



**AGENDA**  
**Town of Atherton**  
**CITY COUNCIL/ATHERTON CHANNEL DRAINAGE**  
**DISTRICT**  
**August 7, 2012**  
**6:00 P.M.**  
**Council Chambers**  
94 Ashfield Road  
Atherton, California  
**Special Meeting**

**ROLL CALL**      Widmer, Lewis, Dobbie, McKeithen, Carlson

**6:01 P.M.**      **PUBLIC COMMENTS**

**6:10 P.M.**      **REGULAR**

1.      **A RESOLUTION OF THE CITY COUNCIL OF THE TOWN OF ATHERTON, CALIFORNIA ORDERING THE SUBMISSION TO THE QUALIFIED ELECTORS OF THE TOWN OF ATHERTON A MEASURE RELATING TO THE MENLO-ATHERTON LITTLE LEAGUE PROPOSAL FOR HOLBROOK-PALMER PARK AT THE CONSOLIDATED GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 6, 2012, AS CALLED BY RESOLUTION NO. 12-XX**

**Report:** Interim City Manager Theresa DellaSanta

**Recommendation:** Approve Resolution 12-xx ordering the submission to qualified electors of the town of Atherton a measure relating to the Menlo-Atherton Little League proposal for Holbrook-Palmer Park at the Consolidated General Municipal Election to be held on Tuesday, November 6, 2012

2.      **A RESOLUTION OF THE CITY COUNCIL OF THE TOWN OF ATHERTON, CALIFORNIA ORDERING THE SUBMISSION TO THE QUALIFIED ELECTORS OF THE TOWN OF ATHERTON A MEASURE RELATING TO THE NEW TOWN CENTER AT THE CONSOLIDATED GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 6, 2012, AS CALLED BY RESOLUTION NO. 12-XX**

**Report:** Interim City Manager Theresa DellaSanta

**Recommendation:** Clarify the nature of the matter to be submitted to the electorate and direct staff to provide language for a Resolution 12-xx ordering the submission to qualified electors of the town of Atherton a measure relating to the new Town Center at the Consolidated General Municipal Election to be held on Tuesday, November 6, 2012

**ADJOURN**

Pursuant to the Americans with Disabilities Act, if you need special assistance in this meeting, please contact the City Clerk's Office at (650) 752-0500. Notification of 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. (29 CRF 35.104 ADA Title II)



## Town of Atherton

### CITY COUNCIL STAFF REPORT

**TO: HONORABLE MAYOR AND CITY COUNCIL**

**FROM: THERESA N. DELLASANTA, INTERIM CITY MANAGER**

**DATE: FOR THE MEETING OF JULY 25, 2012 REVISED FOR AUGUST 7, 2012**

**SUBJECT: A RESOLUTION OF THE CITY COUNCIL OF THE TOWN OF ATHERTON, CALIFORNIA ORDERING THE SUBMISSION TO THE QUALIFIED ELECTORS OF THE TOWN OF ATHERTON A MEASURE RELATING TO THE MENLO-ATHERTON LITTLE LEAGUE PROPOSAL FOR HOLBROOK-PALMER PARK AT THE CONSOLIDATED GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 6, 2012, AS CALLED BY RESOLUTION NO. 12-XX**

#### **RECOMMENDATION:**

Approve Resolution 12-xx ordering the submission to qualified electors of the town of Atherton a measure relating to the Menlo-Atherton Little League proposal for Holbrook-Palmer Park at the Consolidated General Municipal Election to be held on Tuesday, November 6, 2012.

#### **BACKGROUND:**

On August, 2010 the Menlo-Atherton Little League (M-ALL) began initial discussions with the Atherton Dames, park neighbors and the Park & Recreation Commission about their plans for erecting and maintaining spectator bleachers at the park.

Below is a timeline of what transpired since the initial discussion began.

April 6, 2011 - Park and Recreation Commission, based on review of conceptual plans voted to unanimously support the M-ALL proposal, however expressed concern with parking and trees in the outfield section

May 18, 2011 - City Council reviewed conceptual plans and referred the item to the Planning Commission for additional community outreach

August 24, 2011 - Planning Commission reviewed conceptual plans and discussed process to review proposal. Additionally, the Commission requested that M-ALL prepare more detailed plans for their review

June 27, 2012 - Planning Commission reviewed further detailed plans submitted by M-ALL. Staff mailed notice of the meeting to all Atherton residents. The Commission continued the item to the next meeting for further discussion. The Planning Commission Chair and Little League representatives agreed to remove the item from the July 25 Planning Commission meeting pending the ballot measure.

### Discussion

City Council has already adopted a resolution calling the November 6, 2012 election and consolidating it with the County.

By approving this additional resolution (attached as exhibit A) City Council will add a ballot measure to the *already called election* asking voters to determine whether to approve the Menlo-Atherton Little League proposal for Holbrook-Palmer Park.

The City Attorney has drafted the ballot question as follows:

“Should the Town permit Little League to erect and maintain spectator bleachers in the existing area used by that organization for playing baseball in Holbrook-Palmer Park?”

The deadline for placing the matter on the ballot by adopting this Council Resolution is Friday, August 10, 2012.

### Next Steps

August 16, 2012 = Primary Arguments (not to exceed 300 words) in favor of and against local measures are due by 5:00 p.m. (EC §§9162-9163, 9282-9283, 9286, 9315-9316, 9501-03). The California Elections Code provides that the City Council or members of the City Council as authorized by the City Council, any individual voter, or bona fide association of citizens, or combination of voters and associations may submit ballot arguments.

The City Council may wish to consider whether or not it wants to exercise its right to submit a ballot argument in favor of the measure, and if so, designate either the City Council as a whole or members of the Council to author the arguments.

August 26, 2012 = Rebuttal Arguments (not to exceed 250 word) for measures where a primary argument was filed both in favor and against are due. Impartial Analysis (not to exceed 500 word) written by the City Attorney for city measures are also due. (EC §§9163, 9167, 9285-86,

9316-17, 9501-9504). Rebuttals arguments tend to drive up the costs; therefore Council has the right not to accept rebuttal arguments.

Prepared by:

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Theresa N. DellaSanta  
Interim City Manager

Attachments:

*Exhibit A*: - Draft resolution adding ballot measure to the November election

**RESOLUTION NO. 12-XX**

**A RESOLUTION OF THE CITY COUNCIL OF THE TOWN OF ATHERTON, CALIFORNIA ORDERING THE SUBMISSION TO THE QUALIFIED ELECTORS OF THE TOWN OF ATHERTON A MEASURE RELATING TO THE MENLO-ATHERTON LITTLE LEAGUE PROPOSAL FOR HOLBROOK-PALMER PARK AT THE CONSOLIDATED GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 6, 2012, AS CALLED BY RESOLUTION NO. 12-XX**

**WHEREAS**, a Consolidated General Municipal Election on Tuesday, November 6, 2012 has been called by Resolution No. 12-xx, adopted on July 25, 2012, and

**WHEREAS**, the City Council also desires to submit to the voters at the election a question relating to the Menlo-Atherton Little League proposal for Holbrook-Palmer Park;

**NOW, THEREFORE, THE CITY COUNCIL OF THE TOWN OF ATHERTON CALIFORNIA, DOES RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:**

**SECTION 1.** That the City Council pursuant to its right and authority, does order the submitted to voters at the Consolidated General Municipal Election the following question (s):

Should the Town permit Little League to erect and maintain spectator bleachers in the existing area used by that organization for playing baseball in Holbrook-Palmer Park?	YES
	NO

**SECTION 2.** That the full text of the proposed measure submitted to the voters is attached as Exhibit A.

**SECTION 3.** That in all particulars not recited in this resolution, the election shall be held and conducted as provided by law for holding municipal elections.

**SECTION 4.** That notice of the time and place of holding the elections is given and the City Clerk is authorized, instructed and directed to give further or additional notice of election, in time, form and manner as required by law. The hours during which the polling places for the Election shall be open shall be the hours established for the Consolidate Municipal Election.

**SECTION 5.** The City Clerk is hereby directed to do all things required by law to effectuate the Consolidated General Municipal Election, and to present the measure submitted herein to the electorate, including, but not limited to, required publications, postings, noticing

and filings. Further the City Clerk is directed to forward a copy of this resolution to the City Attorney. The City Attorney shall prepare an impartial analysis of the measure, not to exceed 500 words in length, showing the effect of the measure on the existing law and the operation of the measure.

**SECTION 6.** Arguments for and against, not to exceed 300 words in length, as well as rebuttal arguments, not to exceed 250 words in length, may be filed consistent with Elections Code requirements.

**SECTION 7.** The City Council hereby requests the San Mateo County Registrar of Voters to provide all services necessary to conduct the Election and to conduct and canvass the results of the Election.

**SECTION 8.** The City shall reimburse the San Mateo County Registrar of Voters for services performed at the rate specified per registered voter in the City, when the work is completed and upon presentation to the City of a properly approved bill.

**SECTION 9.** That the City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original Resolutions; and forward a copy to the San Mateo Board of Supervisors and County Clerk-Recorder.

**PASSED, APPROVED AND ADOPTED ON July 25, 2012**

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William R. Widmer, Mayor

ATTEST:

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Theresa DellaSanta, City Clerk  
(SEAL)

APPROVED AS TO FORM:

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William B. Conners, City Attorney



## Town of Atherton

### CITY COUNCIL STAFF REPORT

**TO:** HONORABLE MAYOR AND CITY COUNCIL

**FROM:** THERESA N. DELLASANTA, INTERIM CITY MANAGER

**DATE:** FOR THE MEETING OF JULY 25, 2012 REVISED for AUGUST 7, 2012

**SUBJECT:** A RESOLUTION OF THE CITY COUNCIL OF THE TOWN OF ATHERTON, CALIFORNIA ORDERING THE SUBMISSION TO THE QUALIFIED ELECTORS OF THE TOWN OF ATHERTON A MEASURE RELATING TO THE NEW TOWN CENTER AT THE CONSOLIDATED GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 6, 2012, AS CALLED BY RESOLUTION NO. 12-XX

#### **RECOMMENDATION:**

Clarify the nature of the matter to be submitted to the electorate and direct staff to provide language for a Resolution 12-xx ordering the submission to qualified electors of the town of Atherton a measure relating to the new Town Center at the Consolidated General Municipal Election to be held on Tuesday, November 6, 2012.

#### **BACKGROUND:**

The Town has buildings that do not conform to California's seismic, fire, or other codes, including the Town Hall complex. In response, a Blue Ribbon Task Force (BRTF) was established in 2008 to look at the political, economic and financial feasibility of a new town center.

The Blue Ribbon Task Force gave recommendations on space and other needs. The BRTF concluded among several things, that no Town restroom meets ADA requirements, and the sole bathroom in the police and dispatch area serves male and female officers, suspects, witnesses as well as intoxicated and often ill individuals. Active storage, now in the attic of the 1965 building, is both an earthquake and fire risk, and the 12 year old 'temporary' modules are beyond the end of their useful lives.

The 70 page report reflected community ideas indicating the town center should stay near its present location, should be either contemporary or Mission style architecture (like the 1920's chambers), and be a series of linked pavilions if construction must be staged due to financial challenges. Total costs were estimated around \$15 million, including parking, landscaping and professional fees.

Once the Blue Ribbon Task Force completed their duties and presented their report to Council, a Town Center Task Force (TCTF) was created to assist the City Council in developing a vision and goals for the new Town Center, engage Town residents and outside professional services to aid in the visioning process, and assist in obtaining funds for Town Center improvements. In light of staff reductions through layoffs and attrition, the Town Center Task Force continues to refine the concept designs developed by Nichols, Melburg, Rossetto (NMR), the Council approved architect. The next Town Center Task Force meeting will be held on Thursday, August 2<sup>nd</sup> at 2:00 pm. At this meeting the TCTF will review and discuss reductions made by NMR in the net usable areas of most spaces including public spaces (like lobbies and restrooms). In addition to the changes in the programmed areas, NMR also adjusted the multipliers to reflect the desire of the Committee for a more compact and efficient building

### Discussion

Pursuant to Atherton City Council rules of procedures, the Mayor called a special City Council meeting in accordance with State law for Friday, June 29<sup>th</sup> at 12:00 p.m. to discuss adding ballot measures to this November's regular municipal election, to include questions regarding the New Town Center.

### Propose Text for Ballot Measure

The Atherton Town government offices are currently situated at 91 Ashfield Road. This so-called Town Center complex houses the Police, Building, Public Works, and Administration departments, along with the Council Chambers and Library. All of these structures are old and worn, with some in a dilapidated state. All are in need of repair and remodeling.

The City Council desires to seek input from the voters as to how best to proceed with respect to this issue. They pose the following question:

Should the Town of Atherton construct a new Town Center using funds derived primarily from private donations? Other funding sources might include funds derived from Building fees or future grant money, but would not use general fund or parcel tax money.

This ballot measure shall be [non-binding] [binding] on the City Council.

City Council has already adopted a resolution calling the November 6, 2012 election and consolidating it with the County.

The deadline for placing the matter on the ballot by adopting this Council Resolution is Friday, August 10, 2012.

Next Steps—Assuming the Council adopts a resolution putting forth a ballot measure on this topic, are as follows:

August 17, 2012 = Primary Arguments (not to exceed 300 words) in favor of and against local measures are due by 5:00 p.m. (EC §§9162-9163, 9282-9283, 9286, 9315-9316, 9501-03). The California Elections Code provides that the City Council, or members of the City Council as authorized by the City Council, any individual voter, or bona fide association of citizens, or combination of voters and associations may submit ballot arguments.

The City Council may wish to consider whether or not it wants to exercise its right to submit a ballot argument in favor of the measure, and if so, designate either the City Council as a whole or members of the Council to author the arguments.

August 27, 2012 = Rebuttal Arguments (not to exceed 250 words) for measures where a primary argument was filed both in favor and against are due. Impartial Analysis (not to exceed 500 words) written by the City Attorney for city measures are also due. (EC §§9163, 9167, 9285-86, 9316-17, 9501-9504). Rebuttals arguments tend to drive up the costs; therefore Council has the right not to accept rebuttal arguments.

Prepared by:

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Theresa N. DellaSanta  
Interim City Manager

Attachments:

*Exhibit A*: - Draft resolution adding ballot measure to the November election

**RESOLUTION NO. 12-XX**

**A RESOLUTION OF THE CITY COUNCIL OF THE TOWN OF ATHERTON, CALIFORNIA ORDERING THE SUBMISSION TO THE QUALIFIED ELECTORS OF THE TOWN OF ATHERTON A MEASURE RELATING TO \_\_\_\_\_ AT THE CONSOLIDATED GENERAL MUNICIPAL TO BE HELD ON TUESDAY, NOVEMBER 6, 2012, AS CALLED BY RESOLUTION NO. 12-XX**

**WHEREAS**, a Consolidated General Municipal Election on Tuesday, November 6, 2012 has been called by Resolution No. 12-XX, adopted on July 25, 2012, and

**WHEREAS**, the City Council also desires to submit to the voters at the election a question relating to \_\_\_\_\_;

**NOW, THEREFORE, THE CITY COUNCIL OF THE TOWN OF ATHERTON CALIFORNIA, DOES RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:**

**SECTION 1.** That the City Council pursuant to its right and authority, does order the submitted to voters at the Consolidated General Municipal Election the following question (s):

Should the Town of Atherton construct a new Town Center using funds derived primarily from private donations? Other funding sources might include funds derived from Building fees or future grant money, but would not use general fund or parcel tax money.	YES
	NO

**SECTION 2.** That the full text of the proposed measure submitted to the voters is attached as Exhibit A.

**SECTION 3.** That in all particulars not recited in this resolution, the election shall be held and conducted as provided by law for holding municipal elections.

**SECTION 4.** That notice of the time and place of holding the elections is given and the City Clerk is authorized, instructed and directed to give further or additional notice of election, in time, form and manner as required by law. The hours during which the polling places for the Election shall be open shall be the hours established for the Consolidate Municipal Election.

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500 words in length, showing the effect of the measure on the existing law and the operation of the measure.

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**PASSED, APPROVED AND ADOPTED ON July 25, 2012**

\_\_\_\_\_  
William R. Widmer, Mayor

ATTEST:

\_\_\_\_\_  
Theresa DellaSanta, City Clerk  
(SEAL)

APPROVED AS TO FORM:

\_\_\_\_\_  
William B. Connors, City Attorney