483	79.3%	41,738	13,779	33.0%
	Property Tax In Lieu of VLF	680,000	680,000	453,333	372,937		372,937	80,396	82.3%	307,063	54.8%	342,059	30,878	9.0%
	ERAF Subvention	695,000	695,000	463,333	892,094		892,094	(428,761)	192.5%	(197,094)	128.4%	718,479	173,615	24.2%
	Document TRSF Tax	255,000	255,000	170,000	205,078		205,078	(35,078)	120.6%	49,922	80.4%	188,639	16,439	8.7%
	Total Property Taxes	7,016,000	7,016,000	4,677,333	4,736,611	-	4,736,611	(59,278)	101.3%	2,279,389	67.5%	4,208,645	527,966	12.5%
	Local Sales & Use Tax	115,500	115,500	77,000	78,361		78,361	(1,361)	101.8%	37,139	67.8%	111,987	(33,626)	-30.0%
	Public Safety Sales Tax (Prop 172)	26,500	26,500	17,667	42,790		42,790	(25,123)	242.2%	(16,290)	161.5%	38,566	4,223	11.0%
	In Lieu Sales Tax/Triple Flip	62,400	62,400	41,600	36,893		36,893	4,707	88.7%	25,507	59.1%	24,560	12,333	50.2%
	Total Sales Taxes	204,400	204,400	136,267	158,043	-	158,043	(21,776)	116.0%	46,357	77.3%	175,113	(17,070)	-9.7%
	Franchise Taxes-PG&E	230,000	230,000	153,333	-		-	153,333	0.0%	230,000	0.0%	1,924	(1,924)	-100.0%
	Franchise Tax-Cal Water	104,500	104,500	69,667	-		-	69,667	0.0%	104,500	0.0%	105,418	(105,418)	-100.0%
	Franchise Tax-Garbage	330,000	330,000	220,000	204,852		204,852	15,148	93.1%	125,148	62.1%	154,882	49,970	32.3%
	Franchise Taxes-Cable	110,000	110,000	73,333	57,274		57,274	16,060	78.1%	52,726	52.1%	26,439	30,835	116.6%
	Total Franchise Fees	774,500	774,500	516,333	262,125	-	262,125	254,208	50.8%	512,375	33.8%	288,663	(26,538)	-9.2%
	Home Owners Exemption	34,000	34,000	22,667	17,908		17,908	4,758	79.0%	16,092	52.7%	17,138	771	4.5%
	Motor Veh. Lic Fees (MVLF)	-	-	-	3,872		3,872	(3,872)		(3,872)		3,737	135	3.6%
	SB 90 reimbursement	-	-	-	1,083		1,083	(1,083)		(1,083)		1,002	81	8.1%
	Total Intergovernmental	34,000	34,000	22,667	22,864	-	22,864	(197)	100.9%	11,136	67.2%	21,877	987	4.5%
	Business Licenses	160,000	160,000	106,667	139,220		139,220	(32,553)	130.5%	20,780	87.0%	136,078	3,142	2.3%
	Total Business License Tax	160,000	160,000	106,667	139,220	-	139,220	(32,553)	130.5%	20,780	87.0%	136,078	3,142	2.3%
	Home Occupation	800	800	533	-		-	533	0.0%	800	0.0%	500	(500)	-100.0%
	Zoning & Planning Fees	153,000	153,000	102,000	125,569		125,569	(23,569)	123.1%	27,431	82.1%	87,664	37,905	43.2%
	Total Planning Revenue	153,800	153,800	102,533	125,569	-	125,569	(23,036)	122.5%	28,231	81.6%	88,164	37,405	42.4%
	Building Permit	903,900	903,900	602,600	525,350		525,350	77,250	87.2%	378,550	58.1%	650,686	(125,336)	-19.3%
	Grading & Drain Permit	60,000	60,000	40,000	38,836		38,836	1,164	97.1%	21,164	64.7%	39,501	(665)	-1.7%
	Photocopy Fee	1,000	1,000	667	1,076		1,076	(409)	161.4%	(76)	107.6%	2,753	(1,677)	-60.9%
	Plan Check Fee Building	374,900	374,900	249,933	223,619		223,619	26,314	89.5%	151,281	59.6%	259,996	(36,378)	-14.0%
	Tree Removal Plan Check	15,000	15,000	10,000	19,761		19,761	(9,761)	197.6%	(4,761)	131.7%	13,510	6,251	46.3%
	Total Building Revenue	1,354,800	1,354,800	903,200	808,642	-	808,642	94,558	89.5%	546,158	59.7%	966,446	(157,804)	-16.3%
	Muni/Vehicle Code Fines (Parking)	15,000	15,000	10,000	9,470		9,470	530	94.7%	5,530	63.1%	7,158	2,311	32.3%
	Other Fines & Forfeit (County)	40,000	40,000	26,667	22,088		22,088	4,578	82.8%	17,912	55.2%	33,003	(10,914)	-33.1%
	POST Reimbursement	7,500	7,500	5,000	10,072		10,072	(5,072)	201.4%	(2,572)	134.3%	13,851	(3,779)	-27.3%
	DOJ Grant (vest)	-	-	-	-		-	-		-		-	-	
	DUI Grant	6,000	6,000	4,000	1,309		1,309	2,691	32.7%	4,691	21.8%	1,257	52	4.2%
	ABAG Grant	7,000	7,000	4,667	7,891		7,891	(3,225)	169.1%	(891)	112.7%	9,206	(1,315)	-14.3%
	Alarm Sign Fees	600	600	400	380		380	20	95.0%	220	63.3%	300	80	26.7%
	Vehicle Release	2,500	2,500	1,667	4,543		4,543	(2,876)	272.6%	(2,043)	181.7%	1,948	2,595	133.2%
	Police Report	1,000	1,000	667	39		39	627	5.9%	961	3.9%	120	(81)	-67.2%
	Fingerprinting Fee	325	325	217	62		62	155	28.6%	263	19.1%	424	(362)	-85.4%
	Affidavit of Cost	300	300	200	550		550	(350)	275.0%	(250)	183.3%	-	550	
	Special Service Fee	3,000	3,000	2,000	1,349		1,349	651	67.5%	1,651	45.0%	1,689	(339)	-20.1%
	Solicitor's Fee	100	100	67	176		176	(109)	264.0%	(76)	176.0%	141	35	24.8%
	Donations/Contributions	-	-	-	-		-	-		-		100	(100)	-100.0%
	Total Police Revenue	83,325	83,325	55,550	57,930	-	57,930	(2,380)	104.3%	25,395	69.5%	69,197	(11,267)	-16.3%
	C/CAG AB 1546	12,535	12,535	8,357	6,702		6,702	1,655	80.2%	5,833	53.5%	11,942	(5,240)	-43.9%
	ABAG Grant	5,000	5,000	3,333	12,400		12,400	(9,067)	372.0%	(7,400)	248.0%	3,299	9,101	275.9%
	Grants	-	-	-	-		-	-		-		-	-	
	Highway Maint Reimbursement	35,700	35,700	23,800	-		-	23,800	0.0%	35,700	0.0%	-	-	
	Encroachment Permit	168,000	168,000	112,000	106,051		106,051	5,949	94.7%	61,950	63.1%	115,582	(9,532)	-8.2%
	Photocopy Fee	25	25	17	101		101	(84)	605.4%	(76)	403.6%	94	7	7.3%
	Total DPW Revenue	221,260	221,260	147,507	125,253	-	125,253	22,254	84.9%	96,007	56.6%	130,916	(5,664)	-4.3%

Town of Atherton														
General Fund														
Financial Report for the Eighth Months Ended February 28, 2013														
(Excl. Encumbrances)														
Dept	Description	Budget Adopted 2013	Revised Budget FY12/13	8/12 of Budget	Actual July 12 to Feb 13	Accrual	Adjusted Actual July 12 to Feb 13	Variance of 8/12 of Budget	% of 8/12 Budget	Year-To-Date Variance	% of Annual Budget	Adjusted Actual July 11 to Feb 12	Incr/(decr) over PY	% Change
			(a)	(b)	(c)	(d)	(e)	(b-e)	(e/b)	(a-e)	(e/a)	(f)	g=(e-f)	(g/f)
				66.7%										
	Social Fees	35,000	35,000	23,333	17,713		17,713	5,621	75.9%	17,288	50.6%	21,450	(3,738)	-17.4%
	Meeting Fees	30,000	30,000	20,000	16,900		16,900	3,100	84.5%	13,100	56.3%	13,175	3,725	28.3%
	Misc. Park Use Fee	1,000	1,000	667	2,400		2,400	(1,733)	360.0%	(1,400)	240.0%	1,400	1,000	71.4%
	Class Fees	10,000	10,000	6,667	14,000		14,000	(7,333)	210.0%	(4,000)	140.0%	15,775	(1,775)	-11.3%
	Weddings	-	-	-	-		-	-	-	-	-	27,750	(27,750)	-100.0%
	Total Park Program Revenue	76,000	76,000	50,667	51,013	-	51,013	(346)	100.7%	24,988	67.1%	79,550	(28,538)	-35.9%
	Other Licenses & Permit	400	400	267	499		499	(232)	187.1%	(99)	124.8%	1,263	(764)	-60.5%
	Other Reimbursements	-	-	-	14,045		14,045	(14,045)	-	(14,045)	-	13,962	83	0.6%
	Document/research Fee	-	-	-	18		18	(18)	-	(18)	-	23	(5)	-22.6%
	Interest Income	65,000	65,000	43,333	35,892		35,892	7,441	82.8%	29,108	55.2%	32,049	3,843	12.0%
	Cellular Antenna Lease	41,682	41,682	27,788	29,002		29,002	(1,214)	104.4%	12,680	69.6%	27,621	1,381	5.0%
	Property Rental-Playschool	77,600	77,600	51,733	58,588		58,588	(6,855)	113.3%	19,012	75.5%	52,079	6,510	12.5%
	Sale of Property	-	-	-	33		33	(33)	-	(33)	-	3,497	(3,463)	-99.1%
	Post Office	7,500	7,500	5,000	4,800		4,800	200	96.0%	2,700	64.0%	4,610	189	4.1%
	Donations/Contributions	-	-	-	-		-	-	-	-	-	-	-	-
	Miscellaneous Income	5,000	5,000	3,333	1,844		1,844	1,489	55.3%	3,156	36.9%	2,945	(1,101)	-37.4%
	Escheated unclaimed property	-	-	-	-		-	-	-	-	-	3,641	(3,641)	-100.0%
	Settlement/Claims	-	-	-	184,081		184,081	(184,081)	-	(184,081)	-	-	184,081	-
	Mitigation Fees	-	-	-	350,000		350,000	(350,000)	-	(350,000)	-	-	350,000	-
	Total Misc. Revenue	197,182	197,182	131,455	678,802	-	678,802	(547,348)	516.4%	(481,620)	344.3%	141,689	537,114	379.1%
	Total Revenues	10,275,267	10,275,267	6,850,178	7,166,071	-	7,166,071	(315,893)	104.6%	3,109,196	69.7%	6,306,338	859,733	13.6%
	EXPENDITURES													
City Council	Utilities-Water	1,350	1,350	900	1,874		1,874	(974)	208.3%	(524)	138.8%	2,021	(147)	-7.3%
	Advertising/Noticing	3,650	3,650	2,433	1,966		1,966	468	80.8%	1,685	53.8%	-	1,966	100.0%
	Business Meetings & Meals	1,200	1,200	800	185		185	615	23.2%	1,015	15.4%	2,761	(2,576)	-93.3%
	Conferences	5,000	5,000	3,333	1,749		1,749	1,584	52.5%	3,251	35.0%	300	1,449	483.2%
	Training & Workshops	1,000	1,000	667	322		322	344	48.3%	678	32.2%	-	322	100.0%
	Membership/Dues	7,230	7,230	4,820	8,078		8,078	(3,258)	167.6%	(848)	111.7%	7,095	983	13.9%
	Mileage Reimbursement	500	500	333	-		-	333	0.0%	500	0.0%	-	-	-
	Environmental Programs (EPC)	5,000	5,000	3,333	-		-	3,333	0.0%	5,000	0.0%	-	-	-
	Commission & Committee	1,000	1,000	667	667		667	(0)	100.0%	333	66.7%	-	667	-
	Other Contract Services	24,000	24,000	16,000	4,935	1,050	5,985	10,015	37.4%	18,015	24.9%	-	5,985	100.0%
	Office Supplies	1,200	1,200	800	1,147	74	1,221	(421)	152.6%	(21)	101.7%	275	946	343.8%
	Computer Equipment/Software	-	-	-	5		5	(5)	0.0%	(5)	-	-	5	-
	Office Equip & Furniture	8,400	8,400	5,600	1,876		1,876	3,724	33.5%	6,524	22.3%	570	1,306	229.1%
	City Council Totals:	59,530	59,530	39,687	22,804	1,124	23,928	15,759	60.3%	35,602	40.2%	13,022	10,906	83.7%
Administration (CM,CC,HR)	Salaries & Benefits	535,932	533,933	355,955	305,670	12,270	317,941	38,015	89.3%	215,992	59.5%	162,038	155,903	96.2%
	Professional Services	65,000	65,000	43,333	6,209		6,209	37,124	14.3%	58,791	9.6%	108,396	(102,187)	-94.3%
	General Operations	160,083	162,083	108,055	38,666		38,666	69,389	35.8%	123,417	23.9%	18,079	20,587	113.9%
	Supplies & Materials	7,200	7,200	4,800	2,369	136	2,505	2,295	52.2%	4,695	34.8%	2,257	248	11.0%
	Capital Outlay	4,000	4,000	2,667	-		-	2,667	0.0%	4,000	0.0%	162	(162)	-100.0%
	Administration Totals:	772,215	772,216	514,811	352,914	12,406	365,320	149,490	71.0%	406,896	47.3%	290,933	74,387	25.6%
City Attorney	Professional Services	204,100	204,100	136,067	102,612		102,612	33,454	75.4%	101,488	50.3%	80,529	22,083	27.4%
	General Operations	-	-	-	-		-	-	0.0%	-	-	-	-	-
	Supplies & Materials	-	-	-	-		-	-	0.0%	-	-	166	(166)	-100.0%
	City Attorney Totals:	204,100	204,100	136,067	102,612	-	102,612	33,454	75.4%	101,488	50.3%	80,695	21,918	27.2%
Finance	Salaries & Benefits	475,153	475,153	316,769	196,103	7,874	203,977	112,792	64.4%	271,177	42.9%	245,027	(41,050)	-16.8%
	Professional Services	107,776	107,776	71,851	62,674		62,674	9,177	87.2%	45,102	58.2%	54,614	8,059	14.8%

Town of Atherton														
General Fund														
Financial Report for the Eighth Months Ended February 28, 2013														
(Excl. Encumbrances)														
Dept	Description	Budget Adopted 2013	Revised Budget FY12/13	8/12 of Budget	Actual July 12 to Feb 13	Accrual	Adjusted Actual July 12 to Feb 13	Variance of 8/12 of Budget	% of 8/12 Budget	Year-To-Date Variance	% of Annual Budget	Adjusted Actual July 11 to Feb 12	Incr/(decr) over PY	% Change
			(a)	(b)	(c)	(d)	(e)	(b-e)	(e/b)	(a-e)	(e/a)	(f)	g=(e-f)	(g/f)
				66.7%										
	General Operations	95,854	95,854	63,903	82,334	1,114	83,449	(19,546)	130.6%	12,405	87.1%	94,801	(11,352)	-12.0%
	Supplies & Materials	3,000	3,000	2,000	800	26	826	1,174	41.3%	2,174	27.5%	1,194	(368)	-30.8%
	Capital Outlay	2,000	2,000	1,333	-	-	-	1,333	0.0%	2,000	0.0%	-	-	-
	Finance Totals:	683,783	683,783	455,855	341,911	9,014	350,925	104,930	77.0%	332,858	51.3%	395,636	(44,711)	-11.3%
Planning	Contract Planner	200,000	200,000	133,333	110,444	14,079	124,524	8,810	93.4%	75,476	62.3%	66,861	57,663	86.2%
	Contract Arborist Service	30,000	30,000	20,000	15,353	2,174	17,526	2,474	87.6%	12,474	58.4%	11,161	6,366	100.0%
	General Operations	3,400	3,400	2,267	849	51	899	1,368	39.7%	2,501	26.4%	836	64	7.6%
	Supplies & Materials	2,200	2,200	1,467	469	59	528	939	36.0%	1,672	24.0%	710	(182)	-25.7%
	Planning Totals:	235,600	235,600	157,067	127,114	16,362	143,477	13,590	91.3%	92,123	60.9%	79,567	63,910	80.3%
Building	Salaries & Benefits	153,971	153,971	102,647	114,421	2,485	116,905	(14,258)	113.9%	37,065	75.9%	246,796	(129,890)	-52.6%
	Professional Services	131,285	131,285	87,523	136,731	8,665	145,396	(57,873)	166.1%	(14,111)	110.7%	161,142	(15,746)	-9.8%
	Contract Arborist Service	100,000	100,000	66,667	51,398	7,277	58,674	7,993	88.0%	41,326	58.7%	31,765	26,910	100.0%
	Contract Building & Life Safety Svs	760,300	760,300	506,867	404,378	62,007	466,385	40,482	92.0%	293,915	61.3%	412,032	54,353	100.0%
	General Operations	13,161	13,161	8,774	9,721	51	9,772	(998)	111.4%	3,389	74.3%	9,592	180	1.9%
	Supplies & Materials	2,500	2,500	1,667	3,123	68	3,190	(1,524)	191.4%	(690)	127.6%	2,408	782	32.5%
	Capital Outlay	1,500	1,500	1,000	364	-	364	636	36.4%	1,136	24.2%	325	39	12.0%
	Transfer to Bldg Const. Facility Fund	80,000	80,000	53,333	53,333	-	53,333	(0)	100.0%	26,667	66.7%	102,237	(48,904)	-47.8%
	Building Totals:	1,242,717	1,242,717	828,478	773,468	80,552	854,020	(25,542)	103.1%	388,697	68.7%	966,296	(112,276)	-11.6%
Non Dept.	Salaries & Benefits	2,000	2,000	1,333	989	-	989	344	74.2%	1,011	49.5%	1,325	(336)	-25.4%
	Professional Services	50,000	50,000	33,333	13,476	-	13,476	19,857	40.4%	36,524	27.0%	45,475	(31,999)	-70.4%
	General Operations	580,725	580,725	387,150	448,489	-	448,489	(61,339)	115.8%	132,236	77.2%	415,241	33,248	8.0%
	Supplies & Materials	35,442	35,442	23,628	25,844	4,081	29,925	(6,297)	126.7%	5,517	84.4%	9,639	20,286	210.5%
	Capital Outlay	97,700	97,700	65,133	-	-	-	65,133	0.0%	97,700	0.0%	-	-	-
	Non-Dept. Totals:	765,867	765,867	510,578	488,798	4,081	492,879	17,699	96.5%	272,988	64.4%	471,680	21,199	4.5%
Police	Salaries & Benefits	4,918,378	4,818,377	3,212,252	3,140,609	90,007	3,230,616	(18,364)	100.6%	1,587,762	67.0%	3,099,817	130,799	4.2%
	Professional Services	59,027	74,027	49,351	52,062	-	52,062	(2,711)	105.5%	21,965	70.3%	158,140	(106,078)	-67.1%
	General Operations	347,657	407,657	271,771	248,892	14,397	263,289	8,482	96.9%	144,368	64.6%	245,458	17,831	7.3%
	Supplies & Materials	126,000	151,000	100,667	67,906	2,824	70,731	29,936	70.3%	80,269	46.8%	74,645	(3,914)	-5.2%
	Capital Outlay	12,000	12,000	8,000	2,200	-	2,200	5,801	27.5%	9,801	18.3%	34,799	(32,600)	-93.7%
	Cops Grant	-	-	-	-	-	-	-	0.0%	-	-	-	-	-
	Settlement Expense	-	-	-	-	-	-	-	-	-	-	-	-	-
	Police Totals:	5,463,061	5,463,061	3,642,041	3,511,669	107,228	3,618,897	23,144	99.4%	1,844,164	66.2%	3,612,859	6,038	0.2%
Public Works & Parks	Salaries & Benefits	345,623	345,623	230,415	220,015	7,748	227,763	2,652	98.8%	117,860	65.9%	522,216	(294,452)	-56.4%
	Professional Services	238,600	238,600	159,067	109,825	14,500	124,325	34,741	78.2%	114,275	52.1%	131,078	(6,752)	-5.2%
	Contract DPW Maintenance Svs	450,340	450,340	300,227	260,778	-	260,778	39,448	86.9%	189,562	57.9%	133,343	127,435	100.0%
	General Operations	338,870	338,870	225,913	139,790	2,475	142,266	83,648	63.0%	196,605	42.0%	147,578	(5,313)	-3.6%
	Supplies & Materials	21,500	21,500	14,333	6,456	45	6,501	7,832	45.4%	14,999	30.2%	12,467	(5,966)	-47.9%
	Capital Outlay	54,000	54,000	36,000	35,625	-	35,625	375	99.0%	18,375	66.0%	-	35,625	-
	Public Works Totals:	1,448,933	1,448,933	965,955	772,489	24,769	797,258	168,697	82.5%	651,675	55.0%	946,682	(149,424)	-15.8%
	Total Expenditures	10,875,807	10,875,807	7,250,538	6,493,780	255,536	6,749,316	501,222	93.1%	4,126,491	62.1%	6,857,370	(108,054)	-1.6%
	Excess (Deficiency) of Revenues over Expenditures	(600,540)	(600,540)	(400,360)	672,291	(255,536)	416,755	(817,115)	-104.1%	(1,017,295)	-69.4%	(551,032)	967,787	-175.6%
	Other Financing Sources/(uses)													
	Transfer from Special Parcel Tax Fund	1,116,000	1,116,000	744,000	744,000	-	744,000	-	100.0%	372,000	66.7%	744,000	-	0.0%
	Transfers from Facil Constr (406)	(4,853)	(4,853)	(3,235)	(3,235)	-	(3,235)	-	100.0%	(1,618)	66.7%	-	(3,235)	-
	Transfer to Road Impact Fee Fund	(70,000)	(70,000)	(46,667)	(46,667)	-	(46,667)	-	100.0%	(23,333)	66.7%	-	(46,667)	-
	Total Transfer In/(Out)	1,041,147	1,041,147	694,098	694,098	-	694,098	-	100.0%	347,049	66.7%	744,000	(49,902)	-6.7%
	Net Change in Fund Balance	440,607	440,607	293,738	1,366,389	(255,536)	1,110,853	(817,115)	378.2%	(670,246)	252.1%	192,968	917,885	475.7%

Town of Atherton

General Fund

Financial Report for the Eighth Months Ended February 28, 2013

(Excl. Encumbrances)

Dept	Description	Budget Adopted 2013	Revised Budget FY12/13	8/12 of Budget	Actual July 12 to Feb 13	Accrual	Adjusted Actual July 12 to Feb 13	Variance of 8/12 of Budget	% of 8/12 Budget	Year-To-Date Variance	% of Annual Budget	Adjusted Actual July 11 to Feb 12	Incr/(decr) over PY	% Change
			(a)	66.7%	(c)	(d)	(e)	(b-e)	(e/b)	(a-e)	(e/a)	(f)	g=(e-f)	(g/f)
	Beg. Fund Balance - general fund	5,629,884	5,629,884			(*)	5,629,884					5,279,505		
	Beg. Fund Balance - Bldg Dept. OP Reserv	636,233	636,233				636,233					939,694		
	Proj. Ending Fund Balance	6,706,724	6,706,724				7,376,970					6,412,167		
	(*) Accrual colums reflect payroll expenditures and expenditures for the month but not yet posted or paid													



Town of Atherton

CITY COUNCIL STAFF REPORT – CONSENT CALENDAR

**TO: HONORABLE MAYOR AND CITY COUNCIL
GEORGE RODERICKS, CITY MANAGER**

FROM: THERESA N. DELLASANTA, CITY CLERK

DATE: MARCH 20, 2013

SUBJECT: RESOLUTION TO REJECT CLAIM OF TOM AND WENDE HUTTON

RECOMMENDATION

Adopt Resolution 13-xx denying the claim in the amount of \$9,201.00 filed by Tom and Wendé Hutton for damages.

BACKGROUND

Tom and Wendé Hutton submitted a claim in June of 2012 alleging that roadwork done by the Town in 2010 resulted in damage to tree roots, ultimately resulting in an oak tree falling on their property.

The Town contracted with Joseph J. Albanese, Inc. to complete Project No. 56006, Street Construction-Phase 7. The contract was executed on July 22, 2010. A Certificate of Completion for this project was signed on April 29, 2011 by the Town's Public Works Director certifying the project was completed in accordance with the plans and specifications as required by the Town of Atherton on April 20, 2011.

The Town denies any liability for the claim.

The Town hired Joseph J. Albanese to do the Street Construction and is an additional insured under their insurance with Old Republic General Insurance Corp. The Hutton's are alleging the tree roots were cut during the construction project; therefore the claim should be tendered to Joseph J. Albanese, Inc.

ABAG recommended that the claim be tendered to Joseph J. Albanese, Inc. to address the allegation of the tree roots being cut during construction. Staff has already tendered the claim to Joseph J. Albanese.

FISCAL IMPACT

None.

Prepared By:

Approved:

Theresa DellaSanta
City Clerk

George Rodericks, City Manager

Attachment: Resolution 13-xx rejecting the claim of Tom and Wende Hutton

RESOLUTION 13-XX
A RESOLUTION OF THE CITY COUNCIL OF THE TOWN OF ATHERTON
REJECTING THE CLAIM OF TOM AND WENDE HUTTON AND SENDING A
NOTICE OF REJECTION LETTER

[Re: claim for damage to tree roots, ultimately resulting in an oak tree falling on property submitted by Tom and Wendé Hutton]

BE IT RESOLVED by the City Council of the Town of Atherton that the June 25, 2012 claim filed by Tom and Wendé Hutton is hereby rejected.

DULY AND REGULARLY ADOPTED this 20th day of March, 2013.

TOWN OF ATHERTON

Elizabeth Lewis, Mayor

ATTEST

Theresa N. DellaSanta, City Clerk



Item 12
Town of Atherton

CITY COUNCIL STAFF REPORT – CONSENT CALENDAR

TO: HONORABLE MAYOR AND CITY COUNCIL

FROM: GEORGE RODERICKS, CITY MANAGER
THERESA N. DELLASANTA, CITY CLERK

DATE: MARCH 20, 2013

SUBJECT: RESOLUTION APPROVING EMPLOYER PAID MEMBER CONTRIBUTION

RECOMMENDATION:

Approve Resolution No. 13-xx for Employer Paid Member Contributions (EPMC).

BACKGROUND

Effective July 1, 2013, all Tier 1 local miscellaneous and local safety employees covered by the unrepresented employee salary and benefit resolution assume payment of the full required employee retirement contribution.

To facilitate this transition, CalPERS requires adoption of a resolution by the governing body.

FISCAL IMPACT

None.

RESOLUTION NO. 13-XX

RESOLUTION FOR EMPLOYER PAID MEMBER CONTRIBUTIONS

WHEREAS, the governing body of the Town of Atherton has the authority to implement Government Code Section 20691;

WHEREAS, the governing body of the Town of Atherton has a written labor policy or agreement which specifically provides for the normal member contributions to be paid by the employer;

WHEREAS, one of the steps in the procedures to implement Section 20691 is the adoption by the governing body of the Town of Atherton of a Resolution to commence said Employer Paid Member Contributions (EPMC);

WHEREAS, the governing body of the Town of Atherton has identified the following conditions for the purpose of its election to pay EPMC:

- This benefit shall apply to all employees in Tier 1 local miscellaneous and local safety employees covered by the unrepresented resolution.
- This benefit shall consist of paying 0% of the normal member contributions as EPMC.
- The effective date of this Resolution shall be July 1, 2013.

NOW, THEREFORE, BE IT RESOLVED that the governing body of the Town of Atherton elects to pay EPMC, as set forth above.

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

Elizabeth Lewis, MAYOR
Town of Atherton

ATTEST:

Theresa DellaSanta, City Clerk

APPROVED AS TO FORM:

William B. Conners, City Attorney



Town of Atherton

STAFF REPORT

TO: CITY COUNCIL

FROM: GEORGE RODERICKS, CITY MANAGER

DATE: MARCH 20, 2013

SUBJECT: DISPOSITION OF THE ARTS COMMITTEE

RECOMMENDATION

Consider the request of the Arts Committee on the disposition of the Arts Committee and, if supported, move the disbandment of the Arts Committee and direct staff to amend the appropriate Resolution for Council consideration.

BACKGROUND

The Atherton Arts Foundation (AAF) was founded in 2009 to promote arts for the benefit of the Atherton community. It is a 501(c)3 public benefit non-profit organization that engages in distinctive programming, promotes art awareness, facilitates communication, enhances life-long learning and recognizes cultural diversity.

The Atherton City Council formed the Atherton Arts Committee (AAC) in 1996. The AAC has orchestrated a variety of public projects, musical performances, lectures, museum trips, demonstrations and visits to theatrical events over the years. Most recently, the AAC arranged for the donation of two sculptures to the Town of Atherton. The donated art pieces are life-size sculptures including a metal and stone horse ("Prometea") by Bryon Tedrick and a bronze woman with guitar ("la Guitarra") by Felipe Castaneda.

The AAC currently meets on a monthly basis and as a formal Town Committee is subject to California Open Meeting laws (the Brown Act), Town purchasing policies, AB1234 training, and conflict of interest rules promulgated by the Fair Political Practices Commission. On February 26, 2013 staff met with the AAC to discuss the issue. *The AAC recommends that the activities of this Committee may be best served through the Atherton Arts Foundation non-profit organization rather than as a formal*

Town committee. The AAC requests that in order to assist the group through funding efforts, formal contributions can be considered each year through the Town budget process.

The idea behind disbanding the Arts Committee as a formal Town Committee is:

- to allow its membership to expand beyond the established committee size without encountering quorum issues;
- to allow the group to facilitate and participate in its own events without restricting such performance and activity via the Brown Act, Town purchasing policies, or Fair Political Practices Committee requirements; and
- to allow a more free-form group to continue to engage in distinctive local arts programming.

The Town would continue to work with and support the AAF on an annual basis as an “affiliated group” for the purposes of public outreach through the Town’s website, quarterly newsletters and email distribution lists. In addition, the AAF would produce an annual Report to the Council of its efforts along with an annual fundraising request. The City Council would not appoint members to the AAF nor would the Council or Town policies govern its activity. The AAF would be an outside entity to which the Town could contribute funds based on an annual fundraising request from the Town’s existing arts fund. Requests such as these should be considered annually as part of the Town’s budget process.

Currently, the AAC meets every 4th Tuesday of the month in the Garden Room in the Main House or the City Council Chambers. The AAC requests that, in the event they are disbanded and continue solely as the AAF, they still have access to meeting space, including but not limited to the Council Chambers, Main House/Garden Room, Pavilion, and any other available spaces within Town facilities. Staff has confirmed that the side room in the City Council Chambers can be available to the AAF every 4th Tuesday of the month, and of course, all other meeting space will be offered, subject to availability.

As part of the Park Master Plan and the Community Center Project, staff will ultimately develop/update a Facility Use Policy to be approved by the Council that will govern group usage of meeting rooms and other gathering spaces. Groups that are considered “affiliated” with the Town (such as local non-profits) could be given priority use to the facilities. That discussion is a policy discussion for the Council’s consideration at a later date.

FISCAL IMPACT

There is no fiscal impact.



Town of Atherton

CITY COUNCIL STAFF REPORT

TO: HONORABLE MAYOR AND CITY COUNCIL

FROM: GEORGE RODERICKS, CITY MANAGER

DATE: MARCH 20, 2013

SUBJECT: STORAGE AND OPERATION OF I-NET EQUIPMENT

RECOMMENDATION

It is recommended that the City Council approve the agreement between the Town of Atherton and the Cable Joint Powers Agency for storage and operation of institutional network equipment.

BACKGROUND

The Council considered the Storage and Operation of I-Net Equipment Agreement at the February 20, 2013 Council Meeting. At that time, Councilmember Widmer requested that staff obtain something from the Cable JPA noting that when the Civic Center Project progresses to the point of needing to relocate and/or remove the I-Net equipment that the costs therein are born by the Cable JPA. The Council concurred and continued the item to the March Council meeting.

Staff obtained a letter from the City of Palo Alto (JPA Administrative Agency) noting and addressing the Town's concerns. The letter notes that the Town would not be responsible for any costs associated with the removal and relocation of the equipment and/or the fiber termination point for the equipment.

FISCAL IMPACT

None.

ATTACHMENTS

Attachment A – Comcast Fiber Use Agreement

Attachment B – Drawing of the I-Net

Attachment C – Agreement for Storage and Operation of Institutional Network

Attachment D – Letter from Cable JPA

Attachment E – February 20, 2013 Staff Report

FIBER USE AGREEMENT

Nov 5th 2012 **THIS FIBER USE AGREEMENT** (this "Agreement") is entered into as of ~~Nov 5th 2012~~, 2012 (the "Effective Date"), between Comcast of California IX, Inc., a California corporation, with offices at 3055 Comcast Place, Livermore, CA 94551 (the "Company"), and the Cities of Palo Alto, Menlo Park, and East Palo Alto, the Town of Atherton, and the Counties of San Mateo and Santa Clara, acting in their collective capacity as a joint action agency, created and existing under the Joint Exercise of Powers Act, California Government Code § 6500 *et seq.*, and acting by its administrator, the City of Palo Alto ("Palo Alto"), with offices at 250 Hamilton Avenue, Palo Alto, CA 94301 (the "Cable Joint Powers" or "Grantees") (the Company and the Grantees are, individually a "Party" and, collectively, the "Parties"), in regard to the following:

RECITALS:

A. The Cable Joint Powers are parties to a Joint Exercise of Powers Agreement, entered into in July 1983, which has been subsequently amended and restated as of July 2009, and a Joint Operating Agreement, entered into in October 1983 (the "JOA"). Under the JOA, Palo Alto is designated the administrator for the Cable Joint Powers.

B. The Company has constructed and installed certain fiber optic strands, as described in Section 1.1 and Exhibit A, which are located throughout the cities of Palo Alto, Menlo Park, and East Palo Alto, the town of Atherton, and portions of Santa Clara County and San Mateo County, and which the Grantees use for government communications purposes.

C. The Grantees historically have enjoyed use of the Comcast fibers under a cable franchise agreement between the Parties.

D. The Company will permit the Grantees to continue to use the Comcast fibers in accordance with the terms and conditions set forth below.

E. The purpose of this Agreement, consistent with applicable law, including, without limitation, the Digital Infrastructure and Video Competition Act of 2006 ("DIVCA"), and, in particular, California Public Utilities Code section 5870 (k), is to have the Cable Joint Powers pay for the continuing use of the Comcast fibers to Cable Joint Powers locations, including the locations of certain public schools belonging to school districts (the "School Districts") located and operating within the Cable Joint Powers' service area.

NOW THEREFORE, in consideration of the mutual covenants contained herein, the Parties agree, as follows:

AGREEMENT:

1. USE OF FIBER

1.1 In accordance with this Agreement, the Company will make available to the Grantees, for their exclusive use, one pair of unlit fibers (or two (2) strands) of the Company's multi-strand single mode core fiber optic cable (the "Strands") (or two pairs or four (4) Strands in the case of the East Palo Alto Police Department), which Strands shall originate and terminate at the points set forth in Exhibit A. These Strands are hereinafter referred to as the "Comcast Fiber Facilities."

1.2 The Comcast Fiber Facilities shall not include core fiber optic cable(s) currently utilized to route public, educational and government access channel programming ("PEG") from and to the individual Cable Joint Powers locations to and from The Mid-Peninsula Community Media Center, Inc., located at 900 San Antonio Road, Palo Alto ("PEG Use Fibers") at the points set forth in Exhibit B. These PEG Use Fibers shall stay in place as currently configured for so long as necessary to fulfill the Company's commitment to transmit PEG programming over its cable network pursuant to DIVCA. Unless otherwise permitted by law, the Company will not assess charges to the Grantees for PEG Use Fibers or PEG programming consistent with DIVCA. In the event of an outage of the Comcast Fiber Facilities (as detailed in Exhibit A), the Company grants to the Grantees the right to use the PEG Use Fibers on a short-term basis of four (4) days or until such time as the Comcast Fiber Facilities' outage has been resolved, whichever period of time is longer. The Grantees and their authorized Comcast Fiber Facilities' end users shall engineer the PEG Use Fibers so that those fibers serve the primary purpose of carrying PEG channel access programming on a daily basis. In the event the Company determines in good faith that such PEG Use Fibers are being used for other than the primary purpose of PEG channel access programming on a recurring and frequent basis, the Company shall notify the Grantees, in writing, immediately and the Grantees shall provide adequate documentation that such usage has ceased or the Company may exercise its rights and remedies made available under this Agreement or by law.

1.3 The Parties acknowledge the possibility of the Comcast Fiber Facilities connecting to other Comcast fibers operated in the County of San Mateo or the County of Santa Clara, and nothing in this Agreement shall be deemed or construed to prohibit the Comcast Fiber Facilities to be linked or connected as such.

2. TERM; CHARGES

2.1 The term of this Agreement shall commence on the Effective Date and shall remain in full force and in effect for a period of five (5) years from the Effective Date, unless it is terminated earlier in accordance with this Agreement.

2.2 The Grantees' obligation to pay monthly recurring charges (the "MRCs") for the use of the Comcast Fiber Facilities, as calculated pursuant to Exhibit A, shall begin as of the Effective Date. The Company may bill the Grantees monthly, in advance, for the MRCs, which shall be paid by the invoices' due dates; provided, the Grantees' obligation to pay MRCs is

conditioned upon their receipt of the invoices at least ten (10) days prior to the invoices' due dates.

3. MAINTENANCE AND REPAIR OBLIGATIONS

3.1 All routine and non-routine or emergency maintenance and repair of the Comcast Fiber Facilities, located in the public rights-of-way, public utility easements and private easements, shall be promptly performed by or under the direction of the Company. The Grantees may not, nor permit others to, rearrange, disconnect, remove, attempt to repair or otherwise tamper with any of the Comcast Fiber Facilities, PEG Use Fibers or related equipment installed by the Company, except with the prior written consent of the Company, which consent may be granted or withheld at the Company's sole discretion. In the event the Company reasonably determines that the Comcast Fiber Facilities cannot be completely repaired, the Company shall confer with the Grantees promptly upon the Grantees' request regarding the cost and timing of the replacement of the Comcast Fiber Facilities.

3.2 All maintenance and repair of any portion of the Grantees-provided facilities connected to the Comcast Fiber Facilities, including without limitation those not located in the public rights-of-way, public utility easements or private easements secured by the Company (including, without limitation, fiber drops, extensions and equipment) shall be the sole responsibility of the Grantees.

3.3 All other routine maintenance and non-emergency repair (but not replacement) of the Comcast Fiber Facilities will be provided at no additional charge to the Grantees as long as those Comcast Fiber Facilities are located within the Company's existing plant. In the event the Company reasonably determines that the Grantees or any of its authorized Comcast Fiber Facilities users was the cause of any such fiber outage, then the Grantees shall be fully responsible for all reasonable costs of repair. Rates for maintenance and repair are payable at the time of occurrence at the Company's prevailing rate schedule for maintenance and repairs.

4. USE OF FACILITIES

4.1 The Grantees shall use the Comcast Fiber Facilities solely for non-profit, non-commercial purposes, including the transmission of government and educational communications between the locations described in Exhibit A and the School Districts' networks located in the Cable Joint Powers' service area. The Parties hereby acknowledge that the Comcast Fiber Facilities are currently connected to the Internet Systems Consortium, Inc. ("ISC"), which provides internet connectivity to the Cable Joint Powers and the School Districts' locations, and nothing in this Agreement shall preclude such interconnection of the Cable Joint Powers or the School Districts to the ISC or successor or any other third party providing internet connection services to the Cable Joint Powers or the School Districts.

4.2 The Grantees shall not use, or permit any other entity or person to use, the Comcast Fiber Facilities in conjunction with high-speed internet access service to residential customers located in the Company's franchise area, cable television service, franchised or non-

franchised satellite master antenna television service, direct broadcast satellite based service or any subscription-based multichannel video service.

4.3 The Grantees shall not use, or permit any other entity or person to use, the Comcast Fiber Facilities in violation of this Agreement, any law, rule, regulation or order of any governmental authority having jurisdiction over the Comcast Fiber Facilities.

4.4 The Company may require the Grantees to immediately shut down its transmission of signals over the Comcast Fiber Facilities if the Company in good faith determines that the transmission is causing material interference to others. The Grantees shall reimburse the Company for any and all costs that are reasonably incurred by the Company in its efforts to eliminate the material interference caused by the Grantees' transmission of signals over the Comcast Fiber Facilities.

5. SERVICE INTERRUPTION: LIMITATIONS OF WARRANTY AND DAMAGES

5.1 In the event of an Comcast Fiber Facilities' outage, the Company shall provide the Grantees with a pro-rata credit against the next available invoice not to exceed the MRCs in proportion to the period of the outage, and this shall be the Grantees' sole remedy at law and in equity, provided that no credit shall be provided for the Comcast Fiber Facilities' outages solely caused by the Grantees or their equipment or facilities. The Company will not be liable for any credits if an outage is caused by the Grantees' or the Comcast Fiber Facilities' end users' negligence or willful misconduct.

6. TITLE

6.1 All right, title, and interest in the Comcast Fiber Facilities and any other equipment or facility of the Company shall, at all time, remain exclusively with the Company.

7. LIENS AND ENCUMBRANCES

7.1 Neither Party, directly or indirectly, shall create or impose any lien on the property of the other Party, or on the rights or title relating thereto, or any interest therein, or in this Agreement. Each Party will promptly, at its own expense, take such action as may be necessary to duly discharge any lien created by it on the property of the other. However, nothing in this Agreement shall be so construed as to prohibit the owner of any facilities from permitting the creation or imposition of a lien or security interest on facilities that it owns.

8. INDEMNIFICATION; WARRANTIES

8.1. Each Party will indemnify and hold harmless the other Party against any and all loss, liability, damage and expense (including reasonable attorneys' fees) arising out of any demand, claim, suit or judgment for damages to any property or bodily injury to any persons, including, without limitation, the agents and employees of either Party hereto which may arise

out of or be caused by its ownership or authorized use of the Comcast Fiber Facilities or any of its negligent acts or omissions.

8.2 NOTWITHSTANDING ANY CONTRARY PROVISION IN THIS AGREEMENT, IN NO EVENT SHALL EITHER PARTY BE LIABLE TO THE OTHER PARTY FOR ANY INDIRECT, SPECIAL, INCIDENTAL, PUNITIVE, EXEMPLARY, OR CONSEQUENTIAL DAMAGES, INCLUDING, WITHOUT LIMITATION, THOSE BASED ON LOSS OF REVENUES, PROFITS, OR BUSINESS OPPORTUNITIES, FRUSTRATION OF ECONOMIC OR BUSINESS EXPECTATIONS, LOSS OF CAPITAL, COST OF SUBSTITUTE PRODUCT(S), FACILITIES, OR SERVICES, OR DOWN TIME COST, WHETHER OR NOT THE PARTY HAD OR SHOULD HAVE HAD ANY KNOWLEDGE, ACTUAL OR CONSTRUCTIVE, THAT SUCH DAMAGES MIGHT BE INCURRED, AND EVEN IF THE PARTY WAS ADVISED OF THE POSSIBILITY OF SUCH DAMAGES.

8.3 EXCEPT AS PROVIDED IN SECTION 8.1, ANY AND ALL EXPRESS AND IMPLIED WARRANTIES, INCLUDING, BUT NOT LIMITED TO, WARRANTIES OF MERCHANTABILITY AND FITNESS FOR ANY PURPOSE OR USE, ARE EXPRESSLY EXCLUDED AND DISCLAIMED BY THE COMPANY.

9. REQUIRED APPROVALS

9.1 The Grantees shall obtain any government authorizations and approvals required for the Grantees' use of the Comcast Fiber Facilities. The Company shall cooperate with the Grantees to that end as may be reasonably required by the Grantees.

10. INSURANCE

10.1 The Company acknowledges that the Grantees are self-insured and, therefore, the Grantees will not be required to obtain and maintain any insurance coverage or provide any certificates of insurance to the Company.

11. NOTICES

11.1 All notices, demands, requests or other communications given under this Agreement shall be made, in writing, and be given by personal delivery, certified mail, return receipt requested, or nationally recognized overnight courier service to the address set forth below or as may subsequently in writing be requested.

If to the Cable Joint Powers:

City of Palo Alto
250 Hamilton Avenue
Palo Alto, CA 94301
Attn.: Cable TV Coordinator

With a copy to:

Office of the City Attorney
City of Palo Alto
250 Hamilton Avenue
Palo Alto, CA 94301
Attn.: Senior Asst. City Attorney – Cable franchising

If to the Company:

Comcast of California IX, Inc.
3055 Comcast Place
Livermore, CA 94551
Attn.: Contracts Manager

With a copy to:

Comcast Cable Communications, LLC
One Comcast Center
Philadelphia, PA 19103
Attn.: Cable Law Department – Operations

12. DEFAULT; TERMINATION; DISPUTE RESOLUTION

12.1 If the Grantees fails to make any MRCs payment by the due date of an invoice, and if the Company has provided the Grantees with at least ten (10) days' advance written notice of such failure, the Company's obligation to provide the Grantees with use of the Comcast Fiber Facilities shall temporarily cease until all of the required undisputed MRCs payments have been made in full. If any payment remains in arrears for thirty (30) days after the due date of an invoice, and if the Company has provided the Grantees with at least thirty (30) days' advance written notice of such nonpayment, such nonpayment shall constitute a material default of this Agreement and the Company may terminate this Agreement at any time thereafter, and may pursue all other rights and remedies available to the Company at law and/or in equity.

12.2 The Company may terminate this Agreement, and may pursue all other rights and remedies available to the Company at law and/or in equity: (i) upon thirty (30) days' advance written notice to the Grantees, if the Grantees knowingly uses or attempts to use the Comcast Fiber Facilities for any purpose other than the purposes authorized in this Agreement and does not abandon such use immediately upon the receipt of notice by the Company; or (ii) upon thirty (30) days' advance written notice to the Grantees, if the Grantees defaults in any other material non-monetary obligation hereunder and fails to cure such default within that thirty-day period.

12.3. The Company may terminate this Agreement upon thirty (30) days' advance written notice to the Grantees: (i) if the Company loses or fails to obtain the renewal of any approval, consent, authorization, license, certificate, franchise, or permit required to provide the service hereunder, or if such approval, consent, authorization, license, certificate, franchise, or permit is suspended for a period longer than sixty (60) days and not renewed, or if it is adversely

modified by a governmental authority; (ii) if continuing to provide the Comcast Fiber Facilities would materially interfere with the Company's ability to obtain and maintain approvals, consents, authorizations, licenses, certificates, franchises, permits or consents necessary to the operation of its business; or (iii) if continuing to provide the Grantees with use of the Comcast Fiber Facilities would obligate the Company to provide to a non-governmental or non-educational entity upon the same terms and conditions that the Company offers to the Grantees.

12.4 The Company may terminate this Agreement without notice only to the extent that immediate termination is required by law, regulation or a governmental authority.

12.5 The Grantees may terminate this Agreement upon forty-five (45) days' advance written notice to the Company. Nothing in this Section 12 or other provisions of this Agreement shall affect or impair the Grantees' right to pursue all available rights and remedies at law and/or in equity against the Company in the event that the Company terminates for cause this Agreement.

12.6 To the extent any Cable Joint Powers member does not elect to use or ceases to use any of the Comcast Fiber Facilities for any period of time, the Cable Joint Powers will give the Company thirty (30) days' prior written notice of such election. After the thirty-day period, the Grantees will not be obligated to pay any MRCs to the Company for any Comcast Fiber Facilities not in use by any such member of the Cable Joint Powers, and the Company will not have any further obligation to provide the applicable Comcast Fiber Facilities to the Grantees for the benefit of such member of the Cable Joint Powers. Notwithstanding the preceding sentence, any such member of the Cable Joint Powers may request to use such member's applicable Comcast Fiber Facilities again upon written notice to the Company, to the extent such Comcast Fiber Facilities are not at the time (the Grantees' request is submitted) in use by the Company, which determination shall be made at the Company's sole discretion. In the event such Comcast Fiber Facilities are then made available to the Grantees on behalf of any such member of the Cable Joint Powers, the applicable Comcast Fiber Facilities shall be offered under the terms of this Agreement, and the Grantees on behalf of the applicable Cable Joint Powers member shall be responsible for the MRCs for any such Comcast Fibers Facilities through the term of the Agreement.

12.7 Upon the effective termination of this Agreement, all rights of the Grantees to use the Comcast Fiber Facilities shall cease, and the Company may disconnect, terminate, remove or use the Comcast Fiber Facilities for any other purpose.

12.8 Notwithstanding any provision in this Section 12, the Parties shall in good faith attempt to resolve their disputes by informal meetings for a period of ten (10) days after reasonable notice requesting a meeting to resolve the dispute is sent. If the Parties should fail to resolve any dispute by informal means, then the Parties may attempt to use non-binding mediation for at least sixty (60) days to resolve their dispute before any Party commences litigation.

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13. LATE PAYMENT CHARGE

13.1 To the extent permitted by applicable law, any undisputed fees, charges, costs or expenses not paid by the Grantees by the due date of an invoice may be subject to late payment charge calculated by multiplying the past due amount (exclusive of late payment charges) by one-thirtieth of one percent (0.033%) per day or the highest rate allowed by law, whichever is lower.

14. WAIVER

14.1 The failure of either Party hereto to enforce any of the provisions of this Agreement, or the waiver thereof in any instance, shall not be construed as a general waiver or relinquishment on its part of any such provisions, but the same shall nevertheless be and remain in full force and effect.

15. GOVERNING LAW

15.1 This Agreement shall be governed by and construed in accordance with the laws of the state of California without reference to its choice of law principles.

16. RULES OF CONSTRUCTION

16.1 The captions and headings in this Agreement are strictly for convenience and shall not be considered as interpreting it or as amplifying or limiting any of its content.

17. ASSIGNMENT

17.1 The Grantees shall not assign this Agreement without the express written consent of the Company, which consent shall be granted or withheld at the Company's sole discretion. Nor shall the Grantees assign, transfer or sublease, directly or indirectly, on an integrated or disintegrated basis, in whole or in part, the Facilities or its right to use the Facilities as granted herein without the express written consent of the Company, which consent shall be granted or withheld at the Company's sole discretion. Notwithstanding the foregoing, the Grantees is not required to obtain the consent of the Company to assign this Agreement (a) to another member of the Grantees, or (b) to any entity that acquires all or substantially all of the assets of the Grantees that directly relate to this Agreement, but the Grantees shall give written notice to the Company of any such assignment no later than thirty (30) days after such an assignment takes place.

18. ENTIRE AGREEMENT

18.1 This Agreement, including the Exhibits, which are hereby incorporated herein as an integral part of this Agreement, constitutes the entire agreement between the Parties with respect to the subject matter and geographical locations referred to, and it supersedes any and all prior or contemporaneous agreements, whether written or oral, between the Parties. This Agreement cannot be modified except, in writing, and signed by the party against whom enforcement of the modification is sought.

19. RELATIONSHIP OF THE PARTIES

19.1 The relationship between the Parties shall not be that of partners, agents or joint venturers for one another, and nothing contained in this Agreement shall be deemed to constitute a partnership, agency, or joint venture agreement between them.

20. FORCE MAJEURE

20.1 The Company shall not be deemed to be in breach of this Agreement during any period of time in which it is unable to perform its obligations as a result of the occurrence of an event of force majeure, which shall include, but not be limited to, acts of God, act or order of government denial or access to or loss of utility service or facilities or any other circumstance beyond the reasonable control of the Company. The required time for the Company's performance hereunder shall be extended to account for any such force majeure event.

21. CONDEMNATION

21.1 Upon condemnation of all or any material portion of the Comcast Fiber Facilities and any other facilities used by the Company to provide service to the Grantees, the Company, by not less than thirty (30) days' written notice to the Grantees, as practicable, may discontinue or suspend service under this Agreement.

22. MISCELLANEOUS

22.1 If any provision of this Agreement is found contrary to law or unenforceable by any court exercising jurisdiction over the Parties, the Comcast Fiber Facilities, or this Agreement, the remaining provisions shall be severable and enforceable in accordance with their terms, unless such unlawful or unenforceable provision is material to the transactions contemplated hereby, in which case the Parties shall negotiate in good faith a substitute provision. To the extent required by applicable law, the Grantees shall keep the terms and conditions of this Agreement confidential and shall not release or disclose such terms to any other party without the prior written permission of Company. The preceding sentence notwithstanding, the Company acknowledges and agrees that the Grantees is subject to the California Public Records Act, California Government Code section 6250 *et seq.*, and that this Agreement is entered into by the Grantees in the ordinary course and scope of its business as a cable franchise joint action agency.

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IN WITNESS WHEREOF, the Parties have by their duly appointed representatives executed this Agreement as of the Effective Date.

COMCAST OF CALIFORNIA IX, INC.

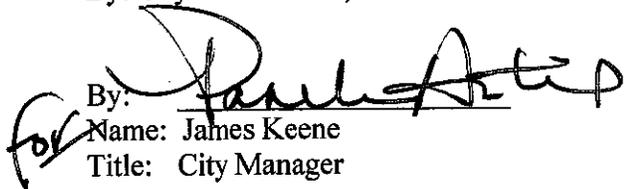
By:
Name:
Title:



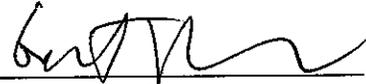
CABLE JOINT POWERS

By: City of Palo Alto, its administrator

By:
Name: James Keene
Title: City Manager

for 

APPROVED AS TO FORM:


Senior Asst. City Attorney

APPROVED:

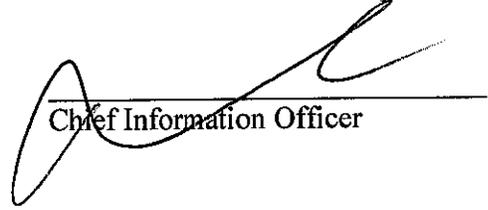

Chief Information Officer

EXHIBIT A

MAPS AND
ORIGINATION POINTS AND TERMINATION POINTS

Town of Atherton	Origination Site	Hub – Termination Site	No. of Fiber Pairs	Monthly Cost
Library (this link is currently not working)	2 Dinkelspiel Station Ln	E	1	
Holbrook-Palmer Park	150 Watkins Ave	D	1	
Total feet= 30,400				\$431.82

City of East Palo Alto	Origination Site	Hub – Termination Site	No. of Fiber Pairs	Monthly Cost
Corporation Yard	150 Tara Road	C	1	
Housing and Community Service	2277 university Avenue	C	1	
Police Department	141 Demeter Street	C	2	
Total feet=22,464				\$319.09

City of Menlo Park	Origination Site	Hub – Termination Site	No. of Fiber Pairs	Monthly Cost
Onetta Harris Community Center/Belle Haven Senior Center	100 Terminal Avenue	C	1	
Belle Haven Police Substation	1197 Willow Rd	C	1	
Belle Haven Child Development Center	410 Ivy Drive	C	1	
Total feet= 47,452				\$674.03

Core Fiber	Hub	Hub	No. of Fiber Pairs	Monthly Cost
East Palo Alto to Palo Alto	C	A	1	
Palo Alto to Menlo Park	A	D	1	
Menlo Park to Atherton	D	E	1	
Total Feet= 70,687				\$1,004.08

Hub site address	Hub		
250 Hamilton Ave, PA	A		
900 San Antonio Rd, PA	CMAC		
2415 University Ave, EPA	C		
701 Laurel St, MP	D		
83 Ashfield Rd, Atherton	E		

Total Monthly Recurring Cost:

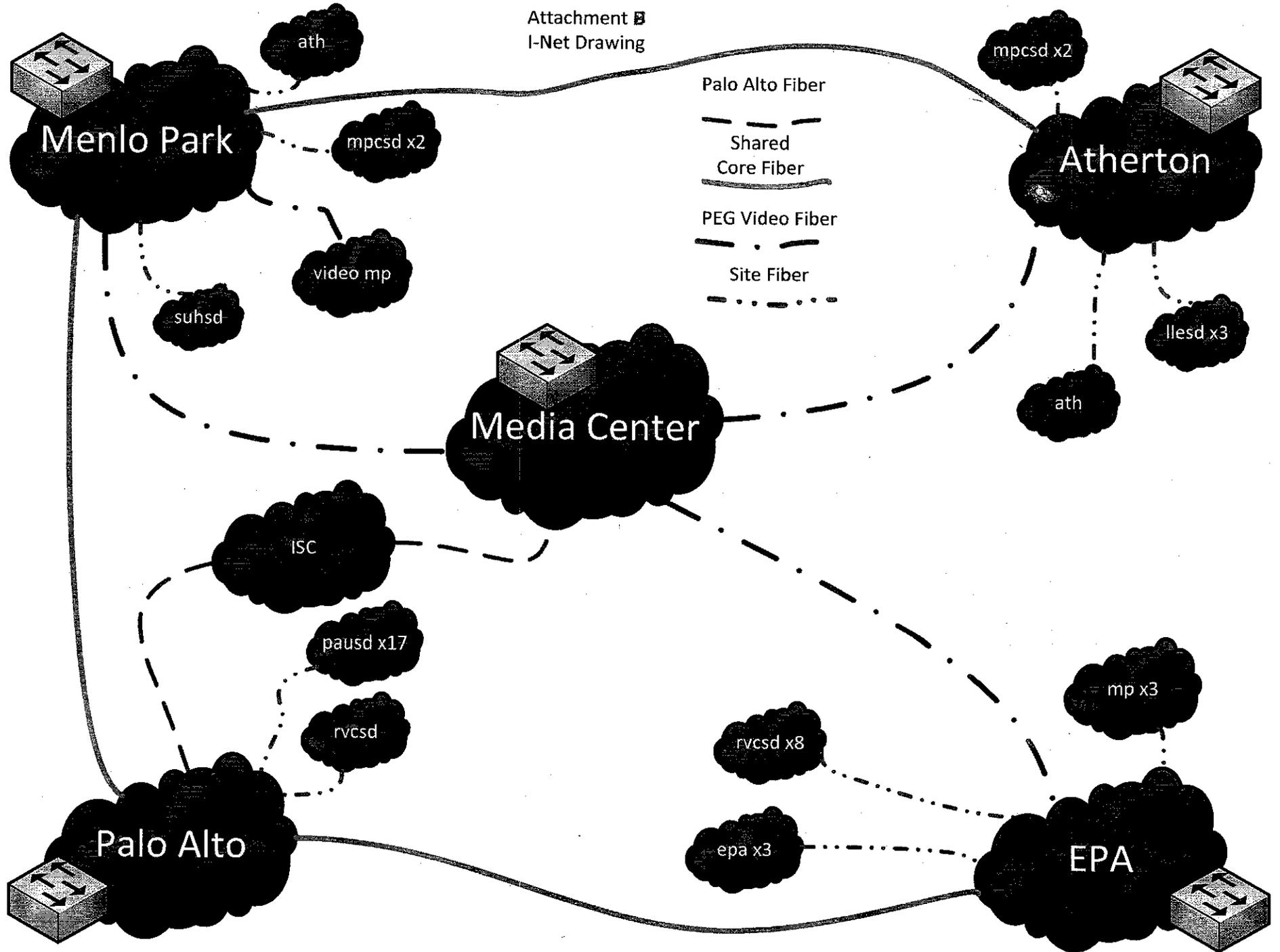
\$ 2,429.02

EXHIBIT B

PEG USE FIBERS

PEG Connections	Hub	Hub	No. of Fiber Pairs	Monthly Cost
Council Chambers – Menlo Park	13	D	1	
Media Center to Atherton	CMAC	E	1	
Media Center to East Palo Alto	CMAC	C	1	
Media Center to Menlo Park	CMAC	D	1	
Media Center to Palo Alto	CMAC	A	1	
Total Monthly Cost				No Charge

Attachment B
I-Net Drawing



ATTACHMENT B

AGREEMENT FOR STORAGE AND OPERATION OF INSTITUTIONAL NETWORK EQUIPMENT

This Agreement for Storage and Operation of Institutional Network Equipment (the "Agreement"), dated as of Nov 5, 2012 (the "Effective Date"), is entered into by _____, a _____ (the "JPA Member"), and the Cable Joint Powers, a California joint action agency organized and existing under the Joint Exercise of Powers Act, California Government Code section 6500 *et seq.* (the "JPA")(individually, a "Party" and, collectively, the "Parties"), in regard to the following facts and circumstances:

RECITALS:

A. In 1983, the cities of Palo Alto, East Palo Alto and Menlo Park, the town of Atherton, and the counties of San Mateo and Santa Clara executed a joint powers agreement (the "JPA Agreement") for the purpose of creating a joint powers agency, charged with issuing a community antenna television franchise agreement (the "Franchise Agreement") and facilitating the provision of cable services in a service area, covering the jurisdictional boundaries of the JPA Members.

B. In 2000, the JPA granted a Franchise Agreement to TCI Cablevision of California, Inc., now Comcast of California IX, Inc. ("Comcast"). Under the Franchise Agreement, provision is made for an institutional network ("I-Net"), consisting of public, education and government ("PEG") head-end links and I-Net links. The JPA required Comcast to provide funding to acquire and support the I-Net equipment and to provide for the distribution of PEG programming to subscribers over the I-Net. The Franchise Agreement authorizes the City of Palo Alto (the "City"), as administrator for the JPA, to designate a community access organization (the "CAO") to manage the PEG channels.

C. The I-Net connects public schools, public buildings and community centers in the JPA's service area. The heaviest users of the I-Net are the public schools. The public schools utilize the I-Net as their primary telecommunications network and, as a consequence, public schools located in the JPA service area were afforded the opportunity to avoid leased line telecommunications costs, and gain significantly greater bandwidth and network performance. Community members use the I-Net to create and distribute programs on the PEG channels that promote and celebrate individual expression, local achievements, education, cultural exchange, arts appreciation, and civic engagement.

D. Each JPA Member has certain I-Net routing and switching equipment (the "I-Net Equipment") that are owned by the JPA, yet are located within the JPA Member's jurisdictional boundary. The JPA wishes to receive from each JPA Member the right and permission to store and operate (including install, maintain, repair, remove and replace)

the JPA's I-Net Equipment within each JPA Member's jurisdictional boundary, and enjoy the right of ingress and egress to install, maintain, repair and remove the I-Net Equipment located within each JPA Member's jurisdictional boundary.

IN CONSIDERATION OF the recitals and following covenants, terms and conditions, the Parties agree, as follows:

AGREEMENT:

1. The Recitals of this Agreement constitute a part of and are integrated in to this Agreement.
2. The term of this Agreement shall commence on November 5, 2012 and shall continue for a term of five years.
3. The JPA Member hereby grants to the JPA and its representatives, agents and contractors, including, without limitation, the City, as the JPA administrator, (A) the right of ingress and egress to any building of structure owned by the JPA Member, which houses the I-Net Equipment, upon reasonable prior notice to the JPA Member, and (B) the right to install, maintain, repair, remove and/or perform other work in connection with the I-Net Equipment within the JPA Member's jurisdictional boundary. The JPA Member agrees to maintain connectivity of the I-Net Equipment with Comcast's dark fiber optic backbone located within the JPA Member's jurisdictional boundary, and furnish power to the I-Net Equipment at the JPA Member's sole cost and expense.
4. By acceptance of this Agreement, the Parties expressly understand and agree that the JPA will not indemnify, defend and hold harmless the undersigned JPA Member from and against any and all liability, loss, or damage, which may be suffered or incurred by the JPA Member in connection with the Parties' exercise of rights and performance of obligations under this Agreement, except to the extent such liability, loss or damage arises as a result of the JPA's negligence or willful misconduct.
5. Except as otherwise provided herein, neither the JPA nor the JPA Member shall be required to provide insurance coverage which extends to acts and omissions of each Party hereto in connection with this Agreement, and each Party represents and warrants that it does self-insure against any and all liability, loss and damage in the ordinary course and scope of conducting its business.
6. The duties of a Party shall be not assigned or transferred to any third party without the express written approval of the other Party. Any unapproved assignment or transfer will be null and void.
7. A waiver by a Party of any breach or violation of any covenant, term or condition of this Agreement or of the provisions of any ordinance or law shall not be construed to be a waiver of performance of any other covenant, term, condition, ordinance or law, or of any subsequent breach or violation of the same. The acceptance

by a Party of any payment or damages which may become due hereunder will not be deemed to be a waiver of any subsequent breach or violation by the other Party of any covenant, term, condition, ordinance or law.

8. This Agreement may be terminated upon the occurrence of an "event of default" by a Party (the "Defaulting Party"). An "event of default" will constitute a material breach of this Agreement, if it is not cured in a timely manner.

8.1 The term "event of default" means the occurrence of any of the following: (a) the failure to perform any material covenant, or obligation set forth in this Agreement or any Exhibit, if such failure can be readily remedied and is not remedied within thirty (30) days after written notice of default is given; (b) a Party files a petition or otherwise commences or acquiesces in the commencement of a proceeding under any bankruptcy, insolvency, reorganization or similar law, makes an assignment for the benefit of its creditors, has an administrator, receiver, trustee, conservator or similar official appointed with respect to it or any substantial portion of its property or assets, or is generally unable to pay its debts as they fall due; (c) the transfer of this Agreement or any material obligation arising under this Agreement and the Exhibits, whether voluntarily or by operation of law, without the consent of the other Party; and (d) the failure to make, when due, any payment required by this Agreement if such failure is not remedied within ten (10) business days after written notice of default is given.

8.2 If an event of default occurs and is continuing with respect to the Defaulting Party, the other Party (the "Non-Defaulting Party") will have an election of rights and remedies, in addition to all other rights and remedies afforded or provided by law or in equity or as otherwise provided in this Agreement, to which the non-defaulting Party may resort cumulatively, or in the alternative: (a) the right to terminate this Agreement by giving thirty (30) days' prior notice of termination, in which event this Agreement will terminate on the date set forth in the notice of termination; (b) the right to demand performance of an act which otherwise cure the violation or any breach; and (c) the right to suspend performance of any of its material obligations, including, without limitation, the right to withhold any payments due to the Defaulting Party under this Agreement.

9. A Party will be temporarily excused from the performance or further performance of any of its covenants or agreements hereunder and such Party's nonperformance shall not be deemed an event of default under this Agreement for any period to the extent that such Party is prevented, hindered or delayed for any period of time not in excess of thirty (30) days from performing any of its covenants or agreements, in whole or in part, as a result of an act of God, war, civil disturbance, court order, or other cause beyond that Party's reasonable control, including, without limitation, any denial of access to the City's facilities in order to perform the Services and complete the Project. The Parties hereby agree to use reasonable efforts to remedy the effects caused by the occurrence of the event giving rise to a Party's temporary nonperformance of its covenants or agreements under this Section. A Party will provide notice promptly to the other Party to the extent that Party relies on the provisions of this

Section to temporarily excuse its failure to perform any of its covenants or agreements hereunder.

10. All notices required to be given hereunder shall be, in writing, and mailed, postage prepaid, by certified mail, addressed, or e-mailed, as follows:

To JPA: JPA Administrator
c/o City of Palo Alto
Post Office Box 10250
Palo Alto, CA 94303
ATTN: Melissa Cavallo, Cable Coordinator
Melissa.Cavallo@CityofPaloAlto.org

To JPA MEMBER:

ATTN:

11. In the exercise of rights and performance of obligations, each Party acts at all times as an independent contractor and not as an employee of the other Party. Nothing in this Agreement shall be construed to establish a partnership, joint venture, group, pool, syndicate or agency between the JPA and the JPA Member. No provision contained herein shall be construed as authorizing or empowering either Party to assume or create any obligation or responsibility whatsoever, express or implied, on behalf, or in the name of, the other Party in any manner, or to make any representation, warranty or commitment on behalf of the other Party. In no event will either Party be liable for (i) any loss incurred by the other Party in the course of its performance hereunder, or (ii) any debts, obligations or liabilities of the other Party, whether due or to become due.

12. If a dispute between the Parties arises under this Agreement, the Parties will endeavor to resolve informally at a meeting of each Party's designated representatives who may be responsible for and exercise the appropriate authority to resolve all disputes hereunder; and (b) if the Dispute remains unresolved after thirty (30) days, the Parties agree that the dispute shall be submitted to the Franchise Review Board, as such body is designated in the Franchise Agreement, which shall render a final decision regarding such dispute.

13. The following miscellaneous provisions shall apply under this Agreement:

13.1 This Agreement will be governed by and construed in accordance with the laws of the State of California. The Parties will comply with applicable laws pertaining to their obligations arising under this Agreement.

13.2 In the event that an action is brought, the Parties agree that trial of such action will be vested exclusively in the state courts of California or in the United States

circumstance would occur as a result of its entering into or performing its obligations under this Agreement and the Exhibits.

IN WITNESS WHEREOF, the Parties have by their duly authorized representatives executed this Agreement and certain Exhibits, as appropriate, as of the Effective Date.

JPA

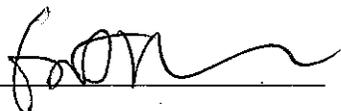
JPA MEMBER


Name: Melissa Cavallo
Title: Cable Coordinator

Name: _____
Title: _____

APPROVED AS TO FORM:

APPROVED AS TO FORM:



Name: _____

APPROVED:


for Assistant City Manager

Title: _____

Director of Administrative
Services

**City of Palo Alto
Information Technology Department
P.O. Box 10250
Palo Alto, CA 94303**

March 6, 2013

George Rodericks
City Manager
Town of Atherton
91 Ashfield Road
Atherton, CA 94027

RE: Agreement for Storage and Operation of Institutional Network
Equipment

Dear Mr. Rodericks:

The Cable Joint Powers Agency (the "JPA") has requested the Town of Atherton's (the "Town") approval of the Agreement for Storage and Operation of Institutional Network Equipment (the "Agreement"). The JPA understands that the Town will confer its approval, provided the JPA assures the Town that the Town will not be obligated to remove or terminate the Institutional Network Equipment (the "Equipment"), which are now located within the Town's boundary.

The JPA is aware that, under the Agreement, the Equipment has been and remains located in the Town's Town Center building (the "Town Center"), and that the Town Center is scheduled to be demolished and rebuilt during the term of the Agreement (the "Term"). As noted in the Recital D and Section 3 of the Agreement, respectively, the JPA, not the Town, owns the Equipment, and the Town grants the JPA the right to remove that Equipment during the Term. On that basis, the JPA believes the Town has neither the right nor the obligation to move the Equipment during the period of construction of the Town Center; hence, the Town is not responsible for any costs associated with the removal and relocation of the Equipment and/or the fiber termination point for the Equipment.

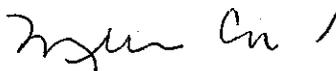
The JPA would note parenthetically that the connectivity of the Equipment with Comcast Corporation's dark fiber optic backbone will be impacted during the planned reconstruction of the Town Center.

George Rodericks
March 6, 2013
Page 2

Should you have any further questions about the Agreement, please contact me
at 650-329-2208

Sincerely,

CABLE JOINT POWERS AGENCY
Acting by its administrator, City of Palo Alto



Melissa Cavallo
JPA Coordinator

Copy: Grant Kolling



Item 15 Town of Atherton

CITY COUNCIL STAFF REPORT - CONSENT

TO: HONORABLE MAYOR AND CITY COUNCIL

FROM: GEORGE RODERICKS, CITY MANAGER
THERESA N. DELLASANTA, CITY CLERK

DATE: MARCH 20, 2013

SUBJECT: APPROVAL OF CONTRACT WITH CMS SOLUTIONS TO
IMPLEMENT THE INSTALLATION OF SHORETEL VOIP
TELECOMMUNICATIONS SYSTEMS

RECOMMENDATION:

Approve contract with CMS Solutions to implement the installation of Shoretel VoIP telecommunications systems.

BACKGROUND

The Town's telephony system is based on an older NEC telecom platform. Recent system outages have caused extensive service interruptions and the possibility of additional outages could result in extended downtime.

In early November staff advertised a request for quote for consulting services to help the Town build a Needs Analysis, a budget estimate and create an RFP to replace the Town's phone system. Communication Strategies (CommStrat) was selected to examine the current telephony and IT infrastructure, and worked in partnership with Town staff and IT support staff to gather the necessary information for the study. Multiple design scenarios were identified which included upgrading the current system and replacing it entirely with a Voice over Internet Protocol (VoIP) option.

CommStrat recommended a cost-effective method of developing VoIP by utilizing current Cat 3 technology with upgrades to existing infrastructure. It is a cheaper method because we wouldn't be replacing all of our cables and switches. Staff agreed with CommStrat and an RFP was developed. Council approved the RFP at their January meeting.

An RFP was distributed to a list of vendors on February 4th. Submittals were due on February 22nd. A total of four proposals were received, and they are as follows:

<u>Vendor</u>	<u>Manufacturer</u>
CMS Solutions	Shoretel
Vox Networks	Avaya
KIS	Mitel
Packet Fusion	Shoretel

A complete analysis of the 4 proposals is included as attachment A.

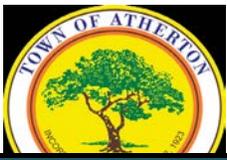
Staff invited the three lowest bidders (CMS, VoX, and KIS) back to present demos. Evaluations substantiated that CMS Solutions scored highest in all categories including technology platform, voicemail/unified messaging, system administration tools, vendor support and project management. Staff agreed that Shoretel VoIP telecommunications system would best fit the needs of Atherton.

FISCAL IMPACT

The 2012-13 equipment replacement fund includes \$60,000, which is sufficient funding to cover the cost of the contract.

Attachments:

- A- Proposal Analysis
- B- Vendor Statement of Work
- C- Contract



Telecommunications Systems



Proposals Analysis

VENDOR:	<u>CMS</u>	<u>Vox Networks</u>	<u>KIS</u>	<u>Packet Fusion</u>
SYSTEM:	ShoreTel	Avaya IP Office 500	Mitel MCD 3300	ShoreTel
Software Release:	Rel 13.1	Rel 8.1	Rel 6.0	Rel 13
Date of Release:	Jan-13	Late 2012	Jan-13	Nov-12
Price All PBX Equipment:	\$ 44,797	\$ 34,776	\$ 32,496	\$ 53,536
OPTIONS: 1. Voice Processing:	included	\$ 8,575	\$ 5,994	included
- Unified Messaging	included	included	included	included
2. Customer System Admin:	included	included	included	included
3. Find Me-Follow Me (20 Users):	included	included	included	included
4. (1-hour) UPS	included	\$ 2,001	\$ 2,170	\$ 2,514
Total Options:	\$ -	\$ 10,576	\$ 8,164	\$ 2,514
Grand Total with all Options	\$ 44,797	\$ 45,352	\$ 40,660	\$ 56,050
Voicemail Model:	ShoreTel	IP Office VM Pro	NuPoint UM	ShoreWare Director
VM Software Release:	13.1	8.1	5.0	13.1
- capacity:	up to 254 ports access	40 ports - 1000 hrs	10 ports - 8000 hrs	254 ports-unlt'd hours
- mailboxes:	60	384	61	60
- Integration:	Media Paths	IP LAN	Internal SIP protocol	Media Paths
After Warranty Annual Maintenance (all):	\$ 3,908	\$ 3,500	\$ 3,582	\$ 3,961
*5-YEAR TOTAL COST OF OWNERSHIP:	\$ 59,234	\$ 52,352	\$ 51,764	\$ 69,831
CAPACITIES - All Locations:				
Station Ports - equipped:	50 IP - 8 analog	50 IP - 8 analog	50 IP - 8 analog	48 IP - 8 analog
- maximum:	up to 20,000	384	150	20,000
Trunk Ports - equipped:	24 digital - 8 analog	32	35	40
- maximum:	up to 5000	144	82	200
SERVICE CAPABILITIES:				
Same Systems Installed:	65	34	6	250
Location of Service Center:	Pleasanton	San Jose	Fremont	San Mateo
Available Techs for Proposed System:	3 in NorCal	23	2	8
Normal Installation Interval:	90-120 days	45 days	45-60 days	4 to 6 weeks
Minimum Installation Interval:	Negotiable	Negotiable	30 days	Negotiable
Cost of Remote Moves and Changes:	150 per hour	\$120 per hour	150 per hour	\$125 per hour
Remote Maint with Secure Modem:	Limited	Yes	Yes	Yes
PC/Server Requirements - Voice Processing:	Vendor Provided	none required	Vendor Provided	Vendor Provided
- System Administration:	none required	none required	none required	none required

*** Includes 5-year discounted full maintenance plan paid up front**

3 Year full warranty included



Telecommunications Systems

Proposals Analysis





Town of Atherton

CITY COUNCIL STAFF REPORT - CONSENT

**TO: HONORABLE MAYOR AND CITY COUNCIL
GEORGE RODERICKS, CITY MANAGER**

FROM: MICHAEL KASHIWAGI, COMMUNITY SERVICES DIRECTOR

DATE: MARCH 20, 2013

SUBJECT: RESOLUTION AUTHORIZING THE CITY MANAGER TO SUBMIT A CALTRANS COMMUNITY-BASED TRANSPORTATION PLANNING GRANT AND TO ENTER INTO A CONTRACT WITH THE STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION UPON RECEIPT OF THE GRANT

RECOMMENDATION

Authorize the City Manager to submit a Caltrans Community-Based Transportation Planning Grant and to enter into a contract with the State of California Department of Transportation upon receipt of the Grant.

BACKGROUND

The Caltrans Community-Based Planning Grant Program is a very competitive Statewide Grant Program which focuses on transportation planning studies with the objective of providing a closer connection between transportation and land use. This Statewide Grant Program provides funding for innovative public and stakeholder participation processes which leads to collaborative planning and decision-making processes. Annually, this grant program provides approximately \$3 million statewide with a maximum grant award of \$250K. A 10% local match, which can be satisfied with in-kind services, is required for all successful grant applications.

The focus of the Town of Atherton grant application is to identify viable short and long-term solutions to improve pedestrian and bicycle safety on El Camino Real. The 1.6 mile length of El Camino Real within the Town of Atherton is a six-lane roadway with average daily traffic volumes which exceed 31,000 vehicles per day. Due to the traffic volumes and width of the existing roadway (pavement width varies from 80 – 85 feet), over the past 10 years, this segment of El Camino Real has experienced over 30 accidents involving bicycles and pedestrians, including two fatalities in 2010. In the past four months, staff has had several meetings with

Caltrans District 4 staff including the District Director to discuss strategies and potential changes in roadway geometrics to improve bicycle and pedestrian safety.

The proposed transportation planning study, described in the Town's grant application, will create conceptual designs for El Camino Real which:

- Create a positive and distinctive community entry experience;
- Utilize a complete streets approach to facilitate walking and bicycling within and through the Town of Atherton;
- Maintains the distinct rural character of the Town; and
- Provide improved bicycle and pedestrian connectivity within Atherton and between adjacent communities.

The proposed project will help improve safety and mobility for bicyclists, pedestrians, and motorists along and across El Camino Real. It will engage residents and stakeholders from Atherton and neighboring communities in an intensive participatory planning process to develop viable solutions that address local needs as well as regional goals. The final outcome will be a concept plan which produces designs which support safe, appealing, and a creative transportation environment.

To enhance the Town's grant application, Town staff has partnered with the Local Government Commission (LGC). The LGC is a non-profit organization created over 30 years ago which provides education, advocacy, and resources to California cities and counties to promote livable communities. The LGC has worked on over 30 Caltrans Environmental Justice and Community-Based Transportation Planning Grant projects in the last 10 years and has demonstrated experience working with small communities in the Bay Area. If the Town is awarded a grant for this project, the LGC will coordinate and facilitate the public planning process and assist with concept plan development.

FISCAL IMPACTS

The estimated budget for this grant is \$200,000. If successful, a 10% local match will be required. For this grant, in-kind services could be used to satisfy the match requirement.

Prepared By:

Approved:

Michael Kashiwagi, P.E.
Community Services Director

George Rodericks
City Manager

Attachment: Resolution

RESOLUTION NO. 13-xx

**A RESOLUTION OF THE TOWN OF ATHERTON CITY COUNCIL AUTHORIZING
THE CITY MANAGER TO SUBMIT A CALTRANS COMMUNITY-BASED
TRANSPORTATION PLANNING GRANT AND TO ENTER INTO A CONTRACT
WITH THE STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION UPON
RECEIPT OF THE GRANT**

WHEREAS, the Town of Atherton is seeking financial support for conducting a process to develop a plan for the implementation of complete street strategies with context-sensitive solutions along El Camino Real (SR 82); and

WHEREAS, the estimated budget for this grant is \$200,000 with a 10% local match; and

WHEREAS, the project will develop strategies to accommodate non-motorized users of the roadway and improve safety and efficiency for all modes; and

WHEREAS, the implementation of complete streets strategies and context-sensitive solutions would likely increase the opportunities for construction funding; and

WHEREAS, the implementation of these strategies and solutions would encourage the use of non-motorized transportation alternatives, which in turn have the potential to decrease noise and emissions from transportation sources; and

WHEREAS, authorization is now requested to submit the grant application and to execute the agreement between the Town and the State of California Department of Transportation if the grant is awarded.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the Town of Atherton does hereby authorize the City Manager to submit a Caltrans Community-Based Transportation Planning Grant and to enter into a contract with the State of California Department of Transportation upon receipt of the Grant.

PASSED AND ADOPTED at a meeting of the City Council of the Town of Atherton held on the 20th day of March, 2013 by the following vote:

<i>AYES:</i>	<i>COUNCILMEMBERS:</i>
<i>NOES:</i>	<i>COUNCILMEMBERS:</i>
<i>ABSENT:</i>	<i>COUNCILMEMBERS:</i>
<i>ABSTAIN:</i>	<i>COUNCILMEMBERS:</i>

ATTEST:

Elizabeth Lewis, MAYOR
TOWN OF ATHERTON

Theresa DellaSanta, City Clerk

APPROVED AS TO FORM:

William B. Conners, City Attorney



Item No. 17

CITY COUNCIL STAFF REPORT – CONSENT

**TO: THE HONORABLE MAYOR AND CITY COUNCIL
GEORGE RODERICKS, CITY MANAGER**

FROM: NEAL J. MARTIN, TOWN PLANNER

DATE: MARCH 20, 2013

**SUBJECT: 2012 ANNUAL REPORT TO THE CITY COUNCIL ON THE ATHERTON
GENERAL PLAN IMPLEMENTATION**

RECOMMENDATION

Accept the Annual Report and authorize its transmittal to the California Governor's Office of Planning and Research and the California Department of Housing and Community Development pursuant to Section 65400 of the California Government Code (CGC).

BACKGROUND

The State of California Government Code 65400 et seq require the preparation of an annual report to the local legislative body, the California Governor's Office of Planning and Research (OPR) and the California Department of Housing and Community Development (HCD) describing the following:

1. The status of the local general plan and progress in its implementation.
2. The progress in meeting its share of regional housing needs.
3. The degree to which the local general plan complies with the adopted OPR guidelines.
4. The date of the last revision to the local general plan.

2012 ANNUAL REPORT

Status of the Atherton General Plan and Progress in its Implementation

The Atherton General Plan was updated in 2002 and adopted by the City Council on November 20, 2002. It contains Land Use, Circulation, Housing, Open and Conservation, Noise, and Community Safety Elements. The Housing Element Update 2007-14, which is the only element required to be reviewed by HCD, has been found to be "In compliance" with the HCD review criteria. The Atherton City Council adopted the Housing Element Update in accordance with State law on

August 18, 2010 by adopting Resolution No. 10-45.

Atherton is essentially built out in accordance with the policies stated in the General Plan. The Sphere of Influence as adopted by the San Mateo Local Agency Formation Commission is coterminous with the current City Limits. Essentially all of the existing parcels of land have been developed with land uses consistent with the General Plan. All of the streets and highways described in the General Plan are developed to their planned capacity. The entire infrastructure needed to serve the planned land uses and population is in place with sufficient capacity to accommodate the planned land uses and population.

Progress in meeting Atherton's Share of Regional Housing Needs

CGC Section 65400(a)(2)B provides: "The housing element portion of the annual report ... shall be prepared through the use of forms and definitions adopted by the Department of Housing and Community Development ...". The tables provided in Attachment 1 describe the progress made in meeting Atherton's share of regional housing needs.

Degree to which the Atherton General Plan complies with the Adopted OPR Guidelines

OPR adopted General Plan Guidelines in 2003 for use by local jurisdictions in the preparation of their general plans. The Guidelines are permissive, not mandatory and are quite extensive. Staff has prepared an analysis of the Atherton General Plan compared to the general criteria included in the Guidelines along with an evaluation of the degree to which the Atherton General Plan complies with the OPR Guidelines. That analysis is provided in Attachment 2. The analysis shows that the Atherton General Plan is in substantial compliance with the adopted OPR Guidelines with a few exceptions. During FY 2008-09 the City Council included funds in the City Budget to prepare amendments to the General Plan in order to achieve full compliance with the adopted OPR Guidelines. Those draft amendments were completed by Staff and were reviewed by the General Plan Committee prior to its dissolution. The General Plan Committee recommended their approval to the Planning Commission. The project has been placed "on hold" while the Pedestrian and Bike Master Plan is being developed, as that Master Plan will become a part of the General Plan Circulation Element. The Planning Commission is expected to hold a public hearing and consider the amendments, including the Pedestrian and Bike Master Plan, for recommendation to the City Council during 2013.

Date of the Last Revision to the Atherton General Plan

The last revision to all elements except the Housing Element of the Atherton General Plan was adopted by the City Council on November 20, 2002. The Housing Element Update was adopted August 18, 2010.

FISCAL IMPACT

All costs associated with this project are paid for by the Town of Atherton from the Contract Planner budget.

Prepared by:

Approved by:

Neal J. Martin, Town Planner

George Rodericks, City Manager

Attachments:

1. Annual Housing Element Progress Report – Tables A – C
2. Analysis of Atherton General Plan with OPR Guidelines

ANNUAL ELEMENT PROGRESS REPORT

Housing Element Implementation

(CCR Title 25 §6202)

Jurisdiction Atherton
Reporting Period 1/1/2012 - 12/31/2012

Table A
Annual Building Activity Report Summary - New Construction
Very Low-, Low-, and Mixed-Income Multifamily Projects

Housing Development Information							Housing with Financial Assistance and/or Deed Restrictions		Housing without Financial Assistance or Deed Restrictions			
1	2	3	4				5	5a	6	7	8	
Project Identifier (may be APN No., project name or address)	Unit Category	Tenure R=Renter O=Owner	Affordability by Household Incomes				Units Demolished	Total Net Units per Project	Est. # Infill Units*	Assistance Programs for Each Development	Deed Restricted Units	Note below the number of units determined to be affordable without financial or deed restrictions and attach an explanation how the jurisdiction determined the units were affordable. Refer to instructions.
			Very Low-Income	Low-Income	Moderate-Income	Above Moderate-Income				See Instructions	See Instructions	
25 Northgate	SFD	O				1		1				
364 Fletcher	2nd DU	R	1					1			2nd Unit Survey	
75 Alejandra	SFD	O				1		1				
24 Adam	SFD	O				1		1				
150 Almendral	SFD	O				1		1				
70 Elena	SFD						1	(1)			2nd Unit Survey	
237 Atherton	SFD						1	(1)			2nd Unit Survey	
351 Walsh	SFD	O				1		1				
560 Middlefield	SFD	O				1	1	0				
24 Catalpa	SFD	O				1	1	0				
8 Barmetta	SFD	O				1	1	0				
16 Adam	SFD	O				1	1	0				
35 Ralston	2nd DU	R	1					1			2nd Unit Survey	
396 Atherton	SFD	O				1	1	0				
302 Selby	SFD	O				1	1	0				
19 Prado Secoya	SFD	O				1	1	0				
150 Toyon	SFD	O				1	1	0				
45 Prado Secoya	SFD	O				1	1	0				
329 Fletcher	SFD	O				1	1	0				
94 Selby	SFD	O					1	(1)				

ANNUAL ELEMENT PROGRESS REPORT
Housing Element Implementation
(CCR Title 25 §6202)

Jurisdiction Atherton
Reporting Period 1/1/2012 - 12/31/2012

(9) Total of Moderate and Above Moderate from Table A3 ▶ ▶					0			28				
(10) Total by income Table A/A3 ▶ ▶			7			28	28	35				
(11) Total Extremely Low-Income Units*												

* Note: These fields are voluntary

ANNUAL ELEMENT PROGRESS REPORT

Housing Element Implementation

(CCR Title 25 §6202)

Jurisdiction Atherton
Reporting Period 1/1/2012 - 12/31/2012

Table A2
Annual Building Activity Report Summary - Units Rehabilitated, Preserved and Acquired pursuant to GC Section 65583.1(c)(1)

Please note: Units may only be credited to the table below when a jurisdiction has included a program in its housing element to rehabilitate, preserve or acquire units to accommodate a portion of its RHNA which meet the specific criteria as outlined in GC Section 65583.1(c)(1)

Activity Type	Affordability by Household Incomes				
	Extremely Low-Income*	Very Low-Income	Low-Income	TOTAL UNITS	
(1) Rehabilitation Activity				0	(4) The Description should adequately document how each unit complies with subsection (c)(7) of Government Code Section 65583.1
(2) Preservation of Units At-Risk				0	
(3) Acquisition of Units				0	
(5) Total Units by Income	0	0	0	0	

* Note: This field is voluntary

Table A3
Annual building Activity Report Summary for Above Moderate-Income Units (not including those units reported on Table A)

	1. Single Family	2. 2 - 4 Units	3. 5+ Units	4. Second Unit	5. Mobile Homes	6. Total	7. Number of infill units*
No. of Units Permitted for Moderate						0	
No. of Units Permitted for Above Moderate	28					28	

* Note: This field is voluntary

ANNUAL ELEMENT PROGRESS REPORT

Housing Element Implementation

(CCR Title 25 §6202)

Jurisdiction Atherton
Reporting Period 1/1/2012 - 12/31/2012

Table B
Regional Housing Needs Allocation Progress
Permitted Units Issued by Affordability

Enter Calendar Year starting with the first year of the RHNA allocation period. See Example.		2007	2008	2009	2010	2011	2012	2013	2014		Total Units to Date (all years)	Total Remaining RHNA by Income Level
Income Level		Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9		
Very Low	Deed Restricted	19									6	13
	Non-deed restricted		1	(7)		5	7					
Low	Deed Restricted	14										14
	Non-deed restricted											
Moderate	Deed Restricted	16										16
	Non-deed restricted											
Above Moderate		34	1	0	(4)	(4)	(2)	0			(9)	43
Total RHNA by COG. Enter allocation number:		83										
Total Units ▶ ▶ ▶			1	1	(11)	(4)	3	7			(3)	86
Remaining Need for RHNA Period ▶ ▶ ▶ ▶ ▶												

Note: units serving extremely low-income households are included in the very low-income permitted units totals.

ANNUAL ELEMENT PROGRESS REPORT
Housing Element Implementation
(CCR Title 25 §6202)

Jurisdiction Atherton
Reporting Period 1/1/2012 - 12/31/2012

Table C

Program Implementation Status

Program Description (By Housing Element Program Names)	Housing Programs Progress Report - Government Code Section 65583. Describe progress of all programs including local efforts to remove governmental constraints to the maintenance, improvement, and development of housing as identified in the housing element.		
Name of Program	Objective	Timeframe in H.E.	Status of Program Implementation
§3.811 Market Rate Housing Construction	5 New Above Market Units	2007-2014	No net new units constructed this year. Market has limited construction to reconstruct 1 unit for each demolished unit.
§3.812 a-d. Second Dwelling Unit Program including guest houses and internal living quarters	52-80 New Extremely Low to Moderate Income Units	2007-2014	12 Second Units constructed since 2007. Construction increased as a result of zoning ordinance changes.
§3.812 e. Faculty and Student Housing Program	27 New Faculty Units and 58 New Student Units in extremely low to moderate income ranges	2007-2014	Market failed to construct any faculty or student units during this year.
§3.813 a. Continue to facilitate and expedite the rehabilitation and conservation of existing units	On-going permit issuance	2007-2014	Over 50 permits issued this year for improvement, rehabilitation and conservation of existing units
§3.821 a. Amend Zoning Ordinance to specify that residential care facilities are permitted by right in the R-1A & R-1B Districts	Zoning Ordinance Amendment	6/30/2010	Zoning Ordinance was amended in 2009
§3.822 a. Continue to review new residential developments and major remodels for ADA compliance	On-going permit review	2007-2014	On-going program
§3824 a. Establish a zone per requirements of SB2 related to emergency shelters	Amend Zoning Ordinance to allow emergency shelters by right	6/30/2010	Zone established with zoning ordinance amendment in 2009
§3.824 b. Amend Zoning Ordinance to clarify that supportive and transitional housing are permitted by right in the residential districts	Zoning Ordinance Amendment	6/30/2010	Zoning Ordinance was amended in 2009
§3.831 b. Amend Zoning Ordinance to clarify that "manufactured housing" is permitted by right in the R-1A & R-1B Districts	Zoning Ordinance Amendment	6/30/2010	Zoning Ordinance was amended in 2009
§3.841 a. Shared Housing Program implemented by the Human Investment Program	Continued placement of renters with willing providers	2007-2014	One renter has been placed in one Atherton home. Address is confidential

ANNUAL ELEMENT PROGRESS REPORT
Housing Element Implementation
(CCR Title 25 §6202)

Jurisdiction Atherton
Reporting Period 1/1/2012 - 12/31/2012

General Comments:

Analysis of Atherton General Plan (AGP) with Adopted Office of Planning and Research (OPR) Guidelines

March 12, 2013

OPR Guideline Requirement (to the extent that it is relevant)¹	Reference or Comment	Degree of Compliance
Contains all 7 mandatory elements	AGP contains Land Use, Circulation, Housing, Open Space and Conservation, Noise and Community Safety Elements.	Full
Plan is integrated and internally consistent	All elements include a section entitled “Relation to Other Elements” describing how each is integrated and internally consistent.	Full
Land Use Element		
Contains a Land Use Diagram in sufficient detail to describe land use proposals	AGP contains a Land Use Diagram with sufficient detail to describe land use proposals. Pg. LU-8	Full
Shows distribution of housing, business and industry	AGP Land Use Diagram shows proposed residential, parks, open spaces, public facilities and schools uses. Business and industry are not permitted in Atherton. Pg. LU-8	Full
Distribution of open space including agriculture	AGP Land Use Diagram shows proposed open space uses. There is no agricultural land in Atherton. Pg. LU-8	Full
Distribution of mineral resources	There are no mineral resources in Atherton.	N/A
Distribution of recreation facilities and opportunities	AGP Land Use Diagram, pg. LU-8, the Land Use Element text, pg. LU-4-5, and the Open Space and Conservation Element, pg. OS-70-72 describe the distribution of recreation facilities and opportunities.	Full
Location of education facilities	AGP Land Use Diagram, pg. LU-8, the Land Use Element text, pg. LU-6 describe the	Full

¹ Language from the OPR Guidelines.

	location of education facilities.	
Location of public buildings and grounds	AGP Land Use Diagram, pg. LU-8, the Land Use Element text, pg. LU-5-7 describe the location of public buildings and grounds.	Full
Location of solid and liquid waste facilities	The Land Use Element text, pg. LU-6-7 describes the location of solid and liquid waste facilities.	Full
Identification of areas subject to flooding	The Land Use Element text, pg. LU-7 identifies areas subject to flooding.	Full
Identification of Timber Preserve Zone lands	There are no Timber Preserve Zone lands in Atherton.	N/A
Contains standards for population intensity and building intensity	The Land Use Element text, pg. LU-2-3 contains standards for population intensity and building intensity.	Full
Circulation Element		
Contains definitions and descriptions of:		
Major thoroughfares	The Circulation Plan Diagram, pg. LU-8 and the Circulation Element text, pg. CI-9-11 define and describe major thoroughfares; freeways, highways, minor arterials, collectors, local streets and street standards.	Full
Transportation routes	The Circulation Plan Diagram, pg. LU-8 and the Circulation Element text, pg. CI-9-15 defines and describes transportation routes.	Full
Terminals	The Circulation Element text, pg. LU-13, defines and describes the local rail terminals.	Full
Other local public utilities and facilities including railroads, airports and parking.	The Circulation Element text, pg. CI-12-15 defines and describes scenic roadways, transit and rail traffic, bicycle and pedestrian facilities. There are no airports close to Atherton.	Full
Housing Element		
See Attachment 1		

Open Space and Conservation Element		
The Conservation Element should address water and its hydraulic force, forests, soils, rivers and other waters, harbors, fisheries, wildlife, minerals and other natural resources.	There are no rivers, harbors, fisheries or commercial mineral resources in Atherton. The AGP Open Space and Conservation Element text, pg. OS-71 addresses protection of scenic resources, significant stands of natural vegetation, wildlife habitat, sensitive environmental resources (e.g. streambeds), and archaeological resources.	Full
The Open Space Element should address open space for the preservation of natural resources, for the managed production of resources, for outdoor recreation and for public health and safety.	AGP Open Space and Conservation Element text, pg. OS-70-72, the Land Use Diagram, pg. LU-8 and the Land Use Element text, pg. LU-4-5 address open space for the preservation of natural resources, for the managed production of resources, for outdoor recreation and for public health and safety.	Full
The Open Space Element should contain an open space action program	AGP Open Space and Conservation Element text, pg. OS-71-72 contains an Open Space Action Program.	Full
Noise Element		
Issues to be addressed include:		
Major noise sources, both mobile and stationary	AGP Noise Element text, pg. N73-75 describes the major community noise sources.	Full
Existing and projected levels of noise and noise contours for major noise sources	AGP Noise Element diagram, pg. N-80 provides existing and projected noise contours for major noise sources.	Full
Existing and projected land uses and locational relationship to existing and projected noise sources	AGP Noise Element text, pg. N73-75 describes the existing and projected land uses and locational relationship to existing and projected noise sources	Full
Existing and proposed sensitive receptors, including hospitals,	Existing and proposed sensitive receptors are	Not in

convalescent homes, schools, churches and sensitive wildlife habitat	not addressed in the AGP Noise Element	Compliance
The extent of “noise problems in the community”	AGP Noise Element text, pg. N73-75 describes the extent of “noise problems in the community”	Full
Method of noise attenuation	AGP Noise Element text, pg. N76-78 describes noise mitigation measures.	Full
Implementation measures and possible solutions that address existing and foreseeable noise problems	AGP Noise Element text, pg. N76-78 describes implementation measures and possible solutions that address existing and foreseeable noise problems	Full
Community Safety		
Issues to be addressed include:		
Seismically induced surface rupture, ground shaking, ground failure, tsunami, seiche, and dam failure	AGP Community Safety Element text, pg. CS-82 addresses seismically induced surface faulting, ground shaking, ground failure and water waves (seiche). Tsunami is not a hazard in Atherton since the Town does not border on the Bay or Ocean. Dam failure is not addressed.	Substantial
Slope instability leading to mudslides and landslides	Slope instability is not addressed in the AGP Community Safety Element.	Not in compliance
Subsidence, liquefaction, and other seismic hazards identified on seismic hazard maps	Neither subsidence nor liquefaction is addressed in the AGP Community Safety Element.	Not in compliance
Flooding	There are no flood zones in Atherton	N/A
Wildland and urban fires	AGP Community Safety Element text, pg. CS-81 addresses major fire incidents.	Full
Evacuation routes and signage	AGP Community Safety Element text, pg. CS-82-83 addresses evacuation routes. Route signage is not addressed.	Partial
Peak load water supply requirements	AGP Community Safety Element text, pg. CS-81 addresses peak load water supply	Full

	requirements.	
Minimum road widths and turnouts	AGP Circulation Element text, pg. CI-12 addresses minimum road widths.	Full
Clearances around structures	Clearances around structures are not addressed in the AGP Community Safety Element.	Not in compliance



ITEM 18

CITY COUNCIL STAFF REPORT – CONSENT

TO: HONORABLE MAYOR AND CITY COUNCIL

FROM: LISA COSTA SANDERS, DEPUTY TOWN PLANNER

DATE: MARCH 20, 2013

**SUBJECT: RESOLUTION APPROVING ENVIRONMENTAL PROGRAMS
COMMITTEE FUNDING REQUEST FOR EARTH DAY EVENT**

RECOMMENDATION

Approve the proposed program for Earth Day at Holbrook-Palmer Park and Adopt resolution authorizing a budget amendment in the amount of \$1,000 in support of the event.

BACKGROUND

The Environmental Programs Committee has recently begun planning its activities for this year. The Committee has considered and discussed various activities that would be appropriate for Earth Day – April 22, 2013. The Committee is recommending:

- Planting of a native oak at Holbrook-Palmer Park to replace a large oak tree that recently failed;
- A guest speaker; and
- A brief reception.

ANALYSIS

The Committee has planned an event to occur at the Park on April 22, 2013 at 4:00 p.m. In addition to planting a tree (36"-box native oak), the Committee will host a speaker and small reception.

Larry Costello, Ph.D, a nationally and internationally recognized figure in the horticulture environment has spent decades studying and advising on tree hazard assessment, water management, and most recently authored a book on oaks in the urban environment. In fact, the oak that failed at Holbrook-Palmer Park was included in his book. Dr. Costello has agreed to volunteer his time to speak at the event and therefore the Town will not incur any costs for a speaker fee.

The Environmental Programs Committee would like to host a reception including drinks, snacks for families and a champagne toast for adults. In addition, those attending will receive a reusable "Earth Day" bag, with applicable education materials inside. The bags are remainders from a previous Earth Day event and will not result in any additional costs for the Town. The educational materials

inside the bag will provided by various County agencies that focus on sustainability, energy reduction and stormwater protection.

The Environmental Programs Committee is requesting \$1,000 to cover the cost of the event. This budget would include payments for the following:

- One, 36"-box native oak tree. Committee Member Denise Kupperman and Town Arborist Kevin Kielty will select a tree ideal for this location. The tree will be a native oak; however, the species will not be determined until Ms. Kupperman and Mr. Kielty can research which trees are available and which would be best suited for the location.
- Refreshments. Water, juice, and champagne along with small snacks such as sandwiches, cheese and crackers, fruit, etc.
- Staff time. Support Staff including employees from MCE to help prepare ground and install the tree, as well as set up for the event.

If authorized by the City Council, Staff will bring this item forward to the Parks and Recreation Commission at their April meeting to confirm the location of the tree to be planted.

FISCAL IMPACT

If approved, the fiscal impact of this event will cost the Town \$1,000.

Prepared By:

Approved:

Lisa Costa Sanders
Deputy Town Planner

George Rodericks
City Manager

RESOLUTION NO. 13-xx

**A RESOLUTION OF THE CITY COUNCIL OF THE TOWN OF
ATHERTON APPROVING BUDGET AMENDMENT
FOR FY 2012/13**

WHEREAS, the City Council supports the proposal of the Environmental Programs Committee for an Earth Day Event in 2013; and

WHEREAS, the cost to support this event is estimated at \$1,000; and

WHEREAS, it is in the best interest of the citizens of the Town of Atherton that the Fiscal Year 2012-2013 Operating Budget be amended as set forth in Exhibit A, attached hereto and incorporated herein.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the Town of Atherton does hereby approve an amendment to the FY 2012-13 Town Budget to enact the changes identified on Exhibit A attached hereto.

PASSED AND ADOPTED at a meeting of the City Council of the Town of Atherton held on the 20th day of March, 2013 by the following vote:

AYES: Council members:
NOES: Council members:
ABSENT: Council members:

Elizabeth Lewis, MAYOR
Town of Atherton

ATTEST:

Theresa N. DellaSanta, City Clerk

APPROVED AS TO FORM:

William B. Conners, City Attorney

EXHIBIT A

**Town of Atherton
Budget Amendment Request**

Transfer \$1,000 From:

**2012/2013
Un-appropriated General Fund Balance**

To:

**2012/2013
Account 101-11-54011-011
Environmental Program Committee**



Town of Atherton

CITY COUNCIL STAFF REPORT - CONSENT

**TO: HONORABLE MAYOR AND CITY COUNCIL
GEORGE RODERICKS, CITY MANAGER**

FROM: MICHAEL KASHIWAGI, COMMUNITY SERVICES DIRECTOR

DATE: MARCH 20, 2013

**SUBJECT: AWARD OF CONTRACT FOR THE 2013 SPRING PATCHING
PROJECT**

RECOMMENDATION:

Award the contract for 2013 Spring Patching Project, project number 56055 to G. Bortolotto and Sons of San Carlos, the low bidder on the March 13, 2013 bids, for \$89,250; and to authorize the City Manager to execute the contract on behalf of the Town.

INTRODUCTION:

The FY 2012-2013 adopted Capital Improvement Program includes funds for street maintenance. Patching consist of grinding and replacing approximately 15,000 square feet of asphalt to a six-inch depth to remediate local pavement failures. This work to include all necessary traffic control and will involve grinding, sweeping, tack coating, replacing asphalt and finish rolling per Town of Atherton Standard specifications and special provisions.

Residents in the impacted area will be notified in advance of the project via letter. All residents will be alerted to the project via a posting on the Town's website. Residents that have signed up for the electronic news release will also receive notification via email.

ANALYSIS:

Eight (8) bids were received for the 2013 Spring Patching Project as follows:

<u>CONTRACTOR</u>	<u>LOCATION</u>	<u>BID</u>
G. Bortolotto	San Carlos	\$89,250
Fonseca/McElroy	San Jose	\$97,500
Half Moon Bay Paving	Half Moon Bay	\$98,250
Tri-Valley	Sunol	\$98,700
Interstate Paving	So. San Francisco	\$111,750
O'Grady Paving	Mountain View	\$111,750
Windsor Fuel	Windsor	\$112,500
CF Archibald	Redwood City	\$126,750

FISCAL IMPACT:

Parcel Tax Funds in the amount of \$100,000 are budgeted for this project in FY 2012-13. The Engineer's Estimate for the 2013 Spring Patching Project is \$90,000.

Prepared By:

Approved:

Michael Kashiwagi, P.E.
Community Services Director

George Rodericks
City Manager



Town of Atherton

CITY COUNCIL STAFF REPORT – CONSENT AGENDA

TO: HONORABLE MAYOR AND CITY COUNCIL

FROM: CHIEF OF POLICE EDWIN F. FLINT

DATE: MARCH 20, 2013

SUBJECT: PATROL VEHICLE PURCHASE

RECOMMENDATION:

Authorize the Police Department to purchase two 2013 Ford Police Interceptor sedans as replacement patrol vehicles for a cost of \$78,625.50, which includes sales and tire tax, license, emergency equipment, and installation costs.

DISCUSSION:

In 2011, Ford stopped manufacturing the Crown Victoria Interceptor, the standard-bearer of police patrol vehicles for many years. Ford's new law enforcement vehicle, the Police Interceptor sedan, recently topped the competition (Chevrolet and Dodge) in a series of performance tests conducted by both the Los Angeles County Sheriff's Department (LASD) and the Los Angeles Police Department (LAPD). These performance assessments also evaluated day to day serviceability and maintenance, in which the Police Interceptor sedan rated a 9 or 10 (outstanding) for accessibility to things like the battery, drain plug, dipstick, and oil filter.

With more than 15 years in the police car business, Ford is the only manufacturer to offer pursuit-rated all-wheel-drive police vehicles. Additionally, the Ford Interceptor sedan comes with 4-wheel heavy-duty anti-lock disc brakes, heavy-duty independent suspension, heavy-duty steel wheels, heavy-duty cooling system, heavy-duty 220-amp alternator, heavy-duty powertrain mounts, heavy-duty door tethers, and a police tuned 6-speed transmission (V-6) that automatically adjusts to the officers driving habits.

The general life expectancy of a police patrol vehicle is 4 years and anywhere between 75,000 to 100,000 miles, depending on the mechanical condition of the vehicle and how and where the vehicle was deployed. For example, the California Highway Patrol (CHP) runs their patrol vehicles to the upper range of 100,000 miles before being pulled from service, as high-speed

freeway miles put less strain and wear on the vehicle than the low speed stop-and-go usage of police and sheriff's vehicles. Although these vehicles are well cared for and receive regular maintenance, they are driven hard, stay running for long periods of time, and may be used 24 hours a day for weeks at a time.

The Police Department has an aging fleet of patrol vehicles, with two vehicles in particular that are overdue for replacement, vehicle #4 ('05-VIN# 2FAFP71WX5X166350) and vehicle #3 ('08-2FAFP71V78X135391). Both of these are high mileage vehicles that currently have 135,199 miles and 93,013 miles, respectively. Vehicle #4 was due for replacement during the FY 2011-2012 budget cycle, but was still needed because of mechanical issues with other vehicles. In these tough economic times, most law enforcement agencies, including the Atherton Police Department, have exceeded both the industry standards of 4 years and 75,000 miles.

FISCAL IMPACT:

The cost of two new 2013 Ford Police Interceptor sedans is \$21,300 each, plus sales and tire tax, and license, for a total cost of \$23,066 per vehicle. There is an additional expense of approximately \$16,355 per vehicle (\$11,000 for emergency equipment and \$5,355 for installation), bringing the total replacement cost per vehicle to \$39,421. It should be noted that on the attached Daly City invoice (Exhibit A), the listed price of the 2013 Ford Police Interceptor sedan is \$21,200, \$100 less than what the Town of Atherton would pay. This price (\$21,200) reflects a 3.5 liter V6 engine, which was the only option available for Daly City when they purchased their vehicles. For \$100 more per vehicle, Ford now has an additional option of a 3.7L Ti-VCT V6 engine offering increased power with fuel efficiency. Staff recommends this engine upgrade because the 3.7L engine has 305 horsepower and an EPA-rated 25 mpg on the highway, 18 mpg in the city and a combined 21 mpg (vs. the V-8 16-23 mpg that the current patrol vehicles get). With long term fuel savings and increased engine power, Staff feels that the 3.7L engine is worth much more than the additional \$100 expense.

In the past, the Police Department has been able to save money by re-using equipment from old vehicles (computers, radios, prisoner partition, cage, etc.). However, the new Ford Police Interceptor is a mid-size sedan with completely different dimensions than the Ford Crown Victoria, which means some of the equipment (light bars and console) may not be transferable.

The two 2013 Ford Police Interceptor sedans originate from Daly City Police Department's twelve (12) vehicle purchase from Towne Ford of Redwood City. There were four bidders in this process. The attached bids are from Towne Ford (Exhibit A), Serramonte Ford (Exhibit B), San Leandro Ford (Exhibit C), and Livermore Ford (Exhibit D). San Leandro Ford had the lowest price (\$21,185 per vehicle), narrowly edging out Towne Ford by \$15 per vehicle. However, Towne Ford has outstanding customer service and is only two miles away, which would save a significant amount of money and staff time, versus taking vehicles to San Leandro. Additionally, by piggy backing onto Daly City PD's vehicle purchase from Towne Ford, Staff has been saved the additional work of going through the competitive bidding process.

Each year during the budget cycle staff reviews the police vehicle fleet for maintenance and replacement needs. Staff anticipated the need to replace these vehicles and included funding for

their replacement in the 2012-2013 Budget. There is sufficient funding within the 2012-2013 Budget to accommodate the purchase.

Prepared By:

Approved:

Chief Edwin F. Flint

City Manager George Rodericks

**CITY OF DALY CITY
BID PROPOSAL FORM**

NOTE: This bid must be sent in duplicate in a **sealed** envelope, clearly marked on front:
 "Sealed Bid to Furnish Ford Police Interceptors
 To Be Opened 2:30 PM, Wednesday, September 19, 2012"

This must be sent to: City of Daly City
 Office of the City Clerk
 333 - 90th Street
 Daly City, CA 94015-1895

TO: CITY OF DALY CITY

The undersigned agrees to furnish F.O.B. City of Daly City, the following items at the prices bid below, in accordance with bid specifications and general conditions. Prices must be **complete** and include any "Other Charges."

<u>ITEM</u>	<u>QUANTITY</u>	<u>DESCRIPTION</u>	<u>UNIT COST</u> EA	<u>TOTAL</u>
A.	2 EA	2013 Ford Police Interceptor, 4-Door, All Black AWD, Police Sedan. Per bid specifications and conditions.	20,600. ⁰⁰ 00	41,200. ⁰⁰ 00
B.	4 EA	2013 Ford Police Utility Interceptor, AWD. Per bid specifications and conditions.	25,050. ⁰⁰	100,200. ⁰⁰ 00
C.	6 EA	2013 Ford Police Interceptor, 4-Door, Black & White, AWD, Police Sedan. Per bid specifications and conditions.	21,200. ⁰⁰ 00	127,200. ⁰⁰ 00
D.		Sales Tax @ <u>8 1/4%</u>		22,159.50
E.		Delivery Charges		<u>0</u>
F.		Other Charges - Please Explain (May use back of sheet for explanation)	Tire Tax	105.00
Bid Grand Total:				290,864.50

Delivery Time: 120 Days

I certify my bid is in accordance with bid conditions and specifications.

Signature [Handwritten Signature]

Date of Signature 9-17-12

Title Fleet Manager

Company Name Touge Ford Vette

Address 1601-21 Camino Real

City/ST/Zip Code Redwood City, Calif. 94063

Telephone Number 650-562-2267

2013 TAURUS

Order No: 9000 Priority: K3 Ord FIN: QB430 Order Type: 5B Price Level: 315

Ord Code: 500A Cust/Flt Name: DALY CITY PO Number: **(A)**

	RETAIL	DLR INV		RETAIL	DLR INV
P2M AWD INTERCEPTOR	\$28360	\$26163.00	43B KEY ALIKE 1284X	\$50	\$46.00
UA BLACK			63P DR LOCK PLUNGER	155	139.00
R CLOTH/VINYL			67D PWR WND DISABLE	25	22.00
W BLACK			936 CAL SER VEH EXP	NC	NC
500A EQUIP GRP			97T TRUNK FAN	60	54.00
.FLEX FUEL			SP DLR ACCT ADJ		(1178.00)
998 .3.5L V6 TIVCT	NC	NC	SP FLT ACCT CR		(368.00)
44J .6-SPD AUTO TRAN	NC	NC	FUEL CHARGE		14.92
JOB #2 ORDER			B4A NET INV FLT OPT	NC	7.00
CA BOARD FEES	NC	.65	PRICED DORA	NC	NC
13C DARK CAR LAMP	20	18.00	DEST AND DELIV	795	795.00
FRT LICENSE BKT	NC	NC	TOTAL BASE AND OPTIONS	30165	26338.57
20P NOISE SUP BONDS	95	85.00	TOTAL	30165	26338.57
21B SPOT LAMP DUAL	605	540.00	*THIS IS NOT AN INVOICE*		
423 CAL EM NOT REQD					

F1=Help

F2=Return to Order

F3/F12=Veh Ord Menu

F4=Submit

F5=Add to Library

S099 - PRESS F4 TO SUBMIT

QC078512

TOWNE FORD SALES
1601 El Camino Real
Redwood City, CA 94063

**2013 PD All Black AWD Sedan
Vehicle Specifications**

Quantity	Year	Make	Model	Description
2	2013	FORD	Police Interceptor	4 Door All Black AWD Police Sedan All Std Equipment No Deletions

Order Codes

~~P2M~~ Chassis/Body
~~JA~~ Exterior Color Black

~~RW~~ Interior Color Charcoal Black
~~AZ3~~ California Emissions Not Required
~~B36~~ California Emissions Exemption
~~998~~ Engine 3.5Ti-VCT V6
~~44J~~ Transmission
 Tires 18" Std

Additional Equipment

~~21B~~ Dual Spot Lamps LED Bulb
~~153~~ Front License Bracket
~~63P~~ Rear Door Handle Inoperable; Hidden Door Lock Plunger
~~A3B~~ Keyed Alike Code 1284X
~~67D~~ Rear Power Window Switch Delete
~~20P~~ Noise Suppression Bands
~~15C~~ Dark Car Feature, Include Courtesy Light Disable
~~97T~~ Trunk Circulation Fan

Provide 1 complete set of shop manuals including EVTm paper or disc.

Vehicles to be delivered at City Garage, 798 Niantice Ave., Daly City, CA 94014.

Vendor to handle licensing details, including furnishing DMV with report of sale, smog certificate, City's exempt registration form (Reg. 217) and all other needed papers. Daly City's Motor Vehicle Supervisor is authorized to sign documents for the City.

The requirements above are the **MINIMUM** requirements. No Exceptions to these minimum requirements will be accepted without prior approval from the City of Daly City, Department of Public Works - Motor Vehicles division. Questions regarding bid documents or specifications should be directed to Thomas Shiosaka, Public Works Maintenance Supervisor by email at tshiosaka@dajcity.org.

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Dealer: F72011

2013 EXPLORER 4-DOOR

Page: 1 of 2

Order No: 9000 Priority: K4 Ord FIN: QB430 Order Type: 5B Price Level: 315

Ord Code: 500A Cust/Flt Name: DALY CITY PO Number:

3

	RETAIL	DLR INV		RETAIL	DLR INV
K8A 4DR AWD POLICE	\$29705	\$27996.00	43D COURTESY DISABL	\$20	\$17.00
.112.6" WB			51S DUAL LED LAMPS	620	541.00
UA BLACK			59B KEY CODE 1284X	50	45.00
YZ POLICE WHITE			60R NOISE SUPPRESS	100	87.00
9 CLTH BKTS/VNL R			JOB #2 ORDER		
W BLACK INTERIOR			91C VINYL PACKAGE 3	700	611.00
500A EQUIP GRP			936 CAL SER VEH EXP	NC	NC
99R .3.7L V6 TIVCT	NC	NC	FLEX FUEL		
44C .6-SPD AUTO TRAN	NC	NC			
52P DR LOCK PLUNGER	160	140.00	TOTAL BASE AND OPTIONS	32865	29197.92
FRT LICENSE BKT	NC	NC	TOTAL	32865	29197.92
17A AUX CLIMATE CTL	610	532.00	*THIS IS NOT AN INVOICE*		
17T CARGO DOME LAMP	50	45.00			
18W RR WINDOW DEL	25	22.00	* MORE ORDER INFO NEXT PAGE *		
423 CAL EM NOT REQD			F8=Next		

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Dealer: F72011

2013 EXPLORER 4-DOOR

Page: 2 of 2

Order No: 9000 Priority: K4 Ord FIN: QB430 Order Type: 5B Price Level: 315

Ord Code: 500A Cust/Flt Name: DALY CITY PO Number:

	RETAIL	DLR INV	RETAIL	DLR INV
SP DLR ACCT ADJ		\$(1284.00)		
SP FLT ACCT CR		(401.00)		
FUEL CHARGE		14.92		
B4A NET INV FLT OPT	NC	7.00		
PRICED DORA	NC	NC		
DEST AND DELIV	825	825.00		
TOTAL BASE AND OPTIONS	32865	29197.92		
TOTAL	32865	29197.92		

TOWNE FORD SALES
1601 El Camino Real
Redwood City, CA 94063

THIS IS NOT AN INVOICE

F7=Prev

F1=Help

F2=Return to Order

F3/F12=Veh Ord Menu

F4=Submit

F5=Add to Library

2013 PD Utility AWD Vehicle Specifications

Quantity	Year	Make	Model	Description
4	2013	FORD	Police Interceptor	Police Utility Interceptor AWD All Standard Equipment No Deletions

Order Codes

X8A	Chassis/Body Utility Interceptor
JA	Exterior Color Black
XZ	Secondary Color White
9W	Interior Color Charcoal Black
AZ3	California Emissions Not Required
936	California Public Service Exemption Required
99R	Engine 3.7 Ti-VCT V6 FFV
44C	Transmission 6 Speed Automatic Tires 18" Std.

Additional Equipment

60R	Noise Suppression Bands
91C	Two Tone Vinyl Pkg 1 Roof L/R Front Doors Only
51S	Dual Spot Lamps L/R (LED)
153	Front License Plate Bracket
52P	Door Lock Plunger Hidden w/Rear Door Handles Inoperable
59B	Keyed Alike Code 1284X
17A	Aux Air Conditioning
43D	Dark Car Feature Include Courtesy Lamp Disable
17T	Red/White Dome Lamp in Cargo Area
18W	Rear Window Power Delete, Operable From Drivers Side Front Switches

Provide 1 complete set of shop manuals including EVTm paper or disc

Vehicles to be delivered at City Garage, 798 Niantice Ave., Daly City, CA 94014.

Vendor to handle licensing details, including furnishing DMV with report of sale, smog certificate, City's exempt registration form (Reg. 217) and all other needed papers.

Daly City's Motor Vehicle Supervisor is authorized to sign documents for the City.

The requirements above are the **MINIMUM** requirements. No Exceptions to these minimum requirements will be accepted without prior approval from the City of Daly City, Department of Public Works - Motor Vehicles division. Questions regarding bid documents or specifications should be directed to Thomas Shiosaka, Public Works Maintenance Supervisor by email at tshiosaka@dalycity.org.

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Dealer: F72011

2013 TAURUS

Page: 1 of 2

Order No: 9000 Priority: K4 Ord FIN: QB430 Order Type: 5B Price Level: 315

Ord Code: 500A Cust/Flt Name: DALY CITY PO Number:



RETAIL DLR INV

RETAIL DLR INV

P2M	AWD INTERCEPTOR	\$28360	\$26163.00	21B	SPOT LAMP DUAL	\$605	\$540.00
UA	BLACK			423	CAL EM NOT REQD		
YZ	POLICE WHITE			43B	KEY ALIKE 1284X	50	46.00
R	CLOTH/VINYL			63P	DR LOCK PLUNGER	155	139.00
W	BLACK			67D	PWR WND DISABLE	25	22.00
500A	EQUIP GRP			936	CAL SER VEH EXP	NC	NC
	.FLEX FUEL			97T	TRUNK FAN	60	54.00
998	.3.5L V6 TIVCT	NC	NC		SP DLR ACCT ADJ		(1206.00)
44J	.6-SPD AUTO TRAN	NC	NC				
	JOB #2 ORDER				TOTAL BASE AND OPTIONS	30850	26913.57
	CA BOARD FEES	NC	.65		TOTAL	30850	26913.57
13C	DARK CAR LAMP	20	18.00		*THIS IS NOT AN INVOICE*		
143	VINYL WRAP #3	685	612.00		* MORE ORDER INFO NEXT PAGE *		
	FRT LICENSE BKT	NC	NC				
20P	NOISE SUP BONDS	95	85.00				F8=Next

CNGP530

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Dealer: F72011

2013 TAURUS

Page: 2 of 2

Order No: 9000 Priority: K4 Ord FIN: QB430 Order Type: 5B Price Level: 315

Ord Code: 500A Cust/Flt Name: DALY CITY PO Number:

RETAIL DLR INV

RETAIL DLR INV

	SP FLT ACCT CR		\$(377.00)
	FUEL CHARGE		14.92
B4A	NET INV FLT OPT	NC	7.00
	PRICED DORA	NC	NC
	DEST AND DELIV	795	795.00

TOWNE FORD SALES
1601 El Camino Real
Redwood City, CA 94063

TOTAL BASE AND OPTIONS 30850 26913.57
TOTAL 30850 26913.57

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F3/F12=Veh Ord Menu

S099 - PRESS F4 TO SUBMIT

QC078512

**2013 PD B&W AWD Sedan
Vehicle Specifications**

Quantity	Year	Make	Model	Description
6	2013	FORD	Police Interceptor	4 Door B&W AWD Police Sedan All Std Equipment No Deletions

Order Codes

P2M	Chassis/Body
UA	Exterior Color Black
YZ	Secondary Color White
RW	Interior Color Charcoal Black
A23	California Emissions Not Required
936	California Emission Exemption
998	Engine 3.5 Ti-VCT V6 FFV
441	Transmission
	Tires 18" Std

Additional Equipment

218	Dual Spot Lamps LED Bulb
143	Two Tone Vinyl Roof and Both Front Doors Only
153	Front License Bracket
63P	Rear Door Handle Inoperable; Hidden Door Lock Plunger
438	Keyed Alike Code 1284X
67B	Rear Power Window Switch Delete
28P	Noise Suppression Bands
13C	Dark Car Feature Include Courtesy Light Disable
97T	Trunk Circulation Fan

Provide 1 complete set of shop manuals including EVTm paper or disc

Vehicles to be delivered at City Garage, 798 Niantice Ave., Daly City, CA 94014.

Vendor to handle licensing details, including furnishing DMV with report of sale, smog certificate, City's exempt registration form (Reg. 217) and all other needed papers. Daly City's Motor Vehicle Supervisor is authorized to sign documents for the City.

The requirements above are the **MINIMUM** requirements. No Exceptions to these minimum requirements will be accepted without prior approval from the City of Daly City, Department of Public Works - Motor Vehicles division. Questions regarding bid documents or specifications should be directed to Thomas Shiosaka, Public Works Maintenance Supervisor by email at tshiosaka@dalycity.org.

CITY OF DALY CITY
BID PROPOSAL FORM

NOTE: This bid must be sent in duplicate in a sealed envelope, clearly marked on front:
 "Sealed Bid to Furnish Ford Police Interceptors
 To Be Opened 2:30 PM, Wednesday, September 19, 2012"

This must be sent to: City of Daly City
 Office of the City Clerk
 333 - 90th Street
 Daly City, CA 94015-1895

TO: CITY OF DALY CITY

The undersigned agrees to furnish F.O.B. City of Daly City, the following items at the prices bid below, in accordance with bid specifications and general conditions. Prices must be complete and include any "Other Charges."

<u>ITEM</u>	<u>QUANTITY</u>	<u>DESCRIPTION</u>	<u>UNIT COST</u> EA	<u>TOTAL</u>
A.	2 EA	2013 Ford Police Interceptor, 4-Door, All Black AWD, Police Sedan. Per bid specifications and conditions.	<u>20,666.27</u>	<u>41,332.54</u>
B.	4 EA	2013 Ford Police Utility Interceptor. AWD. Per bid specifications and conditions.	<u>25,125.62</u>	<u>100,502.48</u>
C.	6 EA	2013 Ford Police Interceptor, 4-Door, Black & White, AWD, Police Sedan. Per bid specifications and conditions.	<u>21,241.27</u>	<u>127,447.62</u>
D.		Sales Tax @ <u>8.25%</u>		<u>22,215.82</u>
E.		Delivery Charges		<u>-</u>
F.		Other Charges - Please Explain (May use back of sheet for explanation)		<u>-</u>
Bid Grand Total:				<u>291,498.46</u>

Delivery Time: 90 Days

I certify my bid is in accordance with bid conditions and specifications.

Signature *AP Brown* Date of Signature 9/19/12

Title Addison P. Brown - Director Fleet/Commercial

Company Name SERRAMONTE FORD

Address 999 SERRAMONTE BLVD

City/ST/Zip Code COLMA, CA 94014

Telephone Number 650-301-7069

2013 PD All Black AWD Sedan Vehicle Specifications

Quantity	Year	Make	Model	Description
2	2013	FORD	Police Interceptor	4 Door All Black AWD Police Sedan All Std Equipment No Deletions

Order Codes

- ✓ P2M ✓ Chassis/Body
- ✓ UA ✓ Exterior Color Black

- ✓ RW ✓ Interior Color Charcoal Black
- ✓ 423 ✓ California Emissions Not Required - ?
- ✓ 936 ✓ California Emissions Exemption
- ✓ 998 ✓ Engine 3.5Ti-VCT V6
- ✓ 44J ✓ Transmission
- Tires 18" Std

Additional Equipment

- ✓ 21B ✓ Dual Spot Lamps LED Bulb
- 153 ~~9A~~ Front License Bracket
- ✓ 63P ✓ Rear Door Handle Inoperable; Hidden Door Lock Plunger
- ✓ 43B ✓ Keyed Alike Code 1284X
- ✓ 67D ✓ Rear Power Window Switch Delete
- ✓ 20P ✓ Noise Suppression Bands
- ✓ 13C ✓ Dark Car Feature, Include Courtesy Light Disable
- 97T ✓ Trunk Circulation Fan

~~X~~ Provide 1 complete set of shop manuals including EVM paper or disc.

Vehicles to be delivered at City Garage, 798 Niantice Ave., Daly City, CA 94014.

Vendor to handle licensing details, including furnishing DMV with report of sale, smog certificate, City's exempt registration form (Reg. 217) and all other needed papers. Daly City's Motor Vehicle Supervisor is authorized to sign documents for the City.

The requirements above are the **MINIMUM** requirements. No Exceptions to these minimum requirements will be accepted without prior approval from the City of Daly City, Department of Public Works - Motor Vehicles division. Questions regarding bid documents or specifications should be directed to Thomas Shiosaka, Public Works Maintenance Supervisor by email at tshiosaka@dalycity.org.

2013 PD Utility AWD Vehicle Specifications

Quantity	Year	Make	Model	Description
4	2013	FORD	Police Interceptor	Police Utility Interceptor AWD All Standard Equipment No Deletions

Order Codes

- ✓ K8A ✓ Chassis/Body Utility Interceptor
 - ✓ UA ✓ Exterior Color Black
 - ✓ YZ ✓ Secondary Color White
 - ✓ 9W ✓ Interior Color Charcoal Black
 - ✓ 423 ✓ California Emissions Not Required
 - ✓ 936 ✓ California Public Service Exemption Required
 - ✓ 99R ✓ Engine 3.7 Ti-VCT V6 FFV
 - ✓ 44C ✓ Transmission 6 Speed Automatic
- Tires 18" Std.

Additional Equipment

- ✓ 60R ✓ Noise Suppression Bands
- ✓ 91C ✓ Two Tone Vinyl Pkg 1 Roof L/R Front Doors Only
- ✓ 51S ✓ Dual Spot Lamps L/R (LED)
- ✓ 153 ✓ Front License Plate Bracket
- ✓ 52P ✓ Door Lock Plunger Hidden w/Rear Door Handles Inoperable
- ✓ 59B ✓ Keyed Alike Code 1284X
- ✓ 17A ✓ Aux Air Conditioning
- ✓ 43D ✓ Dark Car Feature Include Courtesy Lamp Disable
- ✓ 17T ✓ Red/White Dome Lamp in Cargo Area
- ✓ 18W ✓ Rear Window Power Delete, Operable From Drivers Side Front Switches

✗ Provide 1 complete set of shop manuals including EVTm paper or disc

Vehicles to be delivered at City Garage, 798 Niantice Ave., Daly City, CA 94014.

Vendor to handle licensing details, including furnishing DMV with report of sale, smog certificate, City's exempt registration form (Reg. 217) and all other needed papers. Daly City's Motor Vehicle Supervisor is authorized to sign documents for the City.

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**2013 PD B&W AWD Sedan
Vehicle Specifications**

Quantity	Year	Make	Model	Description
6	2013	FORD	Police Interceptor	4 Door B&W AWD Police Sedan All Std Equipment No Deletions

Order Codes

- ✓ P2M ✓ Chassis/Body
- ✓ UA ✓ Exterior Color Black
- ✓ YZ ✓ Secondary Color White
- ✓ RW ✓ Interior Color Charcoal Black
- ✓ 423 ✓ California Emissions Not Required
- ✓ 936 ✓ California Emission Exemption
- ✓ 998 ✓ Engine 3.5 Ti-VCT V6 FFV
- ✓ 44J ✓ Transmission
- Tires 18" Std

Additional Equipment

- ✓ 21B ✓ Dual Spot Lamps LED Bulb
- ✓ 143 ✓ Two Tone Vinyl Roof and Both Front Doors Only
- 153 ^{STD} Front License Bracket
- ✓ 63P ✓ Rear Door Handle Inoperable; Hidden Door Lock Plunger
- ✓ 43B ✓ Keyed Alike Code 1284X
- ✓ 67D ✓ Rear Power Window Switch Delete
- ✓ 20P ✓ Noise Suppression Bands
- ✓ 13C ✓ Dark Car Feature Include Courtesy Light Disable
- ✓ 97T ✓ Trunk Circulation Fan

✗ Provide 1 complete set of shop manuals including EVTM paper or disc

Vehicles to be delivered at City Garage, 798 Niantice Ave., Daly City, CA 94014.

Vendor to handle licensing details, including furnishing DMV with report of sale, smog certificate, City's exempt registration form (Reg. 217) and all other needed papers. Daly City's Motor Vehicle Supervisor is authorized to sign documents for the City.

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**CITY OF DALY CITY
BID PROPOSAL FORM**

NOTE: This bid must be sent in duplicate in a **sealed** envelope, clearly marked on front:
"Sealed Bid to Furnish Ford Police Interceptors
To Be Opened 2:30 PM, Wednesday, September 19, 2012"

This must be sent to: City of Daly City
Office of the City Clerk
333 - 90th Street
Daly City, CA 94015-1895

TO: CITY OF DALY CITY

The undersigned agrees to furnish F.O.B. City of Daly City, the following items at the prices bid below, **in accordance with bid specifications and general conditions**. Prices must be **complete** and include any "Other Charges."

<u>ITEM</u>	<u>QUANTITY</u>	<u>DESCRIPTION</u>	<u>UNIT COST</u> <u>EA</u>	<u>TOTAL</u>
A.	2 EA	2013 Ford Police Interceptor, 4-Door, All Black AWD, Police Sedan. Per bid specifications and conditions.	\$ <u>20,610⁰⁰</u>	\$ <u>41,220⁰⁰</u>
B.	4 EA	2013 Ford Police Utility Interceptor, AWD. Per bid specifications and conditions.	\$ <u>25,091⁰⁰</u>	\$ <u>100,364⁰⁰</u>
C.	6 EA	2013 Ford Police Interceptor, 4-Door, Black & White, AWD, Police Sedan. Per bid specifications and conditions.	\$ <u>21,185⁰⁰</u>	\$ <u>127,110⁰⁰</u>
D.		Sales Tax @ <u>8.25</u> %		\$ <u>22,167²⁶</u>
E.		Delivery Charges		<u>NA</u>
F.		Other Charges - Please Explain <u>Cal. Time Fee</u> (May use back of sheet for explanation)		\$ <u>105⁰⁰</u>
Bid Grand Total:				\$ <u>290,966²⁶</u>

Delivery Time: 65 Days

I certify my bid is in accordance with bid conditions and specifications.

Signature  BILL LAZAR

Date of Signature 9-17-12

Title Commercial Acct. Manager

Company Name THE FORD STORE SAN LEANDRO

Address 1111 MARINA BLVD.
SAN LEANDRO, CA 94577

City/ST/Zip Code _____

Telephone Number 510-347-4138

==> **Police Utility**

Dealer: F72018

2013 EXPLORER 4-DOOR

Page: 1 of 2

Order No: 9999 Priority: K3 Ord FIN: QB430 Order Type: 5B Price Level: 315
Ord Code: 500A Cust/Flt Name: DALY CITY PO Number:

	RETAIL		RETAIL
K8A	4DR AWD POLICE \$29705	43D	COURTESY DISABL \$20
	.112.6" WB	51S	DUAL LED LAMPS 620
UA	BLACK	59B	KEY CODE 1284X 50
YZ	POLICE WHITE	60R	NOISE SUPPRESS 100
9	CLTH BKTS/VNL R		JOB #2 ORDER
W	BLACK INTERIOR	91C	VINYL PACKAGE 3 700
500A	EQUIP GRP	936	CAL SER VEH EXP NC
99R	.3.7L V6 TIVCT NC		FLEX FUEL
44C	.6-SPD AUTO TRAN NC		
52P	DR LOCK PLUNGER 160		TOTAL BASE AND OPTIONS 32865
	FRT LICENSE BKT NC		TOTAL 32865
17A	AUX CLIMATE CTL 610		*THIS IS NOT AN INVOICE*
17T	CARGO DOME LAMP 50		
18W	RR WINDOW DEL 25		* MORE ORDER INFO NEXT PAGE *
423	CAL EM NOT REQD		F8=Next

==>

Dealer: F72018

2013 EXPLORER 4-DOOR

Page: 2 of 2

Order No: 9999 Priority: K3 Ord FIN: QB430 Order Type: 5B Price Level: 315
Ord Code: 500A Cust/Flt Name: DALY CITY PO Number:

	RETAIL		RETAIL
	SP DLR ACCT ADJ		
	SP FLT ACCT CR		
	FUEL CHARGE		
B4A	NET INV FLT OPT NC		
	PRICED DORA NC		
	DEST AND DELIV 825		
	TOTAL BASE AND OPTIONS 32865		
	TOTAL 32865		
	THIS IS NOT AN INVOICE		

F7=Prev

F1=Help

F2=Return to Order

F3/F12=Veh Ord Menu

F4=Submit

F5=Add to Library

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Black

Dealer: F72018

2013 TAURUS

Page: 1 of 1

Order No: 9999 Priority: K1 Ord FIN: QB430 Order Type: 5B Price Level: 315

Ord Code: 500A Cust/Flt Name: DALY CITY PO Number:

RETAIL

RETAIL

P2M	AWD INTERCEPTOR	\$28360	43B	KEY ALIKE 1284X	\$50
UA	BLACK		63P	DR LOCK PLUNGER	155
R	CLOTH/VINYL		67D	PWR WND DISABLE	25
W	BLACK		936	CAL SER VEH EXP	NC
500A	EQUIP GRP		97T	TRUNK FAN	60
	.FLEX FUEL			SP DLR ACCT ADJ	
998	.3.5L V6 TIVCT	NC		SP FLT ACCT CR	
44J	.6-SPD AUTO TRAN	NC		FUEL CHARGE	
	JOB #2 ORDER		B4A	NET INV FLT OPT	NC
	CA BOARD FEES	NC		PRICED DORA	NC
13C	DARK CAR LAMP	20		DEST AND DELIV	795
	FRT LICENSE BKT	NC		TOTAL BASE AND OPTIONS	30165
20P	NOISE SUP BONDS	95		TOTAL	30165
21B	SPOT LAMP DUAL	605		*THIS IS NOT AN INVOICE*	
423	CAL EM NOT REQD				

F1=Help

F2=Return to Order

F3/F12=Veh Ord Menu

F4=Submit

F5=Add to Library

S099 - PRESS F4 TO SUBMIT

QC03928

Black & White Interceptor
2013 TAURUS

Order No: 9999 Priority: K1 Ord FIN: QB430 Order Type: 5B Price Level: 315
Ord Code: 500A Cust/Flt Name: DALY CITY PO Number:

RETAIL		RETAIL
P2M	AWD INTERCEPTOR \$28360	21B SPOT LAMP DUAL \$605
UA	BLACK	423 CAL EM NOT REQD
YZ	POLICE WHITE	43B KEY ALIKE 1284X 50
R	CLOTH/VINYL	63P DR LOCK PLUNGER 155
W	BLACK	67D PWR WND DISABLE 25
500A	EQUIP GRP	936 CAL SER VEH EXP NC
	.FLEX FUEL	97T TRUNK FAN 60
998	.3.5L V6 TIVCT NC	SP DLR ACCT ADJ
44J	.6-SPD AUTO TRAN NC	
	JOB #2 ORDER	TOTAL BASE AND OPTIONS 30850
	CA BOARD FEES NC	TOTAL 30850
13C	DARK CAR LAMP 20	*THIS IS NOT AN INVOICE*
143	VINYL WRAP #3 685	
	FRT LICENSE BKT NC	* MORE ORDER INFO NEXT PAGE *
20P	NOISE SUP BONDS 95	F8=Next

==>

2013 TAURUS

Order No: 9999 Priority: K1 Ord FIN: QB430 Order Type: 5B Price Level: 315
Ord Code: 500A Cust/Flt Name: DALY CITY PO Number:

RETAIL		RETAIL
	SP FLT ACCT CR	
	FUEL CHARGE	
B4A	NET INV FLT OPT NC	
	PRICED DORA NC	
	DEST AND DELIV 795	
TOTAL BASE AND OPTIONS 30850		
TOTAL 30850		
THIS IS NOT AN INVOICE		

F7=Prev

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CITY OF DALY CITY
BID PROPOSAL FORM

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 "Sealed Bid to Furnish Ford Police Interceptors
 To Be Opened 2:30 PM, Wednesday, September 19, 2012"

This must be sent to: City of Daly City
 Office of the City Clerk
 333 - 90th Street
 Daly City, CA 94015-1895

TO: CITY OF DALY CITY

The undersigned agrees to furnish F.O.B. City of Daly City, the following items at the prices bid below, in accordance with bid specifications and general conditions. Prices must be complete and include any "Other Charges."

ITEM	QUANTITY	DESCRIPTION	UNIT COST EA	TOTAL
A.	2 EA	2013 Ford Police Interceptor, 4-Door, All Black AWD, Police Sedan. Per bid specifications and conditions.	\$21,059 ⁰⁰	\$42,118 ⁰⁰
B.	4 EA	2013 Ford Police Utility Interceptor, AWD. Per bid specifications and conditions.	\$25,548 ⁰⁰	\$102,192 ⁰⁰
C.	6 EA	2013 Ford Police Interceptor, 4-Door, Black & White, AWD, Police Sedan. Per bid specifications and conditions.	\$21,639 ⁰⁰	\$129,834 ⁰⁰
D.		Sales Tax @ <u>8.25</u> %		\$22,416.28
E.		Delivery Charges		<u>0</u>
F.		Other Charges - Please Explain <u>Tire Fee \$8.75 EA unit</u> (May use back of sheet for explanation)		\$105.00
Bid Grand Total:				\$296,865.28

Delivery Time: 100 Days A.R.O.

I certify my bid is in accordance with bid conditions and specifications.

Signature [Signature]

Date of Signature 9/10/12

Title GOVERNMENT SALES MANAGER

Company Name LIVERMORE FORD

Address 2266 KITTY HAWK RD.

City/ST/Zip Code LIVERMORE, CA. 94551

Telephone Number 530-867-1173

**2013 PD All Black AWD Sedan
Vehicle Specifications**

Quantity	Year	Make	Model	Description
2	2013	FORD	Police Interceptor	4 Door All Black AWD Police Sedan All Std Equipment No Deletions

Order Codes

P2M	Chassis/Body
UA	Exterior Color Black
RW	Interior Color Charcoal Black
423	California Emissions Not Required
936	California Emissions Exemption
998	Engine 3.5Ti-VCT V6
44J	Transmission
	Tires 18" Std

Additional Equipment

21B	Dual Spot Lamps LED Bulb
153	Front License Bracket
63P	Rear Door Handle Inoperable; Hidden Door Lock Plunger
43B	Keyed Alike Code 1284X
67D	Rear Power Window Switch Delete
20P	Noise Suppression Bands
13C	Dark Car Feature, Include Courtesy Light Disable
97T	Trunk Circulation Fan

Provide 1 complete set of shop manuals including EVTm paper or disc.

Vehicles to be delivered at City Garage, 798 Niantice Ave., Daly City, CA 94014.

Vendor to handle licensing details, including furnishing DMV with report of sale, smog certificate, City's exempt registration form (Reg. 217) and all other needed papers. Daly City's Motor Vehicle Supervisor is authorized to sign documents for the City.

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2013 PD Utility AWD Vehicle Specifications

Quantity	Year	Make	Model	Description
4	2013	FORD	Police Interceptor	Police Utility Interceptor AWD All Standard Equipment No Deletions

Order Codes

K8A	Chassis/Body Utility Interceptor
UA	Exterior Color Black
YZ	Secondary Color White
9W	Interior Color Charcoal Black
423	California Emissions Not Required
936	California Public Service Exemption Required
99R	Engine 3.7 Ti-VCT V6 FFV
44C	Transmission 6 Speed Automatic
	Tires 18" Std.

Additional Equipment

60R	Noise Suppression Bands
91C	Two Tone Vinyl Pkg 1 Roof L/R Front Doors Only
51S	Dual Spot Lamps L/R (LED)
153	Front License Plate Bracket
52P	Door Lock Plunger Hidden w/Rear Door Handles Inoperable
59B	Keyed Alike Code 1284X
17A	Aux Air Conditioning
43D	Dark Car Feature Include Courtesy Lamp Disable
17T	Red/White Dome Lamp in Cargo Area
18W	Rear Window Power Delete, Operable From Drivers Side Front Switches

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**2013 PD B&W AWD Sedan
Vehicle Specifications**

Quantity	Year	Make	Model	Description
6	2013	FORD	Police Interceptor	4 Door B&W AWD Police Sedan All Std Equipment No Deletions

Order Codes

P2M	Chassis/Body
UA	Exterior Color Black
YZ	Secondary Color White
RW	Interior Color Charcoal Black
423	California Emissions Not Required
936	California Emission Exemption
998	Engine 3.5 Ti-VCT V6 FFV
44J	Transmission
	Tires 18" Std

Additional Equipment

21B	Dual Spot Lamps LED Bulb
143	Two Tone Vinyl Roof and Both Front Doors Only
153	Front License Bracket
63P	Rear Door Handle Inoperable; Hidden Door Lock Plunger
43B	Keyed Alike Code 1284X
67D	Rear Power Window Switch Delete
20P	Noise Suppression Bands
13C	Dark Car Feature Include Courtesy Light Disable
97T	Trunk Circulation Fan

Provide 1 complete set of shop manuals including EVTm paper or disc

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Town of Atherton

CITY COUNCIL STAFF REPORT - CONSENT

**TO: HONORABLE MAYOR AND CITY COUNCIL
GEORGE RODERICKS, CITY MANAGER**

FROM: ROBERT BARRON III, FINANCE DIRECTOR

DATE: MARCH 20, 2013

SUBJECT: BUDGET AMMENDMENT MID-YEAR FY 12-13

RECOMMENDATION

Approve the requested budget amendment to the Building Department

DISCUSSION

On March 13 staff presented the Mid-Year Budget Report for FY 2012-2013. As noted in the staff report, any increased expenditures within each department were netted out against against any reductions in expenditures for a mid-year budget picture. The staff report also noted however, that there were two areas in which a budget amendment would be necessary.

A budget amendment is necessary to reflect changes within the Building Department related to the BKF engineering drainage project and to correct the allocation for the Town Associate Engineer. For the BKF project, when approved, there was supposed to be a corresponding budget amendment to adjust the budget for the cost of the project. This did not occur. Further, as explained during the Mid-Year presentation, when the Associate Engineer was allocated throughout the budget it was misallocated within the Building Department budget.

Combined, these adjustment total \$124,452. Attached is the budget amendment resolution reflecting the adjustment as per the Mid-Year Financial Report.

FISCAL IMPACT

The fiscal impact of this adjustment is an increase of \$124,452 to the Town budget and a decrease in the same amount from the unappropriated anticipated general fund balance of \$2,542,201.

Prepared by:

Approved by:

Robert Barron III, Finance Director

George Rodericks, City Manager

Attachment: Resolution Approving Mid-Year 2012-13 Budget Amendment

RESOLUTION NO. 13-xx

**A RESOLUTION OF THE CITY COUNCIL OF THE TOWN OF
ATHERTON APPROVING MID-YEAR BUDGET AMENDMENT
FOR FY 2012/13**

WHEREAS, the City Council supports the proposal of the Mid-Year Budget review and

WHEREAS, budget adjustment for allocation of Associate Engineer and BKF project in the total amount of \$124,452; and

WHEREAS, in review of the General Fund at Mid-Year for Fiscal Year 2012-2013, these adjustments are to be made to the Operating Budget as set forth in Exhibit A, attached hereto and incorporated herein.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the Town of Atherton does hereby approve an amendment to the FY 2012-13 Town Budget to enact the changes identified on Exhibit A attached hereto.

PASSED AND ADOPTED at a meeting of the City Council of the Town of Atherton held on the 20th day of March, 2013 by the following vote:

AYES: Council members:
NOES: Council members:
ABSENT: Council members:

Elizabeth Lewis, MAYOR
Town of Atherton

ATTEST:

Theresa N. DellaSanta, City Clerk

APPROVED AS TO FORM:

William B. Conners, City Attorney

EXHIBIT A

**Town of Atherton
Budget Amendment Request**

Transfer \$124,452 From:

**2012/2013
Un-appropriated General Fund Balance**

To:

2012/2013

101-25-50008-025	40,000
101-25-50013-025	390
101-25-51001-025	580
101-25-51003-025	5,550
101-25-51004-025	<u>750</u>
	\$50,020

101-25-52017-025 \$74,432

Total Adjustment \$124,432



Town of Atherton

CITY COUNCIL STAFF REPORT – REGULAR AGENDA

TO: HONORABLE MAYOR AND CITY COUNCIL

FROM: GEORGE RODERICKS, CITY MANAGER

DATE: MARCH 20, 2013

SUBJECT: STRATEGIC PLANNING FOR PARCEL TAX RENEWAL

RECOMMENDATION

Consider the use of professional services for assistance with the upcoming parcel tax renewal and evaluation of other potential revenue sources.

BACKGROUND

Unless renewed, the parcel tax will expire in 2014. In 2012/2013, revenue from the parcel tax will total approximately \$1,860,000. Revenues are split 60% to direct front-line law enforcement with the remainder to public infrastructure (capital projects). For 2012/2013, \$1,116,000 is allocated toward police services and \$744,000 toward capital infrastructure projects.

The Town's 2012/2013 budgeted police service expenditures are \$5,463,061. The parcel tax revenue reduces these front-line expenditures by \$1,116,000 to \$4,347,061. The Town's 2012/2013 planned capital infrastructure expenditures are \$1,389,755. The parcel tax revenue contributes \$744,000 toward this amount reducing it to \$645,755. This remaining amount is drawn down from the fund reserves. The Town "saves then spends" for capital projects. Because the sixty (60%) percent allocation to front-line law enforcement is a direct allocation the remaining fund balance within the Special Tax Fund is a "savings account" for large capital projects for which the Town must save over a period of years to fund.

The Town's total general fund operating budget for 2012/2013 (excluding capital projects) totaled \$10,875,807 million. This amount is offset by revenues of \$11,391,267, including the allocation of \$1,116,000 from the parcel tax toward police services.

The table below reflects the revenues and expenditures as they relate to the parcel tax in the current fiscal year.

<i>Revenues</i>	<i>Other Gov't</i>	<i>Police</i>	<i>Cap. Projects</i>	<i>Total</i>
Parcel Tax	\$0	\$1,116,000	\$744,000	\$1,860,000
General Fund	\$10,191,542	\$83,725	\$0	\$10,275,267
Total	\$10,191,542	\$1,199,725	\$744,000	\$12,135,267
<i>Expenditures</i>	<i>Other Gov't</i>	<i>Police</i>	<i>Cap. Projects</i>	<i>Total</i>
Parcel Tax	\$0	\$1,116,000	\$744,000	\$1,860,000
General Fund	\$5,412,746	\$4,347,061	\$0	\$9,759,807
Total	\$5,412,746	\$5,463,061	\$744,000	\$11,619,807

Other Government consists of City Council, Administration, City Attorney, Finance, Planning, Building, Public Works, and Non-Departmental expenditures. In 2012/2013, the Town drew down \$645,755 from existing capital infrastructure reserves within the parcel tax fund (funds saved over time) to fund \$1,389,755 in capital projects. At the conclusion of the fiscal year there will be \$168,726 remaining in the capital projects fund reserve.

Revenues over expenditures from the General Fund and Parcel Tax Fund are \$515,460, less \$74,853 in required fund transfers the net revenues over expenditures totals \$440,607. The Town's Reserve Policy requires that it maintain a 35% reserve (15% emergency and 20% operational). The 2012/2013 Operating Budget notes that netting out total revenues over total expenditures and adding in an existing general fund balance of \$5,921,758, the Town meets its reserve policy by \$1,438 at its current operational levels. This amount includes allocations to payoff the unfunded actuarial liabilities connected to the pension system.

Without the parcel tax revenue, the Town would face a significant structural deficit in both the provision of police services and the maintenance of capital infrastructure. The expenditure levels of both would need to be reduced in order to meet the reduced revenue requirements.

FINDINGS

Should the Council desire to do so it can place the parcel tax measure on the November 2013 ballot for renewal. Successful passage will prevent a break in revenue. It will require a 66 2/3 vote to pass. Should the measure fail in November it could be returned for a subsequent election in 2014 before it formally expires.

In 2009 the Town considered the use of a consulting firm to assist with public information consulting, preparation of public education materials, surveys and other needs during the parcel tax renewal. At that time the Council opted not to use a public information and education firm and instead opted to use Godbe Research, a survey firm, to assist with the design and implementation of a community survey in connection with the proposed ballot measure.

Outside of property taxes, the special parcel tax is the Town's next largest revenue source. Several ideas have been floated for other potential revenue measures that could be considered

either in lieu of or in addition to the parcel tax. These include a sales tax, increased business license tax, utility users tax, and real estate transfer tax – in addition to increased fees for facility use.

In order to be successful in the passage of any revenue measure, objectivity and public education will be important as the Town seeks to educate the community about the needs of the Town, why the revenue measure is needed, and where/how it will be used. There are firms that specialize in providing this service to communities and the services they provide include polling services, public outreach, project timeline and budget, building community awareness, development of media materials, and communication strategies. These firms also assist with and act in coordination with the City Attorney to ensure that all legal requirements are met with respect to use of public monies in communicating the information as well as developing materials.

Staff does not have the resources to conduct this sort of effort and it is important that public outreach and education from the Town be consistent, clear, and objective.

Because staff had solicited proposals for this service in the recent past for the Council, staff solicited a sole proposal from the Lew Edwards Group as the recognized leader in the industry. The Lew Edwards Group would include an initial assessment of the viability of a revenue measure that would include scientific polling done by an outside firm. They would then independently analyze the results for feasibility and provide the Town with a strategic memorandum that discusses the viability, risks, opportunities, effective message, and recommendations on public information activities, as well as a determination of election timing.

The Lew Edwards Group would assist the Town with developing a clear and concise message to the community that is factual (i.e. not advocating any position) which would raise awareness beyond the already active stakeholders, to the silent majority. They would also keep the Finance Committee informed and engaged. Lastly, they would collaborate with the City Attorney on the proper and recommended wording and structure of the revenue measure, the ordinance, and the pro/con ballot arguments to ensure that all the voter handbook materials are understandable.

It is staff's opinion, confirmed by references, that while the Lew Edwards Group is likely not the least expensive consultant they are the best choice for services at this time. Alternatively, the Council could direct that staff again use only the services of a survey firm to assist with the design and implementation of a survey on any proposed ballot measure. The survey firm will not provide assistance with respect to public education materials; nor would the firm assist with the analyzing the feasibility of other revenue measures.

FISCAL IMPACT

At this time staff is requesting direction from the City Council on whether or not they would like to consider engaging a professional firm to assist with this process. Time is of the essence with respect to considering the issue and beginning public awareness and education. If supported by the Council, staff will return with a budget amendment for an amount to cover consultant costs.

ATTACHMENTS

Information from Lew Edwards Group



Item 23 Town of Atherton

CITY COUNCIL STAFF REPORT – REGULAR AGENDA

TO: HONORABLE MAYOR AND CITY COUNCIL
GEORGE RODERICKS, CITY MANAGER

FROM: MICHAEL KASHIWAGI, COMMUNITY SERVICES DIRECTOR

DATE: MARCH 20, 2013

SUBJECT: APPROVAL OF CIVIC CENTER MASTER PLAN RFP

RECOMMENDATION:

1. Approve the Request for Proposal (RFP) for preparation of a Civic Center Master Plan
2. Authorize staff to advertise and distribute the Civic Center Master Plan RFP

BACKGROUND

On February 12, 2013, City Council directed staff to prepare a Request for Proposal for a Community Center Master Plan. On February 20, City Council waived the requirement that the RFP be approved by the entire City Council in an attempt to accelerate its distribution. While the draft was prepared pursuant to the schedule approved by City Council on February 20, due to the amount of time for preparation, review and revision, the RFP was finalized on March 14.

During the review process, the term “Community Center” was changed to “Civic Center” to begin to better reflect the inclusion of municipal offices and the Library in addition to rooms for community meetings.

FINDINGS

The City Council Subcommittee reviewed the draft RFP on March 13 and suggested a number of changes to address historical data and bidder expectations. Since the next City Council meeting was scheduled for the following week, the Subcommittee decided that the full Council should be given the opportunity to review and comment on the RFP. A revised schedule is as follows, with the City Council selection date of June 19 maintained:

- Council authorize distribution of a Master Plan RFP March 20
- Staff distributes RFP March 21

- Pre-proposal meeting (optional attendance) March 28
- Open House and walk-thru for persons interested in CCAC March 18
- Council selection of CCAC members April 17
- Proposals due April 18
- CCAC review of proposals and development of short list week of April 22
- Consultant interviews week of May 13
- Council selection of Master Plan consultant June 19

FISCAL IMPACT

The 2012-13 Capital Improvement Program does not include funding for a Community Center Master Plan. Potential sources of funding for the Master Plan are Fund 406- Facilities Construction, with a balance of \$2,087,425, Fund 213- Library, with a fund balance of \$5,850,461; and the Town's General Fund.

Once the RFP's have been returned and concurrent with the Council's selection of a Master Plan consultant, staff will propose an appropriate funding allocation.

Prepared By:

Approved:

Mike Kashiwagi
Director of Community Services

George Rodericks
City Manager

TOWN OF ATHERTON



Request for Proposals
for
Civic Center Master Plan

City Clerk
91 Ashfield Road
Atherton, CA 94027

Proposals due by 4:00 pm on April 18, 2013

- SECTION I** Overview
- SECTION II** Background
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 - A.** Definition
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 - 1. Exhibit A-1 Site Plot- Western portion
 - 2. Exhibit A-2 Site Plot – Eastern Portion
- SECTION X** Professional Services Agreement

I. Overview

The Town of Atherton seeks a proposal for professional services to prepare a Civic Center Master Plan. The Master Plan should identify issues, analyze needs and desires, present several alternative plans and assess impacts on surrounding residential neighbors as well as other initial environmental impacts. It should consider on and off-site traffic circulation, impacts of current and proposed adjacent railroad service, current and future Town departments' needs along with community meeting rooms. Site layout and design must be consistent with Atherton's rural character and should mitigate adverse impacts on nearby residents. Responding individuals or firms must have demonstrated experience in analyzing municipal functions and responsibilities, managing the public participation process, and recommending sound planning and architectural solutions. The current site is the location to be used for the Civic Center, which should be master planned to house City Council chambers, Town administrative offices, community development permit center, police department, expanded library, public works maintenance and community rooms.

II. Background

The Town of Atherton desires to preserve its character as a scenic, rural, thickly-wooded residential area with abundant open space. There are approximately 2,500 residences with approximately 6,900 residents, according to the 2010 Census. The Town is mainly residential, with no commercial establishments. Although the Town is largely developed and therefore has a stable population, it experiences redevelopment as older residential buildings are demolished or significantly renovated, and its numerous schools make changes to their campus. In addition, policy changes and government mandates may require additional municipal program space for tasks such as additional security monitoring, storm water management, tree preservation and recycling. The Town has been engaged in two separate projects for the past number of years; the Town Center in its current location and a new Library in Holbrook-Palmer Park. In November 2012, voters rejected the concept of locating the Library in the Park. As a result, the Town Center concept has been changed to a Civic Center Project consisting of the Town's Administrative Offices, Police Department, Public Works, Building and Planning Departments, Council Chambers, Library, community meeting rooms and associated outdoor facilities. The historic Town Hall is to be retained. A previous conceptual design was prepared which did not include the Library. Programming information is presented on the Town's website at www.ci.atherton.ca.us under the Town Center Task Force (TCTF) and the Atherton Library Building Steering Committee (ALBSC). The TCTF report of May 18, 2010 showed needs for departmental space, City Council and active records storage of 14,700 square feet. There have been a number of changes in Town staffing since that date which will need to be considered during design. The Blue Ribbon Task Force's 2009 report stated that the Town has 13,700 square feet of offices and facilities, not including the Library. The ALBSC proposed two programs for a new Library: a one story building of 9,800 square feet and a two-story, 13,300 square foot building with community rooms on the second floor.

Previous studies in 1995 (Town of Atherton Police and Administration Building Space Needs Analysis & Master Plan, Group 4, July 1995), 2006 (Preliminary Master Plan Study, October 24, 2006, Edward Gee and Associates) and 2009 (The Need for Additional Public Services Spaces, Blue Ribbon Task Force, September, 2009) show that the Town has been wrestling with the issue of building Town offices for nearly 20 years. Decisions were made in the past which resulted in the following facilities being constructed at the various times shown, in response to factors such as State and Federal mandated

services, fluctuating workloads, service demands and service delivery methods. Data are shown with year of construction and with size in square feet, as follows:

- 1924 – Original Town Hall (Current Council Chambers) [1,696]
- 1927 – Library [1958]
- 1965 – Administration/Police building [6,812]
- 1978 – Police (general storage) [720]
- 1980 – Corporation Yard Garage [2,000]
- 1981 – Library addition [3,100]
- 1997 – Police modular (Detectives) [960]
- 1997 – Planning, Building & Public Works [2,972]
- 1999 – Corporation Yard Storage Shed [288]
- 2003 – Police Garage [1,440]
- 2004 – Corporation Yard offices [1,350].

III. Site Location and Description

The Civic Center site is located at 91 Ashfield Road. It is bordered on the west by Fair Oaks Lane, on the north by railroad tracks (also used by CalTrain), on the east by Maple Avenue and on the south by private properties. The parcels are generally bisected by Station Lane and Ashfield Road. Major buildings include the Administration Building/Police Station, original Town Hall (currently Council Chambers), Library, Corporation Yard Garage, Corporation Yard Office/Lockers, Police Garage and (modular) Permit Center. There are approximately 100 off-street parking spaces available to the public, plus a secured lot for Police parking. Two drawings which are the western and eastern plots of a site survey (Exhibits A-1 and A-2) are included in the Appendix and are also available for download on the Town’s website. These plots show that the Caltrain station, approximately 35 parking stalls and associated access roads are not owned by the Town but are available for public use. The Town’s parcels and rights-of-way bordered by them on both sides are approximately a rectangle 1,040 feet long (east-west dimension) by an average of 250 feet wide, with the Administration/Police Building at the widest point being 320 feet. The parcels include a total of approximately 4.4 acres, excluding the street rights-of-way.

IV. Scope of Work

A. WORK DEFINITION

The Town is requesting proposals to prepare a Master Plan for its municipal government operations, including its Police Department, which also incorporates the Town library and adds community rooms. Because there have been a number of studies focused on only one facility on the site, the Master Plan should consider the entire site, including adjacent rights-of-way, as offering an opportunity to provide a cohesive set of facilities which meet both municipal and community needs. The work should include programming data, a site plan, on and off-site circulation and an Environmental Initial Study checklist.

B. SCOPE OF SERVICES

1. Establish and maintain a project schedule that will meet the Town’s Civic Center Master Plan Task List and Timeline.

2. Field review all buildings and sites included in the Civic Center.
3. Assemble and review existing plans, land surveys, utilities connections, heritage tree surveys and other information available for the project site.
4. During the Master Plan phase, meet monthly with Town staff and the Community Center Advisory Committee (CCAC).
5. Take an active role in scheduled scoping meetings with various stakeholder groups and the general public to define project goals.
6. Prepare a presentation for use by CCAC members to be presented in small group meetings in order to solicit community input on desired Civic Center features as well as concerns for development of the project site.
7. Analyze vehicular circulation and access, in order to reduce adverse impacts on adjacent residences. Street vacations and dedications can be considered.
8. Consider impacts of possible railroad expansion due to High Speed Rail proposals.
9. Update base data and an architectural program for Town Departments, Library and community use.
10. Using input gathered by CCAC members, staff interviews and previous programming documents, prepare at least three (3) alternative site plans, including building massing, parking, vehicular circulation, and open space, with phasing options and preliminary cost estimates and incorporate documentation and drawings into a draft Master Plan.
11. Present draft Master Plan and analysis of its alternatives to CCAC.
12. Based on CCAC input, revise draft Master Plan and present to City Council.
13. Based on public input and City Council decisions, prepare a final Master Plan.
14. Prepare an Initial Study checklist for review by Town Planning staff.

C. OTHER SERVICES TO BE INCLUDED

1. Conduct monthly meetings with Town Staff and CCAC, including preparation of meeting agenda, updated schedules, project reports and minutes of each meeting to subsequently follow each meeting.
2. It is the Consultant's responsibility to research, collect and verify all information such as existing records and documents including documents furnished by the Town in order to complete this project on schedule and within budget.
3. Develop schedules and notices and compile information for distribution to the public by Town staff.
4. Prepare monthly written progress reports, including budget and schedule status.
5. Conduct two public meetings to present the project draft report to the following bodies:
 - A. Community Center Advisory Committee
 - B. The Town Council of the Town of Atherton
6. Reporting to the Town of Atherton Director of Public Works, the Consultant will be responsible for developing and managing a responsive program required to complete a successful project.
7. Availability for consultation to interpret and/or revise the Master Plan.

V. Submittal and Review Process

1. Applicant questions: All questions regarding the RFP shall be submitted in writing to Gordon Siebert, City Engineer, at gsiebert@ci.atherton.ca.us . Questions and responses will be posted on the Atherton Town website.
2. Submittal Deadline: Late submittals will not be accepted.
3. Format and Delivery: Submit ten (10) letter-sized copies with one (1) unbound copy of the technical proposal to:

City Clerk

Town of Atherton
91 Ashfield Road
Atherton, CA 94027

and e-mail a PDF copy to Gordon Siebert at gsiebert@ci.atherton.ca.us.

4. Submittals will not be returned.
5. One (1) copy of the cost proposal shall be submitted in a separate sealed envelope at the same time as submittal of the technical proposal.
6. The Town reserves the right to accept or reject any or all proposals, or to alter the selection process in any lawful way, to postpone the selection process for its own convenience at any time, and to waive any non-substantive defects in this RFP or the proposals.
7. The Town proposes to short list the most qualified firms for consideration during the RFP process. The Town reserves the right to negotiate with other qualified persons or firms, or to solicit additional statements of qualifications at any point in the project should it fail to negotiate a reasonable fee with the initially selected person or firm or should that firm fail to execute the Town's Agreement.

VI. Proposed Timeline

March 21, 2013	RFP available on Town of Atherton website
March 28, 2013, 11 am	Pre-proposal meeting (non-mandatory)
April 3, 2013, 4 pm	Submission deadline for written questions
April 9, 2013	Responses to written questions available on Town website
April 18, 2013, 4 pm	Technical and Cost Proposals due
Week of May 13, 2013	Interviews with highest ranked proposers (if necessary)
June 19, 2013	Recommendation to Town Council

VII. Proposal Content

The proposal should include the following:

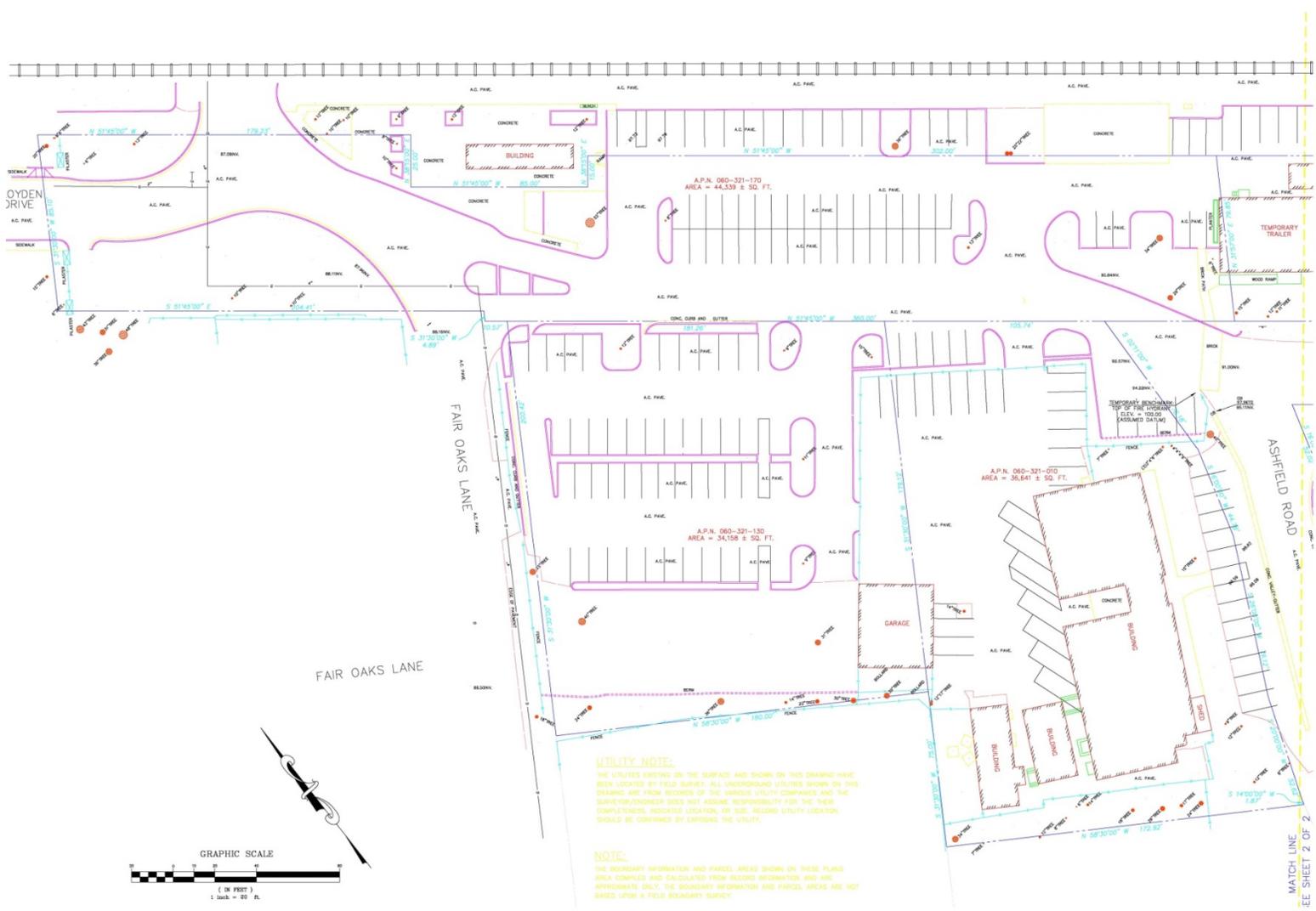
1. FIRM OR PERSON INTRODUCTION: including information such as form of organization, length of time in business, office location(s), number of staff and a general summary of qualifications documenting the strengths of the firm or person, areas of expertise and licensing.
2. APPROACH: the person or firm's project management practices, methodologies and processes.
3. PROJECT EXPERIENCE: listing specific Master Plan experience that is related to the type of service required by the Atherton Community Center project. Project experience should list the type of work provided with the client contact information for each project. If sub-consultants are proposed, include information on joint work, if any, and their roles in those projects.
4. DESIGN EXAMPLES: provide several graphic examples of Master Plans.
5. WORK PLAN: detailed work plans with estimated hours by task or project phase.

6. KEY STAFF: including the identification of the Principal-in-Charge and key staff. This section should identify the qualifications and related experience of key staff assigned to the project; and includes their resume showing experience in project management services. Include an organizational chart for this Master Plan project.
7. REFERENCES: Provide a minimum of three (3) client references that have working experience with the project team and companies proposed for assignment to this project. Furnish the name, title, address and telephone number of the person(s) at the client reference who is most knowledgeable about the work performed and can comment on the professional qualifications/expertise of the staff.
8. LITIGATION: a list of any current litigation to which the firm or person are parties by virtue of their professional service, in addition to a list of any such litigation from the past ten years.
9. DISCLOSURE: of any past, ongoing, or potential conflicts of interest that the firm or person may have as a result of performing the anticipated work.
10. COMMENTS OR REQUESTED CHANGES TO CONTRACT: The Town of Atherton standard Consultant Services Agreement is included as an attachment to the RFP. The proposing person or firm shall identify any objections and/or requested changes to the standard Agreement.
11. PROFESSIONAL FEES: Include standard hourly fees and charges. **One (1) copy of the cost proposal shall be submitted in a separate sealed envelope at the same time as submittal of the technical proposal.** The highest-ranked consultant's Fee Proposal shall be opened and will form the starting basis for fee negotiations with the consultant.

VIII. Evaluation Criteria

Firm qualifications	10%
Project Team Members' Technical Experience	20%
Project Team Members' graphic presentation	10%
Understanding of Project Issues and Expected Results	20%
Quality of Proposed Work Plan	30%
Quality of References	10%

IX. Appendix







Town of Atherton

CITY COUNCIL STAFF REPORT – REGULAR AGENDA

**TO: HONORABLE MAYOR AND CITY COUNCIL
GEORGE RODERICKS, CITY MANAGER**

**FROM: MICHAEL KASHIWAGI, COMMUNITY SERVICES
DIRECTOR
STEVE TYLER, PUBLIC WORKS SUPERINTENDENT**

DATE: MARCH 20, 2013

**SUBJECT: INFORMATIONAL STAFF REPORT - START-UP OF
WEDDINGS AT HOLBROOK-PALMER PARK**

RECOMMENDATION:

Provide direction to staff regarding resumption of weddings at Holbrook-Palmer Park beginning July 1, 2013.

INTRODUCTION:

On December 21, 2011, Council voted to discontinue all revenue generating events at the park for the 2013 calendar year. The events that were discontinued included:

- Weddings
- Social events – parties, memorials, graduations, dinners and dances.
- Corporate meetings/seminars

On March 21, 2012, Council brought back the following revenue generating events to the park:

- Social events – parties, memorials, graduations, dinners and dances.
- Corporate meetings/seminars

On January 20, 2013, Council has requested staff gather information regarding returning weddings to the list of park revenue generating events.

ANALYSIS:

In the past, Holbrook-Palmer Park was amongst the top locations on the peninsula for hosting a wedding and reception. The Town utilized both full time and part time staff and delivered an average of about 30-35 weddings per year. The average revenues from these weddings totaled approximately \$140,000 annually (2010 dollars). This amount is revenue only and is offset by staff costs connected to setups and take downs, bookings and event staffing.

Given the new contract model for town services, staff feels the best way to handle this activity would be outsourcing. This approach utilizes a contractor (such as an event planner, caterer or other event service) to take over weddings, along with all other current event programming except classes, at the park. This vendor would answer all inquiries regarding event bookings, keep the official events book for the park, show the venues to prospective clients, provide all inclusive staffing for events including set-ups, during event and clean-up. For this the vendor will be paid a percentage of the gross revenue of the event (estimated between 50%-60%).

In this model, the Town would remain responsible for set ups of “no fee” events at the park such as town sponsored meetings. In addition, because weddings are a facility-appearance driven event, maintenance and beautification of the facilities will be important. Some areas that will require additional budget allocations would be advanced frequency of painting of buildings, higher level of maintenance of facilities, hardscapes and landscapes and higher utility costs.

Type of annual expense	w/weddings	w/o weddings
Labor for building/grounds maintenance (enhanced) (864 hrs @ \$25 per hr)(24 hrs/week x 36 weeks)	\$21,600	\$10,800.00
Facility repairs – Carpet repair/maint, HVAC, glass, locks	\$3,000	\$2,000.00
PODS – storage	\$1,700.	\$0.00
Custodial – restrooms, carpets, kitchen (\$300 per mo share for MH, JP and CH)	\$2,400	\$2,400
Landscape supplies – plant materials/chips	\$2,000	\$500
Utilities - electricity, gas, water, sewer, phone	\$3,467	\$2,250
Misc. supplies – paper, mats	\$500	\$150

Interior paint	\$7,000	\$3,500
Carpet depreciation	<u>\$1,250</u>	<u>\$1,250</u>
Expenditure total	\$42,917	\$22,850
Difference		\$20,067

Based on the history of weddings in the park and staff projections going forward, staff estimates that we would book approximately 24 weddings per year. This could result in annual revenue of approximately \$96,000, assuming a permit cost of \$4,000 per wedding.

The Town may set the use fee for rentals at the Park at any rate it deems appropriate. If the Town uses a 3rd party vendor, staff also suggests charging a 30% administrative overhead charge on top of any uses at Park. This amount can either be added on as a direct pass-thru and/or added directly to the use fee. If it is added to the use fee, the selected vendor would receive a share of the overhead based on the gross permit cost.

Add to the total wedding revenue of \$96,000 the regularly booked park events (social events, corporate events and meetings) per year of approximately \$155,000. This brings the total gross rental income to approximately \$251,000 per year.

From this total, we would net out approximately 50% to the vendor, the higher annual maintenance costs (\$20,067), the elimination of MCE labor costs for fee-based setup/takedown, and an administrative overhead charge (30%). This leaves us with estimated revenue of \$187,106. This assumes weddings are fully booked for the year based on the applicable Town policies and that the vendor is responsible for all fee-based rentals. (Assumptions on the above are 24 weddings per year, other rentals based on current average, current fee structure, and the 30% administrative overhead. See attached spreadsheet)

The \$187,106 in net revenue by adding weddings back to the park compares to \$102,032 in net revenue without weddings. The net revenue by adding weddings back to the park is approximately \$85,074. From looking at the spreadsheet you can see quickly that this revenue is almost solely the result of the administrative overhead charge. The overhead charge is an attempt to recoup the cost of additional park maintenance. The Town can choose to set the use fee at any rate deemed appropriate and/or include, reduce, or eliminate the administrative overhead charge.

With respect to facility rentals, the concern in setting the right use fee depends on the Town's philosophy with respect to private rental use at the park. A higher fee will drive down usage and a lower fee could correspondingly increase usage and thereby increase impact and maintenance costs. It is a prime venue and staff does not anticipate that the addition of the overhead charge would reduce usage opportunities.

Going forward, the Town still would need to develop a clear facility use policy governing affiliated users, fees, event restrictions, valet parking requirements, and other descriptive language before starting weddings back up at the park.

FISCAL IMPACT:

See above estimates and Attachment.

Prepared By:

Approved:

Michael Kashiwagi, P.E.
Community Services Director

George Rodericks
City Manager

Robert Baron
Finance Director

Parks Events

Based on full park program event years				With Weddings	Without Weddings
			08/09 to 10/11 Actuals	08/09 to 10/11 Actuals	
			Average	Average	
			Park Program Revenue	Park Program Revenue	
Actual	Actual	Actual			
2008-09	2009-10	2010-11			
Social Fees	108,318	60,150	86,062	\$ 84,843.17	\$ 84,843.17
Meeting Fees	53,429	68,394	77,460	\$ 66,427.62	\$ 66,427.62
Misc. Use Fee	4,874	2,460	2,750	\$ 3,361.40	\$ 3,361.40
Total Average			\$ 154,632.18	\$ 154,632.18	
Weddings:	# of Projected Events	24	Fee \$ 4,000.00	\$ 96,000.00	
Total Projected Revenue with weddings			\$ 250,632.18	\$ 154,632.18	
50% Vendor booking fee			\$ (125,316.09)		
Park Maintenance of venues			\$ (43,000.00)	\$ (23,000.00)	
MCE Labor Reduction for Events			\$ 29,600.00	\$ (29,600.00)	
* Administrative Overhead 30%			\$ 75,189.66	\$ -	
Estimated Net Revenue			\$ 187,105.75	\$ 102,032.18	
Net from addition of weddings			\$ 85,073.56		

Council Report – March 2013
Elizabeth Lewis

February 22, 2013

Council of Cities Dinner – Daly City

Meeting was held at the Moonstar Restaurant with 19 of the 20 cities being in attendance. The speaker was David Perry, Community Engagement Coordinator for the America's Cup, Office of Mayor Ed Lee, San Francisco.

February 26, 2013

Atherton Channel Maintenance

Met with City Manager and Public Works Engineer Gordon Seibert to discuss issues regarding December 2012 storms and erosion to their properties. Discussion as to Town's liability and owner's responsibilities. A site meeting will be scheduled with the residents.

March 7, 2013

Finance Committee

Resident and Finance Committee Member Greg Conlon was elected Chair and resident and committee member Diane Beymer-Sandhu was elected Vice-Chair.

Finance Director presented preliminary mid-year budget for discussion and review. Will bring to full Council on March 13.

Reviewed Nicolay Consulting's Actuarial assumptions through June 30, 2011; however, it was noted that these numbers are subject to change with the new actuarial study considering the reduction in forces which will be available for the April 2013 meeting.

March 9, 2013

Opening Day – Menlo/Atherton Little League

Threw out first pitch along with Menlo Park Mayor, Peter Otahki. There are 500 Little League players in the league this year.

March 12, 2013

Transportation Committee

Resident and Committee Member Larry Sweeney was elected Chair and resident and long-time committee member John Rugeiro was elected Vice Chair.

Discussion of potential traffic safety at intersections of Laburnum and Linden and Juniper and Catalpa. Public Works and PD will visit area and report back.

March 13, 2013

CCAC Ad Hoc Committee

Met with Council Member Dobbie, City Manager and Public Works Engineer, Gordon Seibert to review the draft RFP for Town Master Plan. It was decided that since there was only one week before full Council meeting that this RFP should be brought to full council for discussion before finalizing.

March 13, 2013

Special City Council Meeting

Mid year budget and Atherton Channel at Marsh Road

All Council Members present

March 14, 2014

Dames Steering Committee

Met at the home of Dames' Co-President, Frauke Janssen to discuss By-Laws revisions and approve slate of next year's officers to be submitted to the Dames for approval at the upcoming General Meeting.

Discussion of their proposed fund-raising events, including the 1st Annual Fun Run. I explained the Town's policy regarding charging fees for Dames' events as provided by the city Manager:

Council considers the Dames as one of the Town's "designated community groups." For these groups and the specific types of events listed on an attachment to the Report in 2012 (events specifically at HPP), the Town will NOT charge a fee; however they must pay any direct Town costs associated with their event. So, for the easter egg hunt, swing in the park, etc. there were no fees charged but the Dames would have been required to pay for any direct Town costs (extra policing, setup costs, tear-down, insurance, etc.).

The policy does not cover events outside of HPP (such as the Dames' 5k fun run) which are considered "Special Events" under the Town's requirements and carry with them special insurance requirements, special police coverage (road guards, road closures, health and safety stops, etc.)

March 14, 2013

iPad Training

All Council Members were present.

Very informative.

March 14, 2013

Upper Atherton channel Site Visit

City Manager, Public Works Engineer, Steve Tyler and residents affected by last December 2012 storm

Site visit revealed sever scouring of the banks of the channel at residents' property. Town staff will further investigate historical data and permit process for residents to determine appropriate remediation.

March 18, 2013

CCAC Open House Facilities Tour

Intended for prospective CCAC members to evaluate scope of project.

March 20, 2013

Mayors Meals on Wheels

Participated in the Annual Mayors Meals on Wheels in Menlo Park.

Council Comments March 2013 – Jerry Carlson

Arbor Day Commemoration

Arbor Day was celebrated with tree plantings at Holbrook Palmer Park. Under the guidance of arborist Kevin Kielty a number of residents took part in planting the trees.

High Speed Rail

Senator Jerry Hill held a press conference at the Menlo Train Station to announce the introduction of his bill SB 557. This so called “clean up” legislation was promised by Democratic leaders when the budget bill 1029 was passed funding the initial construction project for High Speed Rail, in the Central Valley, in order to get local legislators to vote for the funding. (Senator Smitian was the lone local vote against funding the project – “wrong project at the wrong time”.)

Hill’s bill would restrict the approved electrification funds to only be used for the Caltrain modernization project. Future expansion of the right-of-way for four tracks would only happen if the nine agencies that signed the Caltrain/HSR MOU each agreed to do so when the “blended system” is implemented 25 or more years from now.

Hill does not have the support of the HSR Authority for his bill. Apparently, they don’t want to be restricted by having all nine members having to approve their adding separate HSR tracks at some later date. It’s questionable whether the legislature will pass the bill and the governor sign it since HSR is his ‘baby’. Atherton and several other cities were present for the press conference. Since then I have appeared at both the High Speed Rail board meeting and the JPB asking for support of this measure. This is a ‘litmus’ test as to whether they “promises” to stick to a “blended system” along the Peninsula corridor is really a commitment by the Authority. I firmly believe there ultimate build out goal remains to have dedicated tracks for High Speed Rail – if the system is ever built.

My comments to the Authority board were they needed to support the bill to overcome the distrust that many of the Peninsula cities have towards the board. “By supporting this bill your agency will give the corridor cities some hope that the assurances you are giving Caltrain and the Peninsula today will carry over to your successors”. I doubt very much we will receive such assurance.

The most unexpected thing to have occurred at the Redwood City meeting of HSR was Ms Shrenk casting a “no” vote against approving the new MOU between Caltrain and HSR. Her reason, she doesn’t believe the “blended system” is HSR and does not meet the requirements of Prop. 1A. This is exactly in line with the Central Valley law suit which Atherton contributed money towards. The Authority is expected to pass the MOU at a special meeting when another director will be present.

Caltrains Electrification Modernization Project

Caltrain is relying on Prop. 1A funds to help fund the electrification project. The process for determining the scoping of the environmental report is underway. The

Council has sent one letter of comments and is about to send a supplemental letter. I provided comments to at the first public meeting held in San Carlos. Neal Martin, Mike Kashiwagi and Jack Ringham have worked with the Rail Committee to further elaborate on concerns affecting Atherton such as the removal of trees, construction impacts and the visual look of 30' catenaries hovering above the rail corridor. John and Rosemary Maulbetsch also spoke on behalf of the town at the San Carlos meeting. The Caltrain Modernization Policy Group meeting for February was cancelled due to the scoping meetings. Next meeting is scheduled for March 28th, 6:00pm, in the San Carlos Sam Trans building.

Other Rail Meetings

The Atherton Rail Committee met and discussed HSR, the Central Valley law suit and Caltrain's Modernization program. Ideas generated at the meeting were incorporated into the town's EIR scoping comments.

As a member of the Menlo Chamber's Transportation Committee, I attend monthly meetings where information and discussion of the rail corridor and local transportation projects take place. JPB board member Art Lloyd regularly attends and local transportation expert Jim Bigalow chairs the meeting. Caltrain and Caltrans officials often are available to informally discuss concerns and details of various projects.

PCC held its meeting in Atherton and reelected Palo Alto Councilman Pat Burt chair. We other members appreciate the staff that Pat has researching and supporting their rail committee efforts which they readily share with the other member cities. Clarke Conway is the new representative from Brisbane replacing Stepi Richardson who recently resigned from their Council. Three of the PCC cities, Atherton, Burlingame and Belmont are contributing funds towards the Central Valley law suit. Palo Alto, Menlo Park and Brisbane have not yet indicated if they will or not.

Finance Committee

At the next meeting, the committee will receive updated information concerning the long term liabilities associated with employee compensation. These will take into account changes in staffing numbers and the change in the Miscellaneous Health program. Greg Conlon was elected Chairperson and Diane Beymer-Sandhu vice-chair. The committee will be involved in the recommendation process to the Council the Auditor for the coming year.

Council Report James Dobbie 3-20-2013

Environmental Programs Committee 3-5-2013

The first meeting of the reformed committee was held on March 5. Bill Widmer was appointed as Chairman and Denise Kupperman as Vice Chairman.

A yearly schedule of meetings was created and a list of projects with priorities.

The Committee decided that they would attempt to identify issues, having a local impact rather than global issues such as climate change.

The present list is:

Efficiency and environmental impacts of new construction

Street light energy reduction

Irrigation conservation.

Street Paving: eg porous asphalt

There was also some discussion on climate action

Environmental Programs committee 3-12-2013

This was a special meeting called to discuss possible events for Earth Day on April 22.

The committee decided that planting an oak tree in Holbrook Palmer Park to replace the large oak that collapsed last year was a worthwhile endeavour.

We would issue invitations to interested groups and have a speaker talk and provide refreshments.

The minutes of these meetings are available on the Town website

Civic Center Master Plan Review 3-13-2013

As requested by the Council the Mayor and I reviewed the document prepared by staff.

I suggested several changes which were incorporated.

The Mayor then decided the document should be reviewed by the whole Council which was the position Bill Widmer and I proposed but which was voted down.

3-13-2013

I attended the mid year budget review with the full Council and the discussion on the Marsh Road drainage channel.

I strongly believe that the alternatives suggested were not satisfactory and much too expensive.

My suggestion of using large covered piping would have many benefits including cost reduction and the ability to provide walking and bicycle paths for that part of Marsh Road

Council Member Bill Widmer
Council Report

5 March:

Attended kickoff for the EPC. Minutes approved 12 March and are on the Web.

A follow up meeting is scheduled for 12 March to consider Earth Day activities and estimate any funding requirements for such. If needed these will have been in the agenda pack we just went through.

Council Report – Council Member Cary Wiest

Holbrook Palmer Park Foundation –

Shirley Carlson reported the passing of long time supporter of HPPF Robert Franceschini , Past President. Services were well attended at St. Pius Church in Redwood City. HPPF released a new roster for 2103. MaryLue Timpson, Treasurer reported some banking issues with passwords. Membership due are coming in , currently totaling \$12,108. Frauke Jensen, Dames Co- President, reported that approximately 60 people attended a wine tasting at Marylue Timpson’s home on February 14, 2013 which netted about \$1,500. Brief comments were made related to the search for a beatification project for the Dames to support. No Park and Recreation report. New Business - Shirley Carlson circulated some rough sketches so everyone could visualize what the potential “Event Garden Area” would look like when upgraded. She and others are working closely with staff to create an RFP. Members of the board voted to set a spending limit on the project of \$125,000. Shirley Carlson also circulated a potential design change in the HPPF logo/letterhead. The general feedback was the new design is cleaner and more modern however there were some suggestions on edits and minor tweaking will occur. With the changes, the board approved the new design. The annual Board of Directors meeting will be on May 6th, 2013.

Menlo Park Fire Protection District –

Over 200 pages of printed material was provided for the February 26th, 2013 meeting. With minimal attendance, the Board of Directors got right to business and moved through the agenda. Three closed secession items were handled prior to 7:00. The District adopted the proposed General Fund Operating Budget of \$31,103,800. 5-0. Some HIGHLIGHTS of the Fire Chief’s Report: 1) Working with Director Kiraly on a) negotiations with members of the Red Cross to discuss sub-leasing office space, b) FS1 location to be used for joint CPR and First Aid Training, and, c) looking for a food supply at major structural fires and special incidents; 2) Sat down with Atherton Police Chief (Ed Flint) to discuss structuring a collaborative noise and fire ordinance; 3) Fire Trainer of the Year – Frank Fraone; 4) the District continues to work with Facebook on the West Campus Design; 5) Retired Fire Marshall John Smith passed away; 6)Community meeting with Supervisor Slocum in North Fair Oaks related to the “Weekend Acres” area from the Chief’s perspective it was a good meeting; 7) At the Fire Chief’s Meeting there was a discussion of the merger between Belmont Fire, San Mateo and Foster City there was also extended discussions related to potential impact to Coastside Fire; and 8)EPA has a new Fire Chief, Eric Nickel. The Directors has a discussion concerning potential goals, because of the number of directors and variety of goals, the process was noted to be difficult. As a result, each Director will send ten (10) proposed goals to the chair. There was a request for an increase in the General Fund Operating Budget by \$390,000 to be funded by prior year savings, it was approved. Several telecommunications issues were on the table and discussed in detail. A temporary modular facility at Station 2 was discussed with costs not to exceed \$270,000, it was approved. Capital improvement projects were discussed and unanimously approved. The Redevelopment Agency successor agencies and oversight board update -- monies are being returned, received \$681,011 to date, anticipated total return is \$1,217,700. Director

Silano headed a discussion related to “Paycom”, the payroll and HR solutions; there was a split in thoughts, and staff looking into it further.

Transportation Committee –

The meeting was originally canceled due to there only being one item on the agenda. After some exchanges, Chief Flint decided to hold the meeting as it could benefit the committee, the public, and that the committee only meets bi-monthly. Concerns were raised related to vehicles not yielding at Linden and Laburnum and Juniper at Catalpa, there was a brief discussion related to signage, obstructions and the vehicle code. The police department will review the areas in question and provide an assessment. The Police Department and City Engineer will report back at the next meeting with results and photographs of the areas in question. The crosswalk at Middlefield Road and Watkins Avenue was discussed. The concerns seemed valid, though the committee decided to wait for the results of the Pedestrian and Bike study that is currently underway. The City Engineer will look into costs of available signage. Rules of Procedure handout was reviewed with Town Manager providing insight. Police Traffic Report for the prior month was reviewed and discussed - six DUI arrests in Atherton, two of which also involved accidents.