



**Minutes**  
**Town of Atherton**  
**CITY COUNCIL**  
**April 17, 2013**  
**7:00 p.m.**  
**94 Ashfield Road**  
**Atherton, California**  
**REGULAR MEETING**

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

**1. PLEDGE OF ALLEGIANCE**

**2. ROLL CALL      Lewis, Dobbie, Widmer, Wiest, Carlson**

Widmer was excused.

**3. PRESENTATIONS**

**PROCLAMATION FOR:**

- DISPATCHER WEEK – Dispatcher John Mattes read the proclamation.
- NATIONAL POLICE WEEK – Police Officer Chris Vigil read the proclamation.
- WEST NILE VIRUS AND MOSQUITO AND VECTOR CONTROL AWARENESS WEEK – Mayor Lewis read the proclamation.

**4. PUBLIC COMMENTS**

John Ruggiero, Atherton resident, complimented Chief Flint and Lieutenant Wade on the work they are doing for the Police Department. Ruggiero compared police-to-resident staffing ratios in Atherton and San Francisco, and contested the Atherton POA's letter claiming that Atherton's police staffing is inadequate.

Carlos Martin, South San Francisco resident, introduced himself as a candidate in the 2013 SSF Council race.

Jean Schaaf, Atherton resident, noted her concern that the City Manager is not living in the house provided by Atherton for the City Manager. City Attorney Bill Connors replied that it is against the law to require any City Manager to live in the house.

Vice Mayor Lewis read a letter for the record regarding an email she received from resident Peter Carpenter requesting that the public have a chance to weigh in on the POA negotiations.

**5. REPORT OUT OF CLOSED SESSION -**

**A.      PUBLIC EMPLOYEE PERFORMANCE EVALUATION**

No reportable Action.

**6. CITY MANAGER'S REPORT  
a. Community Center Advisory Committee Report**

City Manager Rodericks commented that the first meeting of the Community Center Advisory Committee (CCAC) is set for April 30 at 4:30 pm in the City Council Chambers; noted the inclusion of the various departmental reports; noted the Finance Director's memorandum addressing last month's Council request to itemize the mid-year transfers within the Police Department budget; and noted the memorandum from the City Attorney on Charter Cities.

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

**CONSENT CALENDAR (Items 8-14)**

Council Member Dobbie had a comment on Item 10.

Council Member Dobbie indicated that he continues to have concerns about Shoretel's viability and whether they will continue to be in business in the near future.

**MOTION by Dobbie, second by Carlson to approve the consent calendar consisting of items 8 through 14. The motion passed unanimously.**

**8. APPROVAL OF MARCH 13 SPECIAL MEETING, MARCH 20 REGULAR MEETING, AND APRIL 3 SPECIAL MEETING MINUTES**

**Recommendation:** Approve meeting minutes

**9. APPROVAL OF BILLS AND CLAIMS FOR MARCH, 2013 IN THE AMOUNT OF \$917,445**

**Recommendation:** Approve Bills and Claims in the amount of \$917,445

**10. 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

**11. ADOPTION OF A RESOLUTION REVISING THE APPOINTMENT OF DIRECTORS TO REPRESENT THE TOWN OF ATHERTON TO ABAG PLAN CORPORATON BOARD OF DIRECTORS**

**Report:** City Clerk Theresa DellaSanta

**Recommendation:** Adopt resolution revising the appointment of directors to represent the Town of Atherton to ABAG PLAN Corporation Board of Directors

**12. CONSIDERATION TO SEND LETTER OF SUPPORT FOR SENATE BILL 557**

**Report:** Community Services Director Mike Kashiwagi

**Recommendation:** Consider sending letter of support for Senate Bill (SB) 557

**13. AWARD OF CONTRACT FOR THE 2013 CAPE SEAL PROJECT**

**Report:** Community Services Director Mike Kashiwagi

**Recommendation:** Award the contract for 2013 Cape Seal Project, project number 56056 to Intermountain Slurry Seal, the lowest responsive and responsible bidder, in the amount of \$308,072, and authorize the City Manager to execute the contract

**14. ADOPT RESOLUTION APPROVING DESTRUCTION OF RECORDS RETAINED BY ADMINISTRATION**

**Report:** City Clerk Theresa DellaSanta

**Recommendation:** Adopt resolution authorizing the destruction of certain records retained by the Administration Department

**PUBLIC HEARINGS - None**

**REGULAR AGENDA – (Items 15-20)**

**15. ACCEPTANCE OF FISCAL YEAR 2011-2012 BASIC FINANCIAL STATEMENTS, REPORT ON COMPLIANCE WITH THE AGREEMENT FOR DISTRIBUTION OF SAN MATEO COUNTY MEASURE A FUNDS FOR LOCAL TRANSPORTATION PURPOSE, AGREED UPON PROCEDURES REPORT ON COMPLIANCE WITH THE PROPOSITION 111 APPROPRIATIONS LIMIT, AND MEMORANDUM ON INTERNAL CONTROL AND REQUIRED COMMUNICATIONS**

**Report:** Finance Director Robert Barron III

**Recommendation:** Accept FY 2011-2012 Basic Financial Statements, Report on Compliance with the Agreement for Distribution of San Mateo County Measure A Funds, Agreed Upon Procedures Report on Compliance with the Proposition 111 Appropriations Limit, and the Memorandum on Internal Control and Required Communications

Finance Director Robert Barron III presented the report to Council.

There was some basic discussion by the Council and questions concerning information that was required to be provided within the audit and whether that information was to be included within the data tables/numbers or notes to the financial statements. Of particular interest were the pension and benefit obligations of the Town. The audit, which is available via the Town's website, indicates future Town liabilities within the notes to the financial statements. Any annual required contributions are included within the data tables/numbers. Questions were also raised with respect to an ongoing inventory of Town assets. All depreciable assets are recorded and tracked within the annual financial statements as well as internally by the Finance Department.

**MOTION by Dobbie, second by Wiest to accept FY 2011-2012 Basic Financial Statements, Report on Compliance with the Agreement for Distribution of San Mateo County Measure A Funds, Agreed Upon Procedures Report on Compliance with the Proposition 111 Appropriations Limit, and the Memorandum on Internal Control and Required Communications. The motion passed unanimously.**

**16. SPECIAL EVENT ROAD CLOSURES**

**Report:** Police Chief Ed Flint

**Recommendation:** Adopt a Resolution requiring that requests for road closures for Special Events on the mentioned streets be approved by staff only after a public meeting before the City Council to gather input

Chief Flint presented the report to Council. The closing of a major thoroughfare in Atherton for a special event could result in a serious disruption to the flow of traffic, and cause significant inconvenience to motorists and residents alike. Flint recommended that as a matter of Council policy, all special event requests that would require the closure of a major thoroughfare be brought before the Council at a public meeting before approval by staff. Staff identified seven streets and the Council added two additional. Identified streets include:

- Middlefield Road
- Atherton Avenue
- Alameda De Las Pulgas
- Selby Lane
- Watkins Avenue
- Valparaiso Avenue
- Encinal Avenue
- Fair Oaks
- Marsh Road

Additionally, Council added a “whereas” clause that gives the Chief of Police the discretion to bring any other streets not listed to Council for approval.

**MOTION by Carlson, second by Lewis to Adopt a Resolution, with the two additions noted above, requiring that requests for road closures for Special Events on the mentioned streets be approved by staff only after a public meeting before the City Council to gather input. The motion passed unanimously.**

**17. RESPONSE TO GRAND JURY REPORT**

**“WATER RECYCLING – AN IMPORTANT COMPONENT OF WISE WATER MANAGEMENT”**

**Report:** City Manager George Rodericks

**Recommendation:** Accept the attached response to the San Mateo Grand Jury on their report entitled “Water Recycling – An Important Component of Wise Water Management.”

City Manager Rodericks summarized the staff report. He noted that staff prepared a response to the Grand Jury request that the Town begin talks with local water purveyors in an effort to identify the possibility of local water recycling programs. The response recommended that the Town’s Environmental Committee follow-up on the issue(s) as a project.

**MOTION by Dobbie, second by Carlson to accept the attached response to the San Mateo Grand Jury on their report entitled “Water Recycling – An Important Component of Wise Water Management.” The motion passed unanimously.**

**18. DISPOSITION OF THE ARTS COMMITTEE / AMENDMENT OF RESOLUTION NO. 13-08 GOVERNING COMMITTEES AND COMMISSIONS**

**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

City Manager Rodericks reported to Council. Rodericks noted that he met with the Arts Committee again and explained the advantages of dissolution. Council discussed that the Town will continue to work with and support the Atherton Arts Foundation (AAF) on an annual basis as a “designated 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. The AAF would continue to have access to meeting and storage space, including but not limited to the Council Chambers, Main House/Garden Room, Pavilion, and any other available spaces within Town facilities.

**MOTION by Carlson, second by Wiest to approve dissolution of the Arts Committee. The motion passed unanimously.**

**19. APPROVAL OF REQUEST FOR PROPOSAL FOR DRAINAGE STUDY**

**Report:** Community Services Director Mike Kashiwagi

**Recommendation:** Approve the Request for Proposal (RFP) for preparation of the Drainage Study and authorize staff to advertise and distribute the Drainage Study RFP

Community Services Director Mike Kashiwagi summarized the report. Mayor Lewis expressed concerns that perhaps the study was not broad enough to encompass the entirety of the Town’s needs. After further discussion it was determined that the proposed study was strictly focused and that historical information from prior studies, as well as, information on changes in federal and state law would be incorporated.

**MOTION by Carlson, second by Wiest to Approve the Request for Proposal (RFP) for preparation of the Drainage Study and authorize staff to advertise and distribute the Drainage Study RFP. The motion passed unanimously.**

**20. APPROVAL OF REQUEST FOR PROPOSAL FOR PARK MASTER PLAN**

**Report:** Community Services Director Mike Kashiwagi

**Recommendation:** Approve the Request for Proposal (RFP) for preparation of the Holbrook-Palmer Park Master Plan and authorize staff to advertise and distribute the Park Master Plan RFP

**Community Services Director Kashiwagi presented the report.**

**Council Member Carlson wondered if it would be possible to get a profile of the current users of the park.**

**Mayor Lewis was concerned that the scope of work was not specific enough. Kashiwagi noted that part of the evaluation process is to give them less specifics so that they, as experts, show us what they can do. It differentiates one firm from another.**

There was some discussion on needs, site census, drainage, and site opportunities.

**MOTION by Carlson, second by Dobbie to approve the Request for Proposal (RFP) for preparation of the Holbrook-Palmer Park Master Plan and authorize staff to advertise and distribute the Park Master Plan RFP. The motion passed unanimously.**

**21. AGREEMENT AMENDMENT WITH BIGGS CARDOSA ASSOCIATES, INC. FOR MARSH ROAD CHANNEL REPAIRS ADDITIONAL SERVICES**

**Report:** Authorize the City Manager to execute an amendment to the agreement with Biggs Cardosa Associates, Inc. in the amount of \$8,200 for additional consulting services to analyze two additional repair options and to analyze additional issues raised during a the March 2013 workshop

Community Services Director Mike Kashiwagi presented an agreement to amend the Scope of Work of Biggs Cardosa Associates, Inc. for Marsh Road Channel study. Kashiwagi noted that additional work added to the Scope of Work included the study of two additional repair options and to analyze additional issues that were raised during the March 2013 workshop. Council discussed expectations for use of the channel, if it were to be eventually covered, and what exactly Biggs Cardosa Associates, Inc. would be providing in this regard.

MOTION by

**22. COUNCIL REPORTS/COMMENTS** – Noting further to add to written reports.

**23. FUTURE AGENDA ITEMS**

**A. INFORMATION ON RELATIONSHIP BETWEEN THE TOWN OF ATHERTON AND THE SAN MATEO COUNTY LIBRARY JPA**

**MOTION by Carlson, second by Lewis to add the item to the May City Council agenda. The motion passed unanimously.**

**24. PUBLIC COMMENTS** -None.

**25. ADJOURN**

Council Member Carlson announced that he and his family are putting their house on the market and he expects to formally resign from Council in May or June of this year.

**MOTION by Carlson, second by Lewis to adjourn the meeting. The motion passed and Mayor Lewis adjourned the meeting at 11:06 p.m.**

**Respectfully submitted,**

**Theresa DellaSanta**