



AGENDA
Town of Atherton
CITY COUNCIL/ATHERTON CHANNEL DRAINAGE
DISTRICT
November 18, 2009
5:00 P.M.
Meeting Room
Town Administrative Offices
91 Ashfield Road
Atherton, California
Closed Session

5:00 P.M. ROLL CALL Lewis, Dobbie, Marsala, McKeithen, Carlson

5:02 P.M. PUBLIC COMMENTS

5:15 P.M. CLOSED SESSION

A. CONFERENCE WITH LABOR NEGOTIATOR – Labor negotiations pursuant to Government Code Section 54957.6

Agency Negotiators: Jerry Gruber, City Manager; Glenn Berkheimer, I.E.D.A.

Employee Organization: Miscellaneous - Teamsters Local Union 856

Agency Negotiators: Jerry Gruber, City Manager; Glenn Berkheimer, I.E.D.A.

Employee Organization: Management Employees

Agency Negotiators: Jerry Gruber, City Manager; Eileen Wilkerson, Assistant City Manager

Employee Organization: Confidential Employees

B. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION (Subsection (a) of Government Code Section 54956):

John P. Johns v. the Town of Atherton, San Mateo County Superior Court Case No. CIV 479972

C. PUBLIC EMPLOYEE PERFORMANCE EVALUATION – pursuant to Government Code Section 54957(b)(1)

Title: City Attorney

RECONVENE TO OPEN SESSION

Report of action taken.

6:55 P.M. ADJOURN

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



AGENDA
Town of Atherton
CITY COUNCIL
ATHERTON CHANNEL DRAINAGE DISTRICT
NOVEMBER 18, 2009
7:00 p.m.
JENNINGS PAVILION
150 Watkins Avenue
Atherton, California
REGULAR MEETING

PLEASE NOTE:

Times listed on the Agenda are an approximation and not a time certain. The Council may take up items out of order. Please arrive well in advance of the time listed for any item in which you are interested.

- 7:00 P.M. 1. **PLEDGE OF ALLEGIANCE**
- 7:02 P.M. 2. **ROLL CALL** Lewis, Dobbie, Marsala, McKeithen, J. Carlson
- 7:03 P.M. 3 **PRESENTATIONS**
- RED RIBBON WEEK AWARDS –Police Lieutenant Mike Guerra and Reserve Officer Bruce Potts**
- 7:40 P.M. 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.)*
- 7:55 P.M. 5. **REPORT OUT OF CLOSED SESSION**
- 8:00 P.M. 6. **CITY MANAGER'S REPORT** – Written Report
- 8:10 P.M. 7. **COMMUNITY ORGANIZATION ROUNDTABLE REPORT** - None
- 8:10 P.M. **CONSENT CALENDAR** (Items 8-19)
- (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 OCTOBER 21, 2009 REGULAR MEETING MINUTES**
Recommendation: Approve October 21, 2009 Regular Meeting Minutes

9. **APPROVAL OF BILLS AND CLAIMS FOR SEPTEMBER 2009 IN THE AMOUNT OF \$917,569**
Recommendation: Approve Bills and Claims in the amount of \$917,569
10. **APPROVAL OF CALPERS RESOLUTION FOR EMPLOYER PAID MEMBER CONTRIBUTIONS – MISCELLANEOUS CATEGORY**
Report: Assistant City Manager Eileen Wilkerson
Recommendation: Adopt Resolution 09-42 Employer Paid Member Contributions – Miscellaneous Category
11. **APPROVAL OF CALPERS RESOLUTION FOR EMPLOYER PAID MEMBER CONTRIBUTIONS – SAFETY CATEGORY**
Report: Assistant City Manager Eileen Wilkerson
Recommendation: Adopt Resolution 09-43 Employer Paid Member Contributions – Safety Category
12. **APPROVAL OF CALPERS RESOLUTION – EMPLOYER PICK UP**
Report: Assistant City Manager Eileen Wilkerson
Recommendation: Adopt Resolution 09-44 Employer Pick Up
13. **ADOPT RESOLUTION 09-45 APPROVING POLICY – 3.4 MODIFIED (LIGHT) DUTY**
Report: Assistant City Manager Eileen Wilkerson
Recommendation: Adopt Resolution 09-45 Approving Policy 3.4 Modified (Light) Duty
14. **ADOPT RESOLUTION 09-46 APPROVING POLICY – 3.3 WORKERS’ COMPENSATION AND RESCIND “STANDARD OPERATING PROCEDURES SUBJECT: WORKER’S COMPENSATION” DATED MARCH 19, 1997**
Report: Assistant City Manager Eileen Wilkerson
Recommendation: Adopt Resolution 09-46 Approving Policy 3.3 Workers’ Compensation
15. **ADOPT RESOLUTION 09-47 APPROVING ADOPTION OF CALIFORNIA PUBLIC EMPLOYEES’ SUPPLEMENTAL INCOME 457 PLAN**
Report: Assistant City Manager Eileen Wilkerson
Recommendation: Approve Resolution 09-47 approving adoption of California Public Employees’ Supplemental Income 457 Plan and authorize the City Manager to enter into an Employer Adoption Agreement on behalf of the Town of Atherton
16. **CLARIFYING AMENDMENTS TO CITY MANAGER CONTRACT AMENDMENTS**
Report: City Attorney Wynne Furth
Recommendation: Approve the clarifying amendments to the Employment Agreement between the Town of Atherton and Jerome “Jerry” Gruber

- 17. **RESOLUTION AUTHORIZING AN ADJUSTMENT IN MUNICIPAL CODE PARKING FINES DUE TO SENATE BILL 1407**
Report: Police Chief Glenn Nielsen
Recommendation: Approve Resolution 09-48 authorizing an adjustment to increase Municipal Code parking violation fines in the amount of \$5
- 18. **RESOLUTION IN SUPPORT OF THE LOCAL TAXPAYER, PUBLIC SAFETY AND TRANSPORTATION PROTECTION ACT OF 2010**
Report: City Manager Jerome D. Gruber
Recommendation: Adopt Resolution 09-49 in support of the Local Taxpayer, Public Safety and Transportation Protection Act of 2010
- 19. **POLICE DEPARTMENT VEHICLE PURCHASE**
Report: Police Lieutenant Mike Guerra
Recommendation: Authorize the purchase of one Ford Crown Victoria patrol car not to exceed \$25,094.00.

PUBLIC HEARINGS (20)

- 8:25 P.M. 20. **ADOPT RESOLUTION 09-32 TO APPROVE MASTER FEE SCHEDULE SETTING MISCELLANEOUS FEES FOR TOWN SERVICES**
Report: Finance Director Louise Ho
Recommendation: Conduct a Public Hearing and Adopt resolution 09-32 approving Master Fee Schedule for miscellaneous fees for Town services

REGULAR AGENDA (Items 21-27)

- 8:40 P.M. 21. **SCHEDULE OF INTERVIEWS AND/OR APPOINTMENTS TO THE AUDIT COMMITTEE**
Report: City Manager Jerome D. Gruber
Recommendation: To Be Determined
- 8:50 P.M. 22. **APPOINTMENT OF EDWIN ULLMAN TO THE ARTS COMMITTEE**
Report: City Manager Jerome D. Gruber
Recommendation: Appoint Edwin Ullman to the Arts Committee for a term to expire April 30, 2012
- 8:55 P.M. 23. **APPROVAL OF BLUE RIBBON TASK FORCE REPORT ON NEED FOR ADDITIONAL PUBLIC SERVICES SPACE**
Report: City Manager Jerome D. Gruber
Recommendation: Accept and Approve Blue Ribbon Task Force Report on Additional Spacing Needs for Public Service and Provide Possible Future Direction or Potential Disbandment
- 9:15 P.M. 24. **DRAINAGE CRITERIA UPDATE**

Report: Public Works Director Duncan Jones

Recommendation: Receive information and give direction to staff for future actions to update the Drainage Criteria and to modify the Grading, Erosion and Sediment Control ordinance.

- 9:40 P.M. 25. **PRESENTATION OF THE RESULTS OF ATHERTON'S GOVERNMENT OPERATIONS EMISSIONS INVENTORY**
Report: Kathy Hughes Anderson
Recommendation: No Action Required
- 9:55 P.M. 26. **COUNCIL OF CITIES DECEMBER MEETING – COUNCIL GUIDANCE ON VOTING MATTERS**
Report: City Manager Jerome D. Gruber
Recommendation: Council to give guidance direction to San Mateo County Council of Cities representative (Vice Mayor McKeithen) and alternate representative (Council Member Lewis) on voting matters at the December 18, 2009 annual holiday dinner
- 10:05 P.M. 27. **APPROVAL OF RESOLUTION RESCINDING RESOLUTION 05-34 AND DIRECTING REFUND OF FEES PAID ON OR AFTER AUGUST 20, 2009**
Report: City Attorney Wynne Furth
Recommendation: Adopt Resolution 09-50 Rescinding Resolution No. 05-34 (Establishing a Road Impact Fee) and Directing Refund of Fees Paid on or after August 20, 2009
- 10:20 P.M. 28. **COUNCIL REPORTS**
- 10:20 P.M. 29. **FUTURE AGENDA ITEMS**
- 10:25 P.M. 30. **PUBLIC COMMENTS**
- 10:30 P.M. 31. **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.

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Town of Atherton

CITY COUNCIL STAFF REPORT

TO: HONORABLE MAYOR AND CITY COUNCIL

FROM: JEROME D. GRUBER, CITY MANAGER

DATE: FOR THE REGULAR MEETING OF NOVEMBER 18, 2009

SUBJECT: CITY MANAGER WRITTEN REPORT

FOLLOW UP FROM OCTOBER 21 COUNCIL MEETING:

At the October 21 Council meeting several residents noted their concerns during public comment regarding the drainage criteria and maintenance agreement. I worked with Public Works Director Duncan Jones to address these concerns at tonight's meeting on the regular agenda.

APPOINTMENT OF NEW ATHERTON CHIEF OF POLICE:

Police Chief Glenn Nielsen has announced his retirement effective November 28, 2009. Chief Nielsen will be sincerely missed and words cannot express what he has contributed to the Town of Atherton as a dedicated Police Officer and Police Chief over the past thirty years. I have thoroughly enjoyed working with Chief Nielsen and he has played a key role as part of the strong management team we now have in place in Atherton.

I have decided to appoint Lieutenant Mike Guerra as the next Atherton Police Chief effective November 29, 2009 one day following Chief Nielsen's retirement. Mike will be official sworn in as Chief at the December City Council meeting.

Mike Guerra will bring a unique blend of local, regional, national and international Law Enforcement experience to the position of Police Chief. Mike also holds a Doctorates degree and will be instrumental in continuing the legacy of success for the Atherton Police Department. I am thankful that we have a highly qualified candidate waiting to assume the position of Police Chief for the Town of Atherton. I want our residents to be assured that the transition will be smooth and the level of Police service that they have

come to expect will continue at the highest possible level. I am confident Mike will do an outstanding job leading the Atherton Police Department.

MENLO-ATHERTON SCHOOL:

Attended a Menlo-Atherton High School Informational gathering meeting where the permanent flood lights are being proposed for installation on the football field. The following was discussed:

- Lights on fields are only a proposal at this time
- Group of M.A. Parents support the lights
 - Brings a sense of community
 - Allows later games; parents have to miss work to attend early games
 - Only 4-5 games per season
- Lights come from a 2001 Bond Measure
- October 2009 game at M.A. brought approximately 1500 fans
- Atherton residents voiced concern regarding the lights to include security and crowd control

The process began about 8 months ago and there are transparent communications with Atherton residents.

CAPE SEAL PROJECT:

The following streets have been cancelled until the late spring/early summer season;

- Emelie Ave – Alejandra to Valpariaso. Conflicting issues with Sacred Heart School.
- Encinal Ave – Middlefield Rd. to Felton. Conflicting issues with Encinal School.
- Marsh Road – City limit to Middlefield Rd. Constructability issues.
- Walsh Road – Alameda to end. Constructability issues.
- Betty Lane – Polhemus to end. Heavy construction activities on street make delay a good idea.

The following streets have already received their chip and are ready for slurry. This work is scheduled for either Monday 11/16 and/or Tuesday 11/17;

- Meadow Ct. (all)
- Broadacres (all)
- Ridgeview (Fletcher to end)
- Rosewood (all)
- Hawthorn (James to Irving)
- Encina (all)
- Maple Leaf Ct. (all)
- Placitas (all)
- Palmer (all)

- Maple Ave. (all)
- Park Drive (all)
- Inglewood (all)

The following street will received a slurry application only;

- Prado Secoya (all)

WATER TOWER LAWN PROJECT:

Contractor has ten working days to complete the project and has confirmed that they will be finished by the Thanksgiving holiday.

WATKINS AVE/ FAIR OAKS LANE CROSSING IMPROVMENTS:

Grade Crossing Improvement Project

Work on Caltrain’s Grade Crossing Improvement Program, which will enhance safety at 25 grade crossings in San Mateo County, continues in Atherton. Work will take place Nov. 7-13 between the hours of 8 p.m. and 4 a.m. at Fair Oaks Lane and Watkins Avenue in Atherton.

Throughout the project area, at least one lane of the impacted street will remain open. Flagmen will direct traffic and pedestrians around the construction. Neighbors may hear construction noise from concrete-cutting saws and jack hammers removing concrete, cranes lifting track panels, heavy equipment moving gravel and trucks placing asphalt. Two portable light towers, powered by a diesel generator, will be used for the work.

MENLO GATEWAY PROJECT:

Menlo Park City Council held a special meeting on Tuesday, November 3rd for consideration of feedback from their Planning Commission and to discuss environmental impacts and mitigations, public benefit, fiscal impact analysis and development program of the Menlo Gateway (Bohannon Hotel & Office) project.

CITY MANAGER’S DEPARTMENT MEETING (CONFERENCE CALL):

The following items were discussed at the October 21 City Manager’s meeting:

- ▶ New revenue protection ballot measure
- ▶ Pension reform
- ▶ Bylaw Amendments –

An important Bylaw amendment the League City Managers’ Department will be proposing in March of 2010 for consideration. This amendment pertains to the involvement of Assistants within the City Managers’ Department. Currently, principal Assistants, or the number 2 in a city, are classified as "Full Members" of the Department

along with members who hold the title of City Manager. However, although principal Assistants are designated as "Full Members," they are not allowed to be Officers of the Department, including President, Vice President, Director, and At Large Member. In 2002, the Bylaws were amended to allow Assistants to compete for an Officer position. However, in 2003, the Bylaws were changed to exclude principal Assistants from becoming an Officer. Many members in the Department believe that the change made in 2003 is not consistent with the Department's "Preparing the Next Generation" efforts, nor is it consistent with our forward thinking mantra.

SOUTH BAYSIDE WASTE MANAGEMENT AUTHORITY (SBWMA):

Attended a special SBWMA meeting on Thursday, October 22 to discuss:

- ▶ Resolution approving revised unrestricted cash reserve policy
- ▶ Resolution approving Master Agreement with Curbside Inc. for Door-to-Door Household Hazardous Waste, Universal Waste, Electronic Scrap, Sharps and Medicine Collection, Recycling and Disposal Services
- ▶ Approval of Selection of Jeffrey Scott Agency for Collection Services Education & Promotion Campaign Development and Implementation
- ▶ Updates on Allied Contract Compliance, Recycling and Outreach Programs and Facility Operations.

PENINSULA CITIES CONSORTIUM (PCC):

Every other Friday to the PCC meets to provide input into the process of reviewing and constructing the high speed train project between San Francisco and San Jose. The objective is to have the California High Speed Rail Authority consult with the PCC and its member cities in determining the alignment and the range of alternatives and mitigations. PCC believes that the final design should minimize the impacts upon local communities and incorporate the best urban design ideas from around the world.

Friday, October 23, 2009: Discussed highlights from High Speed Rail Design workshop, future workshop planning, legislative updates and Context Sensitive Solution (CSS) update. The first ever CSS meeting will be held on November 4, 2009. CSS will be used for the first time in the U.S. on the Peninsula portion of the high speed rail line because it affords an opportunity to involve all stakeholders in building consensus for a project that respects community needs.

Friday, November 6, 2009: Hal Kassoff, expert on Context Sensitive Solutions (CSS), gave an introduction to the process.

Next PCC meeting will be held on Friday, November 20th in the Council Chambers at Burlingame City Hall.

GRAND BOULEVARD WORKING COMMITTEE MEETING:

The **Grand Boulevard Initiative (GBI)** is a collaboration of 19 cities, San Mateo and Santa Clara counties, and local and regional agencies united to improve the performance, safety and aesthetics of El Camino Real.

Discussed the following at the Grand Boulevard Working Committee meeting on Monday, October 26:

- ▶ Presentation of Multimodal Corridor Plan modeling results – these efforts are intended to analyze the benefits of enhancing transit service and intensifying land uses along the GBI corridor using a travel demand model that covers both Santa Clara and San Mateo counties. The analysis has focused on the benefits of potentially implementing Bus Rapid Transit (BRT) service along the corridor in both counties, as well as increasing housing and employment densities within close proximity to existing rail stations, planned rail stations, and potential future BRT stations in both counties.

- ▶ Future direction of the Grand Boulevard Initiative (GBI)

SAN MATEO COUNTY EMPLOYMENT RELATIONS CONSORTIUM

Attended a “Managing Performance Through Evaluation” workshop put on by Liebert Cassidy Whitmore on Tuesday, November 10, 2009. The following topics were discussed:

- Importance of performance evaluations
- Importance of accurate evaluations
- Impacts of inaccurate performance evaluations
- Evaluations must be ongoing
- Case Study
- Evaluations: The basic steps and rules
- Establish objective goals and expectations
- Observing employee performance
- Communicating with employee about performance
- Preparing annual evaluation
- Evaluation meeting

PENDING:

I would like to request that Council bring their calendars to the November 18th Council meeting in order to set a date for the 2009/10 strategic planning workshop.



DRAFT MINUTES

Town of Atherton CITY COUNCIL

ATHERTON CHANNEL DRAINAGE DISTRICT

OCTOBER 21, 2009

7:00 p.m.

TOWN COUNCIL CHAMBERS

94 Ashfield Road

Atherton, California

REGULAR MEETING

1. **PLEDGE OF ALLEGIANCE**

2. **ROLL CALL** Lewis, Dobbie, Marsala, McKeithen, J. Carlson

3. **PRESENTATIONS**

EAGLE SCOUT PROJECT – Daniel Kozlowski – Atherton Reading Park Bench and Garden Renovation Project

Public Works Superintendent Steve Tyler introduced Daniel Kozlowski from the Venture Crew Troup 222 in Menlo Park.

Kozlowski gave a Power Point presentation of his Eagle Scout project on the Atherton Library park bench and garden renovation.

Karen Bliss from the Friends of the Library presented Kozlowski with a certificate. Mayor Carlson also presented a certificate of appreciation on behalf of the Town.

Council thanked Kozlowksi and said he did a great job.

4. **PUBLIC COMMENTS**

Jon Venverloh, Atherton resident, Venverloh said he has studied the drainage criteria and the maintenance agreement and encouraged Council to look at revising it as it is very cumbersome and not fair to the Atherton residents who have to put drainage systems in.

Loren Gruner, Atherton, asked what are the County, State and Federal laws that allow the drainage requirements. Gruner said the only provisions that reference the system are C3 of the national pollution discharge elimination system permit which appears to be for multi-home development and an exemption for single family homes. Gruner asked how the Town can put these requirements on individual home owners.

Kimberly Sweidy, Atherton resident, said she is currently undergoing a seismic retrofit because her Structural Engineer failed to include a component in a basic formula and the Building Department did not catch the error. Sweidy commented that she had overpaid in business license taxes and the

time limit has passed for her to request a refund, she has a high voltage transformer box on a main sewer line, and she cannot turn on two hot water devices simultaneously. Sweidy expressed her appreciation to City Manager Jerry Gruber and Public Works Director Duncan Jones for helping her discover that a sump pump was never installed and that was the reason her property was flooding.

Carol Flaherty, Atherton resident, read and interpreted certain sections of the current maintenance agreement. Flaherty asked Council if they really think people will follow the current agreement requirements.

Kelly Freece, Atherton resident, said she was one of the first residents to install a drainage system on her property which cost her over \$100,000. Freece said her property had over 41 heritage trees on it. After the installment of the drainage system a lot of the tree roots were cut and she hopes none of the trees ever fall over and hurt someone or damage her home.

Colleen Anderson, Atherton resident, said she received an email from former Atherton employee Johns Johns which she felt was an unacceptable letter and wondered why he would send her the email. Anderson concluded that the drainage system is a town-wide issue and suggested revising the agreement so that it is fair and moral.

Melinda Tevis, Atherton resident, said she is thrilled with the Atherton history book, Under the Oaks Two Hundred Years in Atherton by Pamela Gullard and Nancy Lund, and it is the best thing to happen to the Town in decades.

Mayor Carlson said the drainage system agreement will be on the next agenda and welcomed the public to come back and comment.

5. REPORT OUT OF CLOSED SESSION

A. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION (Subsection (a) of Government Code Section 54956):

John P. Johns v. the Town of Atherton, San Mateo County Superior Court Case No. CIV 479972

B. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION (Subsection (a) of Government Code Section 54956):

Atherton et al v. High-Speed Rail Authority Case No. 34-2008-80000022

C. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION (Subsection (b) of Government Code Section 54956.9):

Four (4) potential cases

- Carol Flaherty Claim *October 15, 2008*
- Jon Venverloh Claim *September 17, 2009*
- Gustavo Eydelsteyn Claim *September 26, 2009*
- Menlo School Claim *September 30, 2009*

City Attorney Wynne Furth reported that there was no reportable action from the Regular Closed Session.

**A. CONFERENCE WITH LEGAL COUNSEL – PENDING LITIGATION
(Subsection (a) of Government Code Section 54956):**

Buckheit v. San Mateo County, et al., San Mateo County Superior Court Case No. SP000724

City Attorney Wynne Furth reported that there was no reportable action from the Special Closed Session.

6. CITY MANAGER’S REPORT

City Manager Gruber said the Encinal traffic signal is expected to be brought before Menlo Park City Council in December.

Gruber said that he and Public Works Director Jones have been meeting with residents of Victoria Manor who have concerns about the crosswalk at Valparaiso. Gruber added that Menlo Park has put the project off until further studies are done. Gruber requested Council to talk to Menlo Park Council members and push to resolve the issue.

Gruber said he was asked by the League of California Cities (LCC) City Managers’ Department to be the liaison for the California Police Chiefs Associations and Fire Chief Associations for the LCC which consists of discussing and conveying PERS reform, State legislation and joint advocacy efforts.

Gruber said that during the heavy rain fall the previous week there were issues with a lack of drainage on El Camino Real, Almendral, Stockbridge Avenue and Selby Lane. Gruber said that all of the street renovation projects done in the last two years faired well in the storm.

Gruber concluded that the Town currently has an informal plan for how to handle a pandemic, and is currently working on a formal plan by evaluating neighboring City plans.

**7. COMMUNITY ORGANIZATION ROUNDTABLE REPORT
SAN MATEO COUNTY LIBRARY ANNUAL REPORT**

Carine Risley, Atherton Branch Library Manager, presented Council with the San Mateo County Annual Library Report for the 2008-09 fiscal year. Risley reviewed the Atherton library’s accomplishments over the past year. [A copy of the report is available in the City Clerks office]

CONSENT CALENDAR (Items 8-27)

Council Member Marsala had questions on Item 22 and 23.

Council Member Dobbie has a question on Item 9.

Council Member Lewis had a comment on Item 19 and asked to remove items 24 and 26.

Eric Johnson, member of the audience, requested that Item 15 be removed.

Mayor Carlson removed items 15, 24 and 26 from the consent Agenda.

**8. APPROVAL OF SEPTEMBER 16, 2009 REGULAR MEETING MINUTES AND
SEPTEMBER 23, 2009 SPECIAL MEETING MINUTES**

Recommendation: Approve September 16, 2009 Regular Meeting minutes and September 23, 2009 Special Meeting minutes

9. APPROVAL OF BILLS AND CLAIMS FOR SEPTEMBER 2009 IN THE AMOUNT OF \$2,118,063

Recommendation: Approve Bills and Claims in the amount of \$2,118,063

Council Member Dobbie asked why the legal fees were so high and when the expenses were incurred.

Finance Director Ho said that Attorney fees for this month are being paid from April 2009 through August 2009.

10. ACCEPTANCE OF MONTHLY FINANCIAL REPORT FOR THE MONTH ENDED SEPTEMBER 30, 2009

Recommendation: Accept Monthly Financial Report

11. RESOLUTION 09-37 APPROVING THE FORM OF AND AUTHORIZING THE EXECUTION AND DELIVERY OF A PURCHASE AND SALE AGREEMENT AND RELATED DOCUMENTS WITH RESPECT TO THE SALE OF THE SELLER'S PROPOSITION 1A RECEIVABLE FROM THE STATE; AND DIRECTING AND AUTHORIZING CERTAIN OTHER ACTIONS IN CONNECTION THEREWITH

Report: Finance Director Louise Ho

Recommendation: Adopt Resolution 09-37 Authorizing the sale of the State of California's obligation to repay to the Town of Atherton the real property tax funds it is borrowing because of the State's fiscal emergency

12. ACCEPTANCE OF WORK, AUTHORIZATION TO RECORD NOTICE OF COMPLETION AND APPROVAL OF CONTRACT CHANGE ORDERS IN THE AMOUNT OF \$18,858.16 FOR THE STREET RECONSTRUCTION PHASE 6 PROJECT NUMBER 08-025

Report: Public Works Director Duncan Jones

Recommendation: Accept work, authorizing recording of a notice of completion and approving contract change orders in the amount of \$18,858.16 for the Street Reconstruction Phase 6 Project Number 08-025

13. ACCEPTANCE OF WORK, AUTHORIZATION TO RECORD NOTICE OF COMPLETION AND APPROVAL OF CONTRACT CHANGE ORDERS IN THE AMOUNT OF \$6,720.42 FOR THE LAS LOMITAS SAFE ROUTES TO SCHOOL PROJECT NUMBER 08-028

Report: Public Works Director Duncan Jones

Recommendation: Accept work, authorizing recording of a notice of completion and approving contract change orders in the amount of \$6,720.42 for the Las Lomitas Safe Routes to School Project, Project Number 08-028

14. ACCEPTANCE OF WORK, AUTHORIZATION TO RECORD NOTICE OF COMPLETION AND APPROVAL OF CONTRACT CHANGE ORDERS IN THE AMOUNT OF \$3,677 FOR THE HOLBROOK-PALMER PARK PEDSTRIAN BRIDGE, PROJECT NUMBER 08-004

Report: Public Works Director Duncan Jones

Recommendation: Accept work, authorizing recording of a notice of completion and approving contract change orders in the amount of \$3,677.00 for the Holbrook-Palmer Park Pedestrian Project, Project Number 08-004

16. AWARD OF CONTRACT TO CASEY CONSTRUCTION, INC. FOR THE POLHEMUS AVENUE DRAINAGE PROJECT NUMBER 08-011 IN AN AMOUNT NOT TO EXCEED \$127,956.00 PLUS A TEN PERCENT CONSTRUCTION CONTINGENCY, FOR A TOTAL AUTHORIZATION OF \$140,751.60

Report: Public Works Director Duncan Jones

Recommendation: Award the contract for the Polhemus Avenue Drainage Project, project number 08-011 to Casey Construction, Inc., the low bidder on the October 15, 2009 bids, for \$127,956.00, with a 10% construction contingency of \$12,795.60, for a total authorization of \$140,751.60; and to authorize the City Manager to sign the contract on behalf of the Town

17. PRE-APPROVAL TO PURCHASE A USED VEHICLE TO REPLACE THE PUBLIC WORKS 1986 GMC DUMP TRUCK

Report: Public Works Director Duncan Jones

Recommendation: Authorize staff to purchase, and if necessary, equip a used dump truck for up to \$42,000 to replace the 1986 GMC dump truck that is currently in the Public Works Streets fleet with the approval of the City Manager

18. APPROVE A PROFESSIONAL SERVICES AGREEMENT AMENDMENT WITH WILSEY HAM FOR DRAINAGE REDESIGN SERVICES FOR THE FLETCHER RIDGEVIEW DRAINAGE PROJECT, IN AN AMOUNT NOT TO EXCEED \$33,000

Report: Public Works Director Duncan Jones

Recommendation: Accept the proposal and authorize the City Manager to sign a Professional Services Agreement Amendment with Wilsey Ham to provide Drainage Redesign services for the Fletcher Ridgeview Project in an amount not exceed \$33,000

19. SUPPORT OF THE SAN MATEO COUNTY TRANSIT DISTRICT'S APPLICATION FOR FOCUS TECHNICAL ASSISTANCE FOR THE ECONOMIC AND HOUSING OPPORTUNITIES STUDY

Report: City Manager Jerry Gruber

Recommendation: Council support San Mateo County Transit District's Application for Focus Technical Assistance for the Economic and Housing Opportunities Study

Council Member Lewis asked who will pay the \$230,000 cost for the project. Gruber said that the project is funded through grants.

Council Member Lewis said that the Grand Boulevard Initiative is a proposal between nineteen Cities who have joined together to transpose El Camino Real into a Grand Boulevard.

20. CITY MANAGERS EMPLOYMENT AGREEMENT

Report: City Attorney Wynne Furth

Recommendation: Approval of employment agreement between the Town of Atherton and Jerome "Jerry" Gruber

21. REJECT CLAIM OF RODNEY BOGHOSIAN AND TANIA BOGHOSIAN

Report: Assistant City Manager Eileen Wilkerson

Recommendation: Adopt Resolution 09-38 rejecting claim of Rodney Boghosian and Tania Boghosian

22. ACCEPTANCE OF STRUCTURAL EVALUATION REPORTS AND LIFE SAFETY BUILDING PERFORMANCE EVALUATION AND PROBABLE MAXIMUM LOSS (PML) ANALYSIS FOR THE COUNCIL CHAMBERS AND LIBRARY BUILDINGS

Report: City Manager Jerry Gruber

Recommendation: Accept the Structural Evaluation Reports and Life Safety Building Performance Evaluation and Probable Maximum Loss (PML) Analysis for the Council Chambers and Library Buildings

Council Member Marsala raised the idea of making the Council Chambers accessible to the Library and the possibility of doing a study to see if a long-term study should be done on whether to turn the Chambers over to the library or not. Marsala concluded that the needs of the library and resident comments should be taken into consideration.

23. APPROVE ISSUANCE OF A REQUEST FOR PROPOSALS FOR SEISMIC DESIGN OF THE COUNCIL CHAMBERS AND LIBRARY BUILDINGS ACCORDING TO THE REQUIREMENTS OF THE STRUCTURAL EVALUATION REPORTS

Report: Public Works Director Duncan Jones

Recommendation: Approve issuance of a Request for Proposals (RFP) for Seismic Design of the Council Chambers and Library Buildings according to the requirements of the Structural Evaluation Reports

25. STATUS REPORT ON *TOWN OF ATHERTON et al. v. California High-Speed Rail Authority*

Report: City Attorney Wynne Furth

Recommendation: Receive report on status of litigation, receive any public comment, and provide further direction if needed.

27. DESIGNATE REPRESENTATIVE FOR POLICY MAKER WORKING GROUP FOR HIGH SPEED RAIL

Report: City Manager Jerry Gruber

Recommendation: Designate Mayor Carlson as representative and Vice Mayor McKeithen as alternate to the Policy Maker Working Group for High Speed Rail

MOTION by Lewis, second by Dobbie to approve Items 8, 9, 10, 11, 12, 13, 14, 16, 17, 18, 19, 20, 21, 22, 23, 25 and 27. The motion passed.

Ayes: 5 Nays: 0 Abstain: 0 Absent: 0

PUBLIC HEARINGS (28)

28. CONTINUED PUBLIC HEARING ON ADOPTION OF ZONING CODE UPDATE – TITLE 17

Report: Deputy Town Planner Lisa Costa Sanders

Recommendation: City Council conduct the public hearing and adopt Zoning Code Update Ordinance No. 582 based on the following finding for the reasons outlined in the staff report

Deputy Town Planner Lisa Costa Sanders presented Council with background on the Zoning Code update process. Costa Sanders added that staff took the August 19th Council recommended revisions to the Planning Commission at a special meeting last month on September 23, 2009.

Costa Sanders said that the Commission did not reach consensus on the setback requirements for entry gates and asked that the Zoning Code update be considered without this provision so it can be studied further.

The Planning Commission agreed on the provisions added to allow setback encroachments for lots smaller than 10,000 square feet in R1-A for bay windows and basement light wells.

The Planning Commission did not agree on Council's recommendation to remove provisions that allowed 8-foot tall interior fences and that all exterior lighting above 10 feet on the main building be shielded and down lit and requires all exterior lighting on entry gates and columns be shielded and down lit.

Costa Sanders concluded that staff does not agree with the Planning Commission's recommendation to lighting and fence heights because Staff feels the new lighting requirements are over-restrictive and would create non-conformity and because the Building Code exempts fences six feet in height or less from requiring a building permit.

Mayor Carlson said that Council will take up one issue at a time and suggested they discuss whether or not to remove the provisions that all exterior lighting above 10 feet on the main building be shielded and down lit and requires all exterior lighting on entry gates and columns be shielded and down lit.

Herman Christensen, Planning Commissioner, said the reason that the Planning Commission did not agree on removing the lighting provision is because many of the newer homes in Atherton have been built to two-story homes and the exterior lights sit on the eaves up to 22 feet above ground and shine into neighbors' homes. Christensen concluded that they would like to keep the provision for gate lights to be down lit in order to keep the rural look of Atherton.

Vice Mayor McKeithen said that at the last meeting a statement was made that shielded and down lit light fixtures are not readily available.

Phil Lively, Planning Commissioner, said some homes light up the entire neighborhood with their gate lights and asked Council to reconsider keeping the provision for down lighting. Lively said he made several trips to Coast Lighting in Redwood City and they supply fixtures of all kinds for shielding and down lighting.

Mayor Carlson asked Lively, in regard to requiring gate lights to be down lit, whether it posed a safety issue for people walking late at night. Lively said no because the fixtures are available to provide cones of light around the area and below the gate.

Ralph B., Atherton resident, said that walking down Atherton streets late at night without the proper amount of lights can pose safety issues and many people are home alone at night living in large homes which can create safety issues.

Loren Gruner, Atherton resident, stated that the shielded and down lit lighting requirements would strip the Town of its rural look.

Joe Kilmartin, Atherton resident, said that the safety issue would be a concern for a one-acre parcel because Atherton is a thick wooded area and some people feel more secure with some lighting pointing out towards the dark spots.

Council Member Dobbie said he is in favor of down lighting because he would like to keep Atherton as rural as possible. He said down lighting provides a good amount of light and some of them are nice looking.

Vice Mayor McKeithen said she originally supported removing the provisions for shielded and down lit lighting because she was told those type of fixtures are not readily available. McKeithen added that safety concerns can be addressed with alarms and motion detectors along with a shielded light. McKeithen said there are a lot of dark cul-de-sacs and, depending on how carefully you choose your fixture, a down lit light can work while still maintaining the Atherton General Plan.

Council Member Lewis felt that the Council was being convinced that Atherton needs these shielded and down lit provisions and she felt that it does not go along with the Atherton General Plan. Lewis added that the opinion of experienced builders the lights are too restrictive and they are not the style for Atherton.

Council Member Marsala said that Atherton is a desirable place to live because of the efforts of residents who want to protect it. Marsala said that residents should be able to pick the fixture they want and was not in support of the restrictive lighting provisions.

Mayor Carlson said if it comes down to safety versus a rural feeling that he would go with supporting safety for Atherton and would not support putting restrictions on a safety concern.

MOTION by Lewis, second by Marsala to adopt the Ordinance without the provision to include shielded and down lit lighting. The motion passed.

Ayes: 3 Nays: 2 (Dobbie, McKeithen) Abstain: 0 Absent: 0

Mayor Carlson suggested discussing whether or not to remove provisions that allowed 8-foot tall interior fences.

Planning Commissioner Christensen said that if two neighbors can agree on an eight foot fence then they should be allowed to build it. Planning Commissioner Lively concurred.

Council Member Marsala asked if someone is willing to pay the building permit fee and any other fees associated with building an 8-foot fence are any reasons why the Town should not allow the 8-foot fence.

Building Official Wasmann said issues to consider would be additional staffing needs for planning and agreements, building review and inspections. Wasmann added that 8-foot fences do not go along with a rural style.

Vice Mayor McKeithen asked if the building permit fee would recoup the cost of staff time. Wasmann said yes but not all of it. McKeithen asked if a property line survey to be paid for by the applicant would help solve a dispute.

City Attorney Furth said property surveys help avoid a dispute but do not always solve them.

Council Member Lewis was not in support of 8-foot fences and felt landscape screening would be better to shield a home from neighbors.

Council Member Dobbie said that if two neighbors can agree on an 8-foot fence then they should be allowed to build it.

Marsala said that even though two neighbors agree to an 8-foot fence the rest of the neighborhood may not.

MOTION by Lewis, second by Marsala adopt the Ordinance without the provision to allow 8-foot interior fences.

Ayes: 4 Nays: 1 (Dobbie) Abstain: 0 Absent: 0

A short discussion ensued regarding electrical meters and the possibility of dual meters. Council concurred to defer the matter to the General Plan Committee for review.

MOTION by Lewis, second by Dobbie to adopt Zoning Code Update Ordinance No. 582 based on the finding for the reasons outlined in the staff report and rescind and replace Title 17 of the Atherton Municipal Code. The motion passed.

Ayes: 5 Nays: 0 Abstain: 0 Absent: 0

REGULAR AGENDA (Items 29-34)

29. SCHEDULE OF INTERVIEWS AND/OR APPOINTMENTS TO THE AUDIT COMMITTEE

Report: City Manager Jerome D. Gruber

Recommendation: To Be Determined

Council concurred to table the item until the candidates have a chance to attend a future meeting.

30. RESOLUTION APPROVING A FRANCHISE AGREEMENT WITH RECOLOGY SAN MATEO COUNTY FOR RECYCLABLE MATERIALS, ORGANIC MATERIALS AND SOLID WASTE COLLECTION SERVICES AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE FRANCHISE AGREEMENT

Report: City Manager Jerome D. Gruber

Recommendation: Adopt Resolution 09-39 approving and authorizing the City Manager to execute a Franchise Agreement for Collection Services of Recyclable Materials, Organic Materials and Solid Waste with Recology San Mateo County (“Recology” - formerly Norcal Waste Systems of San Mateo County) (referred to hereafter as the Agreement).

City Manager Gruber said he has worked on the franchise agreement process since his first day with the Town. He added that staff members from Recology and SBWMA are in the audience for questions.

Mayor Carlson expressed his concern not having enough time to review the entire contract.

Council Member Lewis asked whether Town resident can expect an increase over 48%.

Council Member Dobbie asked why the fees were not negotiated at a lower price.

Vice Mayor McKeithen said that the Environmental Impact provision needs clarification.

Council Member Marsala said he is comfortable moving ahead with the contract and felt that staff has done a good job with the process.

Carlson asked what was negotiated differently from the boiler plate language in regard to favorable terms for Atherton.

Lisa Costa Sanders said that staff negotiated the distance for commercial pick up and debris box location, and Atherton will continue to have unlimited yard waste at a reduced cost level. Costa Sanders added that the rear yard garbage collection continues as is and if existing yard waste containers are in good condition residents can continue to use them.

Carlson questioned the street sweeping fees. Costa Sanders said that Recology will not do street sweeping and instead will pay the Town 24,000 dollars per year.

McKiethen asked how Atherton’s rate compared to other jurisdictions.

Carlson questioned whether the Town needs new trucks.

Cliff Feldman, SBWMA Recycling Programs Manager, said the rates vary from City to City. The actual cost in 2010 is 11% premium over the current service provider based on the cost that can be projected now. Feldman said it depends on current contract liabilities which could cause rates to vary in different ways. Feldman said other agencies did not negotiate reduced costs based on what the companies submitted in response to the RFP and those costs were fixed for each City.

City Manager Gruber said there has been no rate increase to residents since 2001.

Marsala said that back in the nineties the Town faced a similar situation where a rate increase had not been implemented for awhile. When the Town finally did increase the rates everyone was shocked but got through it.

Loren Gruner, Atherton resident, said that with the current economic situation the Town will have a lot of angry customers with a rate increase.

McKeithen said she is concerned with the numbers that Recology comes up with and how it will smooth out over the years.

Deputy Planner Costa Sanders said a rate study and analysis is underway and it could end up being a progressive rate structure so residents that have larger cans pay more than residents with smaller cans, and there could be a rear yard surcharge both of which would reduce the rate impact.

Gruber said staff can bring back to Council some options as they relate to fee increases and how to present them in a format that is clear to the residents.

City Attorney Furth offered an executive summary of the contract.

Lewis said she is in favor of Recology but wants to know the liabilities to residents.

Mark Arsinaw, Group Manager for Recology, said the costs will not be known for several months and Recology is only seeking approval of the contract with non-substantive changes.

Lewis said she hopes to see new trucks because of the complaints of raw, wet food leaking onto the streets from the old trucks.

Carlson suggested deferring the item to November. Lewis said she had been persuaded to approve the agreement as long as there was no commitment to the financial obligations.

MOTION by McKeithen, second by Lewis to Adopt Resolution 09-39 approving and authorizing the City Manager to execute a Franchise Agreement for Collection Services of Recyclable Materials, Organic Materials and Solid Waste with Recology San Mateo County (“Recology” - formerly Norcal Waste Systems of San Mateo County) (referred to hereafter as the Agreement). The motion passed.

Ayes: 4 Nays: 1 (Carlson) Abstain: 0 Absent: 0

31. APPROVAL OF AN AGREEMENT BETWEEN THE SBWMA AND THE CITY OF SAN CARLOS RELATED TO A LOCAL IMPACT FEE FROM THE SHOREWAY RECYCLING AND DISPOSAL CENTER

Report: City Manager Jerome D. Gruber

Recommendation: Adopt resolution 09-40 approving an agreement between the SBWMA and the City of San Carlos related to a local impact fee from the Shoreway Recycling and Disposal Center.

MOTION by McKeithen, second by Lewis to Adopt resolution 09-40 approving an agreement between the SBWMA and the City of San Carlos related to a local impact fee from the Shoreway Recycling and Disposal Center. The motion passed.

Ayes: 4 Nays: 1 (Carlson) Abstain: 0 Absent: 0

32. RESOLUTION APPROVING THE OPERATIONS AGREEMENT WITH SOUTH BAY RECYCLING, LLC (SBR) FOR OPERATION OF THE SHOREWAY RECYCLING AND DISPOSAL CENTER IN SAN CARLOS

Report: City Manager Jerome D. Gruber

Recommendation: Adopt Resolution 09-41 approving the Operating Agreement with South Bay Recycling, LLC (SBR) for operation of the Shoreway Recycling and Disposal Center in San Carlos

MOTION by Dobbie, second by McKeithen to Adopt Resolution 09-41 approving the Operating Agreement with South Bay Recycling, LLC (SBR) for operation of the Shoreway Recycling and Disposal Center in San Carlos. The motion passed.

Ayes: 5 Nays: 0 Abstain: 0 Absent: 0

33. DRAFT 2007-2014 HOUSING ELEMENT UPDATE RECOMMENDED BY PLANNING COMMISSION

Report: Deputy Town Planner Lisa Costa Sanders

Recommendation: Review the Planning Commission Recommended Draft Housing Element Update 2007-2014. Provide direction to Staff to make any additional changes and direct Staff to forward the Draft Housing Element Update to the California Department of Housing and Community Development (HCD) for review and comment

Deputy Planner Costa Sanders said that the Planning Commission felt that utilizing guest houses for full time occupancy would impact the residents. Costa Sanders said the Planning Commission held a special meeting in September, as directed by Council, to discuss options to encourage new construction of second dwelling units in order to meet the housing requirements.

Costa Sanders said the Planning Commission came up with the following:

- Expand the allowable size of second units to a maximum of 1,200 square feet.
- Allow detached or attached second units, if located behind the rear line of the main building, to encroach into the side and rear yard setbacks by not to exceed 20% of the required side or rear yard.
- Exempt the floor area of the second unit from the accessory structure and overall lot floor area limitation up to 1,200 square feet, but not to exceed 10% of the allowed floor area for the lot.
- Eliminate the minimum lot size provisions for second units.
- Waive building permit fees for second units.
- Changes to regulations to allow internal living quarters to be counted as second units.

Loren Gruner, Atherton resident, encouraged Council to reconsider allowing guest houses for full time occupancy.

Council Member Marsala said that we are in a new era and people are living longer and care for parents is needed and felt that Council should reconsider the clause that prohibits someone from allowing their parent to live in the guesthouse.

Vice Mayor McKeithen said that besides the guest house issue Marsala raised she felt the process has been very well done.

Council Member Lewis said she feels the Housing Element draft did not follow the consultant's advice which would be to use the guest houses towards to the housing needs allocation. Lewis concluded that this is not staffs recommendation, but they did an excellent job packaging it.

MOTION by Dobbie, second by McKeithen forward the Draft Housing Element Update to the California Department of Housing and Community Development (HCD) for review and comment. The motion passed.

Ayes: 4 Nays: 1 (Lewis) Abstain: 0 Absent: 0

34. CONSIDERATION TO DIRECT THE PARKS & RECREATION COMMISSION TO REVIEW STORAGE FACILITIES SITUATION AT THE PARK

Report: City Manager Jerome D. Gruber

Recommendation: To Be Determined

Council Member Marsala said he requested this item for discussion because there are two storage units in the Park and there are storage problems in the Park. Marsala added that there may be opportunities to increase the size of the Pavilion before the landscaping is started. He suggested that the Parks and Recreation Commission look into this.

MOTION by Marsala, second by McKeithen to direct Parks & Recreation Commission to review storage facilities situation at the Park, in particular, the Pavilion and the Portable storage containers. The motion passed.

Ayes: 5 Nays: 0 Abstain: 0 Absent: 0

15. AWARD OF CONTRACT TO BLOSSOM VALLEY CONSTRUCTION FOR THE HOLBROOK-PALMER PARK IRRIGATION MAINLINE AND WELL INSTALLATION PROJECT, PROJECT NUMBER 09-006 IN AN AMOUNT NOT TO EXCEED \$200,920.88 PLUS A TEN PERCENT CONSTRUCTION CONTINGENCY, FOR A TOTAL AUTHORIZATION OF \$221,012.97

Report: Public Works Director Duncan Jones

Recommendation: Award the contract for Holbrook-Palmer Park Irrigation Mainline and Well Installation Project, project number 09-006 to Blossom Valley Construction, the low bidder on the October 15, 2009 bids, for \$200,920.88, with a 10% construction contingency of \$20,092.09, for a total authorization of \$221,012.97; and to authorize the City Manager to sign the contract on behalf of the Town

Eric Johnson, Commercial Environmental Landscaping (CEL), stated that his firm was the lowest bidder on the Holbrook-Palmer Park Irrigation Mainline and Well Installation Project and was uncertain why his form was deemed non-responsive. He said an amendment to the bid was sent with clarifications. Johnson concluded that his bid was approximately \$26,000 below the current bidder being recommended by staff.

Public Works Director Jones said that the Request For Proposals (RFP) required that the bidder fill out the matrix with the unit costs and a total cost entry but CEL did not follow the instructions correctly and filled out the proposal wrong.

City Attorney Furth said that submitting an amendment would create an unfair bidding advantage and, therefore, the Town should instead treat the firm as non-responsive and go with the next lowest responsible bidder. Furth concluded that State law says that if there is a discrepancy in the cost proposal then it should be considered non-responsive.

Council Member Dobbie said he supports staffs recommendation.

Council Member Marsala said he felt the mistake in the cost entries cost both the firm and the Town money.

Vice Mayor McKeithen said she felt the Town should follow the City Attorney's advice even though she would rather not spend the extra money.

MOTION by McKeithen, second by Dobbie to award the contract for Holbrook-Palmer Park Irrigation Mainline and Well Installation Project, project number 09-006 to Blossom Valley Construction, the low bidder on the October 15, 2009 bids, for \$200,920.88, with a 10% construction contingency of \$20,092.09, for a total authorization of \$221,012.97; and to authorize the City Manager to sign the contract on behalf of the Town. The motion passed.

Ayes: 5 Nays: 0 Abstain: 0 Absent: 0

Mayor Carlson thanked Johnson for coming to the meeting and encouraged him to bid on future projects.

24. EMERGENCY PREPAREDNESS (DISASTER PROGRAM) PROGRESS REPORT

Report: Police Chief Glenn Nielsen

Recommendation: This informational report is intended to inform Council of the status of the projects.

Council Member Lewis asked how much it would cost to complete the Walsh Road warning and disaster cashes. Police Chief Nielsen said that Menlo Park is currently working on those figures and he will bring it back to Council.

Lewis asked for an update on the letter that was sent by the Mayor on May 20, 2009 asking for assistance for map overlays and flood maps for Walsh Road residents. [Staff will contact the San Mateo County Office of Emergency Services for an update.]

26. APPROVE A COMMENT LETTER ON THE ALIGNMENT ALTERNATIVES ANALYSIS FOR THE CALIFORNIA HIGH-SPEED TRAIN PROJECT LEVEL EIR/EIS FROM SAN FRANCISCO TO SAN JOSE

Report: Public Works Director Duncan Jones

Recommendation: Approve the comment letter on the Alignment Alternatives Analysis for the California High-Speed Train (HST) Project Level EIR/EIS from San Francisco to San Jose and authorize the Mayor to sign the letter

MOTION by Lewis, second by McKeithen to approve the comment letter on the Alignment Alternatives Analysis for the California High-Speed Train (HST) Project Level EIR/EIS from San Francisco to San Jose and authorize the Mayor to sign the letter. The motion passed.

Ayes: 5 Nays: 0 Abstain: 0 Absent: 0

35. COUNCIL REPORTS

Council Member Lewis said that, in addition to her written report, she wanted to inform the Public that a community Council meeting will be held on November 5th to discuss and review the master fee schedule. Lewis concluded that the Mayor would like to host a Council of Cities event sometime in 2010.

No other Council Member had anything further to add to their written Council reports.

36. FUTURE AGENDA ITEMS

None.

37. PUBLIC COMMENTS

None.

38. ADJOURN

Mayor Carlson adjourned the meeting at 10:45 p.m.

Respectfully submitted,

**Theresa DellaSanta
Deputy City Clerk**

TOWN OF ATHERTON
CLAIMS LIST OCTOBER 2009

	10/09/09	10/23/09	Amt
Payroll Checks #	14020-14027	14086-14097	\$ 6,936
Direct Deposit	14028-14085	14098-14155	280,829
Electronic Transfer			96,205
A/P Checks #	29245-29441		533,599
		OCTOBER 09 TOTAL	\$917,569

I, Jerome D. Gruber, City Manager of the Town of Atherton, do hereby certify under penalty of perjury that the demands listed above, check numbers 14020-14155 (payroll), 29245-29441 (accounts payable), and electronic transfers for employees direct deposits, federal payroll taxes and fees, inclusive, amount to \$917,569 are true and correct, and that there are sufficient funds for payment.

Jerome D. Gruber
City Manager

The above claims, check numbers 14020-14155 (payroll), 29245-29441 (accounts payable), and electronic transfers for employees direct deposits, federal payroll taxes and fees, inclusive, amount to \$917,569 are true and correct, and are authorized for payment.

Jerry Carlson
Mayor, Town of Atherton

SOURCE OF FUNDS

101	General Fund	\$823,838
105	Tennis	1,259
201	Special Parcel Tax	22,447
202	County Measure A	7,407
208	Cops Grant	966
210	Road Construction Impact Fees	12,294
213	Library	16,099
401	General Capital Projects	3,814
403	Atherton Channel District	12,706
406	Facilities Construction	62
616	Employee Benefits	11,369
715	Evans Estate	4,967
740	Tree Committee	341
	TOTAL	\$917,569

Check#	Check Dt	Vendor Name	Inv Date	Inv #	Department	GL Account	Amounts	Detail Description
029247	10/08/09	ABAG POWER PURCHASING POOL	08/01/09	8002283	DPW - Park Program	Utilities - Elec	185.60	LEVELIZED GAS 150 WATKINS 08/2009
					DPW - Building Maint	Utilities - Elec	69.60	LEVELIZED GAS 160 WATKINS 08/2009
					Police	Utilities - Elec	65.77	LEVELIZED GAS 91 ASHFIELD PD 08/2009
					City Manager	Utilities - Elec	38.63	LEVELIZED GAS 91 ASHFIELD 08/2009
					Planning Department	Utilities - Elec	9.28	LEVELIZED GAS STATION LN 08/2009
					Building	Utilities - Elec	55.68	LEVELIZED GAS TOWN HALL 08/2009
					DPW - Engineering	Utilities - Elec	27.84	LEVELIZED STATION LN 08/2009
					NON-DEPARTMENTAL	Utilities - Elec	46.40	LEVELIZED GAS LIBRARY 08/2009
					DPW - Street Mainten	Utilities - Elec	81.20	LEVELIZED GAS CORP YARD 08/2009
029247	10/08/09	ABAG POWER PURCHASING POOL	09/01/09	8002342	DPW - Park Program	Utilities - Elec	185.60	LEVELIZED GAS 150 WATKINS 09/2009
					DPW - Building Maint	Utilities - Elec	69.60	LEVELIZED GAS CITY MGR HOUSE 09/2009
					Police	Utilities - Elec	65.77	LEVELIZED GAS 91 ASHFIELD PD 09/2009
					City Manager	Utilities - Elec	38.63	LEVELIZED GAS 91 ASHFIELD 09/2009
					Planning Department	Utilities - Elec	9.28	LEVELIZED GAS STATION LN 09/2009
					Building	Utilities - Elec	55.68	LEVELIZED GAS TOWN HALL 09/2009
					DPW - Engineering	Utilities - Elec	27.84	LEVELIZED GAS STATION LN 09/2009
					NON-DEPARTMENTAL	Utilities - Elec	46.40	LEVELIZED GAS LIBRARY 09/2009
					DPW - Street Mainten	Utilities - Elec	81.20	LEVELIZED GAS CORP YARD 09/2009
						Check Totals	1,160.00	
029248	10/08/09	ACCOUNTemps FILE 73484	09/22/09	24385599	Finance	Other Contract	424.84	WEEK END 09/18/09 TEMP HELP MATILDA V.
029248	10/08/09	ACCOUNTemps FILE 73484	09/29/09	24420180	Finance	Other Contract	531.05	WEEK END 09/25/09 TEMP HELP MATILDA V.
						Check Totals	955.89	
029249	10/08/09	AFLAC ATTN: REMITTANCE PROC	10/02/09	872044	NON-DEPARTMENTAL	Payroll Deducti	1,740.64	PREMIUMS FOR SEPTEMBER 2009
						Check Totals	1,740.64	
029250	10/08/09	ALHAMBRA & SIERRA SPRINGS	09/23/09	090927993914	Police	DISASTER/EMERGE	278.32	5 GAL WATER
029250	10/08/09	ALHAMBRA & SIERRA SPRINGS	09/23/09	090927994824	Police	DISASTER/EMERGE	94.88	3 GAL WATER AND COOLER RENTAL
						Check Totals	373.20	
029251	10/08/09	ALLEGRA PRINT & IMAGING DEA	09/24/09	41784	Police	Other Supplies	70.15	BUSINESS CARD, RL MOORE
						Check Totals	70.15	

Check#	Check Dt	Vendor Name	Inv Date	Inv #	Department	GL Account	Amounts	Detail Description
029252	10/08/09	AT&T CALNET 2	09/10/09	0846754	Police	Communication (	98.76	6503236131 08/10-09/09/2009
029252	10/08/09	AT&T CALNET 2	09/20/09	0867776	DPW - Park Program	Communication (	84.20	2332511053 08/20-09/19/2009
029252	10/08/09	AT&T CALNET 2	09/20/09	0867777	Police	Communication (	97.08	CIRCUIT NO. FROM PD TO 590 HAMILTON -RC
029252	10/08/09	AT&T CALNET 2	09/27/09	0881653	Non-Department	Communication (	494.72	6507528099 08/27-09/26/2009
029252	10/08/09	AT&T CALNET 2	09/27/09	0881652	Non-Department	Communication (	111.54	6507520600 08/27-09/26/2009
029252	10/08/09	AT&T CALNET 2	09/20/09	0867779	Police	Communication (	265.86	83 ASHFIELD TO INDUSTRIAL 08/20-09/19/20
029252	10/08/09	AT&T CALNET 2	09/20/09	0867778	Police	Communication (	56.64	83 ASHFIELD & KCEA RADIO 2372528343 08/2
029252	10/08/09	AT&T CALNET 2	09/20/09	0867783	Police	Communication (	76.65	CAL WATER BEAR GULCH/VOTER 2394516691 08
029252	10/08/09	AT&T CALNET 2	09/20/09	0867781	Police	Communication (	66.34	MP FIRE TO PD VOTER 2394516689 08/20-09/
029252	10/08/09	AT&T CALNET 2	09/20/09	0867780	Police	Communication (	359.81	CIRCUIT DATA LINE 2392717360 08/20-09/19
029252	10/08/09	AT&T CALNET 2	09/20/09	0867782	Police	Communication (	66.34	MP POLICE TO PD VOTER 2394516690 08/20-0
029252	10/08/09	AT&T CALNET 2	09/25/09	0879599	Police	Communication (	15.63	RECORDS ROOM 6503228691 08/25-09/24/2009
029252	10/08/09	AT&T CALNET 2	09/27/09	0881650	Police	Communication (	15.63	ALARM LINE - POLICE SHED 6503300686 08/2
029252	10/08/09	AT&T CALNET 2	09/27/09	0881651	Police	Communication (	211.35	DISASTER LINES 6505660280 08/27-09/26/20
						Check Totals	2,020.55	
029253	10/08/09	MELANIE BRABENEC	10/02/09	10.02.09	City Manager	Mileage Reimbur	24.84	REIMB MILEAGE
						Check Totals	24.84	
029254	10/08/09	THE CITIES GROUP A JOINT PO	09/25/09	09.25.09	NON-DEPARTMENTAL	Payroll Benefit	5,330.46	GROUP LIFE/ ADD AND WI 07/01-12/31/2009
					NON-DEPARTMENTAL	Payroll Benefit	15,890.83	LTD PROGRAM ASSESSMENT 07/01-12/31/2009
						Check Totals	21,221.29	
029255	10/08/09	CODE PUBLISHING INC	09/18/09	33898	City Manager	Advertising/Pub	107.25	SEPTEMBER 09 ATHERTON MUNICIPAL CODE UPD
						Check Totals	107.25	
029256	10/08/09	DAILY JOURNAL CORPORATION	09/29/09	B1686449	City Manager	Advertising/Pub	90.80	NOTICE OF ELECTION 11/03/09 THE ALMANAC
029256	10/08/09	DAILY JOURNAL CORPORATION	09/29/09	B1684411	City Manager	Advertising/Pub	95.04	AUDIT COMMITTEE RECRUITMENT GOV LEGAL NO
						Check Totals	185.84	
029257	10/08/09	DELL MARKETING L.P. C/O DEL	09/20/09	XDD2FKM4	Police	Computer Equipm	1,085.16	2 Opt760 minitower, Core2Duo3.0GHZ/3GMEM
029257	10/08/09	DELL MARKETING L.P. C/O DEL	09/25/09	XDDKPKMX2	Police	Computer Equipm	767.82	1 Latitude E5500/Core2Duo2.4GH/3.0GMEM/1
					Police	Computer Equipm	966.26	DELL LATITUDE 2100 INTEL ATOM N270 1.6GH

Check#	Check Dt	Vendor Name	Inv Date	Inv #	Department	GL Account	Amounts	Detail Description
						Check Totals	2,819.24	
029258	10/08/09	FARRELL REMODELING, INC.	09/28/09	30 CATALPA	NON-DEPARTMENTAL	Bus Lic Refund	360.00	BATCH 28 REFUND #39 30 CATALPA
029258	10/08/09	FARRELL REMODELING, INC.	09/28/09	88 HAWTHORN	NON-DEPARTMENTAL	Bus Lic Refund	8,741.20	BATCH 28 REFUND #39
						Check Totals	9,101.20	
029259	10/08/09	WILLIAM GRINDLEY	09/22/09	09.22.09	NON-DEPARTMENTAL	Other Contract	61.84	SHIPPING COSTS FOR BLUE RIBBON TASK FORC
						Check Totals	61.84	
029260	10/08/09	HARRIS COMPUTER SYSTEMS	09/28/09	MN002331	Finance	Technical Servi	1,634.65	OCTOBER 2009 TECHNICAL SOFTWARE SVC
						Check Totals	1,634.65	
029261	10/08/09	I.M.P.A.C. GOVERNMENT SERVI	08/24/09	4324 08.24.0	City Manager	Conferences	500.00	2009 ANNUAL CONF, J.GRUBER 09/16-18/2009
					City Council	Conferences	550.00	2009 ANNUAL CONF, C.MARSALA 09/16-18/200
					City Council	Conferences	550.00	2009 ANNUAL CONF, J.CARLSON 09/16-18/200
					Non-Department	Computer Suppli	15.00	CONSTANT CONTACT 08/07/09
029261	10/08/09	I.M.P.A.C. GOVERNMENT SERVI	09/22/09	4324 09.22.0	City Manager	Conferences	18.00	PARKING FOR LEAGUE OF CA CITIES CONF 09/
					Non-Department	Computer Suppli	15.00	CONSTANT CONTACT 09/09/09 J.GRUBER
					City Manager	Conferences	18.00	PARKING AT LEAGUE OF CA CITIES CONF 09/1
					City Manager	Conferences	18.00	PARKING, LEAGUE OF CA CITIES CONF 09/16/
					City Manager	Conferences	40.74	LUNCH, LEAGUE OF CA CITIES CONF 09/16/09
					City Manager	Conferences	24.21	BREAKFAST, LEAGUE OF CA CITIES CONF 09/1
					City Manager	Bus Meeting & M	38.12	LUNCH WITH SUP. SEQ. HIGH SCHOOL DISTRIC
029261	10/08/09	I.M.P.A.C. GOVERNMENT SERVI	09/22/09	7190 9.22.09	Finance	Membership/Dues	170.00	GFOA - MEMBERSHIP 10/01/09-09/30/10 L.HO
029261	10/08/09	I.M.P.A.C. GOVERNMENT SERVI	09/22/09	4960 09.22.0	City Manager	Office Supplies	16.15	MICROPHONE TO TEST NEW DIGITAL RECORDING
029261	10/08/09	I.M.P.A.C. GOVERNMENT SERVI	09/22/09	5424 09.22.0	Building	Training & Work	50.00	LOMA PRIETA EARTHQUAKE SYMPOSIUM 10/17/0
					Building	Membership/Dues	100.00	INT'L CODE COUNCIL MEMBERSHIP
029261	10/08/09	I.M.P.A.C. GOVERNMENT SERVI	09/22/09	5432 09.22.0	Police	Office Supplies	16.38	INK CARTRIDGE 08/23/09
					Police	Office Supplies	408.05	BINDERS -DARE 09/10/09
					City Manager	Bus Meeting & M	60.76	BREAKFAST - TOWN STRATEGIC PLANNING MEET
					City Manager	Bus Meeting & M	24.00	COFFEE, TOWN STRATEGIC PLANNING MEETING
					Police	Machinery & Equ	311.60	BELT BOX 09/17/09
					Police	Training - POST	511.55	HOTEL -S.HALL, DIG SEC COURSE - SACRAMEN
					Police	Machinery & Equ	84.40	MOTOR EQUIPMENT 09/18/09
029261	10/08/09	I.M.P.A.C. GOVERNMENT SERVI	09/22/09	4832 09.22.0	Non-Department	Computer Suppli	73.58	SPARE HARD DRIVE BACKUP FOR TOWN 09/12/0

Town of Atherton
 Check Disbursement by Vendor for the Check Dates 10/01/2009 through 10/31/2009

Check#	Check Dt	Vendor Name	Inv Date	Inv #	Department	GL Account	Amounts	Detail Description
029261	10/08/09	I.M.P.A.C. GOVERNMENT SERVI	09/22/09	0612	09.22.0	Non-Department City Manager	13.95	SPARE LITHIUM BATTERY FOR BACKUP 09/13/0
						City Manager	60.07	FLOWERS FOR JUDY BELLMONT FROM TOWN FOR
						City Manager	-86.90	LODGING 08/26/09 E.WILKERSON
						Police	24.00	COFFEE, SAN MATEO COMM ASSOC 09/03/09
						Police	15.00	BREAKFAST, SAN MATEO COMM ASSOC 09/03/09
						Police	640.00	CAR WASH TICKETS, 2 BOOKS 25 EACH
						Police	11.98	CHARGER FOR SGT'S CAR CELL PHONE 07/23/0
						Police	567.99	JUNIOR BADGES 07/24/09
						Police	60.00	DESIGN FEE FOR JUNIOR BADGES 07/24/09
						Police	36.33	AUTO CLOTHS, WAX, POLISH CREAM 08/18/09
						Police	14.65	SCRUBBER, SPONGE 08/18/09
						Police	147.76	DISPOSABLE HANDCUFFS, RESTRAINTS CUTTER
						Police	88.95	ENTERSECT AUGUST 2009
						Police		
						Technical Servi		
						Check Totals	5,207.32	
029262	10/08/09	IEDA, INC.	10/01/09	15649		City Manager	1,000.00	LABOR RELATIONS CONSULTING FEES 10/1-31/
						Labor Relations		
						Check Totals	1,000.00	
029263	10/08/09	IZMIRIAN ROOFING	09/30/09	09.30.09		NON-DEPARTMENTAL	175.00	REFUND - PAID TWICE TO IZMIRIAN ROOFING
						Business Licens		
						Check Totals	175.00	
029264	10/08/09	EDWARD A. JASMIN	10/02/09	AT 010209-01		City Manager	1,560.00	ATHERTONIAN QRTY NEWSLETTER FALL 09, GRA
						External Printi		
						Check Totals	1,560.00	
029265	10/08/09	ANTHONY KOCKLER	09/30/09	09.30.09		Police	7.47	4 GASKET RING
						Police	251.85	AIR FILTER, OIL CHANGE KIT, GEAR OIL, BR
						Equipment Maint		
						Equipment Maint		
						Check Totals	259.32	
029266	10/08/09	L3 COMMUNICATIONS MOBILE VI	09/15/09	0145839-IN		Police	652.22	3 IN-CAR VIDEO DIGITAL RECORDER 1/OFFICE
						Machinery & Equ		
						Check Totals	652.22	
029267	10/08/09	LA SALLE PROPERTIES LLC	10/05/09	216	ATHERTON	NON-DEPARTMENTAL	1,411.20	BATCH 29 REFUND #40
						NON-DEPARTMENTAL	10,597.50	BATCH 29 REFUND #40
						Bus Lic Refund		
						Bus Lic Refund		

Check#	Check Dt	Vendor Name	Inv Date	Inv #	Department	GL Account	Amounts	Detail Description
						Check Totals	12,008.70	
029268	10/08/09	MID-PENINSULA ANIMAL HOSPIT	10/01/09	414370	Police	K-9 Expenses	58.25	VACCINES DIST/HEP/PARVO, RABIES 09/06/09
						Check Totals	58.25	
029269	10/08/09	MILLS-PENINSULA HEALTH SERV	09/25/09	40082	Police	Other Contract	500.00	CONFLICT RESOLUTION
						Check Totals	500.00	
029270	10/08/09	MUNI SERVICES LLC	09/25/09	C HULLTRON G	NON-DEPARTMENTAL	Business Licens	125.00	BUS. LIC. FEE C.HUITRON GARDEN SERVICE
029270	10/08/09	MUNI SERVICES LLC	09/25/09	CONOLEY ELEC	NON-DEPARTMENTAL	Business Licens	175.00	BUS. LIC. FEE CONOLEY ELECTRIC
029270	10/08/09	MUNI SERVICES LLC	09/14/09	BAY AREA CON	Finance	Business Licens	25.00	BUS. LIC. FEE BAY AREA CONCRETES, INC.
029270	10/08/09	MUNI SERVICES LLC	09/28/09	NAF MODIFICA	NON-DEPARTMENTAL	Business Licens	125.00	BUS. LIC. FEE NAF MODIFICATION
029270	10/08/09	MUNI SERVICES LLC	09/17/09	KAROL'S SHOP	NON-DEPARTMENTAL	Business Licens	75.00	BUS. LIC. FEE KAROL'S SHOP
029270	10/08/09	MUNI SERVICES LLC	10/06/09	CB SHOWERS	NON-DEPARTMENTAL	Business Licens	175.00	BUS. LIC. FEE CB SHOWERS. INC.
029270	10/08/09	MUNI SERVICES LLC	10/07/09	JNL MARBLE &	NON-DEPARTMENTAL	Business Licens	125.00	BUS. LIC. FEE JNL MARBLE & GRANITE, INC.
029270	10/08/09	MUNI SERVICES LLC	10/06/09	CALEDONIAN M	NON-DEPARTMENTAL	Business Licens	175.00	BUS. LIC. FEE CALEDONIAN MASONRY
029270	10/08/09	MUNI SERVICES LLC	10/08/09	DIABLOS TREE	NON-DEPARTMENTAL	Business Licens	275.00	BIS. LIC. FEE DIABLOS TREE SERVICE, INC.
						Check Totals	1,275.00	
029271	10/08/09	OFFICE DEPOT	09/21/09	489332598001	City Manager	Office Supplies	113.87	CATRIDGE
					Finance	Office Supplies	113.87	CATRIDGE
						Check Totals	227.74	
029272	10/08/09	PUBLIC EMPLOYEES RETIREMENT	09/25/09	09.25.09	NON-DEPARTMENTAL	Payroll Deducti	3,102.91	PERS 09/06-19/2009
					NON-DEPARTMENTAL	Payroll Benefit	51,017.19	PERS 09/06-19/2009
						Check Totals	54,120.10	
029273	10/08/09	PETERSON & JENKINS ROOFING	09/30/09	5 BRITTANY M	Building	Building Deposi	500.00	REFUND RECYCLING DEPOSIT 5 BRITTANY MEAD
						Check Totals	500.00	
029274	10/08/09	PITNEY BOWES INC.	09/27/09	398843	Non-Department	Post Office Exp	345.40	RED INK CARTRIDGE AND ADHESIVE ROLL TAPE

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						Check Totals	345.40	
029275	10/08/09	SAMIRA NAWAS PLESMAN	09/28/09	09.28.09	NON-DEPARTMENTAL	Advertising/Pub	38.24	CHANGE DATE ON BANNER ART EXHIBIT 09/18/09
					NON-DEPARTMENTAL	Office Supplies	1,091.99	FOOD FOR ART EXHIBIT RECEPTION 09/18/09
						Check Totals	1,130.23	
029276	10/08/09	RECALL SECURE DESTRUCTION S	09/19/09	2303003878	Police	Other Contract	85.96	SDS 64 GAL 08/21-09/17/2009
						Check Totals	85.96	
029277	10/08/09	SAN MATEO CO SHERIFF'S OFFI	09/30/09	CL02228	Police	Technical Servi	524.00	AFIS PREP/ENTRY/COMPARISON, FINGERPRINT
						Check Totals	524.00	
029278	10/08/09	JEAN SCHAAF	09/29/09	09.29.09	NON-DEPARTMENTAL	Advertising/Pub	45.72	POSTERS & FLYERS (PRINT SHOP) 09/03/09
					NON-DEPARTMENTAL	Postage	167.50	MAIL ANNOUNCEMENT OF SHOW TO RESIDENTS 0
						Check Totals	213.22	
029279	10/08/09	SPRINT	09/29/09	130538811-02	Police	Communication (	400.51	08/26-09/25/2009 CHARGES
						Check Totals	400.51	
029280	10/08/09	TEAMSTERS LOCAL 856 H & W	10/06/09	10.06.09	NON-DEPARTMENTAL	Payroll Benefit	7,007.00	PREMIUMS FOR OCTOBER 2009
						Check Totals	7,007.00	
029281	10/08/09	BETTY ULLMAN	09/28/09	09.28.09	NON-DEPARTMENTAL	Postage	11.44	POSTAGE - LETTER SENT TO 26 ARTISTS 09/1
					NON-DEPARTMENTAL	Advertising/Pub	367.92	POSTCARDS (PRINT MADE EAST) ART EXHIBIT
					NON-DEPARTMENTAL	Advertising/Pub	90.00	LABELS FOR POSTCARDS FOR ART EXHIBIT 09/
					NON-DEPARTMENTAL	Office Supplies	1,822.40	20 PANELS & ATTACHMENTS ART EXHIBIT 09/1
					NON-DEPARTMENTAL	Office Supplies	932.00	20 COVERS FOR PANELS & HOOKS ART EXHIBIT
					NON-DEPARTMENTAL	Office Supplies	295.20	RENT TABLECLOTH ART EXHIBIT 09/18/09
					NON-DEPARTMENTAL	Office Supplies	4.92	KEYS FOR MAIL BOX
					NON-DEPARTMENTAL	Office Supplies	13.85	DUCT TAPE FOR LEGS OF PANELS
					NON-DEPARTMENTAL	Office Supplies	34.62	MAIL BOX
029281	10/08/09	BETTY ULLMAN	09/29/09	09.29.09	NON-DEPARTMENTAL	Office Supplies	50.77	THUMB & SCREWS FOR PANEL SUPPORTS ART EX

Check#	Check Dt	Vendor Name	Inv Date	Inv #	Department	GL Account	Amounts	Detail Description
						Check Totals	3,623.12	
029282	10/08/09	UNIQUE CONCRETE CREATIONS	09/30/09	222 PARK LN	Building	Building Deposi	1,000.00	REFUND RECYCLING DEPOSIT 222 PARK LN
						Check Totals	1,000.00	
029283	10/08/09	VOYAGER	09/24/09	869016477909	Police	Gas & Oil	278.34	FUEL SEPTEMBER 2009
						Check Totals	278.34	
029284	10/08/09	JOSEPH WADE	09/30/09	09.30.09	Police	Education	400.00	REIMB FOR MARTIAL ART CLASSES
						Check Totals	400.00	
029285	10/08/09	WILLIAMS SCOTSMAN	09/29/09	93513470	Police	Rent - Faciliti	729.97	RENT CPX-73095 09/29-10/28/2009
						Check Totals	729.97	
029286	10/08/09	WITMER-TYSON IMPORTS, INC.	10/01/09	17519	Police	K-9 Expenses	460.09	SEPTEMBER 2009 K-9 TRAINING
						Check Totals	460.09	
029287	10/08/09	WORKFLOW	09/11/09	14641592	Finance	Bank Service Ch	415.24	900 A/P CHECK STOCK
						Check Totals	415.24	
029291	10/19/09	100 CLUB OF SAN MATEO COUNT	10/13/09	10/13/09	Police	Conferences	35.00	ANNUAL DINNER&INSTALLATION MTG-NIELSEN 1
						Check Totals	35.00	
029292	10/19/09	AT&T CALNET 2	10/01/09	0893120	Non-Department	Communication (	15.63	6503273232 - 09/01/09-09/30-09
029292	10/19/09	AT&T CALNET 2	10/01/09	0893122	Non-Department	Communication (	15.63	6503274866-FAX MODEM LINE 9/01/09-09/30/
029292	10/19/09	AT&T CALNET 2	10/10/09	10/10/09 907	Non-Department	Communication (	618.66	6506886500-09/10/09-10/09/09
						Check Totals	649.92	
029293	10/19/09	BPS REPROGRAPHIC SERVICE	09/23/09	760659	DPW - Engineering	Advertising/Pub	419.85	POLHEMUS
029293	10/19/09	BPS REPROGRAPHIC SERVICE	09/24/09	761959	DPW - Engineering	Advertising/Pub	554.77	HP MASTER IRRIGATION

Check#	Check Dt	Vendor Name	Inv Date	Inv #	Department	GL Account	Amounts	Detail Description
						Check Totals	974.62	
029294	10/19/09	CA STATE DISBURSEMENT UNIT	10/09/09	10/9/09	NON-DEPARTMENTAL	Payroll Deducti	271.84	CS W/H 9/20-10/3/09
						Check Totals	271.84	
029295	10/19/09	DAILY JOURNAL CORPORATION	09/30/09	81686447	City Manager	Advertising/Pub	169.00	NOTICE OF SPECIAL PARCEL TAX 11/3/09
						Check Totals	169.00	
029296	10/19/09	DELL MARKETING L.P. C/O DEL	09/18/09	XDD9R31D6	DPW - Street Mainten	Computer Equipm	1,490.31	1 OPTIPLEX 760 INTEL CORE 2DUO 3.0GHZ 3G
						Check Totals	1,490.31	
029297	10/19/09	CHRIS DONATELLI BUILDERS IN	10/12/09	54 MARIANNA	NON-DEPARTMENTAL	Bus Lic Refund	12.80	BATCH #30 REFUND # 41
						Check Totals	12.80	
029298	10/19/09	GRANITE ROCK CO. #16774 ACC	09/19/09	536001	DPW - Street Mainten	Construction Ma	349.33	REPAIR TRAIN STATION WATER LEAK-RAOD OIL
						Check Totals	349.33	
029299	10/19/09	HORIZON	09/15/09	12395157-00	DPW - Park Mainten	Construction Ma	355.39	700 SERIES VALVE
						Check Totals	355.39	
029300	10/19/09	I.M.P.A.C. GOVERNMENT SERVI	09/22/09	5408 09/22/0	DPW - Street Mainten	Conferences	25.00	REPLENISHMENT OF ACCOUNT- FASTRACK -TYLE
					DPW - Building Maint	Construction Ma	159.37	REBUILD READING PARK BENCHES
					DPW - Building Maint	Construction Ma	111.50	REBUILD READING PARK BENCHES
					DPW - Building Maint	Construction Ma	-59.22	CREDIT FOR RETURNED MERCHANDISE
029300	10/19/09	I.M.P.A.C. GOVERNMENT SERVI	08/04/09	5408 08/24/0	DPW - Park Mainten	Construction Ma	42.08	PLAYGROUND REPAIR PARTS
					DPW - Park Mainten	Construction Ma	199.84	FOUNTAIN PAINT
						Check Totals	478.57	
029301	10/19/09	DUNCAN JONES	10/09/09	10/09/09	DPW - Engineering	Conferences	88.00	REIM CCEA MTG 5/21/09 6/18/09 7/16/09 8/

Check#	Check Dt	Vendor Name	Inv Date	Inv #	Department	GL Account	Amounts	Detail Description
029302	10/19/09	JOSEPH MERCER	10/19/09	JUL-SEPT 200	DPW - Engineering	Retiree Health	220.20	RETIREE HEALTH REIM. JUL-SEPT 2009
						Check Totals	88.00	
029303	10/19/09	OIL CHANGER	09/21/09	202-0347510	DPW - Street Mainten	Equipment Maint	39.35	OIL CHANGE F250 FORD PICK UP
029303	10/19/09	OIL CHANGER	09/18/09	202-0347372	DPW - Street Mainten	Equipment Maint	36.38	OIL CHANGE DODGE TRUCK DAKOTA
						Check Totals	220.20	
						Check Totals	75.73	
029304	10/19/09	PUBLIC EMPLOYEES RETIREMENT	10/09/09	10/09/09	NON-DEPARTMENTAL	Payroll Deducti	3,156.43	PERS 9/20-10/03/09
					NON-DEPARTMENTAL	Payroll Benefit	50,197.90	PERS 9/20-10/3/09
						Check Totals	53,354.33	
029305	10/19/09	PURCHASE POWER	10/04/09	2882-10/04/0	Non-Department	Postage	409.39	POSTAGE & SUPPLIES
						Check Totals	409.39	
029306	10/19/09	RED WING SHOE-REDWOOD CITY	09/16/09	152000000404	DPW - Street Mainten	Uniforms	238.15	SAFETY BOOTS - LOPEZ & BUTLER
						Check Totals	238.15	
029307	10/19/09	ROTO-ROOTER SERVICES COMPAN	09/24/09	19315227129	DPW - Building Maint	Facility Repair	199.00	MAIN SEWER LINE 9/24/09
						Check Totals	199.00	
029308	10/19/09	SHARP ELECTRONICS CORPORATI	09/25/09	AR221452	Police	Equipment Maint	470.00	B/W S450N COPIER MAINT. 9/19/09-03/18/10
					Police	Equipment Maint	3.78	OVERAGE CHARGE 3/19/09-9/18/09
					Police	Equipment Maint	15.75	SALES TAX
029308	10/19/09	SHARP ELECTRONICS CORPORATI	09/14/09	AR218149	DPW - Engineering	Equipment Maint	167.00	B/W S450N COPIER MAINT. 9/12/09-10/11/09
					DPW - Engineering	Equipment Maint	32.15	OVERAGE CHARGE 8/12/09-9/11/09
					DPW - Engineering	Equipment Maint	6.62	SALES TAX
						Check Totals	695.30	
029309	10/19/09	TEAMSTERS UNION LOCAL 856	10/09/09	10/09/09	NON-DEPARTMENTAL	Payroll Deducti	401.55	DUES W/H 9/20-10/03/09

Town of Atherton
 Check Disbursement by Vendor for the Check Dates 10/01/2009 through 10/31/2009

Check#	Check Dt	Vendor Name	Inv Date	Inv #	Department	GL Account	Amounts	Detail Description
						Check Totals	401.55	
029310	10/19/09	TERMINIX PROCESSING CENTER	09/28/09	289677843	Non-Department	Other Contract	108.00	2 DINKELSPIEL STAT. LN 9/24/09
						Check Totals	108.00	
029313	10/22/09	ACCOMTEMS FILE 73484	10/07/09	30029791	Finance	Other Contract	506.54	ACCOUNTANT M.VICHIANPUPOL 9/30-10/2/09
						Check Totals	506.54	
029314	10/22/09	AFLAC ATTN: REMITTANCE PROC	10/15/09	812803ER	Building	Cafeteria Insur	5.00	K.ANDERSON 10/1-10/31/09
					Finance	Cafeteria Insur	5.00	M.COLLIU 10/1-10/31/09
					Finance	Cafeteria Insur	5.00	L.HO 10/1-10/31/09
					Police	Cafeteria Insur	5.00	D.DUNPHAY 10/1-10/31/09
					Police	Cafeteria Insur	5.00	M.GUERRA 10/1-10/31/09
					Police	Cafeteria Insur	5.00	S.HALL 10/1-10/31/09
					Police	Cafeteria Insur	5.00	J.MATTES 10/1-10/31/09
					DPW - Engineering	Cafeteria Insur	5.00	T.HENDERSON 10/1-10/31/09
						Check Totals	40.00	
029315	10/22/09	AT&T CALNET 2	10/01/09	893119 10/1/	Police	Communication (	55.81	6503245396 9/1-9/30/09
						Check Totals	55.81	
029316	10/22/09	BPS REPROGRAPHIC SERVICE	10/13/09	765141	DPW - Engineering	Advertising/Pub	248.05	HP MASTER IRRIGATION PLANS
029316	10/22/09	BPS REPROGRAPHIC SERVICE	10/08/09	764387	DPW - Engineering	Advertising/Pub	199.44	POLHEMUS PLANS
						Check Totals	447.49	
029317	10/22/09	CA STATE DISBURSEMENT UNIT	10/22/09	10/23/09	NON-DEPARTMENTAL	Payroll Deducti	271.84	C/S W/H 10/4-10/17/09
						Check Totals	271.84	
029318	10/22/09	CALIF BUILDING STANDARDS CO	10/09/09	FEE JUL-SEPT	Building	CBSC Fee Payabl	738.00	BLDG STAND FEE JUL-SEPT 2009
						Check Totals	738.00	

Check#	Check Dt	Vendor Name	Inv Date	Inv #	Department	GL Account	Amounts	Detail Description
029319	10/22/09	CALIFORNIA WATER SERVICE	10/05/09	9/30/09	DPW - Park Program	Utilities - Wat	212.01	150 WATKINS 8/26-9/24/09
					DPW - Street Mainten	Utilities - Wat	26.37	150 WATKINS FIRE PROTECTION9/1-9/30/09
					NON-DEPARTMENTAL	Utilities - Wat	49.14	2 STATION LN 8/5-9/2/09
					Police	Utilities - Wat	41.83	83 ASHFIELD 8/5-9/2/09
					City Manager	Utilities - Wat	63.78	91 ASHFIELD 8/5-9/2/09
					City Council	Utilities - Wat	41.83	94 ASHFIELD 8/5-9/2/09
					DPW - Street Mainten	Utilities - Wat	467.96	ALAMEDA & ATHERTON 8/5-9/02/09
					DPW - Street Mainten	Utilities - Wat	127.89	EL CAMINO REAL 8/5-9/02/09
					DPW - Street Mainten	Utilities - Wat	109.62	EL CAMINO REAL 8/26-9/24/09
					DPW - Street Mainten	Utilities - Wat	309.67	MAPLE 8/5-9/2/09
					DPW - Engineering	Utilities - Wat	12.55	STATION LN 8/5-9/2/09
					Planning Department	Utilities - Wat	4.18	STATION LN 8/5-9/2/09
					Building	Utilities - Wat	25.10	STATION LN 8/5-9/02/09
						Check Totals	1,491.93	
029320	10/22/09	CALPERS HEALTH BENEFITS DIV	10/15/09	383	NON-DEPARTMENTAL	Payroll Benefit	41,975.02	EMPLOYEE DISTRIBUTION 11/2009
					Non-Department	Health Insuranc	225.11	ADMINISTRATIVE COSTS 11/2009
					Building	Retiree Health	0.01	RETIREE MED 11/2009
					City Manager	Retiree Health	2,387.13	RETIREE MED 11/2009
					DPW - Engineering	Retiree Health	238.15	RETIREE MED 11/2009
					DPW - Park Maintenanc	Retiree Health	0.01	RETIREE MED 11/2009
					Finance	Retiree Health	476.48	RETIREE MED 11/2009
					Police	Retiree Health	6,208.46	RETIREE MED 11/2009
						Check Totals	51,510.37	
029321	10/22/09	CLARK PEST CONTROL	10/01/09	8959460	DPW - Park Maintenanc	Grounds Mainten	780.00	WEED CONTROL SERVICE HP PARK 10/02/09
						Check Totals	780.00	
029322	10/22/09	CLEAN SOURCE	10/02/09	1923025-00	DPW - Park Program	Building Suppli	833.25	CLEANING SUPPLIES HP PARK
						Check Totals	833.25	
029323	10/22/09	COMCAST	09/23/09	66649 10/2-1	DPW - Park Program	Communication (	64.75	HIGH SPEED INTERNET 10/02-11/01/09
						Check Totals	64.75	

Check#	Check Dt	Vendor Name	Inv Date	Inv #	Department	GL Account	Amounts	Detail Description
029324	10/22/09	CITY OF DALY CITY	10/09/09	10/9/09	DPW - Street Mainten	Training & Work	50.00	STORM WATER BR.BAG MTG-TYLER,HENDERSON,B
						Check Totals	50.00	
029325	10/22/09	EMPLOYMENT DEVELOPMENT DEPT	10/14/09	625-3 10/14/	Police	Unemployment In	4,687.00	OSHEA 4/1-6/30/09
					Finance	Unemployment In	4,050.00	PIERCE 4/1-6/30/09
					Police	Unemployment In	75.00	SILAGI 4/1-6/30/09
					DPW - Park Maintenanc	Unemployment In	2,337.00	ROIAS 4/1-6/30/09
						Check Totals	11,149.00	
029326	10/22/09	H.T. HARVEY & ASSOCIATES	09/30/09	27408	NON-DEPARTMENTAL	Other Contract	2,285.25	ENVIRONMENTAL CONSULTING UPP-ATHERTON CH
						Check Totals	2,285.25	
029327	10/22/09	IWORQ SYSTEMS	09/14/09	3012	DPW - Engineering	Computer Softwa	75.00	INTERNET PAVEMENT MANAG & SUPPORT OCT 20
						Check Totals	75.00	
029328	10/22/09	CITY OF MENLO PARK	09/17/09	0902490	DPW - Street Mainten	Traffic Mainten	406.84	MAINT.COST -VALPARAISO&UNIVERSITY SIGNAL
						Check Totals	406.84	
029329	10/22/09	MUNI SERVICES LLC	10/22/09	DIABLO TREE	NON-DEPARTMENTAL	Business Licens	275.00	BUS.LIC.FEE DIABLO TREE SEVICES
						Check Totals	275.00	
029330	10/22/09	PUBLIC EMPLOYEES RETIREMENT	10/22/09	10/23/09	NON-DEPARTMENTAL	Payroll Deducti	3,129.53	PERS 10/04-10/17/09
					NON-DEPARTMENTAL	Payroll Benefit	50,823.04	PERS 10/4-10/17/09
						Check Totals	53,952.57	
029331	10/22/09	PG & E	10/09/09	5678831191-0	City Manager	Utilities - Elec	478.12	91 ASHFIEL/TOWN HALL 8/25-9/30/09
					Planning Department	Utilities - Elec	22.03	STATION LANE BLDG 8/25-9/30/09
					Buidling	Utilities - Elec	132.17	STATION LANE BLDG 8/25-9/30/09
					DPW - Engineering	Utilities - Elec	66.08	STATION LANE BLDG 8/25-9/30/09
					DPW - Street Mainten	Utilities - Elec	3,893.59	STREET LIGHTS 8/25/9/30/09
					DPW - Park Maintenanc	Utilities - Elec	464.00	150 WATKINS PUMP 8/25-9/30/09
					DPW - Park Program	Utilities - Elec	1,226.46	150 WATKINS, ACTIVITY & MODULAR B8/25-9/

Check#	Check Dt	Vendor Name	Inv Date	Inv #	Department	GL Account	Amounts	Detail Description
					NON-DEPARTMENTAL	Utilities - Elec	834.55	LIBRARY 8/25-9/23/09
					DPW - Street Mainten	Utilities - Elec	116.12	TRAFFIC SIGNALS 8/25-9/30/09
					DPW - Street Mainten	Utilities - Elec	108.08	CORP. OFC & STORAGE 8/25-9/23/09
					DPW - Street Mainten	Utilities - Elec	45.37	TRAFFIC SIGNAL 8/25-9/24/09
						Check Totals	7,386.57	
029332	10/22/09	REDWOOD PLUMBING	10/08/09	W34032	DPW - Building Maint	HVAC Repair & M	193.87	AIR CONDITIONING SERVICE CALL 10/01/09
						Check Totals	193.87	
029333	10/22/09	TEAMSTERS UNION LOCAL 856	10/22/09	10/23/09	NON-DEPARTMENTAL	Payroll Deducti	401.55	DUES W/H 10/4-10/17/09
						Check Totals	401.55	
029334	10/22/09	TURBO DATA SYSTEMS INC.	09/30/09	15914	Police	Citations Proce	40.79	CITATION PROCESSING AUG-SEPT 2009
						Check Totals	40.79	
029335	10/22/09	AGI PUBLISHING DBA: VALLEY	10/01/09	998221-10/1/	DPW - Park Program	Advertising/Pub	908.68	ADVERTISING HP PARK FOR OCTOBER 09
						Check Totals	908.68	
029336	10/22/09	VERIZON WIRELESS	09/21/09	0800251034	City Manager	Communication (	45.01	MODEM 279-2351 9/22-10/21/09
					Building	Communication (	133.66	CELL PHONE BLDG. DEPT 9/22-10/21/09
					Police	Communication (	491.22	CELL PHONE P.D 9/22-10/21/09
					Police	Communication (	-94.84	CELL PHONE P.D 9/22-10/21/09
					DPW - Engineering	Communication (	171.71	CELL PHONE 9/22-10/21/09
					DPW - Street Mainten	Communication (	172.88	CELL PHONE STREET MAINT. 9/22-10/21/09
					DPW - Park Maintenanc	Communication (	88.33	CELL PHONE PARKS 9/22-10/21/09
					DPW - Park Program	Communication (	36.38	CELL PHONE PARK PROGRAM 9/22-10/21/09
						Check Totals	1,044.35	
029342	10/29/09	1ST FIVE MINUTES, LLC BEN D	10/29/09	102909APD	Police	Other Contract	900.00	BASIC LIFE SUPPORT FOR PROFESSIONAL RESC
					Police	Other Contract	180.00	CO-INSTRUCTOR 2-DAYS
						Check Totals	1,080.00	

Check#	Check Dt	Vendor Name	Inv Date	Inv #	Department	GL Account	Amounts	Detail Description
029343	10/29/09	A & B ROOFING, INC.	10/22/09	316 GREENOAK	NON-DEPARTMENTAL	Bus Lic Refund	234.00	BATCH # 32 REFUND#43
			10/22/09	4 BERGESSON	NON-DEPARTMENTAL	Bus Lic Refund	75.60	BATCH #32 REFUND #43
			10/22/09	28 SERRANO				
						Check Totals	309.60	
029344	10/29/09	A-A-A RENTALS INC	10/02/09	515500	DPW - Street Mainten	Rent - Tools &	49.00	CONCRETE SAW SUTHERLAND/RIDGEVIEW
029344	10/29/09	A-A-A RENTALS INC	10/06/09	515700	DPW - Street Mainten	Rent - Tools &	100.61	CONCRETE SAW FOR IRRIGATION
029344	10/29/09	A-A-A RENTALS INC	10/01/09	515378	DPW - Street Mainten	Rent - Tools &	115.00	RENTALS SUTHERLAND/RIDGEVIEW 10/1/09
029344	10/29/09	A-A-A RENTALS INC	09/28/09	515212	DPW - Street Mainten	Rent - Tools &	63.00	CONCRETE SAW MONTE VISTA/CAMINO AL LAGO
029344	10/29/09	A-A-A RENTALS INC	09/15/09	514464	DPW - Street Mainten	Rent - Tools &	115.00	ROLLER-TRAIN STATION WATER LEAK REPAIR 9
						Check Totals	442.61	
029345	10/29/09	ABAG POWER PURCHASING POOL	10/01/09	8002403	DPW - Park Program	Utilities - Elec	185.60	LEVELIZED GAS 150 WATKINS 8/26-9/24/09
					DPW - Building Maint	Utilities - Elec	69.60	LEVELIZED GAS 160 WATKINS 8/26-9/24/09
					Police	Utilities - Elec	65.77	LEVELIZED GAS 91 ASHFIELD 8/25-9/23/09
					City Manager	Utilities - Elec	38.63	LEVELIZED GAS 91 ASHFIELD 8/25-9/23/09
					Planning Department	Utilities - Elec	9.28	LEVELIZED GAS STATION LN 8/25-9/23/09
					Building	Utilities - Elec	55.68	LEVELIZED GAS TOWN HALL 8/25-9/23/09
					DPW - Engineering	Utilities - Elec	27.84	LEVELIZED GAS STATION LN. 8/25-9/23/09
					NON-DEPARTMENTAL	Utilities - Elec	46.40	LEVELIZED GAS LIBRARY 8/25-9/23/09
					DPW - Street Mainten	Utilities - Elec	81.20	LEVELIZED GAS CORP YARD 8/25/9/23/09
						Check Totals	580.00	
029346	10/29/09	ACCOUNTEMPS FILE 73484	10/12/09	30037052	Finance	Other Contract	457.52	ACCOUNTANT M.VICHIANPUJPOL 10/5-10/9/09
029346	10/29/09	ACCOUNTEMPS FILE 73484	10/19/09	30071820	Finance	Other Contract	392.16	ACCOUNTANT S.CHOLLAMPAT 10/13-10/15/09
						Check Totals	849.68	
029347	10/29/09	AFLAC ATTN: REMITTANCE PROC	10/15/09	250971	NON-DEPARTMENTAL	Payroll Deducti	1,700.68	OCTOBER 2009 PREMIUMS
					NON-DEPARTMENTAL	Payroll Deducti	-61.66	CREDIT JOESPH AIELLO
					NON-DEPARTMENTAL	Payroll Deducti	-561.60	CREDIT PILAR BUCKLEY
						Check Totals	1,077.42	
029348	10/29/09	ALLEGRA PRINT & IMAGING DEA	10/21/09	41953	Police	Other Supplies	91.90	BUSINESS CARDS K. PRONSKIE

Check#	Check Dt	Vendor Name	Inv Date	Inv #	Department	GL Account	Amounts	Detail Description
029349	10/29/09	JAVIER ANDRADE	10/09/09	10/9/09	DPW - Street Mainten	Training & Work	20.00	MSA MEETING - BACKHOE 9/17/09
							91.90	
Check Totals							20.00	
029350	10/29/09	AT&T CALNET 2	10/01/09	893121	DPW - Park Program	Communication (	55.32	6503274859 HP PARK MAIN HOUSE 9/1-9/30/0
029350	10/29/09	AT&T CALNET 2	10/10/09	907847	Non-Department	Communication (	157.15	6503252677 9/10-10/09/09
029350	10/29/09	AT&T CALNET 2	10/10/09	907462	Police	Communication (	30.20	6503233612 9/10-10/09/09 TELEMINDER LOOP
029350	10/29/09	AT&T CALNET 2	10/10/09	906821	Police	Communication (	15.64	6502899297 9/10-10/09/09 DINKELSPIEL ALA
029350	10/29/09	AT&T CALNET 2	10/10/09	907460	Police	Communication (	14.34	6503231801 9/10-10/09/09 POLICE DEPT.
029350	10/29/09	AT&T CALNET 2	10/10/09	907461	Police	Communication (	45.16	6503231802 9/10-10/09/09 POLICE DEPT
029350	10/29/09	AT&T CALNET 2	10/10/09	907467	Police	Communication (	30.20	6503283220 9/10-10/09/09 P.D FAX -ADMIN
029350	10/29/09	AT&T CALNET 2	10/10/09	907464	Police	Communication (	15.63	6503236452 9/10-10/09/09 VOICE PRINT-911
029350	10/29/09	AT&T CALNET 2	10/10/09	907466	Police	Communication (	155.83	6503262801 9/10-10/09/09 POLICE TRAILER
029350	10/29/09	AT&T CALNET 2	10/10/09	907468	Police	Communication (	16.06	6504739743 9/10-10/09/09 DIRECT CONNECT
029350	10/29/09	AT&T CALNET 2	10/10/09	907459	Police	Communication (	29.93	6503231014 9/10-10/09/09 P.D ANALOG LINE
029350	10/29/09	AT&T CALNET 2	10/11/09	909128	Police	Communication (	22.83	650-4621470 9/11-10/1009 DINKELSPIEL PAY
029350	10/29/09	AT&T CALNET 2	10/10/09	907465	Police	Communication (	29.19	6503237653 9/10-10/09/09 P.D FAX REQUEST
029350	10/29/09	AT&T CALNET 2	10/10/09	907463	Police	Communication (	299.74	6503236131 9/10-10/09/09 EMERGENCY LINE
029350	10/29/09	AT&T CALNET 2	10/13/09	911900	Police	Communication (	15.88	6503261167 TELEMINDER LOOP LINE 9/13-10/
029350	10/29/09	AT&T CALNET 2	10/20/09	928612	Police	Communication (	66.34	2394516689 MP FIRE TO PD VOTER 9/20-10/1
029350	10/29/09	AT&T CALNET 2	10/20/09	928610	Police	Communication (	265.86	2372715840 83 ASHFIELD TO INDUSTRIAL 9/2
029350	10/29/09	AT&T CALNET 2	10/20/09	928611	Non-Department	Communication (	359.81	2392717360 CIRCUIT DATA LINE PRI SVC 9/2
029350	10/29/09	AT&T CALNET 2	10/20/09	928614	Police	Communication (	76.65	2394516691 CAL WATER TO BEAR GULCH VOTER
029350	10/29/09	AT&T CALNET 2	10/20/09	928613	Police	Communication (	66.34	2394516690 MP POLICE TO PD VOTER 9/20-10
Check Totals							1,768.10	
029352	10/29/09	BAY AREA DATA SUPPLY, INC.	09/29/09	197543	DPW - Engineering	Equipment Maint	200.55	REPAIR HP DESIGNJET D. HUYNH
Check Totals							200.55	
029353	10/29/09	BG FLATHER CONSTRUCTION. IN	10/26/09	130 SELBY LN	NON-DEPARTMENTAL	Bus Lic Refund	180.00	BATCH #33 REFUND # 44
			10/26/09	84 STOCKBRID	NON-DEPARTMENTAL	Bus Lic Refund	452.00	BATCH #33 REFUND #44
			10/26/09	87 PATRICIA	NON-DEPARTMENTAL	Bus Lic Refund	72.00	BATCH #33 REFUND #44
			10/26/09	BUS LIC.				

Check#	Check Dt	Vendor Name	Inv Date	Inv #	Department	GL Account	Amounts	Detail Description
						Check Totals	704.00	
029354	10/29/09	BIGGS CARDOSA ASSOCIATE	10/05/09	55654	NON-DEPARTMENTAL	Other Contract	2,635.00	HP PARK PEDESTRIAN BRIDGE BIDDING & CONS
029354	10/29/09	BIGGS CARDOSA ASSOCIATE	09/05/09	55529	NON-DEPARTMENTAL	Other Contract	1,025.41	HP PARK PEDESTRIAN BRIDGE BIDDING & CONS
						Check Totals	3,660.41	
029355	10/29/09	BKF ENGINEERS	09/22/09	9090237	NON-DEPARTMENTAL	Contract Engine	10,420.85	CREEK STABILIZATION DESIGN SERVICES FOR
						Check Totals	10,420.85	
029356	10/29/09	MELANIE BRABENEC	10/26/09	10/26/09	City Manager	Conferences	17.86	MILEAGE REIMB. 10/9-10/23/09
						Check Totals	17.86	
029357	10/29/09	CALIFORNIA WATER SERVICE	10/05/09	686127445/9-	DPW - Street Mainten	Utilities - Wat	649.69	STATION LANE 9/3-10/2/09
						Check Totals	649.69	
029358	10/29/09	CHRISTOPHER A JOSEPH & ASSO	10/13/09	09-0116-00/0	NON-DEPARTMENTAL	PLANNING DEPOSI	1,607.60	ENVIRONMENTAL PLANNING & RESEARCH, ST JO
						Check Totals	1,607.60	
029359	10/29/09	KEVIN CITTADINI	10/01/09	10/1/09	Building	Training & Work	130.00	IAPMO MTG 6/18,7/6,9/17/09 CALBIG MTG 7/
						Check Totals	130.00	
029360	10/29/09	CLARK PEST CONTROL	10/01/09	8959118	DPW - Building Maint	Grounds Mainten	200.00	PEST CONTROL 91 ASHFIELD & 93 STATION LN
						Check Totals	200.00	
029361	10/29/09	CLEAN SOURCE	09/28/09	1920571-00	DPW - Building Maint	Building Suppli	467.28	CLEANING SUPPLIES HP PARK
						Check Totals	467.28	
029362	10/29/09	COLANTUONO & LEVIN, PC	10/06/09	19021	City Attorney	City Attorney -	94.00	SPECIAL COUNSEL SERVICES 9/12,9/2,9/16/0

Check#	Check Dt	Vendor Name	Inv Date	Inv #	Department	GL Account	Amounts	Detail Description
029363	10/29/09	CONTRACT SWEEPING SERVICES	09/28/09	INV000005457	DPW - Street Mainten	Other Contract	992.70	MONTHLY SWEEPING SERVICE SEPT 09
						Check Totals	94.00	
029364	10/29/09	COUNTY OF SAN MATEO INFORMA	10/08/09	1YAT10909	Police	Technical Servi	1,313.42	MICROWAVE & MESSAGE SWITCH SEPT 09
						Check Totals	992.70	
029365	10/29/09	THE CROSBY GROUP ENGR ARCHI	10/08/09	11686	NON-DEPARTMENTAL	Contract Engine	14,000.00	1 EA PRELIMINARY TIER II SEISMIC EVALUAT
						Check Totals	14,000.00	
029366	10/29/09	CSG CONSULTANTS, INC.	10/09/09	016917	Non-Department	Code enforcement	3,512.59	CODE ENFORCEMENT \$103.00/HR 8 HR WEEKLY
						Check Totals	3,512.59	
029367	10/29/09	D-PREP, LLC	10/28/09	7485 RUSH.RI	Police	Training - POST	438.00	PORTABLE ALCOHOL SCREENING TRAINING - B:
						Check Totals	438.00	
029368	10/29/09	DAILY JOURNAL CORPORATION	10/12/09	B1686448	City Manager	Advertising/Pub	152.94	NOTICE OF SPECIAL PARCEL TAX ELECTION 11
						Check Totals	152.94	
029369	10/29/09	DEPT OF JUSTICE ACCOUNTING	10/07/09	757258	Police	Other Contract	95.00	FINGERPRINTING SEPT 2009
						Check Totals	95.00	
029370	10/29/09	DEAN DEVLUGT	10/13/09	10/13/09	Police	Training - POST	23.69	MEALS - DOMESTIC VIOLENCE & SEXUAL ASSAU
					Police	Gas & Oil	60.92	FUEL 10/8-10/9/09
						Check Totals	84.61	
029371	10/29/09	DIEHL, EVANS & CO., LLP 200	10/16/09	HO 10/16/09	Finance	Training & Work	275.00	2009 GOVT. TAX SEMINAR- L.HO 12/15/09

Town of Atherton
 Check Disbursement by Vendor for the Check Dates 10/01/2009 through 10/31/2009

Check#	Check Dt	Vendor Name	Inv Date	Inv #	Department	GL Account	Amounts	Detail Description
029372	10/29/09	DIVERSIFIED MAINTENANCE SER	10/13/09	RC-D060521	DPW - Building Maint	Custodial Servi	275.00	OCTOBER 2009 BLDG.MAINT ADMIN
					DPW - Building Maint	Custodial Servi	308.17	OCTOBER 2009 BLDG. MAINT. POLICE DEPT
					DPW - Building Maint	Custodial Servi	417.85	OCTOBER 2009 BLDG. MAINT. DPW MODULAR
					DPW - Building Maint	Custodial Servi	115.08	OCTOBER 2009 BLDG. MAINT. PERMIT CTR MOD
					DPW - Building Maint	Custodial Servi	145.98	OCTOBER 2009 BLDG. MAINT. CORP YARD
					NON-DEPARTMENTAL	Custodial Servi	193.09	OCTOBER 2009 BLDG. MAINT. LIBRARY
							445.59	
					Check Totals		1,625.76	
029373	10/29/09	DOUGLAS PRINTERS	08/12/09	8137	Building	Office Supplies	111.98	BUSINESS CARDS-D.MARTINEZ, K.HUO
					Planning Department	Office Supplies	111.98	BUSINESS CARDS T.TELLER
					Check Totals		223.96	
029374	10/29/09	DUNBAR ARMORED INC.	10/01/09	2622941	Finance	Bank Service Ch	155.00	91 ASHFILED RD MAINT.FEE OCTOBER 2009
					Non-Department	Post Office Exp	26.90	ARMORED CAR SERVICES OCTOBER 2009
					Check Totals		181.90	
029375	10/29/09	DONALD DUMPHY	10/07/09	10/7/09	Police	Gas & Oil	35.20	REIM, PAS TRAINING 9/23/09
					Check Totals		35.20	
029376	10/29/09	ELLISON'S TOWING	09/24/09	24212	Police	Equipment Maint	195.00	TOW & STORAGE, CASE # 09-604 9/24/09
					Check Totals		195.00	
029377	10/29/09	ALLAN EPSTEIN	10/28/09	172-AUSTIN	Building	Building Deposi	1,849.50	RECYCLING DEPOSIT REFUND 172 AUSTIN
					Check Totals		1,849.50	
029378	10/29/09	FEDERAL EXPRESS CORP	10/16/09	9-367-37667	DPW - Engineering	Postage	40.91	SHIPPING CHARGES FOR D.P.W OCT 2009
					Check Totals		40.91	
029379	10/29/09	FOLGER GRAPHICS	09/30/09	61381	City Manager	External Printi	1,725.00	ATHERTON NEWSLETTER FALL 2009

Check#	Check Dt	Vendor Name	Inv Date	Inv #	Department	GL Account	Amounts	Detail Description
						Check Totals	1,725.00	
029380	10/29/09	DELYA GHOSH	09/30/09	9/12/09	NON-DEPARTMENTAL	Park Deposits	1,500.00	PARK DEPOSIT REFUND
						Check Totals	1,500.00	
029381	10/29/09	GRANITE ROCK CO. #16774 ACC	10/03/09	539261	DPW - Street Mainten	Construction Ma	551.91	ASPHALTIC CONCRETE FOR RIDGEVIEW/SUTHERL
029381	10/29/09	GRANITE ROCK CO. #16774 ACC	10/17/09	541609	DPW - Street Mainten	Construction Ma	353.97	POTHOLE MIX - GRANITE PATCH
						Check Totals	905.88	
029382	10/29/09	SHERMAN HALL	10/19/09	10/19/09	Police	Training - POST	161.52	REIMB.MEALS-DIGNITARY SECURITY 10/5-10/9
					Police	Gas & Oil	37.00	REIMB. MILEAGE-DIGNITARY SECURITY 10/5-1
						Check Totals	198.52	
029383	10/29/09	HARRIS COMPUTER SYSTEMS	10/13/09	MN002355	Finance	Technical Servi	1,634.65	TECH.SOFTWARE ASSISTANCE- NOV 2009
029383	10/29/09	HARRIS COMPUTER SYSTEMS	07/16/09	MN002286	Finance	Technical Servi	1,634.55	TECHNICAL SOFTWARE ASSISTANCE AUG 2008
						Check Totals	3,269.20	
029384	10/29/09	FREDERIC HAYNES DBA HAYNES	10/13/09	AT001	NON-DEPARTMENTAL	Advertising/Pub	335.55	REIMB. FOR WEB PAGE FOR TREE COMMITTEE 1
						Check Totals	335.55	
029385	10/29/09	HEART OF SAN MATEO COUNTY	07/09/09	2009/10	City Council	Membership/Dues	2,947.00	ADMIN FEES FOR FY 2009-10
						Check Totals	2,947.00	
029386	10/29/09	DARYL HOFFMAN	10/06/09	135 LAUREL	Building	Building Permit	1,940.15	CANCELED PERMIT FEE 135 LAUREL
					NON-DEPARTMENTAL	Road Impact Fee	1,909.90	CANCELED ROAD IMPACT FEE 135 LAUREL
						Check Totals	3,850.05	
029387	10/29/09	HOME DEPOT CREDIT SERVICES	10/05/09	1254 10/5/09	DPW - Street Mainten	Construction Ma	15.55	IRRIG. REPAIRS PIPE WRAP 10/5/09
					DPW - Building Maint	Construction Ma	30.55	LIGHT BULBS - LIBRARY 10/5/09
					DPW - Park Program	Landscape Suppl	43.62	BARK NUGGETS- LANDSCAPE PAVILLION 10/5/0

Check#	Check Dt	Vendor Name	Inv Date	Inv #	Department	GL Account	Amounts	Detail Description
						Check Totals	89.72	
029388	10/29/09	HORIZON	10/15/09	12398422-00	DPW - Park Maintenance	Landscape Suppl	36.41	50 GAL-OIL MIX
029388	10/29/09	HORIZON	10/09/09	12397852-00	DPW - Park Program	Landscape Suppl	84.15	2.5 GAL. OIL MIX, RISER, NIPPLE & ARC NO
						Check Totals	120.56	
029389	10/29/09	HOUSTON COMMUNICATIONS, INC	10/23/09	457835	Police	Equipment Maint	160.45	HANDHELD RADIO BATTERY
						Check Totals	160.45	
029390	10/29/09	KENNETH HUO	10/19/09	10/19/09	Building	Training & Work	75.00	ICC SEMINAR -10/15/09,K.HUO
						Check Totals	75.00	
029391	10/29/09	I.M.P.A.C. GOVERNMENT SERVI	09/22/09	4954 9/22/09	DPW - Park Program	Rent - Faciliti	382.38	MONTHLY PODS RENTAL
						Check Totals	382.38	
029392	10/29/09	IDEAL R.V. AND TRAILER	10/26/09	0025527	DPW - Park Program	Building Suppli	55.66	PROPANE OUTDOOR HEATERS 10/7/09
						Check Totals	55.66	
029393	10/29/09	D.A. MCCOSKER CONSTRUCTION	08/25/09	09-08-0003	NON-DEPARTMENTAL	Other Contract	10,384.35	STREET RECONSTRUCTION PHASE V, PROJECT 0
					NON-DEPARTMENTAL	Other Contract	7,407.44	STREET RECONSTRUCTION PHASE V, PROJECT 0
						Check Totals	17,791.79	
029394	10/29/09	INTERSTATE TRAFFIC CONTROL	09/28/09	123767	DPW - Street Mainten	Construction Ma	151.04	ROUND POST SIGN 9/23/09
029394	10/29/09	INTERSTATE TRAFFIC CONTROL	10/13/09	124122	DPW - Street Mainten	Construction Ma	51.62	TEMP SIGN 24" FLOODED
						Check Totals	202.66	
029395	10/29/09	IWORQ SYSTEMS	10/16/09	3047	DPW - Street Mainten	Computer Softwa	75.00	INTERNET PAVEMENT & MNGMT SUPPORT NOV.20
						Check Totals	75.00	
029396	10/29/09	KIKUCHI & ASSOCIATES	10/02/09	10/7/09	NON-DEPARTMENTAL	Other Contract	1,245.00	HP PARK WATER TOMER LAWN SEPT 2009

Check#	Check Dt	Vendor Name	Inv Date	Inv #	Department	GL Account	Amounts	Detail Description
029396	10/29/09	KIKUCHI & ASSOCIATES	10/02/09	10/7/09-2	NON-DEPARTMENTAL	Other Contract	127.50	1 EA CONSTRUCTION ADMINISTRATION FOR HOL
						Check Totals	1,372.50	
029397	10/29/09	KIMLEY-HORN & ASSOCIATES IN	09/30/09	3995660	DPW - Engineering	Contract Engine	3,871.57	FAIR OAKS LANE TRAFFIC STUDY 09/01-09/30
029397	10/29/09	KIMLEY-HORN & ASSOCIATES IN	08/31/09	3969386	DPW - Engineering	Contract Engine	2,595.37	FAIR OAKS LANE TRAFFIC STUDY 8/1-8/31/09
						Check Totals	6,466.94	
029398	10/29/09	ANTHONY KOCKLER	10/13/09	10/13/09	Police	Equipment Maint	236.34	PARTS TO SERVICE 2 BMW MOTORCYCLE-GEAR O
						Check Totals	236.34	
029399	10/29/09	KREFIELDS AWARDS	10/08/09	20553	Police	Other Supplies	21.85	PLAQUE-PLATE ENGRAVED-PD LOBBY, K-9 ZAR
029399	10/29/09	KREFIELDS AWARDS	10/16/09	20593	Non-Department	Post Office Exp	27.31	WALNUT PLATE-POSTAL CONTRACT STN. 10/16/
						Check Totals	49.16	
029400	10/29/09	LENCIONI CONSTRUCTION	10/28/09	163 ALMENDRA	NON-DEPARTMENTAL	Building Deposi	5,000.00	EXCAVATION DEPOSIT REFUND 9/9/09
						Check Totals	5,000.00	
029401	10/29/09	LIEBERT CASSIDY WHITMORE IN	10/28/09	11.10.09	City Manager	Training & Work	28.00	MANAGING PERFORMANCE THRU EVALS 11/10/09
					DPW - Engineering	Training & Work	14.00	MANAGING PERFORMANCE THRU EVALS 11/10/09
					Building	Training & Work	14.00	MANAGING PERFORMANCE THRU EVALS 11/10/09
					Police	Training & Work	14.00	MANAGING PERFORMANCE THRU EVALS 11/10/09
					City Manager	Training & Work	0.00	ADVANCED FLSA 11/10/09 E.WILKERSON
						Check Totals	70.00	
029402	10/29/09	HERIBERTO LOPEZ	10/09/09	10/9/09	DPW - Street Mainten	Training & Work	20.00	MSA MEETING-BACKHOE 9/17/09
						Check Totals	20.00	
029403	10/29/09	LYNGSO GARDEN MATERIAL	10/09/09	783536	DPW - Street Mainten	Construction Ma	177.18	PIPE REPAIR CAMINO AL LAGO/MONTE VISTA
						Check Totals	177.18	
029404	10/29/09	NEAL MARTIN & ASSOCIATES	08/31/09	998	Planning Department	Contract Planne	15,475.27	CONTRACT PLANNING SERVICES AUGUST 2009

Check#	Check Dt	Vendor Name	Inv Date	Inv #	Department	GL Account	Amounts	Detail Description
029404	10/29/09	NEAL MARTIN & ASSOCIATES	08/31/09	999	Planning Department	HOUSING ELEMENT	2,790.75	HOUSING ELEMENT SERVICES AUGUST 2009
029404	10/29/09	NEAL MARTIN & ASSOCIATES	08/31/09	1000	Planning Department	GENERAL PLAN UP	205.00	GENERAL PLAN UPDATE - RECYCLING AUGUST 2
						Check Totals	18,471.02	
029405	10/29/09	MAZE & ASSOCIATES CERTIFIED	10/15/09	23433	Finance	Audit & Financi	4,000.00	INDEPENDENT AUDITOR FOR TOWN'S FINANCIAL
						Check Totals	4,000.00	
029406	10/29/09	MBIA MISC GENERAL POST OFFI	10/15/09	12279A	Finance	Other Contract	416.38	INVESTMENT ADVISORY SERVICES - SEPT 2009
						Check Totals	416.38	
029407	10/29/09	MILLS-PENINSULA HEALTH SERV	10/14/09	40101	Non-Department	Employee Assist	585.00	EMPLOYEE ASST. 10/01-12/31/09
						Check Totals	585.00	
029408	10/29/09	MUNI SERVICES LLC	10/22/09	SUNSTATE PLU	NON-DEPARTMENTAL	Business Licens	150.00	BUS.LIC.FEE SUNSTATE PLUMBING
029408	10/29/09	MUNI SERVICES LLC	10/22/09	MITCH ELECTR	NON-DEPARTMENTAL	Business Licens	125.00	BUS.LIC.FEE MITCH ELECTRIC
029408	10/29/09	MUNI SERVICES LLC	10/19/09	WESTWIND BUI	NON-DEPARTMENTAL	Business Licens	50.00	BUS.LIC.FEE WESTWIND BUILDERS
						Check Totals	325.00	
029409	10/29/09	NATIONAL EMERGENCY NUMBER A	10/01/09	255213	Police	Membership/Dues	120.00	NEA MEMBERSHIP DUES-2010-J.MATTES
						Check Totals	120.00	
029410	10/29/09	JOHN NAVA	09/30/09	9/19/09	NON-DEPARTMENTAL	Park Deposits	3,000.00	PARK DEPOSIT REFUND 9/19/09
						Check Totals	3,000.00	
029411	10/29/09	NBS	09/30/09	S09300915-JH	Non-Department	Other Contract	7,194.34	PROFESSIONAL/CONSULTING SERVICE FOR A CO
					Non-Department	Other Contract	2,808.49	AMENDMENT #1 ADDITIONAL SEVICES -SEPT 20
					Non-Department	Other Contract	2,212.17	AMENDMENT #2 ADDITIONAL COMMUNITY OUTREA
						Check Totals	12,215.00	
029412	10/29/09	NEC UNIFIED SOLUTIONS, INC	10/15/09	TM000010791	Police	Communication (	218.00	PHONE CONNECTION 10/15/09

Check#	Check Dt	Vendor Name	Inv Date	Inv #	Department	GL Account	Amounts	Detail Description
						Check Totals	218.00	
029413	10/29/09	KRISTEN NICHOLS	10/07/09	10/7/09	Police	Gas & Oil	114.40	GAS REIMB. DISASTER PREP 9/22-9/25/09
					Police	Training - POST	67.09	MEALS REIMB. DISASTER PREP 9/22-9/25-09
						Check Totals	181.49	
029414	10/29/09	NORTHERN CALIFORNIA FENCE	09/23/09	11617	DPW - Street Mainten	Other Contract	200.00	REPAIR DAMAGED FENCE ON AMRSH RD. 9/14/09
						Check Totals	200.00	
029415	10/29/09	OFFICE DEPOT	10/15/09	492471192001	City Council	Other Supplies	45.29	MULTI TAB INDEX 10/14/09
					City Manager	Office Supplies	128.53	PENS, CALENDAR, PLANNER, SHT PROTECTOR,
					Building	Office Supplies	154.81	CARTRIDGES, TRANSMITTAL TAPES, CALENDAR
					Planning Department	Office Supplies	113.58	BOARDS& MARKER PENS 10/14/09
					Finance	Office Supplies	96.89	BINDERS, PENS, CALENDAR 10/14/09
						Check Totals	539.10	
029416	10/29/09	OJO TECHNOLOGY	09/25/09	2031	Police	Technical Servi	2,835.00	MAINT.CONTRACT FOR VIDEO SURVEILLANCE -1
						Check Totals	2,835.00	
029417	10/29/09	ORCHARD SUPPLY HARDWARE	10/19/09	1359	DPW - Street Mainten	Construction Ma	21.83	DRAWSTRING TARPS CHANNEL CLEANING 10/19/
					DPW - Street Mainten	Training & Safe	7.56	EAR PLUGS CHANNEL CLEANING 10/19/09
					DPW - Street Mainten	Construction Ma	16.78	CEMENT FENCE POST 10/19/09
					DPW - Park Maintenan	Construction Ma	29.42	LACQUER THINNER, BRUSHES 10/19/09
					DPW - Park Maintenan	Construction Ma	51.39	BRASS BALL VALVE, FLARE UNION 10/19/09
					DPW - Building Maint	Landscape Suppl	131.55	PLUM, ANNUALS, PERENNIALS. PALA -LIBRARY
					DPW - Street Mainten	Construction Ma	8.43	BEE KILLER FOR WATKINS, 10/19/09
					DPW - Street Mainten	Construction Ma	24.30	IRRIG. REPAIRS PVC PIPES, BLUE CEMENT, C
					DPW - Street Mainten	Construction Ma	42.55	IRRIG. REPAIRS-TOWN CENTER ELEC.TAP, MIN
					DPW - Building Maint	Construction Ma	14.18	WOMENS REST ROOM -ADMIN WHITE TUBE 10/19
					DPW - Park Program	Equipment Maint	49.00	CORNER BRACES,NOZZLES-PAVILLION 10/19/09
					DPW - Park Program	Equipment Maint	11.25	SCREW EYES & HOOKS 10/19/09
					DPW - Park Program	Building Suppli	15.62	TOILET SEAT HINGE, STAPLES,"C" BATTERY P
					DPW - Park Program	Building Suppli	52.51	ANNUALS, PAPER HOLDER - PAVILLION 10/19/

Check#	Check Dt	Vendor Name	Inv Date	Inv #	Department	GL Account	Amounts	Detail Description
029418	10/29/09	PARIKH CONSULTANTS	10/16/09	20910119	NON-DEPARTMENTAL	Check Totals	476.37	
						Other Contract	154.00	GEOTHEC ENGR SVC HP PARK ACROSS ATHERTON
029419	10/29/09	PG & E	10/22/09	9332-1 10/22	Police	Check Totals	154.00	
						Utilities - Elec	6,402.72	83 ASHFIELD RD/POLICE 9/24-10/22/09
029420	10/29/09	PACIFIC MUNICIPAL CONSULTAN	06/15/09	28699	Planning Department	Check Totals	6,402.72	
						Contract Planne	537.12	HIST.PRESERVATION-PROF.SERVICES 4/25-5/2
029421	10/29/09	CITY OF REDWOOD CITY	09/30/09	BR23625	Police	Check Totals	537.12	
						Equipment Maint	1,350.75	VEHICLE REPAIR/MAINT. 8/16-9/15/09
029422	10/29/09	CITY OF REDWOOD CITY FINANC	09/30/09	BR23663	DPW - Engineering	Check Totals	1,350.75	
						Gas & Oil	77.61	FUEL CHARGES 8/16-9/15/09
						Gas & Oil	42.88	FUEL CHARGES 8/16-9/15/09
						Gas & Oil	801.82	FUEL CHARGES 8/16-9/15/09
						Gas & Oil	3,587.46	FUEL CHARGES 8/16-9/15/09
029423	10/29/09	CITY OF REDWOOD CITY INFORM	09/30/09	BR23691	Non-Department	Check Totals	4,509.77	
						IT Support	2,262.00	NFORMATION TECHNOLOGY SERVICES 9/1-9/30/
029424	10/29/09	REPUBLIC ITS	10/11/09	0909534	DPW - Street Mainten	Check Totals	2,262.00	
						Traffic Mainten	314.01	TRAFFIC SIGNAL MAINT. FOR SEPT 2009
029425	10/29/09	SAN MATEO COUNTY CHAPLAINCY	09/30/09	9/30/09	Police	Check Totals	314.01	
						Other Contract	250.00	CHAPLAIN SERVICES, GRIEF SUPPORT & TRAIN
029426	10/29/09	S M CO SHERIFF'S OFFICE COU	10/13/09	8254	Police	Check Totals	250.00	
						Other Contract	18.00	LIVE SCAN SEPT 2009 FISHER CCW FEES

Check#	Check Dt	Vendor Name	Inv Date	Inv #	Department	GL Account	Amounts	Detail Description
029427	10/29/09	SAN MATEO REGIONAL NETWORK,	10/10/09	18405	Police	Check Totals	18.00	
						Technical Servi	385.00	MONTHLY ACCESS FEE T-1 SERVICE OCT 2009
						Check Totals	385.00	
029428	10/29/09	SHARP ELECTRONICS CORPORATI	10/15/09	AR226358	Police	Equipment Maint	146.90	B/W S450N COPIER OVERAGE ADMIN. 9/16-10/
029428	10/29/09	SHARP ELECTRONICS CORPORATI	10/20/09	AR227730	DPW - Engineering	Equipment Maint	167.00	B/W S450N COPIER MAINT.D.P.W -10/12-11/1
					DPW - Engineering	Equipment Maint	34.13	OVERAGE CHARGE D.P.W 9/12-10/11/09
					DPW - Engineering	Equipment Maint	6.69	SALES TAX 10/12-11/11/09
						Check Totals	354.72	
029429	10/29/09	SHELTON ROOFING COMPANY, IN	10/20/09	329 FLETCHER	NON-DEPARTMENTAL	Bus Lic Refund	57.60	BATCH #30 REFUND #42
			10/20/09	2 ALTREE	NON-DEPARTMENTAL	Bus Lic Refund	504.00	BATCH #30 REFUND #42
			10/20/09	2 ORCHARD HI	NON-DEPARTMENTAL	Bus Lic Refund	385.20	BATCH #30 REFUND #42
			10/20/09	42 CATALPA				
			10/20/09	233 ALAMEDA				
			10/20/09	3 CALLADO WA				
			10/20/09	18 MCCORMICK				
			10/20/09	1 ALTREE CT				
			10/20/09	90 LLOYDEN				
						Check Totals	946.80	
029430	10/29/09	SPRING RIDGE HISTORIES	10/03/09	10.03.09	NON-DEPARTMENTAL	Donations/Contr	5.00	ATHERTON HISTORY BOOKS
						Check Totals	5.00	
029431	10/29/09	STUBBS & LEONE	10/06/09	10/6/09	City Attorney	City Attorney -	130.00	LEGAL MATTERS SEPTEMBER 2009
					City Attorney	City Attorney -	125.00	GENERAL MATTERS SEPTEMBER 2009
						Check Totals	255.00	
029432	10/29/09	LEE BUFFINGTON, TAX COLLECT	08/21/09	060-321-010	DPW - Building Maint	Utilities - Sew	419.79	SANITARY SEWER FEES, PARCEL# 060-321-010
029432	10/29/09	LEE BUFFINGTON, TAX COLLECT	08/21/09	060-321-160	NON-DEPARTMENTAL	Utilities - Sew	414.61	SANITARY SEWER FEES PARCEL TAX 060-321-1
029432	10/29/09	LEE BUFFINGTON, TAX COLLECT	08/21/09	060-323-180	DPW - Building Maint	Utilities - Sew	717.93	SANITARY SEWER FESS PARCEL # 060-323-180
029432	10/29/09	LEE BUFFINGTON, TAX COLLECT	08/21/09	061-310-100	DPW - Park Program	Utilities - Sew	9,095.54	SANITARY SEWER FEES PARCEL # 061-310-100

Check#	Check Dt	Vendor Name	Inv Date	Inv #	Department	GL Account	Amounts	Detail Description
029432	10/29/09	LEE BUFFINGTON, TAX COLLECT	08/21/09	074-140-030	DPW - Building Maint	Utilities - Sew	1.63	SANITARY SEWER FEES PARCEL # 074-140-030
029432	10/29/09	LEE BUFFINGTON, TAX COLLECT	08/21/09	074-160-100	DPW - Building Maint	Utilities - Sew	1.63	SANITARY SEWER FEES PARCEL # 074-160-100
029432	10/29/09	LEE BUFFINGTON, TAX COLLECT	08/21/09	074-160-120	DPW - Building Maint	Utilities - Sew	1.63	SANITARY SEWER FEES PARCEL # 074-160-120
029432	10/29/09	LEE BUFFINGTON, TAX COLLECT	08/21/09	074-160-140	DPW - Building Maint	Utilities - Sew	1.63	SANITARY SEWER FEES PARCEL # 074-160-140
						Check Totals	10,654.39	
029433	10/29/09	TEE'S PLUS	10/20/09	312418	Police	Other Supplies	296.77	D.A.R.E. LOGO RULER, BALLS, BASKETBALLS
					NON-DEPARTMENTAL	Sales/User Use	-23.82	SALES TAX PAYABLE
						Check Totals	272.95	
029434	10/29/09	DARYL D. JONES, INC. DBA TE	10/10/09	40329	Police	Technical Servi	934.00	FACILITIES MGMT& MAINT OCT 2009
029435	10/29/09	TERMINIX PROCESSING CENTER	10/20/09	9282194356	NON-DEPARTMENTAL	Grounds Mainten	108.00	CHECK&REPAIR TRAPS/INSPECT ATTIC - LIBRA
						Check Totals	934.00	
029436	10/29/09	UNIFIRST CORP.	09/29/09	380 0339341	DPW - Street Mainten	Uniforms	56.48	LAUNDARY SERVICES 9/29/09
029436	10/29/09	UNIFIRST CORP.	09/15/09	380 0337398	DPW - Street Mainten	Uniforms	56.48	LAUNDARY SERVICES 9/15/09
029436	10/29/09	UNIFIRST CORP.	10/07/09	380-0340566	DPW - Street Mainten	Uniforms	56.48	LAUNDARY SERVICES 10/7/09
029436	10/29/09	UNIFIRST CORP.	09/15/09	380-0337399	DPW - Park Maintenan	Uniforms	24.42	LAUNDARY SERVICES 9/15/09
029436	10/29/09	UNIFIRST CORP.	09/08/09	380-0336457	DPW - Park Program	Uniforms	24.41	LAUNDARY SERVICES 9/15/09
029436	10/29/09	UNIFIRST CORP.	09/22/09	380-0338363	DPW - Park Program	Uniforms	20.91	LAUNDARY SERVICES 9/8/09
029436	10/29/09	UNIFIRST CORP.	09/22/09	380-0338363	DPW - Park Program	Uniforms	17.42	LAUNDARY SERVICES 9/8/09
029436	10/29/09	UNIFIRST CORP.	10/14/09	380-0341542	DPW - Street Mainten	Custodial Servi	180.67	MOPS AND MATS 9/22/09
029436	10/29/09	UNIFIRST CORP.	10/14/09	380 0341543	DPW - Street Mainten	Uniforms	43.61	LAUNDARY SERVICES 9/22/09
029436	10/29/09	UNIFIRST CORP.	10/14/09	380 0341543	DPW - Park Maintenan	Uniforms	71.78	LAUNDARY SERVICES 10/14/09
029436	10/29/09	UNIFIRST CORP.	10/07/09	380 0340567	DPW - Park Program	Uniforms	30.81	LAUNDARY SERVICES 10/14/09
029436	10/29/09	UNIFIRST CORP.	09/29/09	380 0339342	DPW - Park Program	Uniforms	17.31	LAUNDARY SERVICES 10/14/09
029436	10/29/09	UNIFIRST CORP.	09/22/09	380 0338364	DPW - Street Mainten	Uniforms	28.67	LAUNDARY SERVICES 10/7/09
029436	10/29/09	UNIFIRST CORP.	09/22/09	380 0338364	DPW - Park Maintenan	Uniforms	17.57	LAUNDARY SERVICES 10/7/09
029436	10/29/09	UNIFIRST CORP.	09/22/09	380 0338364	DPW - Street Mainten	Custodial Servi	26.22	MATS & MOPS 9/29/09
029436	10/29/09	UNIFIRST CORP.	09/22/09	380 0338364	DPW - Park Maintenan	Uniforms	34.80	LAUNDARY SERVICES 9/29/09
029436	10/29/09	UNIFIRST CORP.	09/22/09	380 0338364	DPW - Park Maintenan	Uniforms	22.86	LAUNDARY SERVICES 9/22/09
029436	10/29/09	UNIFIRST CORP.	09/22/09	380 0338364	DPW - Park Program	Uniforms	22.86	LAUNDARY SERVICES 9/22/09

Check#	Check Dt	Vendor Name	Inv Date	Inv #	Department	GL Account	Amounts	Detail Description
029437	10/29/09	VISION SERVICE PLAN ATTN: A	10/20/09	10/20/09	NON-DEPARTMENTAL	Payroll Benefit	806.05	VISION SERVICE FEES FOR NOVEMBER 2009
						Check Totals	806.05	
029438	10/29/09	WILSEY HAM	09/21/09	6521	NON-DEPARTMENTAL	Contract Engine	12,337.26	CONCEPTUAL AND FINAL DESIGN SERVICES FOR
029438	10/29/09	WILSEY HAM	10/20/09	6567	NON-DEPARTMENTAL	Contract Engine	521.00	CONCEPTUAL AND FINAL DESIGN SERVICES FOR
029438	10/29/09	WILSEY HAM	09/21/09	6519	NON-DEPARTMENTAL	Contract Engine	3,702.36	STREET RECONSTRUCTION FINAL DESIGN SERVI
029438	10/29/09	WILSEY HAM	09/21/09	6520	NON-DEPARTMENTAL	Contract Engine	4,513.74	CONCEPTUAL DESIGN SERVICE FOR THE MANDAR
						Check Totals	21,074.36	
029439	10/29/09	YOUTH & FAMILY ENRICHMENT S	09/30/09	1192	Police	Other Contract	3,078.00	FIRST CHANCE SOUTH PROG-OCT/09-MAR/10
						Check Totals	3,078.00	
029441	10/29/09	TEAMSTERS LOCAL 856 H & W	10/29/09	11.01.09	NON-DEPARTMENTAL	Payroll Benefit	7,007.00	Premiums for Nov 09 Dental Insurance
						Check Totals	7,007.00	
						Grand Totals	533,599.53	



Town of Atherton

CITY COUNCIL STAFF REPORT

TO: HONORABLE MAYOR AND CITY COUNCIL

FROM: Eileen M. Wilkerson, Assistant City Manager

DATE: FOR THE MEETING OF NOVEMBER 18, 2009

SUBJECT: CALPERS RESOLUTION FOR EMPLOYER PAID MEMBER CONTRIBUTIONS – MISCELLANEOUS CATEGORY

RECOMMENDATION:

Approve Resolution 09-42 Employer Paid Member Contributions – Miscellaneous Category

INTRODUCTION:

During a review of CalPERS contracts and resolutions it was discovered that the Town of Atherton does not have a resolution on file with CalPERS to pay member contributions. A resolution is required.

ANALYSIS:

Approval of resolution 09-42 will bring current practice into compliance.

FISCAL IMPACT

No additional fiscal impact.

Prepared By:

/s/ *Eileen M. Wilkerson*

Eileen M. Wilkerson
Assistant City Manager

Approved by:

/s/ *Jerome D. Gruber*

Jerry Gruber
City Manager

Attachments:

Resolution 09-42

RESOLUTION NO. 09-42

**A RESOLUTION OF THE CITY COUNCIL OF THE TOWN OF ATHERTON
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 of the Miscellaneous category.
- This benefit shall consist of paying seven percent (7%) of the normal member contributions as EPMC.
- The effective date of this Resolution shall be November 18, 2009 bringing past practice into compliance.

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

* * * * *

I hereby certify that the foregoing Resolution was duly and regularly passed and adopted by the City Council of the Town of Atherton at a regular meeting thereof held on the 18th day of November, 2009, by the following vote:

AYES: **COUNCILMEMBERS:**
NOES: **COUNCILMEMBERS:**
ABSENT: **COUNCILMEMBERS:**
ABSTAIN: **COUNCILMEMBERS:**

Jerry Carlson, Mayor
Town of Atherton

ATTEST:

APPROVED AS TO FORM:

Theresa N. DellaSanta
Deputy City Clerk

Wynne Furth
City Attorney



Town of Atherton

CITY COUNCIL STAFF REPORT

TO: HONORABLE MAYOR AND CITY COUNCIL

FROM: Eileen M. Wilkerson, Assistant City Manager

DATE: FOR THE MEETING OF NOVEMBER 18, 2009

SUBJECT: CALPERS RESOLUTION FOR EMPLOYER PAID MEMBER CONTRIBUTIONS – SAFETY CATEGORY

RECOMMENDATION:

Approve Resolution 09-43 Employer Paid Member Contributions – Safety Category

INTRODUCTION:

During a review of CalPERS contracts and resolutions it was discovered that the Town of Atherton does not have a resolution on file with CalPERS to pay member contributions. A resolution is required.

ANALYSIS:

Approval of resolution 09-43 will bring current practice into compliance.

FISCAL IMPACT

No additional fiscal impact.

Prepared By:

/s/ Eileen M. Wilkerson

Eileen M. Wilkerson
Assistant City Manager

Approved by:

/s/ Jerome D. Gruber

Jerome D. Gruber
City Manager

Attachments:

Resolution 09-43

RESOLUTION NO. 09-43

**RESOLUTION OF THE CITY COUNCIL OF THE TOWN OF ATHERTON 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 of the Safety category.
- This benefit shall consist of paying seven percent (7%) of the normal member contributions as EPMC.
- The effective date of this Resolution shall be November 18, 2009 bringing past practice into compliance.

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

* * * * *

I hereby certify that the foregoing Resolution was duly and regularly passed and adopted by the City Council of the Town of Atherton at a regular meeting thereof held on the 18th day of November, 2009, by the following vote:

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

 Jerry Carlson, Mayor
 Town of Atherton

ATTEST:

APPROVED AS TO FORM:

 Theresa N. DellaSanta
 Deputy City Clerk

 Wynne Furth
 City Attorney



Town of Atherton

CITY COUNCIL STAFF REPORT

TO: HONORABLE MAYOR AND CITY COUNCIL

FROM: Eileen M. Wilkerson, Assistant City Manager

DATE: FOR THE MEETING OF NOVEMBER 18, 2009

SUBJECT: CALPERS RESOLUTION FOR EMPLOYER PICK UP

RECOMMENDATION:

Approve Resolution 09-44 Employer Pick Up

INTRODUCTION:

During a review of CalPERS contracts and resolutions it was discovered that the Town of Atherton does not have a resolution on file with CalPERS to allow the employee to pay member contributions on a pre-taxed basis through payroll deduction. A resolution is required.

ANALYSIS:

Approval of resolution 09-44 will bring current practice into compliance.

FISCAL IMPACT

No additional fiscal impact.

Prepared By:

/s/ *Eileen M. Wilkerson*

Eileen M. Wilkerson
Assistant City Manager

Approved by:

/s/ *Jerome D. Gruber*

Jerome D. Gruber
City Manager

Attachments:

Resolution 09-44

RESOLUTION NO. 09-44

**RESOLUTION OF THE CITY COUNCIL OF THE TOWN OF ATHERTON FOR
EMPLOYER PICK-UP**

WHEREAS, the Town of Atherton has the authority to implement the provisions of section 414(h)(2) of the Internal Revenue Code (IRC); and

WHEREAS, the Board of Administration of the Public Employees' Retirement System adopted its resolution re section 414(h)(2) IRC on September 18, 1985; and

WHEREAS, the Internal Revenue Service has stated in December 1985, that the implementation of the provisions of section 414(h)(2) IRC pursuant to the Resolution of the Board of Administration would satisfy the legal requirements of section 414(h)(2) IRC; and

WHEREAS, the Town of Atherton has determined that even though the implementation of the provisions of section 414(h)(2) IRC is not required by law, the tax benefit offered by section 414(h)(2) IRC should be provided to its employees who are members of the Public Employees' Retirement System:

NOW, THEREFORE, BE IT RESOLVED:

- I. That the Town of Atherton will implement the provisions of section 414(h)(2) Internal Revenue Code by making employee contributions pursuant to California Government Code section 20691 to the Public Employees' Retirement System on behalf of its employees who are members of the Public Employees Retirement System. "Employee contributions" shall mean those contributions to the Public Employees' Retirement System which are deducted from the salary of employees and are credited to individual employee's accounts pursuant to California Government Code section 20691.
- II. That the contributions made by the Town of Atherton to the Public Employees' Retirement System, although designated as employee contributions, are being paid by the Town of Atherton in lieu of contributions by the employees who are members of the Public Employees' Retirement System.
- III. That employees shall not have the option of choosing to receive the contributed amounts directly instead of having them paid by the Town of Atherton to the Public Employees' Retirement System.
- IV. That the Town of Atherton shall pay to the Public Employees' Retirement System the contributions designated as employee contributions from the same source of funds as used in paying salary.
- V. That the amount of the contributions designated as employee contributions and paid by the Town of Atherton to the Public Employees' Retirement System on behalf of an employee shall be the entire contribution required of the employee by the Public Employees' Retirement Law (California Government Code sections 20000, et seq.).
- VI. That the contributions designated as employee contributions made by the Town of Atherton to the Public Employees' Retirement System shall be treated for all purposes,

other than taxation, in the same way that member contributions are treated by the Public Employees' Retirement System.

* * * * *

I hereby certify that the foregoing Resolution was duly and regularly passed and adopted by the City Council of the Town of Atherton at a regular meeting thereof held on the 18th day of November, 2009, by the following vote:

*AYES: COUNCILMEMBERS:
NOES: COUNCILMEMBERS:
ABSENT: COUNCILMEMBERS:
ABSTAIN: COUNCILMEMBERS:*

Jerry Carlson, Mayor
Town of Atherton

ATTEST:

APPROVED AS TO FORM:

Theresa N. DellaSanta
Deputy City Clerk

Wynne Furth
City Attorney



Town of Atherton

CITY COUNCIL STAFF REPORT

ITEM 13

November 9, 2009

**TO: HONORABLE MAYOR AND CITY COUNCIL
JERRY GRUBER, CITY MANAGER**

FROM: EILEEN WILKERSON, ASSISTANT CITY MANAGER

DATE: CITY COUNCIL MEETING OF NOVEMBER 18, 2009

**SUBJECT: ADOPT RESOLUTION 09-45 APPROVING POLICY – 3.4 MODIFIED
(LIGHT) DUTY**

RECOMMENDATION:

Staff recommends that the City Council Adopt Resolution 09-45 Approving Policy 3.4 Modified (Light) Duty

INTRODUCTION:

Policy 3.4 Modified (Light) Duty provides a Town-wide modified duty/return to work program for employees who have been injured while on duty or have a job related illness.

In October 2008 staff began preparing Draft Town Policy 3.4 Modified (Light) Duty. During the past thirteen months the draft policy has undergone revisions due to changes in the Town's Draft Workers' Compensation Policy and review by the Town's City Manager, Management Team, Union Business Representatives and Shop Stewards, and District legal and labor counsel. In addition, the draft policy was emailed to all Atherton employees for comment.

The draft policy presented to the Council for action on November 18th was emailed on October 21, 2009 to all appropriate Union representatives for both Atherton Police Officers' Association (APOA) and Teamsters Local Union No. 856. The draft policy was emailed and posted on November 9, 2009 for staff comment.

Prepared By:

/s/ Eileen M. Wilkerson

Eileen M. Wilkerson
Assistant City Manager

Approved by:

/s/ Jerome D. Gruber

Jerome D. Gruber
City Manager

Attachment:

- Draft Town Policy – Policy 3.4 Modified (Light) Duty
- Resolution 09-45
- Draft Procedures

TOWN OF ATHERTON

DRAFT Procedure	Number: 3.4	Date Approved:	Revision:
Title: Modified (Light) Duty	Prepared By: E. Wilkerson	Approved By:	Page: Page 1 of 2
Purpose: To provide a Town-wide modified duty/return to work program for employees who have been injured while on duty or have a job related illness. These procedures apply to any situation where an employee is being treated for a work related injury or illness and is determined fit by a Town approved physician or practitioner to return to work on a temporary basis with modified duties. Exception: This program is not intended to include employees whose disability has been caused by an off duty injury or illness. Employees with non-industrial injuries or illness may contact the Assistant City Manager regarding reasonable accommodation.			

1. Statement Of Policy

It is the policy of the Town, as executed by all departments, to identify and assign modified duty, when feasible, to employees who are temporarily disabled from their regular job as a result of an on-the-job injury or illness.

All such modified duty assignments are to be within the limitation recommended by a State physician or practitioner.

All such modified duty assignments must be consistent with applicable laws, be a reasonable accommodation, and be approved by the Assistant City Manager prior to such assignments being made.

2. Definitions

- A. **Work-related injury or illness:** a physical injury or illness deemed to have been caused in the course of performing the employee's occupation.
- B. **Employee:** any person who renders service to the Town for pay, excluding persons who work under a professional service contract. "Employees" for purposes of this policy include persons in probationary, regular, casual, elected, or temporary status.
- C. **Modified Duty:** work restrictions (modifications of work duties or tasks) determined and recommended by a Town-approved physician or practitioner who has been rendering treatment to the employee, who is qualified to render an opinion on the employee's physical abilities.

3. Procedure

Identify and assign modified duty, when feasible, to employees who are temporarily disabled from their regular job as a result of an on-the-job injury or illness. All such modified duty assignments are to be within the limitation as recommended by a Town- approved physician or practitioner.

- A. The Town-approved physician/practitioner shall be encouraged to release temporarily disabled employees to modified duty work status and to describe the employees' physical/medical limitations in sufficient detail to enable the Town to identify a suitable work assignment or to modify the tasks of the regular assignment which may be eliminated or adjusted.

Procedures	Number: 3.4	Date Approved:	Revision:
Title: Modified (Light) Duty	Prepared By: E. Wilkerson	Approved By:	Page: Page 2 of 2

- B. The department in which the employee works shall attempt to identify a work assignment or modify the work duties of the regular assignment within the limitations recommended by the physician or practitioner.
- C. If the department is unable to assign suitable modified duty work, the Assistant City Manager acting as Personnel Officer shall be contacted immediately in order to consider other alternatives including but not limited to assignments in other departments. Town administration will attempt to coordinate, where feasible, a temporary reassignment of the employee on an inter-department basis. The Department to which the employee is regularly assigned will continue to be charged for the employee's wages and benefits.
- D. The employee will be:
 - 1. Responsible for reporting to their immediate supervisor following each medical appointment; providing their supervisor with the appropriate medical status slip from the authorized treating physician/practitioner.
 - 2. Required to complete Town form "Authorization for Release of Medical Information" and provide the form to their immediate supervisor within five (5) calendar days of the work related injury or illness.
 - 3. Required to submit a physician's statement describing the employee's physical limitation in sufficient detail to enable the Town to identify a suitable work assignment or to modify the tasks of the regular assignment. The employee shall cooperate to the fullest extent possible by performing the tasks and duties within the modified assignment to the best of his/her ability.
- H. The immediate supervisor will be responsible for monitoring the employee's performance during the period of modified duty. Performance appraisals will be conducted at the appropriate intervals.
- I. Employees shall be entitled to earn their usual base salary while on modified duty. It is the Town's policy that no overtime will be authorized unless the Assistant City Manager and/or the Department Head expressly give the employee permission. All overtime assignments must be approved in advance by the Assistant City Manager and/or Department Head, and must be in accordance with the work restrictions set forth by the attending physician/practitioner.
- J. Upon release to regular work without restrictions, the employee shall be returned to his/her regular work assignment.

RESOLUTION NO. 09-45

RESOLUTION OF THE CITY COUNCIL OF THE TOWN OF ATHERTON TO APPROVE TOWN POLICY 3.4 MODIFIED (LIGHT) DUTY

WHEREAS, the City Council has determined that a Town policy to provide a Town-wide modified duty/return to work program for employees who have been injured while on duty or have a job related illness is in the best interest of the Town;

THEREFORE, BE IT RESOLVED that the City Council does hereby approve Town Policy 3.4 Modified (Light) Duty as presented in the attachment to this Resolution and incorporated by reference herein; and

FURTHER, BE IT RESOLVED that the City Council does hereby adopt this Resolution 09-45.

This Resolution shall be effective immediately upon adoption.

I hereby certify that the foregoing Resolution was duly and regularly passed and adopted by the City Council of the Town of Atherton at a regular meeting thereof held on the 18th day of November, 2009, by the following vote:

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

Jerry Carlson, MAYOR
TOWN OF ATHERTON

ATTEST:

Theresa DellaSanta, Deputy City Clerk

APPROVED AS TO FORM:

Wynne Furth, City Attorney



Town of Atherton

CITY COUNCIL STAFF REPORT

ITEM 14

November 9, 2009

**TO: HONORABLE MAYOR AND CITY COUNCIL
JERRY GRUBER, CITY MANAGER**

FROM: EILEEN WILKERSON, ASSISTANT CITY MANAGER

DATE: CITY COUNCIL MEETING OF NOVEMBER 18, 2009

**SUBJECT: ADOPT RESOLUTION 09-46 APPROVING POLICY – 3.3 WORKERS’
COMPENSATION AND RESCIND “STANDARD OPERATING
PROCEDURES SUBJECT: WORKER’S COMPENSATION” dated
March 19, 1997**

RECOMMENDATION:

Staff recommends that the City Council Adopt Resolution 09-46 Approving Policy 3.3 Workers’ Compensation

INTRODUCTION:

Policy 3.3 Workers’ Compensation provides guidelines in the implementation of the Town’s workers’ compensation program.

In August 2008 staff began preparing Draft Town Policy 3.3 Workers’ Compensation in response to a need for a policy compliant with state and federal laws. The Town had one paragraph in an outdated employee handbook outlining the Town’s current plan as “following state guidelines”.

During the past fifteen months the draft policy has undergone several revisions due to changes in the language of the Town’s Draft Workers’ Compensation Policy and review by the Town’s City Manager, Management Team, Union Business Representatives, Shop Stewards, District legal, labor counsel, and Atherton employees for comment.

October 5, 2009 it was discovered that the City Council had adopted a “Standard Operating Procedures – Subject: Workers’ Compensation” on March 19, 1997. The discovery of this document caused a rewrite in the draft policy.

The current draft Policy brings all language into compliance with state and federal law.

The draft policy presented to the Council for action on November 18th was emailed on October 21, 2009 to all appropriate Union representatives for both Atherton Police Officers' Association (APOA) and Teamsters Local Union No. 856. Both the APOA and Teamsters were supportive of the draft Police. The draft Policy was emailed and posted on November 9, 2009 for staff comment.

Prepared By:

/s/ Eileen M. Wilkerson

Eileen M. Wilkerson
Assistant City Manager

Approved by:

/s/ Jerome D. Gruber

Jerome D. Gruber
City Manager

Attachment:

- Draft Town Policy – Policy 3.3 Workers' Compensation
- Resolution 09-46
- Standard Operating Procedure – Subject: Workers Compensation
- Draft Procedures

TOWN OF ATHERTON

DRAFT Policy	Number: 3.3	Date of Approval:	Adopted By: Resolution 09-xx
Title: Worker's Compensation	Prepared By: E. Wilkerson	Revised By:	Page: Page 1 of 1
Purpose: To provide guidelines in the implementation of the Town's workers' compensation program.			

STATEMENT OF POLICY

All employees of the Town of Atherton are covered by State Worker's Compensation Insurance, a program of insurance to protect workers, their families and dependents from loss due to work-related injury or illness. All approved medical treatment will be covered and paid through the Town's insurance company. Temporary disability payments may be payable to the employee under the insurance program.

The Town will pay the employee the difference between the temporary disability payments and the employee's usual wages or salary and continue coverage for medical, dental, and vision insurance for the employee and dependents for up to one year unless terminated or retired earlier from the first day of absence certified by a treating health care provider and approved as Workers' Compensation Leave without deduction from the employee's accrued sick leave or vacation bank. Family Medical Leave Act (FMLA)/California Family Rights Act (CFRA) will run concurrently with the first day of approved Workers' Compensation Leave. Holiday, Sick Leave, and Vacation Leave do not accrue while on Workers' Compensation Leave.

After the first year Workers' Compensation Leave is exhausted, the Town will allow the employee to use accrued sick leave and vacation leave to remain in paid status while continuing on Workers' Compensation Leave. The Town will continue paying premiums for health and medical insurance, dental insurance, vision insurance, and life insurance for the injured worker and their dependents until all approved paid leave has been exhausted (e.g. Holiday, Compensatory Time, Sick Leave, Vacation Leave) and the employee has exhausted entitlement to Family Medical Leave Act (FMLA)/California Family Rights Act (CFRA), and the employee is no longer eligible for benefits continuation. At that point, the Town no longer pays premiums for health and medical insurance, dental insurance, vision insurance, and life insurance for the injured worker and their dependents. Employees may choose to continue coverage for themselves and/or their dependents through the Consolidated Omnibus Budget Reconciliation Act (COBRA).

When all accrued paid leave is exhausted the employee may be placed on Unpaid Workers' Compensation.

For PERS eligible public safety officers, temporary disability is replaced by a special leave through Labor Code Section 4850. Temporary disability benefits are paid according to Labor Code Sections 4653 – 4657.

TOWN OF ATHERTON

DRAFT Procedure	Number: 3.3	Date Approved:	Revision:
Title: Worker's Compensation	Prepared By: E. Wilkerson	Approved By: (J. Gruber)	Page: Page 1 of 4
Purpose: To provide guidelines for the implementation of the Town's workers' compensation program.			

STATEMENT OF POLICY

All employees of the Town of Atherton are covered by State Worker's Compensation Insurance, a program of insurance to protect workers, their families and dependents from loss due to work-related injury or illness. All approved medical treatment will be covered and paid through the Town's insurance company. Temporary disability payments may be payable to the employee under the insurance program.

The Town will pay the employee the difference between the temporary disability payments and the employee's usual wages or salary and continue coverage for medical, dental, and vision insurance for the employee and dependents for up to one year unless terminated or retired earlier from the first day of absence certified by a treating health care provider and approved as Workers' Compensation Leave without deduction from the employee's accrued sick leave or vacation bank. Family Medical Leave Act (FMLA)/California Family Rights Act (CFRA) will run concurrently with the first day of approved Workers' Compensation Leave. Holiday, Sick Leave, and Vacation Leave do not accrue while on Workers' Compensation Leave.

After the first year Workers' Compensation Leave is exhausted, the Town will allow the employee to use accrued sick leave and vacation leave to remain in paid status while continuing on Workers' Compensation Leave. The Town will continue paying premiums for health and medical insurance, dental insurance, vision insurance, and life insurance for the injured worker and their dependents until all approved paid leave has been exhausted (e.g. Holiday, Compensatory Time, Sick Leave, Vacation Leave) and the employee has exhausted entitlement to Family Medical Leave Act (FMLA)/California Family Rights Act (CFRA), and the employee is no longer eligible for benefits continuation. At that point, the Town no longer pays premiums for health and medical insurance, dental insurance, vision insurance, and life insurance for the injured worker and their dependents. Employees may choose to continue coverage for themselves and/or their dependents through the Consolidated Omnibus Budget Reconciliation Act (COBRA).

When all accrued paid leave is exhausted the employee may be placed on Unpaid Workers' Compensation.

For PERS eligible public safety officers, temporary disability is replaced by a special leave through Labor Code Section 4850. Temporary disability benefits are paid according to Labor Code Sections 4653 – 4657.

1. PROCEDURES

1.1 INJURED EMPLOYEE

Any employee involved in work-related injury or illness, as defined by the California Worker's Compensation laws, must report the injury or illness to his/her immediate supervisor or Department Head within twenty-four (24) hours or as soon thereafter as possible.

The affected employee shall also complete the Employee's Claim for Worker's Compensation Benefits form (Form DWC-1).

DRAFT Procedure	Number: 3.3	Date of Approval:	Adopted By:
Title: Worker's Compensation	Prepared By: E. Wilkerson	Revised:	Page:

1.2 SUPERVISOR

Upon receiving notice from an employee that he/she has been injured on the job, the supervisor or Department Head will evaluate the situation to determine if immediate medical attention is needed. If so, the supervisor will render immediate, limited first aid and/or call 911 for an ambulance. If immediate medical attention is not needed, the supervisor will determine the best plan of action including, but not limited to, sending the employee to an authorized occupational medical facility.

The supervisor or Department Head will give the employee an Employee's Claim for Workers' Compensation Benefits form for his/her completion (Form DWC-1).

The supervisor or Department Head will inform the Assistant City Manager (Human Resource Manager) upon receiving information from the injured worker that a Workers' Compensation claim DWC-1 has been provided and/or received and deliver the Town's copy of the DWC-1 to the Assistant City Manager. The supervisor or Department Head completes the Accident Investigation form and provides it to the Assistant City Manager.

1.3 ASSISTANT CITY MANAGER (HUMAN RESOURCE MANAGER)

The Assistant City Manager (Human Resource Manager) or designee completes the Employer's Report of Occupational Injury or Illness (Form 5020).

The Assistant City Manager or designee files the appropriate completed forms with the Workers' Compensation Carrier, mails originals if required, retains copies for the file, and sends the injured worker a copy of the complete set of forms.

The Assistant City Manager, or designee, will work with the supervisor and/or Department Head to investigate the cause of the injury or illness and identify and correct any conditions that may have contributed to the injury or illness.

2. GENERAL

Work hours lost due to the injury or illnesses are reported on the employee time sheet as "WC, WC disability sick leave or WC disability vacation". The Town permits employees to use paid time-off benefits in the following order during any period of unpaid absence to remain in paid status: holiday, sick leave, accrued compensatory time, accrued vacation. These paid time-off benefits will be coordinated with any temporary disability payments received through worker's compensation to maintain full salary or wages during periods of absence, including time off for medical appointments. An employee shall not draw more than his/her base pay when receiving temporary disability payments.

Employees may not be eligible for workers' compensation benefits, or other paid time-off, if the employee remains or becomes employed by another employer other than those previously approved, in writing, prior to the injury or illness.

3. BENEFITS

3.1 SWORN Personnel:

Whenever a member of the sworn personnel is disabled, whether temporarily or permanently, by injury or illness arising out of and in the course of his or her duties, he or she shall become entitled, regardless of his

DRAFT Procedure	Number: 3.3	Date of Approval:	Adopted By:
Title: Worker's Compensation	Prepared By: E. Wilkerson	Revised:	Page:

or her period of service with the Town, to a leave of absence while so disabled, without loss of salary in lieu of temporary disability payments for the period of the disability, but not exceeding one year, or until that earlier date as he or she is retired on permanent disability pension, and is actually receiving disability pension payments, or advanced disability pension payments pursuant to Labor Code Section 4850.

Temporary disability benefits are paid according to Labor Code Sections 4653 – 4657.

Sworn personnel are covered for medical, surgical, and hospital benefits in accordance with applicable workers' compensation law.

3.2 Non-sworn Personnel:

There are two kinds of workers' compensation benefits to the injured worker:

3.2.1 Medical treatment

Doctor bills, hospital costs, prescription medicines, lab tests, x-rays, crutches, even travel expenses for required medical treatment may be covered as approved by the Town's Workers' Compensation Insurance carrier.

3.2.2 Cash payments to help replace lost wages

If a treating health care provider indicates the employee is eligible for "Modified (Light) Duty", then the Town determines if the regular and customary job can be modified to accommodate the employee's work restrictions or if another position can be provided to accommodate the work restrictions. See Procedures 3.4 Modified (Light) Duty.

If the injury or illness prevents the employee from returning to the usual and customary job, and the Town determines that no modifications can be made to the employee's regular job, and that another position cannot be provided to accommodate the disability, the injured employee may qualify for temporary disability payments.

When on Unpaid Workers' Compensation Leave, injured workers may receive temporary disability pay that is two-thirds of their average weekly pay, up to a maximum set by state law. These payments are tax-free. The Town will pay the difference between the temporary disability pay and the employee's regular wages or salary for up to one year. PERS eligible public safety officers receive pay in accordance with the relevant provisions of the Labor Code.

After the first year Workers' Compensation Leave is exhausted, the Town will place the employee on Unpaid Workers' Compensation Leave and allow the employee to use accrued holiday, sick leave, compensatory time, and vacation leave to remain in paid status. The Town will continue paying premiums for health and medical insurance, dental insurance, vision insurance, and life insurance for the injured worker and their dependents until all approved paid leave has been exhausted (e.g. Holiday, Sick Leave, Vacation Leave) and the employee has exhausted entitlement to Family Medical Leave Act (FMLA)/California Family Rights Act (CFRA), and the employee is no longer eligible for benefits continuation. At that point, the Town no longer pays premiums for health and medical insurance, dental insurance, vision insurance, and life insurance for the injured worker and their dependents. Employees may choose to continue coverage for themselves and/or their dependents through the Consolidated Omnibus Budget Reconciliation Act (COBRA).

When all accrued paid leave is exhausted the employee may be placed on leave without pay.

DRAFT Procedure	Number: 3.3	Date of Approval:	Adopted By:
Title: Worker's Compensation	Prepared By: E. Wilkerson	Revised:	Page:

RESOLUTION NO. 09-46

**RESOLUTION OF THE CITY COUNCIL OF THE TOWN OF ATHERTON TO
APPROVE TOWN POLICY 3.3 WORKERS' COMPENSATION
TO REPLACE
STANDARD OPERATING PROCEDURES SUBJECT: WORKER'S
COMPENSATION DATED MARCH 19, 1997**

WHEREAS, the City Council has determined that a Town policy to provide guidelines in the implementation of the Town's workers' compensation program is needed to comply with Federal and State law; and

WHEREAS, The City Council desires to update the language of and incorporate current laws into the current Standard Operating Procedures Subject: Worker's compensation dated March 19, 1997;

THEREFORE, BE IT RESOLVED that the City Council does hereby approve Town Policy 3.3 Workers' Compensation to replace Standard Operating Procedures Subject: Worker's compensation dated March 19, 1997 as presented in the attachment to this Resolution and incorporated by reference herein; and

FURTHER, BE IT RESOLVED that the City Council does hereby adopt this Resolution 09-46.

This Resolution shall be effective immediately upon adoption.

I hereby certify that the foregoing Resolution was duly and regularly passed and adopted by the City Council of the Town of Atherton at a regular meeting thereof held on the 18th day of November, 2009, by the following vote:

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

Jerry Carlson, MAYOR
TOWN OF ATHERTON

ATTEST:

Theresa DellaSanta, Deputy City Clerk

APPROVED AS TO FORM:

Wynne Furth, City Attorney



Town of Atherton

STANDARD OPERATING PROCEDURES

SUBJECT: WORKER'S COMPENSATION

PURPOSE: To provide a procedure through which benefits are paid by the Town to employees suffering illness or injury which arise out of and in the course of employment.

A. POLICY

Employees will receive medical treatment hospitalization, compensation, rehabilitation, and in some cases death benefits for illness or injury on the job. The Town will make all efforts to reduce the number and severity of injuries and to return employees to work as quickly as prudent. No employee is entitled to benefits from the Town for an injury or illness sustained off the job or in the course of employment other than the Town of Atherton.

B. TREATMENT

1. **Emergencies:** In a serious injury or accident, send the employee immediately to the nearest emergency room; normally, this is Stanford Hospital.
2. **Other Than Emergency:** Refer to the employee's doctor as instructed on the Work Injury Physician Designation form. If none has been designated, refer to Mariner's Medical or Read-Care as noted on the Town's Self-Insurance Notice posters. During hours the employee's doctor's office is closed, refer to Mariner's Medical or Read-Care. If these are closed, refer to emergency room.
3. **Refusal of Treatment:** Have the employee state on the Employer's Report of Occupational Injury or Illness, "I have declined the offer of medical treatment for this injury." Have the employee sign and date the notice and include the reason for the refusal.
4. **Re-injury:** Proceed as for an original injury.
5. **Long-term Illnesses or Injuries.** Consult with the Personnel Officer regarding additional examinations etc., which may be advisable.

C. FORMS

1. Supervisor's Report of Accident: To be used for all accidents whether the employee consults a hospital or physician, returns to work immediately after treatment, or is considered on accident or disability leave. Original is sent to the City Manager; copies are retained by the department.
2. Work Injury Physician Designation: Allows the employee to state which physician should be consulted in a non-emergency situation. If the employee designates a physician, it must be one who has previously treated the employee and has his/her medical records.
3. Employee's Claim for Workers' Compensation Benefits: By law, an employee must be given this form within 24 hours. Complete and send to City Manager. Employee keeps one copy.
4. Employer's Report of Occupational Injury or Illness: Must be filled out and all copies sent to City Manager.
5. Return to Work Report: Gives permission by the doctor to resume normal duties or to perform light or modified duties at the sole discretion of the City Manager. Original to payroll, copies to City Manager and appropriate Department Head.
6. Decision of Safety Committee: Informs the employee if the Executive Safety Committee has found the accident to be preventable or not and the results of any further action such as discipline.

D. PAYMENTS

1. Public safety employees may receive full pay for up to one year unless terminated or retired earlier.
2. All non-public safety employees may receive full pay for up to one year unless terminated or retired earlier.
3. At the maximum of one year, the employee shall be placed on leave without pay.

E. VEHICULAR ACCIDENTS:

All employees on Town business involved in a vehicular accident must report it to the Atherton Police Department or, if out of town, to the appropriate police department, and to their Department Head. This shall apply to drivers of Town or personal vehicles. A copy of the police report shall be submitted by the employee to the City Manager.

F. REPORTING ACCIDENTS:

The California Division of Industrial Safety must be notified by telephone or telegraph of all accidents resulting in death, more than 24-hours hospitalization, loss of any member of the body or serious disfigurement (unless the accident Occurs on a street or highway).

G. INVESTIGATION:

1. **Executive Safety Committee:** Investigates all accidents and illnesses to determine preventative measures; the committee may recommend appropriate discipline to the appropriate Department Head when warranted.
2. **Safety Inspections:** All city buildings, equipment, and properties are periodically inspected to prevent hazards as well as to improve housekeeping.

H. MODIFIED OR LIGHT DUTY

While on disability leave, modified or light duty may be offered to employees not physically incapacitated from performing these assignments.

I. DISABILITY RETIREMENT

When it becomes apparent from the medical record that an employee will be unable to return to his/her usual and customary occupation as modified in view of the Americans with Disabilities Act, the Town or the employee may make application for disability retirement.

APPROVED BY ATHERTON CITY COUNCIL ON: March 19, 1997



Town of Atherton

CITY COUNCIL STAFF REPORT

TO: HONORABLE MAYOR AND CITY COUNCIL

FROM: Eileen M. Wilkerson, Assistant City Manager

DATE: FOR THE MEETING OF NOVEMBER 18, 2009

SUBJECT: RESOLUTION 09-47 APPROVING ADOPTION OF CALIFORNIA PUBLIC EMPLOYEES' SUPPLEMENTAL INCOME 457 PLAN

RECOMMENDATION:

Approve Resolution 09-47 approving adoption of California Public Employees' Supplemental Income 457 Plan and authorize the City Manager to enter into an Employer Adoption Agreement on behalf of the Town of Atherton.

INTRODUCTION:

The Town currently offers two Internal Revenue Section 457 deferred compensation plans to its employees: ICMA and STARS. Recently the STARS plan announced a separation from their third party administrator, AIG, and developed a trust fund. Staff has determined that the trust fund is not in the best interest of Town or Town employees. AIG will continue to provide services to those employees who have contributions on deposit until employees transfer/roll over their contributions to another plan offered by the Town.

As an alternative to ICMA, Staff recommends CalPERS Supplemental Income 457 Plan administered through ING using the ability to leverage CalPERS' size to pool assets and spread costs across a broad base.

ANALYSIS:

The CalPERS Supplemental Income 457 Plan is a supplemental savings option for Town employees. The administration of the Plan and Fund is subject to the exclusive control of the Board of Administration of the Public Employees' Retirement System (CALPERS). CalPERS has appointed ING to perform administrative services under the Plan. Employees will deal directly with ING in the dissemination of Plan information.

The Town will allow payroll deduction of voluntary employee contributions.

The Town has a current relationship with CalPERS for employee health benefits and retirement.

FISCAL IMPACT

The cost to the Town to implement this voluntary program is staff time to input data in an online environment and process invoices for contributions. There is no direct financial cost associated with individual employee accounts.

Prepared By:

/s/ Eileen M. Wilkerson

Eileen M. Wilkerson
Assistant City Manager

Approved by:

/s/ Jerome D. Gruber

Jerome D. Gruber
City Manager

Attachments:

Resolution 09-47

Employer Adoption Agreement

CalPERS 457 Deferred Compensation Plan Document

RESOLUTION NO. 09-47

**RESOLUTION OF THE CITY COUNCIL OF THE TOWN OF ATHERTON
APPROVING ADOPTION OF CALIFORNIA PUBLIC EMPLOYEES'
DEFERRED COMPENSATION PLAN**

WHEREAS, the governing body of the Town of Atherton desires to establish an additional deferred compensation plan for the benefit of its employees; and

WHEREAS, the Board of Administration (the "Board") of the California Public Employees' Retirement System ("CalPERS") has established the California Public Employees Deferred Compensation Plan (the "CalPERS Plan") which may be adopted by a governmental employer the employees of which are public employees; and

WHEREAS, the Town of Atherton believes that the CalPERS Plan and the investment options available thereunder will provide valuable benefits to its employees; and

WHEREAS, the Board has appointed ING to perform administrative services under the CalPERS Plan and to act as the Board's agent in all matters relating to the administration of the CalPERS Plan;

NOW, THEREFORE, BE IT RESOLVED that the governing body of the Town of Atherton adopts the CalPERS Plan for the benefit of its employees and authorizes and directs the City Manager to execute the attached adoption agreement on behalf of the Town of Atherton and to provide ING with such information and cooperation as may be needed on an ongoing basis in the administration of the CalPERS plan. A copy of this resolution, the agreement, and any attachments thereto shall be on file in the office of the City Clerk

Passed and adopted as a resolution of the Town of Atherton City Council, at a meeting held on November 18, 2009.

* * * * *

I hereby certify that the foregoing Resolution was duly and regularly passed and adopted by the City Council of the Town of Atherton at a regular meeting thereof held on the 18th day of November, 2009, by the following vote:

AYES: **COUNCILMEMBERS:**
NOES: **COUNCILMEMBERS:**
ABSENT: **COUNCILMEMBERS:**
ABSTAIN: **COUNCILMEMBERS:**

Jerry Carlson, Mayor
Town of Atherton

ATTEST:

APPROVED AS TO FORM:

Theresa N. DellaSanta
Deputy City Clerk

Wynne Furth
City Attorney



SUPPLEMENTAL INCOME PLANS

EMPLOYER ADOPTION AGREEMENT

By executing this Agreement, the employer identified below (the "Employer") adopts the California Public Employees' Deferred Compensation Plan (the "Plan") for the benefit of its employees. The Employer further agrees and represents as follows:

1. The Employer is a political subdivision of the State of California eligible to adopt the Plan for the benefit of its employees.
2. The Employer has duly adopted a resolution (copy attached) or taken such other official action as required for its lawful adoption and implementation of this Plan and has authorized the undersigned to execute this agreement on behalf of the Employer.
3. The Employer has been furnished with and reviewed a copy of the Plan document which explains the rights and obligations of the Employer under the Plan, as well as the rights and options available to the Employer's employees under the Plan; the Employer agrees to follow the terms of the Plan document, which are incorporated herein by reference.
4. The Employer understands and agrees that all amounts deferred under the Plan are to be invested in the Public Employees' Deferred Compensation Fund (the "Fund"), an investment entity established to hold amounts deferred under the Plan, and that the Employer shall have no right to sell, redeem, or otherwise liquidate its investments in the Fund, except as provided under Article 9 of the Plan.
5. The Employer understands that, except for certain responsibilities delegated to the Employer under the Plan, the administration of the Plan and Fund is subject to the exclusive control of the Board of Administration of the Public Employees' Retirement System (the "Board"). The Employer further understands that the Board has appointed ING to perform administrative services under the Plan and to act as the Board's agent in all matters relating to administration of the Plan; the Employer agrees to deal directly with ING (or any successor agent duly appointed by the Board) on all matters relating to its participation in the Plan and to cooperate with ING in the dissemination of Plan information to the Employer's employees. For purposes of this Agreement, the term "administrative services" shall include, but not be limited to, establishing and maintaining accounts for Plan participants, providing regular accounting reports, and other general record keeping and administrative functions necessary for proper maintenance of the Plan.
6. The information set forth on the attached specifications data page is complete and accurate and may be relied upon by the Board and ING in the administration of the Plan on behalf of the Employer and its employees, unless and until the Employer has provided ING with a written modification of such specifications.
7. The Employer has been furnished with a copy of a manual that describes the procedures to be followed by the Employer in the administration of the Plan for its employees, and the Employer agrees to adhere to the procedures set forth in that manual, and in any revisions thereof, or procedural notices that are hereafter furnished to the Employer.
8. The Employer agrees to make the Plan available to its employees and otherwise to abide by this Agreement commencing on the effective date shown on the attached specifications page; this Agreement shall remain in full force and effect unless terminated by the Employer or the Board upon sixty (60) days notice.

(Name of Employer) _____

By: _____

(Title) _____

Date: _____

Accepted by ING on behalf of the Board of Administration of the Public Employees' Retirement System

By: _____

Date: _____ Witness: _____

CalPERS 457 Deferred Compensation Plan Document

The purpose of this Plan is to provide deferred compensation for California public employees that elect to participate in the Plan. This Plan is established pursuant to sections 21670 through 21685 of the Government Code of the State of California and is intended to constitute an "eligible deferred compensation plan" within the meaning of section 457 of the Federal Internal Revenue Code. This amended and restated Plan is effective January 1, 2002.

Article 1 - Definitions

The following terms when used herein shall have the following meaning:

1.1 Account: The bookkeeping account maintained with respect to each Participant which reflects the value of the deferred compensation credited to the Participant, including the Participant's Deferrals, the earnings or loss of the Fund (net of Fund expenses) allocable to the Participant, any Transfers for the Participant's benefit, and any distributions made to the Participant or the Participant's Beneficiary.

If a Participant has more than one Beneficiary at the time of the Participant's death, then a separate Account Balance shall be maintained for each Beneficiary. The Account Balance includes any account established under Section 7.2 for rollover contributions and plan-to-plan transfers made for a Participant, the account established for a Beneficiary after a Participant's death, and any account or accounts established for an alternate payee (as defined in section 414(p)(8) of the Code).

1.2 Adoption Agreement: The agreement under which an Employer becomes a participating Employer under this Plan.

1.3 Beneficiary: The person or persons designated by the Participant to receive distributions from the Participant's Account after the Participant's death.

1.4 Board: The Board of Administration of CalPERS.

1.5 Code: The Federal Internal Revenue Code of 1986, as amended from time to time.

1.6 Deferral: An amount credited to a Participant's Account by reason of the Participant's agreement to defer a portion of his or her salary or wages.

1.7 Deferral Agreement: The agreement between an Employer and an Employee, including any amendments thereto, which specifies the amount of Deferrals to be made by the Employee. Each

Deferral Agreement or amendment thereto shall be made or confirmed in writing under procedures established by the Board.

1.8 Eligible Deferred Compensation Plan: An eligible governmental plan as defined in Section 1.457-2(f) of the Income Tax Regulations.

1.9 Employee: Any individual who is a common law employee of an Employer and is a member of CalPERS or for whom the Board is otherwise authorized to administer this Plan under the Government Code.

1.10 Employer: Any political subdivision of the State of California for which the Board is authorized to administer this Plan under the Government Code and that has become a participating employer under this Plan pursuant to Article 2. Where required by the context, references to the Employer shall mean the current or former Employer of the Employee or Participant.

1.11 Fund: The Public Employees' Deferred Compensation Fund that has been established as part of the Plan pursuant to section 21676 of the Government Code. For purposes of Section 9.1 of this Plan, the Fund shall not include the asset management and services account maintained pursuant to section 21678 of the Government Code.

1.12 Government Code: Those statutes of the State of California that have been codified as the Government Code.

1.13 Includible Compensation: A Participant's compensation, as defined in Section 415(c)(3) of the Code, for services performed for the Employer. Includible Compensation shall be determined without regard to any community property laws.

1.14 Investment Option: One of the available alternatives for crediting investment earnings to a Participant's Account, which shall be based upon the performance of one or a combination of the investment portfolios maintained under the Fund.

1.15 Normal Retirement Age: The age used to determine the three-year period in which a Participant may utilize the catch-up limitation under Section 4.3. A Participant may designate as his or her Normal Retirement Age the age that will be attained in any Year that is not earlier than the earliest Year in which the Participant will be eligible to retire without actuarial or similar reduction under CalPERS or another retirement system and that is not later than age 70 1/2. Once a Participant has utilized the catch-up limitation under Section 4.3 or under a comparable provision of another Eligible Deferred Compensation Plan, that Participant's Normal Retirement Age may not thereafter be changed. An Employer sponsoring more than one Eligible Deferred Compensation Plan may not permit a Participant to have more than one Normal Retirement Age under the Eligible Deferred Compensation Plans it sponsors.

1.16 Participant: Any Employee or former Employee for whom a Deferral has been credited under the Plan and for whom an Account is maintained.

1.17 CalPERS: The Public Employees' Retirement System of the State of California.

1.18 Plan: The California Public Employees' Deferred Compensation Plan established pursuant to sections 21670 through 21685 of the Government Code, the terms of which are set forth in this Plan document. To the extent required under section 457 of the Code, each Employer's participation in this Plan shall be treated as a separate plan, and each Employer's separate plan shall be deemed to include any other Eligible Deferred Compensation Plan maintained by that Employer.

1.19 Required Beginning Date: April 1st of the Year following the Year of a Participant's attainment of age 70½ or Severance from Employment, whichever is later.

1.20 Severance from Employment: The date that the Employee dies, retires, or otherwise has a severance from employment with the Employer, as determined by the Employer (and taking into account guidance issued under the Code). An Employee's rights upon Severance from Employment with an Employer shall be unaffected by whether the Employee thereafter becomes an Employee of another Employer that has adopted this Plan.

1.21 Transfer: An amount credited to a Participant's Account by reason of a transfer from another Eligible Deferred Compensation Plan.

1.22 Trustee: The Board of Administration of CalPERS

1.23 Unforeseeable Emergency: A severe financial hardship of the Participant resulting from: an illness or accident of the Participant, the Participant's spouse, or the Participant's dependent (as defined in Section 152(a) of the Code); loss of the Participant's property due to casualty (including the need to rebuild a home following damage to a home not otherwise covered by homeowner's insurance, e.g., as a result of a natural disaster); the need to pay for the funeral expenses of the Participant's spouse or dependent (as defined in Section 152(a) of the Code); or other similar extraordinary and unforeseeable circumstances arising as a result of events beyond the control of the Participant. For example, the imminent foreclosure of or eviction from the Participant's primary residence may constitute an Unforeseeable Emergency. In addition, the need to pay for medical expenses, including non-refundable deductibles, as well as for the cost of prescription drug medication, may constitute an Unforeseeable Emergency. A need to send a child to college or to purchase a new home shall not constitute an Unforeseeable Emergency.

1.24 Year: A calendar year.

Article 2 - Employer Participation

2.1 Initial Participation: This Plan shall be available to the Employees of an Employer only if the Employer has executed an Adoption Agreement and provided the Board with such information as the Board deems necessary to administer the Plan on behalf of the Employer.

2.2 Terms of Participation: By executing an Adoption Agreement, an Employer agrees to adhere to all terms and conditions of the Plan, to invest all Deferrals and Transfers in the Fund, and to follow all administrative procedures established by the Board. Except as otherwise provided herein, the terms of this Plan shall apply on a uniform basis to all Employers participating hereunder.

2.3 Duration of Employer Participation: In the event that an Employer withdraws from participation in the Plan, all amounts credited to the Accounts of the Employer's participating Employees will continue to be held in the Fund and will be distributed in accordance with the terms of the Plan, except to the extent of any transfers from the Plan pursuant to Section 7.3.

Article 3 - Employee Participation

3.1 Eligibility: Except as provided in section 21670 of the Government Code, all Employees of an Employer shall be eligible to participate in the Plan.

3.2 Initial Enrollment: In order to become a Participant, an Employee must enter into a Deferral Agreement, which shall become effective no earlier than the calendar month following the month in which the agreement is made. A Deferral Agreement will be given effect only if the Deferral amount elected therein satisfies whatever minimum the Board may establish, and the Employee provides all information called for on the agreement form.

3.3 Effect of Deferral Agreement: Commencing with the effective date of an Employee's Deferral Agreement, his or her gross salary or wages shall be reduced by the Deferral amount specified in the Deferral Agreement. Deferrals shall continue to be made in such amount unless and until the Deferral Agreement is amended or the Employee has a Severance from Employment with the Employer. Subject to the limitations of Article 4, Deferrals shall not be subject to Federal or California income tax withholding and shall not be reported as gross income on the Employee's annual wage statement (Form W-2). However, Deferrals shall be subject to FICA taxation when earned.

3.4 Amendment of Deferral Agreement: A Participant may amend or revoke his or her Deferral Agreement at any time, provided, however, that no change in the amount of a Participant's Deferrals will become effective until the calendar month following the month in which the Deferral Agreement is amended.

3.5 Investment Options: Upon enrollment, the Participant shall designate the Investment Option or Investment Options to which his or her Deferrals are to be allocated. A Participant may thereafter re-allocate his or her Account balance among the available Investment Options. The minimum amounts or percentages that may be allocated among Investment Options, and the timing and frequency of re-allocations, shall be subject to such limitations and procedures as the Board may from time to time establish.

3.6 Beneficiary Designation: Upon enrollment, the Participant shall designate a Beneficiary to receive distributions from the Participant's Account in the event of the Participant's death. A Participant may change his or her designated Beneficiary at any time, provided that an amended Beneficiary designation shall be given effect only if it is signed by the Participant and delivered to a Plan representative (or post-marked for delivery) prior to the Participant's death. A Participant may designate any person or persons as Beneficiaries. Unless otherwise provided in the Beneficiary designation form, each designated Beneficiary shall be entitled to equal shares of the benefits payable after the Participant's death. If the Participant fails to designate a Beneficiary, or if no designated Beneficiary survives the Participant for a period of fifteen (15) days, then the estate of the Participant shall be the Beneficiary. Notwithstanding the foregoing, a Participant's Beneficiary designation shall not be given effect and shall be overridden to the extent that such a designation would impair the rights of any surviving spouse under applicable law.

3.7 Additional Deferrals: An Employer may make additional Fund investments with respect to any Employee, resulting in additional credits to the Account of such Employee. Any such additional credits shall be treated as Deferrals for all purposes of the Plan. The Employer shall notify the Board of any such additional Deferrals, and each Employee for whom such Deferrals are to be made must complete a Deferral Agreement, regardless of whether elective Deferrals are to be made by such Employee.

Article 4 - Deferral Limitations

4.1 General Limitation: Except as provided in Section 4.2 or 4.3, a Participant's Deferrals for a Year shall not exceed the lesser of:

- (a) the Applicable Dollar Amount, or
- (b) the Participant's Includible Compensation for the Year.

The Applicable Dollar Amount is the amount established under section 457(e)(15) of the Code applicable as set forth below:

For the following years:	The Applicable Dollar Amount is:
2002	\$11,000
2003	\$12,000
2004	\$13,000
2005	\$14,000
2006 or thereafter	\$15,000

The Applicable Dollar Amount is adjusted for cost-of-living after 2006 to the extent provided under Section 415(d) of the Code.

4.2 Age 50 Catch-up Deferral Contributions: A Participant who will attain age 50 or more by the end of the Year is permitted to elect an additional amount of Deferrals, up to the maximum Age 50 Catch-up Deferrals for the year. The maximum dollar amount of the Age 50 Catch-up Deferrals for a year is as follows:

For the following years:	The maximum Age 50 Catch-up Dollar Amount is:
2002	\$1,000
2003	\$2,000
2004	\$3,000
2005	\$4,000
2006 or thereafter	\$5,000

The maximum dollar amount of the Age 50 Catch-up Deferrals is adjusted for cost-of-living after 2006 to the extent provided under the Code.

4.3 Special Section 457 Catch-up Limitation: If a Participant has designated a proper Normal Retirement Age in the manner established by the Board, then for one or more of the three (3) Years ending before the Year in which a Participant attains that Normal Retirement Age, the Participant's Deferrals shall not exceed the lesser of:

- (a) An amount equal to 2 times the Section 4.1 Applicable Dollar Amount for such year, or
- (b) The sum of:

(1) An amount equal to (A) the aggregate Section 4.1 limit for the current year plus each prior calendar year beginning after December 31, 2001 during which the Participant was an Employee under the Plan, minus (B) the aggregate amount of salary and wages that the Participant deferred under the Plan during such years, plus

(2) An amount equal to (A) the aggregate limit referred to in Section 457(b)(2) of the Code for each prior calendar year beginning after December 31, 1978 and before January 1, 2002 during which the Participant was an Employee (determined without regard to Sections 4.2 and 4.3), minus (B) the aggregate contributions to Pre-2002 Coordination Plans for such years.

4.4 Special Rules: For purposes of this Section 4, the following rules shall apply:

(a) Participant Covered By More Than One Eligible Plan. If the Participant is or has been a participant in one or more other eligible plans within the meaning of Section 457(b) of the Code, then this Plan and all such other plans shall be considered as one plan for purposes of applying the foregoing limitations of this Section 4. For this purpose, the Employer shall take into account any other such eligible plan maintained by the Employer and shall also take into account any other such eligible plan for which the Employer receives from the Participant sufficient information concerning his or her participation in such other plan.

(b) Pre-Participation Years. In applying Section 4.3, a year shall be taken into account only if (i) the Participant was eligible to participate in the Plan during all or a portion of the year and (ii) salary and wages, if any, under the Plan during the year was subject to the Basic Annual Limitation described in Section 4.1 or any other plan ceiling required by Section 457(b) of the Code.

(c) Pre-2002 Coordination Years. For purposes of Section 4.3(b)(2)(B), "contributions to Pre-2002 Coordination Plans" means any employer contribution, salary reduction or elective contribution under any other eligible Code Section 457(b) plan, or a salary reduction or elective contribution under any Code Section 401(k) qualified cash or deferred arrangement, Code Section 402(h)(1)(B) simplified employee pension (SARSEP), Code Section 403(b) annuity contract, and Code Section 408(p) simple retirement account, or under any plan for which a deduction is allowed because of a contribution to an organization described in Section 501(c)(18) of the Code, including plans, arrangements or accounts maintained by the Employer or any employer for whom the Participant performed services. However, the contributions for any calendar year are only taken into account for purposes of Section 4.3(b)(2)(B) to the extent that the total of such contributions does not exceed the aggregate limit referred to in Section 457(b)(2) of the Code for that year.

(d) Disregard Excess Deferral. For purposes of Sections 4.1, 4.2 and 4.3, an individual is treated as not having deferred compensation under a plan for a prior taxable year to the extent Excess Deferrals under the plan are distributed, as described in Section 4.6. To the extent that the combined deferrals for pre-2002 years exceeded the maximum deferral limitations, the amount is treated as an Excess Deferral for those prior years.

4.5 Deferrals After Severance from Employment, Including Sick, Vacation, and Back Pay:

A participant who has not had a severance from employment may elect to defer accumulated sick pay, accumulated vacation pay, and back pay under the following terms:

(a) deferrals attributable to accumulated sick pay, accumulated vacation pay, and back pay may be deferred for any calendar month only if an agreement providing for the deferral is entered into before the beginning of the month in which the amounts would otherwise be paid or made available and the participant is an employee on the date the amounts would otherwise be paid or made available, or

(b) deferrals attributable to accumulated sick pay, accumulated vacation pay, and back pay may be made for former employees with respect to compensation described in Section 1.415(c)-2(e)(3)(ii) of the Proposed Income Tax Regulations (relating to certain compensation paid within 2½ months following severance from employment), compensation described in Section 1.415(c)-2(g)(4) of the Proposed Income Tax Regulations (relating to compensation paid to participants who are permanently and totally disabled), and compensation relating to qualified military service under Section 414(u) of the Code.

4.6 Correction of Excess Deferrals: If the Deferrals on behalf of a Participant for any calendar year exceed the limitations described above, or the Deferrals on behalf of a Participant for any calendar year exceed the limitations described above when combined with other amounts deferred by the Participant under another Eligible Deferred Compensation Plan for which the Participant provides information that is accepted by the Employer, then the Deferral, to the extent in excess of the applicable limitation (adjusted for any income or loss in value, if any, allocable thereto), shall be distributed to the Participant.

4.7 Protection of Persons Who Serve in a Uniformed Service: An Employee whose employment is interrupted by qualified military service under Section 414(u) of the Code or who is on a leave of absence for qualified military service under Section 414(u) of the Code may elect to make additional Deferrals upon resumption of employment with the Employer equal to the maximum Deferrals that the Employee could have elected during that period if the Employee's employment with the Employer had continued (at the same level of salary or wages) without the interruption or leave, reduced by the Deferrals, if any, actually made for the Employee during the period of the interruption or leave. This right applies for five years following the resumption of employment (or, if sooner, for a period equal to three times the period of the interruption or leave).

Article 5 - Participant Accounts

5.1 Crediting of Accounts: All Deferrals and Transfers with respect to a Participant shall be credited to the Participant's Account as of the date such amounts are invested in the Fund in accordance with the procedures established by the Board. The Employer shall remit to CalPERS all Deferrals and Transfers directed by Participants to be invested in the Fund as soon as practicable after such amounts are withheld from the Participant's salary or wages or are available from the transferor plan, as applicable.

5.2 Account Balances: The value, or balance, of each Participant's Account shall equal the aggregate value of the Fund investments held with respect to the Participant, based on the Investment Options selected by the Participant, and the method of valuation established by the Board. Each Participant shall periodically receive a statement which shows his or her Account balance and summarizes any credits or other transactions since the preceding statement. In the event that an individual has participated in this Plan by reason of employment with two or more Employers, separate Accounts shall be maintained for such individual with respect to each employment relationship.

Article 6 - Distributions

6.1 Commencement of Distributions upon Severance from Employment: Upon a Participant's Severance from Employment with an Employer, the Participant may elect to receive distributions under one of the optional distribution forms described in Section 6.2, or the Participant may elect a deferred commencement date under Section 6.3. If no election is made by the date the Participant attains age 65 (or, if later, 30 days after the Participant's Severance from Employment), distributions shall commence as soon as practicable thereafter in the form of substantially equal annual installments over 10 years.

6.2 Optional Distribution Forms: Prior to the commencement date under Section 6.1 or Section 6.3, as applicable, the Participant may elect to have his or her Account distributed in one of the following forms:

- (a) a single lump sum payment;
- (b) installment payments for a period of years (payable on an annual, semi-annual, quarterly, or monthly basis) which extends no longer than the life expectancy of the Participant or such longer period as permitted under Section 6.8(b);
- (c) partial lump sum payment of a designated amount;

(d) annuity payments (payable on an annual, quarterly, or monthly basis) for the Participant's lifetime, or for the lifetimes of the Participant and the Participant's Beneficiary if permitted under Section 6.8;

(e) any combination of the above forms of distribution; or

(f) such other form of installment payments as may be approved by the Board consistent with the limitations of Section 6.8.

The Participant may elect the option of an automatic cost-of-living increase in the case of fixed dollar installment payments under subsection (b) above. Such increase will be based on the rise in the Consumer Price Index (CPI). Any increase will be made in periodic payment checks beginning January of the following year. Such increase shall be funded solely from the Participant's Account.

6.3 Deferred Commencement Date: A Participant may elect a deferred commencement date for part or all of the Participant's Account balance at any time prior to attaining age 65 (or, if later, 30 days after the Participant's Severance from Employment). Such date may not be later than the Participant's Required Beginning Date.

6.4 In-Service Distributions From Rollover Account: If a Participant has a separate account attributable to rollover contributions to the Plan, the Participant may at any time elect to receive a distribution of all or any portion of the amount held in the rollover account under any optional distribution form described in Section 6.2.

6.5 Cash-outs and Combined Payments: The Board reserves the right to adopt guidelines, which shall be uniformly applied to all Plan Participants and Beneficiaries, under which Account balances below a specified level may be distributed in a lump sum upon Severance from Employment or at a deferred commencement date and installment payments below a specified amount may be combined and paid at less frequent intervals (but not less frequently than annually). In addition, the Board reserves the right, subject to the limitations of section 457(e)(9)(A) of the Code, to establish uniform guidelines under which a Participant's Account balances may be distributed in a lump sum either before or after the Participant's Severance from Employment, and either with or without the Participant's consent, provided that (i) the Participant's Account balance does not exceed \$1,000 in the case of a distribution without the Participant's consent (\$5,000 before March 28, 2005), (ii) the Participant's Account balance does not exceed \$5,000 in the case of a distribution with the Participant's consent, (iii) no Deferral has been credited to the Participant's Account in the preceding twenty-four (24) months, and (iv) no prior payment has been made to the Participant under Section 6.1 or this Section 6.5.

6.6 Unforeseeable Emergency Distributions:

In the event of an Unforeseeable Emergency prior to or after the commencement of distributions, a Participant (or Beneficiary after the death of the Participant) may apply to receive that part of the value of the Participant's Account that is reasonably needed to satisfy the emergency need, including any income tax resulting from the distribution. Payment will not be made to the extent that the financial hardship may be satisfied through cessation of Deferrals, insurance or other reimbursement, or a liquidation of other assets to the extent such liquidation would not itself cause severe financial hardship.

6.7 Death Benefits: Upon the Participant's death, the Participant's remaining Account balance shall be payable to the Beneficiary commencing on the sixty-first (61st) day after the date of the Participant's death, unless, within sixty (60) days of the Participant's death, the Beneficiary elects a deferred commencement date that is consistent with the limitations set forth below. Prior to the Beneficiary's commencement date, the Beneficiary may elect to receive the Participant's remaining Account balance under any optional distribution form described in Section 6.2, provided that the elected distribution form satisfies the limitations set forth below. If a Beneficiary fails to make a timely election of an optional distribution form, death benefits shall be paid in the form of substantially equal annual installments over 10 years (or over such shorter period as may be required under the limitations set forth below).

(a) If the Participant dies prior to the Participant's Required Beginning Date and the Beneficiary is the Participant's surviving spouse, the commencement date shall be no later than the last day of the Year in which the Participant would have attained age 70½ (or, if later, the Year immediately following the Year of the Participant's death) and shall be paid over a period that does not exceed the Beneficiary's life expectancy using the single life table in Section 1.401(a)(9)-9, A-1, of the Income Tax Regulations for the spouse's age on the spouse's birthday for that year.

(b) If the Participant dies prior to the Participant's Required Beginning Date and the Beneficiary is not the Participant's surviving spouse, the entire Account balance shall be distributed no later than (i) the last day of the Year which includes the fifth (5th) anniversary of the Participant's death, or (ii) if distributions to the Beneficiary commence by the last day of the Year immediately following the Year of the Participant's death, the entire Account balance shall be distributed over the Beneficiary's life expectancy determined in the year following the year of the Participant's death using the single life table in Section 1.401(a)(9)-9, A-1, of the Income Tax Regulations for the Beneficiary's age on the Beneficiary's birthday for that year, reduced by one for each year that has elapsed after that year.

(c) If the Participant dies after the Participant's Required Beginning Date or after the commencement of distributions in the form of an annuity, the Beneficiary may not elect to defer the commencement of death benefits, and the Participant's remaining Account shall be distributed at least as rapidly as under the method selected by the Participant.

(d) In the event that a Beneficiary dies before all payments to the Beneficiary have been completed, the remaining value of the Participant's Account shall be paid to the estate of the Beneficiary in a lump sum.

(e) If there are two or more Beneficiaries, the provisions of this Section 6.7 and Section 6.8 shall be applied separately to each Beneficiary with respect to that Beneficiary's share in the Participant's Account.

(f) No Beneficiary shall have any right of recovery against the Employer or the Plan for any distributions that are made in the name of the Participant before a Plan representative has been duly notified of the Participant's death.

6.8 Latest Distribution Date:

(a) In general. In no event shall any distribution under this Section 6 begin later than the Required Beginning Date. If distributions commence in the calendar year following the later of the calendar year in which the Participant attains age 70 1/2 or the calendar year in which the Severance from Employment occurs, the distribution on the date that distribution commences must be at least equal to the minimum installment payment for the year that the Participant has a Severance from Employment (determined under paragraph (b)) and an amount at least equal to the minimum installment payment for the year after Severance from Employment (determined under paragraph (b)) must also be paid before the end of the calendar year of commencement.

(b) Minimum installment amount. Unless a lower amount is permitted under Code Section 401(a)(9), the minimum installment amount is the amount payable equal to a fraction of the Account balance equal to one divided by the distribution period set forth in the Uniform Lifetime Table at Section 1.401(a)(9)-9, A-2, of the Income Tax Regulations for the Participant's age on the Participant's birthday for that year. If the Participant's age is less than age 70, the distribution period is 27.4 plus the number of years that the Participant's age is less than age 70. The Account balance for this calculation (other than the final installment payment) is the Account balance as of the end of the year prior to the year for which the distribution is being calculated.

6.9 Distributions/Rollovers from Fund:

(a) In general. Except as otherwise provided herein, all distributions shall be made directly from the Fund to the Participant or Beneficiary. To the extent required by law, income and other taxes shall be withheld from each benefit payment, and payments shall be reported to the appropriate governmental agency or agencies.

(b) Rollover Distributions. A Participant or the surviving spouse of a Participant (or a Participant's former spouse who is the alternate payee under a domestic relations order, as defined in Section 414(p) of the Code) who is entitled to an eligible rollover distribution may

elect, at the time and in the manner prescribed by the Board, to have all or any portion of the distribution paid directly to an eligible retirement plan specified by the Participant in a direct rollover.

(c) **Definitions.** For purposes of this Section 6.9, an eligible rollover distribution means any distribution of all or any portion of a Participant's Account balance, except that an eligible rollover distribution does not include (a) any installment payment under Section 6.2 for a period of 10 years or more (b) any distribution made under Section 6.6 as a result of an unforeseeable emergency, or (c) for any other distribution, the portion, if any, of the distribution that is a required minimum distribution under Section 401(a)(9). In addition, an eligible retirement plan means an individual retirement account described in Section 408(a) of the Code, an individual retirement annuity described in Section 408(b) of the Code, a qualified trust described in Section 401(a) of the Code, an annuity plan described in Section 403(a) or 403(b) of the Code, or an eligible governmental plan described in Section 457(b) of the Code, that accepts the eligible rollover distribution.

6.10 Annuities: In the event that a Participant or Beneficiary elects to receive distributions in the form of a life annuity or another annuity form that cannot be distributed from the Fund, the portion of the Participant's Account balance allocable to that form of distribution shall be distributed from the Fund and used to purchase a commercial annuity contract under which that form of annuity is provided. The amount of the annuity payments to the Participant or Beneficiary shall equal the amounts payable under such annuity contract.

Article 7 - Transfers

7.1 Acceptance of Transfers: A Transfer will be accepted and credited to a Participant's Account under the Plan if such Transfer is made from another Eligible Deferred Compensation Plan maintained by the Employer or another employer and is made in cash or other property that the Board accepts for investment in the Fund. Any Transfer so credited to a Participant's Account shall be invested in the Fund, and the portion of the Participant's Account balance attributable to such Transfer shall be distributed in accordance with the terms of the Plan.

7.2 Eligible Rollover Contributions to the Plan:

(a) A Participant who is an Employee and who is entitled to receive an eligible rollover distribution from another eligible retirement plan may request to have all or a portion of the eligible rollover distribution paid to the Plan. The Board may require such documentation from the distributing plan as it deems necessary to effectuate the rollover in accordance with Section 402 of the Code and to confirm that such plan is an eligible retirement plan within the meaning of Section 402(c)(8)(B) of the Code.

(b) For purposes of this Section 7.2, an eligible rollover distribution means any distribution of all or any portion of a Participant's benefit under another eligible retirement plan, except that an eligible rollover distribution does not include (1) any installment payment for a period of 10 years or more, (2) any distribution made as a result of an unforeseeable emergency or other distribution which is made upon hardship of the employee, or (3) for any other distribution, the portion, if any, of the distribution that is a required minimum distribution under Section 401(a)(9) of the Code. In addition, an eligible retirement plan means an individual retirement account described in Section 408(a) of the Code, an individual retirement annuity described in Section 408(b) of the Code, a qualified trust described in Section 401(a) of the Code, an annuity plan described in Section 403(a) or 403(b) of the Code, or an eligible governmental plan described in section 457(b) of the Code, that accepts the eligible rollover distribution.

(c) The Plan shall establish and maintain for the Participant a separate account for any eligible rollover distribution paid to the Plan from any eligible retirement plan that is not an eligible governmental plan under Section 457(b) of the Code. In addition, the Plan shall establish and maintain for the Participant a separate account for any eligible rollover distribution paid to the Plan from any eligible retirement plan that is an eligible governmental plan under Section 457(b) of the Code.

7.3 Transfers to other Plans:

(a) At the election of a Participant, all or a portion of the Participant's Account balance may be transferred to another Eligible Deferred Compensation Plan maintained by the Employer or another employer of the Participant, provided that such other plan accepts transfers and the transfer is otherwise in accordance with Section 457(e)(10) of the Code and Section 1.457-10(b) of the Income Tax Regulations.

(b) In connection with an Employer withdrawal from participation in the Plan, such Employer may direct the transfer of all Participant Account balances to another Eligible Deferred Compensation Plan, provided that such other plan accepts transfers and the transfer is otherwise in accordance with Section 457(e)(10) of the Code and Section 1.457-10(b) of the Income Tax Regulations.

7.4 Transfer Conditions: The Board reserves the right to limit the terms and conditions under which Transfers will be accepted from or made to other Eligible Deferred Compensation Plans, including requiring such documentation from the other plan as it deems necessary to effectuate the transfer in accordance with Section 457(e)(10) of the Code and Section 1.457-10(b) of the Income Tax Regulations and to confirm that the other plan is an Eligible Deferred Compensation Plan.

7.5 Permissive Service Credit Transfers: If a Participant is also a participant in a tax-qualified defined benefit governmental plan (as defined in Section 414(d) of the Code) that provides for the acceptance of plan-to-plan transfers with respect to the Participant, then the Participant may elect to have any portion of the Participant's Account balance transferred to such defined benefit governmental plan as may be permitted by such defined benefit governmental plan. A transfer under this Section 7.5 may be made before the Participant has had a Severance from Employment; provided, however, that such a transfer may be made only if the transfer is either for the purchase of permissive service credit (as defined in Section 415(n)(3)(A) of the Code) under the receiving defined benefit governmental plan or a repayment to which Section 415 of the Code does not apply by reason of Section 415(k)(3) of the Code.

Article 8 – Loans

8.1 Loans: A Participant who is an Employee may apply for and receive a loan from his or her Account Balance as provided in this Section 8. Any such loan may not be for an amount less than \$1,000.

8.2 Maximum Loan Amount: No loan to a Participant hereunder may exceed the lesser of:

(a) \$50,000, reduced by the greater of (i) the outstanding balance on any loan from the Plan to the Participant on the date the loan is made or (ii) the highest outstanding balance on loans from the Plan to the Participant during the one-year period ending on the day before the date the loan is approved by the Plan (not taking into account any payments made during such one-year period), or

(b) one half of the value of the Participant's vested Account Balance (as of the Valuation Date immediately preceding the date on which such loan is approved by the Plan).

For purposes of this Section 8.2, any loan from any other plan maintained by a participating employer shall be treated as if it were a loan made from the Plan, and the Participant's vested interest under any such other plan shall be considered a vested interest under this Plan; provided, however, that the provisions of this paragraph shall not be applied so as to allow the amount of a loan under this Section 8.2 to exceed the amount that would otherwise be permitted in the absence of this paragraph.

8.3 Terms of Loan: The terms of the loan shall:

(a) require level amortization with payments not less frequently than quarterly throughout the repayment period, except that alternative arrangements for repayment may apply in the event that the borrower is on an bona fide unpaid leave of absence for a period not to exceed one year for

leaves other than a qualified military leave within the meaning of Section 414(u) of the Code or for the duration of a leave which is due to qualified military service;

(b) require that the loan be repaid within five years; and

(c) provide for interest at a rate equal to one percentage point above the prime rate as published in the Wall Street Journal on the first business day of the month in which the loan is approved by the Plan.

8.4 Security for Loan; Default:

(a) Security. Any loan to a Participant under the Plan shall be secured by the pledge of the portion of the Participant's interest in the Plan invested in such loan.

(b) Default. In the event that a Participant fails to make a loan payment under this Section 8 within 90 days after the date such payment is due, a default on the loan shall occur. In the event of such default, (i) all remaining payments on the loan shall be immediately due and payable, (ii) effective as of the first day of the calendar month next following the month in which any such loan default occurs, the interest rate for such loan shall be (if higher than the rate otherwise applicable) the rate being charged on loans from the Plan that are approved by the Plan in the month in which such default occurs, (iii) no contributions shall be made on such Participant's behalf prior to the first payroll period that follows by 12 calendar months the date of repayment in full of such loan, and (iv) the Participant shall be permanently ineligible for any future loans from the Plan.

In the case of any default on a loan to a Participant, the Plan shall apply the portion of the Participant's interest in the Plan held as security for the loan in satisfaction of the loan on the date of Severance from Employment.

Notwithstanding anything elsewhere in the Plan to the contrary, in the event a loan is outstanding hereunder on the date of a Participant's death, his or her estate shall be his or her Beneficiary as to the portion of his or her interest in the Plan invested in such loan (with the Beneficiary or Beneficiaries as to the remainder of his or her interest in the Plan to be determined in accordance with otherwise applicable provisions of the Plan).

8.5 Repayment: The Participant shall be required, as a condition to receiving a loan, to enter into an irrevocable agreement authorizing the Employer to make payroll deductions from his or her Compensation as long as the Participant is an Employee and to transfer such payroll deduction amounts to the Trustee in payment of such loan plus interest. Repayments of a loan shall be made by payroll deduction of equal amounts (comprised of both principal and interest) from each paycheck, with the first such deduction to be made as soon as practicable after the

loan funds are disbursed; provided however, that a Participant may prepay the entire outstanding balance of his loan at any time (but may not make a partial prepayment); and provided, further, that if any payroll deductions cannot be made in full because a Participant is on an unpaid leave of absence or is no longer employed by a participating employer (that has consented to make payroll deductions for this purpose) or the Participant's paycheck is insufficient for any other reason, the Participant shall pay directly to the Plan the full amount that would have been deducted from the Participant's paycheck, with such payment to be made by the last business day of the calendar month in which in which the amount would have been deducted.

Article 9 - Participant Rights

9.1 Participants' Interest in the Fund: The Fund shall constitute a trust held for the exclusive benefit of Participants and Beneficiaries under the Plan. The Board is the Trustee of the Fund. No part of the corpus or income of the Fund shall be used for, or diverted to, purposes other than for the exclusive benefit of Participants and their Beneficiaries, and no Employer or creditor of an Employer shall have any interest in or claim against any part of the assets of the Fund.

9.2 Benefits Based on Account Balances: The benefits payable to each Participant (and his or her Beneficiary) shall be measured by and limited to the amounts properly credited to the Participant's Account. A Participant shall have no claim under the Plan for any loss or diminution of his or her Account balance that is attributable to any loss in the value of the investment portfolios of the Fund that correspond with the Investment Options selected by the Participant.

9.3 Nonassignability: Except as provided in Section 9.4, the rights of a Participant or Beneficiary under this Plan may not be sold, assigned, pledged, committed, transferred, or otherwise conveyed, and any attempt to assign or transfer rights or benefits under this Plan shall not be recognized. Except as otherwise required by law, the rights of a Participant or Beneficiary under this Plan shall not be subject to attachment, garnishment, or execution, or to transfer by operation of law in the event of bankruptcy or insolvency of the Participant or Beneficiary or otherwise.

9.4 Transfers under Domestic Relations Orders: To the extent required under a final judgment, decree, or order (including approval of a property settlement agreement) made pursuant to a state domestic relations law, any portion of a Participant's Account may be paid or set aside for payment to a spouse, former spouse, or child of the Participant. Where necessary to carry out the terms of such an order, a separate account shall be established with respect to the spouse, former spouse, or child who shall be entitled to choose Investment Options in the same manner as the Participant. Any amount so set aside for a spouse, former spouse, or child shall be paid out in a lump sum at the earliest date that benefits may be paid to the Participant, unless the judgment, decree, or order directs a different form of payment. Nothing in this Section 9.4 shall

be construed to authorize any amount to be distributed under the Plan at a time or in a form that is not permitted under Section 457 of the Code.

9.5 Release from Liability to Participant: A Participant's right to receive benefits under the Plan shall be reduced to the extent that any portion of a Participant's Account has been paid or set aside for payment to a spouse, former spouse, or child pursuant to Section 9.4 or to the extent that the Employer or the Plan is otherwise subject to a binding judgment, decree, or order for the attachment, garnishment, or execution of any portion of the Participant's Account or of any distributions therefrom. The Participant shall be deemed to have released the Employer and the Plan from any claim with respect to such amounts in any case in which (i) the Employer, the Plan, or any Plan representative has been served with legal process or otherwise joined in a proceeding relating to such amounts, (ii) the Participant has been notified of the pendency of such proceeding in the manner prescribed by the law of the jurisdiction in which the proceeding is pending for service of process or by mail from the Employer or a Plan representative to the Participant's last known mailing address, and (iii) the Participant fails to obtain an order of the court in the proceeding relieving the Employer and the Plan from the obligation to comply with the judgment, decree, or order.

9.6 Participation in Legal Proceedings: Neither the Employer nor any Plan representative shall be obligated to incur any cost to defend against or set aside any judgment, decree, or order relating to the division, attachment, garnishment, or execution of the Participant's Account or of any distribution therefrom. Notwithstanding the foregoing, if the Employer, the Plan, or a Plan representative is joined in any such proceeding, a Plan representative shall take such steps as it deems necessary and appropriate to protect the terms of the Plan.

Article 10 - Terms of Fund Investments

10.1 Use of Fund: Except as otherwise provided herein, the Fund shall serve as the exclusive investment vehicle for amounts held under this Plan. By executing an Adoption Agreement, each participating Employer shall agree to accept the terms and conditions of Fund investments set forth herein and to invest all Deferrals and Transfers with respect to its Employees in the Fund. Except as otherwise authorized by the Board, Fund investments shall be restricted to participating Employers that have adopted this Plan.

10.2 Administration of Fund: As provided in section 21677 of the Government Code, the Board has the exclusive control of the administration and investment of the Fund. As provided in section 21676 of the Government Code, the Board may retain a bank or trust company to serve as a custodian for safekeeping, recordkeeping, delivery, securities valuation, investment performance reporting, or other services in connection with the investment of the Fund. In addition, the Board may retain one or more investment managers or investment advisors to manage or participate in the management of the investment portfolios of the Fund. All expenses

and fees incurred in the administration of the Fund shall be treated as Plan expenses under Section 11.4.

10.3 Investment Options: The Board shall establish such Investment Options as it deems necessary to provide Participants with a diversified range of alternatives, including but not limited to Investment Options of the type described in section 21673 of the Government Code. Each Investment Option shall be based upon the investment performance of one or a combination of separate investment portfolios maintained under the Fund. The Board shall specify the investment objectives and characteristics of each Investment Option and the corresponding investment portfolio or portfolios and shall provide Employers and eligible Employees with a written description of each available Investment Option. The Board, in its sole discretion, may add, eliminate, or consolidate Investment Options and corresponding investment portfolios from time to time. In the event that an Investment Option is eliminated, the Board shall provide prior notice of such elimination, and if the Participants whose Accounts were wholly or partially allocated to that Investment Option do not make a re-allocation, the Board shall re-allocate such amounts to the available Investment Option or Investment Options that the Board in its sole discretion deems most comparable to the eliminated Investment Option.

10.4 Fund Investments: Subject to the limitations of applicable law and such further limitations as the Board may establish, each investment portfolio of the Fund may hold any form of investment that is consistent with its investment objectives. Without limiting the generality of the foregoing, the investment portfolios may hold equity or debt securities (other than securities issued by any Employer), fixed or variable annuity contracts (including deposit administration contracts) issued by life insurance companies, certificates of deposit or fixed rate investment contracts issued by a bank or similar institution, and such short-term instruments or deposits as the Board deems necessary to satisfy the liquidity needs of the Fund. In addition, each investment portfolio may hold shares, units, or participating interests in regulated investment companies, common or collective trust funds maintained by banks or similar institutions, investment partnerships, or other pooled investment funds or trusts that may issue participating interests to Eligible Deferred Compensation Plans.

10.5 Valuation and Accounting: Each investment portfolio of the Fund shall be valued at least monthly, and the value of each Participant's Account shall be determined by reference to the portion of the Participant's Account allocable to each investment portfolio. The valuation of each investment portfolio shall reflect income received and accrued, realized and unrealized gains and losses, and allocable Fund expenses. The value of each Participant's interest in an investment portfolio may be measured in units, shares, or dollars. In addition, the Board shall maintain records showing the value of the Fund investments allocable to all Participants (and deceased Participants) whose entitlement to benefits under the Plan is attributable to employment with each participating Employer.

10.6 Redemption Restrictions: No Employer shall have any right to redeem, revoke, sell, or otherwise liquidate any contribution to or investment in the Fund, except as may be necessary to:

(a) effectuate a Participant's election to transfer all or a portion of his or her Account balance to another Eligible Deferred Compensation Plan pursuant to Section 7.3(a);

(b) effectuate a transfer of Participant Account balances to another Eligible Deferred Compensation Plan as part of an Employer's withdrawal from this Plan pursuant to Section 7.3(b);

(c) effectuate the purchase of an annuity contract, as provided in Section 6.10; or

(d) correct an investment in the Fund made by reason of a mistake of fact.

Nothing in paragraphs (a) through (d), above, shall give any Employer the right to redeem, revoke, sell, or otherwise liquidate any Fund investment, unless the Board or its designee has been provided with adequate evidence of the Employer's right to do so.

Article 11 - Administration of Plan

11.1 Duties of Board: Except as provided in Section 11.3, the administration of the Plan shall be under the exclusive control of the Board. The decisions of the Board shall be final, binding, and conclusive on all interested persons for all purposes. No member of the Board shall be entitled to act on or decide any matters relating solely to himself or herself or any of his or her rights or benefits under the Plan. To the maximum extent permitted by law, each member of the Board shall be held harmless for all acts performed in good faith in connection with the Plan.

11.2 Delegation of Authority: The Board may delegate to any individual member of the Board, any employee or employees of CalPERS, or any independent contractor the authority to act as the Board's agent with respect to any matter within the control of the Board, provided that any such delegation of authority shall be subject to revocation by the Board. Any act that the Board is required or authorized to perform under the terms of this Plan, including any communication to be made or received by the Board and the adoption of any supplementary guidelines or procedures, may be performed by an agent of the Board, provided such person is acting within the scope of that person's delegation of authority from the Board. To the maximum extent permitted by law, each employee of CalPERS shall be held harmless for any act performed in good faith in connection with the Plan. Any independent contractor who is retained to perform services under the Plan shall perform such services solely as the agent of the Board and shall not be liable to any Employer, Participant, or Beneficiary for any act performed (or not performed) hereunder.

11.3 Duties of Employer: In accordance with procedures established by the Board, the Employer shall be responsible:

- (a) to assure that participation in the Plan is limited to Employees of the Employer and to make the Plan available to all eligible Employees;
- (b) to assure that Deferrals are properly deducted from the salaries and wages of participating Employees and remitted on a timely basis to the Fund and to report the amount of such Deferrals on Employee's wage statements in the manner required under applicable law;
- (c) to assure that Deferrals, taking account of amounts deferred under any other Eligible Deferred Compensation Plan maintained by the Employer, do not exceed the limitations described in Article 4;
- (d) to approve distribution elections and applications, including applications for withdrawals on account of Unforeseeable Emergencies, in accordance with the requirements of Article 6;
- (e) to provide the Board with such information and in such form as the Board deems necessary for the proper administration of the Plan; and
- (f) to carry out such other responsibilities as the Employer and the Board may agree.

11.4 Plan Expenses: The expenses of administering the Plan and Fund, including (i) expenses incurred by the Board in the administration of the Plan and Fund, (ii) fees and expenses approved by the Board for investment advisory, custodial, recordkeeping, and other plan administration and communication services, and (iii) any other expenses or charges allocable to the Plan or the Fund that have been approved by the Board shall be charged to the Fund or, as appropriate, to a particular Investment Option or Investment Options under the Fund and shall be reflected in Participants' Account balances as provided in Section 5.2. Brokerage fees, transfer taxes, and any other costs incident to the purchase or sale by the Fund of securities or other investments shall be deemed to be part of the cost of such securities or investments or deducted in computing the sales proceeds therefrom and shall be accounted for accordingly. Notwithstanding the foregoing, the Board reserves the right, as provided in section 21675 of the Government Code, to enter into arrangements with Employers under which specified administration costs are borne by such Employers or charged against additional Deferrals under Section 3.7 at the time invested in the Fund.

11.5 Communications from Participants: All enrollments, elections, designations, applications and other communications by or from an Employee, Participant, Beneficiary, or legal representative of any such person regarding that person's rights under the Plan shall be made in the form and manner established by the Board and shall be deemed to have been made and delivered only upon actual receipt by the person designated by the Board to receive such

communication. Neither the Board nor the Employer shall be required to give effect to any such communication that is not made on the prescribed form and in the prescribed manner and that does not contain all information called for on the prescribed form. The Employer shall promptly furnish the Board or its designee a copy of any such communication that is delivered or transmitted to the Employer.

11.6 Communications to Employers: All notices, statements, reports, and other communications from the Board to any Employer shall be deemed to have been duly given when delivered to, or when mailed by first class mail, to the official of the Employer who has been designated by the Employer in connection with its Adoption Agreement (or as a modification of the information provided in connection with its Adoption Agreement) to receive such communications.

11.7 Communications to Participants: All notices, statements, reports, and other communications from the Board or an Employer to any Employee, Participant, Beneficiary, or legal representative of any such person shall be deemed to have been duly given when delivered to, or when mailed by first class mail, to such person at his or her last mailing address appearing on the Plan records.

11.8 Time Periods: As necessary or desirable to facilitate the proper administration of the Plan and consistent with the requirements of section 457 of the Code, the Board may further restrict the time periods during which a Participant or Beneficiary is required to make any election under the Plan, including the making or amending of a Deferral Agreement, the making or amending of Investment Option selections, the election of distribution commencement dates or distribution forms.

Article 12 - General Provisions

12.1 Amendment: Subject to the requirements of the Government Code, the Board reserves the right at any time to amend or modify the Plan without the consent of any Employer, Participant, or Beneficiary. The Board shall give notice of any such amendment or modification to participating Employers. Except as may be required to maintain the status of the Plan as an Eligible Deferred Compensation Plan under section 457 of the Code or to comply with other applicable law, no amendment or modification shall impair any individual's right to benefits under the Plan or expand any Employer's obligation to provide benefits with respect to amounts previously credited to Participants' Accounts.

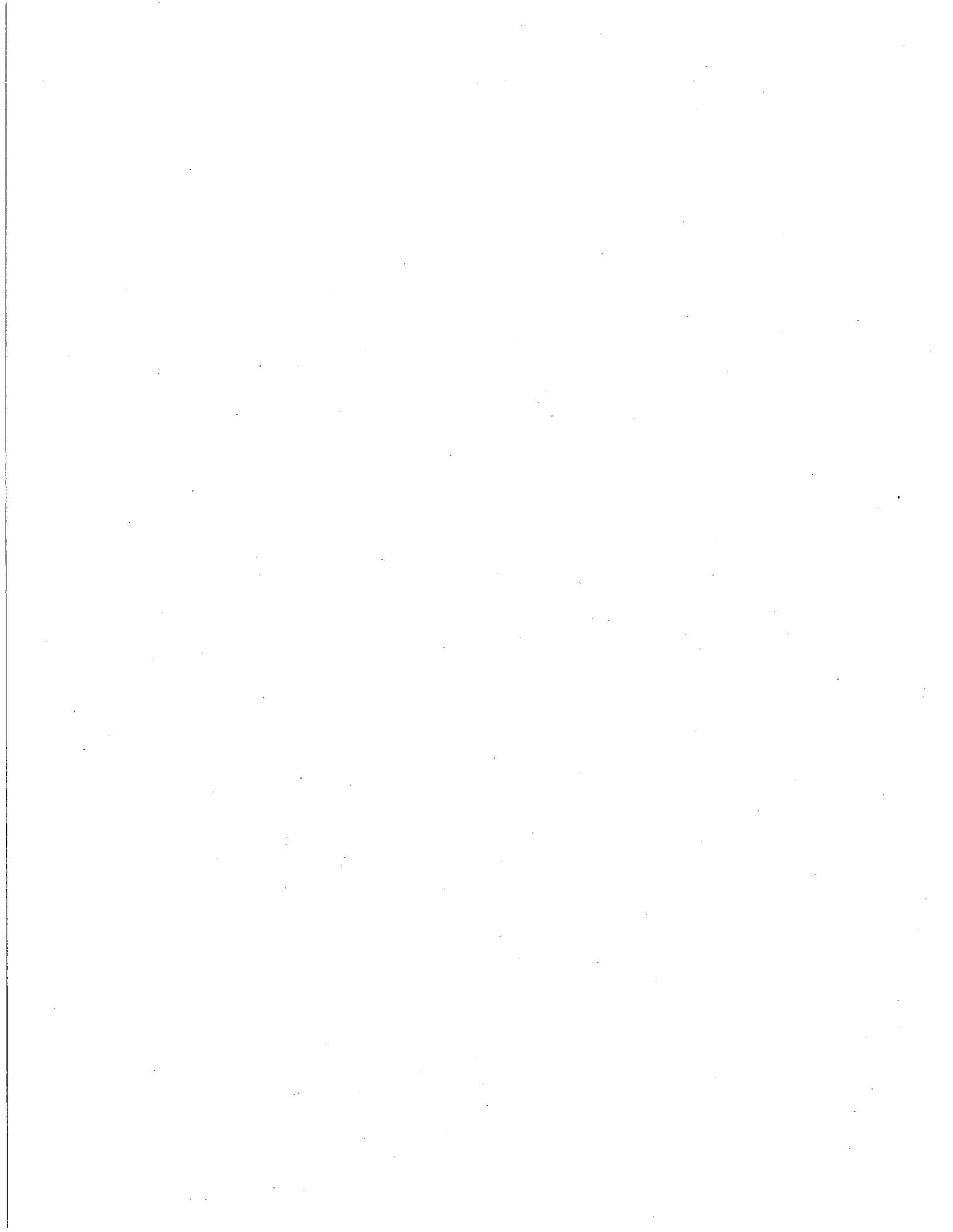
12.2 Effect on Employment: Nothing contained herein shall give any Employer the right to be retained in the employment of an Employer or affect the right of an Employer to terminate any Employee's employment.

12.3 Binding Contract: The terms of this Plan, as duly amended from time to time, shall constitute a contract between each Participant and the Employer and shall be binding, as applicable, upon their heirs, administrators, trustees, successors, assigns, and Beneficiaries.

12.4 Supplementary Information and Procedures: Any explanatory brochures, pamphlets, or notices distributed by the Board to Employees, Participants, Beneficiaries, or Employers shall be distributed for information purposes and shall not override any provision of this Plan or give any person any claim or right not provided for under this Plan. Notwithstanding the foregoing, to the extent that the terms of this Plan document authorize the Board to adopt supplementary guidelines or procedures, any publication announcing such guidelines or procedures may be relied upon by the persons to whom it is distributed, unless and until modified by a subsequent publication. Any procedural requirement described in any such publication shall be binding upon the Employee, Participant, Beneficiary, or Employer, as applicable, to the same extent as if such requirement were set forth in this Plan document.

12.5 Incompetence of Payee: If an Employer or the Board shall find that any person to whom any amount is payable under the Plan is unable to care for his or her affairs, is a minor, or has died, any payment due him or her, or his or her estate, may be paid to his or her spouse, a child, a relative, or any other person having maintaining or having custody of such person, unless a prior claim therefor has been made by a duly appointed legal representative. Any such payment shall be a complete discharge of all liability under the Plan thereof.

12.6 Applicable Law: This Plan shall be construed under the laws of the State of California and in conformity with the requirements of section 457 of the Code and all regulations thereunder applicable to Eligible Deferred Compensation Plans.





Town of Atherton

CITY COUNCIL STAFF REPORT

TO: HONORABLE MAYOR AND CITY COUNCIL

**FROM: JERRY GRUBER, CITY MANAGER
WYNNE S. FURTH, CITY ATTORNEY**

DATE: FOR THE MEETING OF NOVEMBER 18, 2009

**SUBJECT: CLARIFYING AMENDMENTS TO CITY MANAGER CONTRACT
AMENDMENTS**

RECOMMENDATION

The Councils negotiators recommend approval of the clarifying amendments to the Employment Agreement between the Town of Atherton and Jerome “Jerry” Gruber.

BACKGROUND

Council approved the Employment Agreement between the Town of Atherton and Jerome “Jerry” Gruber at the October 21 Council meeting. The Employment Agreement inadvertently did not include the following three provisions that are a standard element of Management compensation: 1) Administrative Leave, 2) Short Term Disability, and 3) Vision Care Coverage.

DISCUSSION

The Towns labor counsel, Julie Raney of McDonough Holland & Allen PC, has reviewed the agreement and approved it as to form.

Prepared by:

/s/ Wynne Furth

Wynne Furth, City Attorney

**EMPLOYMENT AGREEMENT
BETWEEN
THE TOWN OF ATHERTON
AND
JEROME ("JERRY") GRUBER**

This Agreement is made this 18th day of November, 2009, between the TOWN OF ATHERTON, a municipal corporation of the State of California ("Town") and JEROME ("JERRY") GRUBER ("City Manager").

RECITALS

The Town desires to continue to employ JEROME ("JERRY") GRUBER as City Manager for the Town.

JEROME ("JERRY") GRUBER desires to continue in the position of City Manager of the Town of Atherton.

For mutual consideration which is acknowledged, the parties agree as follows:

1. **Employment.**

A. **General.**

City Manager is hereby employed by Town as City Manager. City Manager accepts this position on the terms and conditions set forth below.

B. **Effective Date.**

The effective date of this Agreement is January 1, 2009.

2. **Duties.**

A. Town agrees to employ City Manager to perform the functions and duties of City Manager for the Town as specified by state law, by the Atherton Municipal Code, Chapter 2.12, and by any other applicable ordinances, resolutions or policies of the Town, and as directed from time to time by the City Council, including, but not limited to, the following:

1. Administer and enforce Town policies and procedures.

2. Attend all meetings of the Town Council, unless excused by the Mayor, and take part in all matters before the City Council.
3. Provide management, direction and leadership to department heads and staff.
4. Recommend to the City Council, from time to time, the adoption of measures to achieve the Town's goals.

B. City Manager agrees that to the best of his ability and experience he will at all times loyally and conscientiously perform all the duties and obligations required of him, either expressly or implicitly, by the terms of this Agreement. City Manager is an exempt employee but is expected to engage in those hours of work that are necessary to fulfill the obligation of the City Manager position, and while there are no set hours the City Manager is expected to be available at all times reasonably necessary to fulfill his duties. City Manager will devote his full time to his duties and agrees that he will not, so long as he is employed by the Town, take any employment that will interfere or be inconsistent with the performance of his duties as City Manager for the Town.

C. City Manager will not engage in any employment, consulting service, or other business enterprise, for compensation or otherwise, which is actually or potentially in conflict with, inimical to, or which may interfere with the performance of his duties, without the express written consent of the City Council.

3. Term of Agreement.

City Manager agrees to remain in the exclusive employ of the Town subject to termination of the Agreement by either party as provided below.

4. Compensation and Benefits.

A. Base Salary.

During the term of this Agreement, City Manager shall be paid a salary at the rate of \$160,000.00 per year, or at such salary as may be approved by the City Council of the Town by resolution from time to time. Within seven (7) business days of the effective date of this

Agreement, Town shall make payment to City Manager in the amount representing the difference between his current annual salary and the annual salary of \$160,000.00 from January 1, 2009 to the beginning of the next payroll period after the effective date of this Agreement.

B. Car Allowance.

Town agrees to pay City Manager a car allowance in the amount of Four Hundred Dollars (\$400.00) per month.

C. Retirement Payment.

The Town is a member of PERS (Public Employee's Retirement System) and shall pay to PERS City Manager's contribution, both the employer's and the employee's share.

5. Expense Reimbursement.

A. Reasonable Expenses.

The Town shall pay or reimburse City Manager for all reasonable expenses incurred by the City Manager in the performance of his duties and in accordance with the approved budget and policies of the Town.

B. Professional Dues and Meetings.

Town shall pay for reasonable professional dues and subscriptions, including City Manager's membership in the National ICMA and shall pay or reimburse for City Manager's reasonable expenses in attendance at the annual ICMA Conference and the City Manager's Conference sponsored by the California League of Cities.

C. Vacation and Administrative Leave.

City Manager shall have four (4) weeks of annual vacation per fiscal year. Vacation time may be adjusted by agreement of the parties as set out in a written amendment to this Agreement. City Manager may take vacation time at his discretion with notice to the City Council. City Manager shall also be entitled to Administrative Leave to the same extent as provided to all other management employees.

D. Holidays.

City Manager shall be entitled to the same holidays provided to Town management employees as may be amended by City Council from time to time.

E. Sick Leave.

City Manager shall be entitled to accrued sick leave at the same rate as other management employees of the Town under then current policies, presently up to a maximum of 1040 hours.

F. Health and Disability Insurance.

The Town shall provide group health insurance, dental, and vision coverage for City Manager and his dependents and short-term and long-term disability insurance for City Manager to the same extent that such benefits are provided to all other management employees.

G. Life Insurance.

Town shall provide City Manager life insurance in an amount of \$150,000.00 for the benefit of City Manager's designated beneficiaries.

6. Housing Assistance.

A. It is expressly understood by the parties to the Agreement that the duties of the City Manager regarding oversight of the Holbrook-Palmer Park require City Manager to reside in the Town-owned residence located at 160 Watkins Avenue, Atherton, California, for the purpose, among others, of providing ongoing, regular and active superintendence of Holbrook-Palmer Park. City Manager will exercise diligence in assuring the security of the park and will take steps to remedy any special problems and/or difficulties experienced with the park's operation as quickly as possible.

B. Occupancy of the House.

Occupancy of the house at 160 Watkins Avenue, Atherton, California, shall be at no cost to City Manager, save its interior furnishing with personal household goods. Except as otherwise provided here, Town shall pay all costs for non-routine maintenance, repairs, and upkeep including replacement of major built-in appliances, taxes, fees, and assessments. City

Manager shall be responsible for all utilities (including water usage within the house) and routine maintenance including, but not limited to, window washing. Town shall provide gardening services. City Manager must vacate the premises within thirty (30) days of termination of his employment for any reason.

C. Tax Issues.

The parties understand that the Town has been provided with an opinion from legal counsel, that because it is an essential part of the City Manager's duties to occupy the house at 160 Watkins Avenue, Atherton, California, there is no income tax impact to City Manager. City Manager will be provided with a copy of this written opinion.

D. Housing Repair.

When City Manager vacates the premises upon termination of this Agreement, Town shall cause an inspection of the house and provide City Manager with a written copy of the inspection report. Any repairs which must be made to the house as a result of this inspection, which repairs are found to be caused by negligence of or neglect by the City Manager and which repairs do not result from latent defects not previously discovered, shall be paid for by City Manager.

E. Housing Loan.

In the event that City Manager's duties are changed so that occupancy of the house at 160 Watkins Avenue, Atherton, California, is no longer required, Town agrees to loan to City Manager the sum of not more than Four Hundred Thousand Dollars (\$400,000.00) to enable City Manager to acquire a residence (the "Property") elsewhere. The parties understand and agree that any such residence shall be located no further from the city limits of the Town than will require more than one hour of travel, by automobile, from City Manager's residence to the Town Hall. The loan shall be secured by a standard form of Deed of Trust in first position against the Property. The interest rate shall be the then current Local Agency Investment Fund (LAIF) rate ordinarily received by Town for its reserved funds, which shall be fixed as the

interest rate. Other specific terms and conditions of the loan will be subject to approval of the parties at the time of the loan.

F. Mortgage, Taxes, Insurance, Homeowner Fee.

In the event of a loan as described in Paragraph E above, then, thereafter, during the term of this Agreement, City Manager shall pay in a timely manner the obligation secured by the Deed of Trust described above. City Manager shall obtain and keep in force policies of fire and hazard insurance with limits of not less than the replacement value of the Property naming both Town and City Manager as insured parties. All taxes assessed against the Property and the cost of maintaining the policies of fire and hazard insurance shall be paid on a timely basis by City Manager.

G. Maintenance and Improvements.

In the event of a loan as described in Paragraph E above, City Manager shall maintain the Property, at his sole expense, in good and habitable condition, reasonable wear and tear excepted. City Manager may make such improvements to the home as he deems beneficial.

H. Loan Due on Sale or Termination of Employment.

In the event of a loan as described in Paragraph E above, the loan to City Manager shall not be assumable and shall be due on sale or other transfer of title of the Property to any third party and is conditioned on the future continued performance of substantial services by City Manager as City Manager. In the event City Manager's employment is terminated for any reason, the loan shall become due and payable in full not later than one (1) year following the termination of City Manager's employment by Town. Similarly, the loan shall become due and payable in full within one (1) year from the date of termination of the use of the Property as the principal residence of City Manager.

7. Termination of Agreement.

A. At Will Employment.

The City Council may, subject to provisions set out below, terminate the services of City Manager at any time, with or without cause, it being expressly understood and agreed

between the parties that City Manager serves as an at-will employee of the Town. Town must provide City Manager with thirty (30) days written notice prior to separation from employment. Town may place City Manager on paid leave during this time in accordance with the provisions of Section 2.12.090 of the Atherton Municipal Code. City Manager understands and agrees that he has no constitutionally protected property or other interest in his employment as City Manager. Notwithstanding the at-will nature of employment, City Manager may not be terminated without cause within ninety (90) days after a General Municipal Election that includes the election of a council member.

B. Separation Payment - Releases.

In the event of separation from employment by the City Council without cause while still willing and able to perform his duties, City Manager shall be entitled to receive his then current salary and health and welfare benefits, and specifically excluding the value of the housing and the car allowance, (subject to all applicable withholdings and deductions) for a period not to exceed six (6) months from the date of separation. The parties acknowledge the requirements of Government Code section 53260 and agree that, given the open-ended term of this Agreement, the Agreement will be deemed to have six (6) months remaining at such time as the City Council should separate City Manager from service as provided above.

City Manager agrees and acknowledges that the separation payments and benefits described herein will fully compensate him for any and all obligations that the Town may have to him, and therefore, City Manager agrees that at the time of termination he will sign a release of all claims against the Town, excepting only claims that may not be released legally. The Separation Payment will release Town from any further obligations under this Agreement, and any claims of any nature that City Manager might have against the Town by virtue of his employment or termination thereof.

Also in return for such Separation Payment, City Manager agrees to be reasonably available for consultation and assistance to an Interim City Manager, a newly

appointed City Manager, or any other Council appointee during the period covered by such Separation Payment.

City Manager shall not be entitled to a Separation Payment in the following events:

1. City Manager is terminated for cause which shall mean gross misconduct or mismanagement, willful failure to carry out or abide by the lawful and legitimately adopted policies, directions or decisions approved by a majority of the City Council, malfeasance or dishonesty.

2. City Manager is convicted of (a) any felony that adversely affects his reputation, (b) a misdemeanor involving moral turpitude or arising out of City Manager's duties pursuant to this Agreement, or (c) is convicted of any act involving gain to himself.

3. City Manager dies during the term of employment.

4. City Manager resigns his employment with the Town.

City Manager may resign at any time from his position with the Town provided he gives the Town not less than sixty (60) days prior written notice. Should City Manager not provide the Town with at least sixty (60) days prior written notice, he shall not be entitled to cash out of any benefit other than as required by law. In the event City Manager resigns his position as City Manager, he shall not be entitled to a Severance Payment.

8. Dispute Resolution.

If City Manager's employment terminates for any reason that would disqualify him from receiving the Separation Payment, his sole remedy for any claim that Town breached this Agreement by failing to pay the Separation Payment shall be a judicial action for declaratory relief to determine whether there was substantial evidence to support the grounds upon which the Town based the termination. If the Court determines that such substantial evidence did not exist, City Manager shall receive the Separation Payment provided for in Section 7, but no other damages. The prevailing party in any such action shall be entitled to reasonable attorneys' fees incurred in bringing or defending the action as the case may be. All other claims associated with

or arising out of City Manager's employment shall be submitted to binding arbitration as set forth in the Mutual Agreement to Arbitrate, attached hereto as **Attachment A**.

9. Disability.

If City Manager is disabled to the extent that he cannot perform the full range of the essential functions of his position, with or without reasonable accommodation, as determined by a health care provider or is otherwise unable to perform the full range of the essential functions of his position because of sickness, accident, injury, mental incapacity or other health reasons, the Town shall have the option to terminate this Agreement, subject to compliance with all provisions of law.

10. Performance Evaluation.

A. The City Council shall review and evaluate the performance and compensation of City Manager at least once every twelve (12) months. The performance evaluation shall be delivered to City Manager no later than July 31st of every year. The compensation evaluation shall be completed and communicated to City Manager no later than January 31st of every year.

B. Annually, the City Council, in consultation with City Manager, shall define such goals and performance objectives which they determine to be necessary for the proper operation of the Town. Further, the City Council, in consultation with City Manager, shall establish a relative priority among the various goals and objectives, and reduce said goals and objectives to writing.

11. Bonding.

City Manager shall maintain a public official's bond in the amount determined by the City Council in conformance with Section 2.12.040 of the Atherton Municipal Code. Town shall bear the full cost of such bond and/or any other bonds required of City Manager under any law or ordinance.

12. Other Terms and Conditions of Employment.

A. The City Council, in conjunction with City Manager, shall fix any other terms and conditions of employment as it may determine from time to time, relating to the performance of

City Manager, provided such terms and conditions are not inconsistent with or conflict with the provisions of this Agreement or other applicable law.

B. All provisions of the Atherton Municipal Code, and regulations and rules of the Town relating to management benefits, retirement and pension system contributions, holidays and other fringe benefits and working conditions as they now exist or hereafter may be amended, shall also apply to the City Manager as they do other management employees of the Town except as herein provided.

13. Notice.

Notices pursuant to this Agreement shall be given by deposit in the custody of the United States Postal Service, postage prepaid. Alternatively, notices required pursuant to this Agreement may be personally served in the same manner as is applicable to civil judicial proceedings. Notice shall be deemed given as of the date of personal service or twenty-four (24) hours after the date of deposit of such written notice in the course of transmission in the United States Postal Service to the addresses set forth below or as subsequently communicated by one party to the other in writing.

Notice to City Manager shall be sent to:	City Manager 160 Watkins Avenue Atherton, CA 94027
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Notice to Town shall be sent to:	Mayor Town Hall 91 Ashfield Road Atherton, CA 94027
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14. General Provisions.

A. If any provision, or any portion thereof, contained in this Agreement is held unconstitutional, invalid, or unenforceable, the remainder of this Agreement, or portion thereof, shall be deemed severable, shall not be affected, and shall remain in full force and effect.

B. This Agreement constitutes the entire agreement between the parties and supercedes any previous agreements, oral or written. This Agreement may be modified or provisions waived only by subsequent mutual written agreement executed by Town and City Manager.

C. If any legal action or proceeding is brought to enforce or interpret this Agreement, the prevailing party, as determined by the court or other decision-maker, shall be entitled to recover from the other party all reasonable costs and attorneys' fees.

D. Any failure of a party to insist upon strict compliance with any term, undertaking, or condition of this Agreement shall not be deemed to be a waiver of such term, undertaking or condition. To be effective, a waiver must be in writing, signed and dated by the parties.

E. City Manager may not assign this Agreement.

Dated: November ____, 2009

TOWN OF ATHERTON

By: _____

Mayor

Dated: November ____, 2009

JEROME ("JERRY") GRUBER

ATTEST:

Acting City Clerk

APPROVED AS TO FORM:

City Attorney

MUTUAL AGREEMENT TO ARBITRATE

This Mutual Agreement to Arbitrate ("Agreement") is made and entered into by and between the Town of Atherton ("Employer") and Jerome Gruber, an individual, ("Employee") and shall become effective when executed by Employee.

1. **General.** Except with respect to seeking injunctive relief to prevent irreparable harm or specific performance and except as to any claim by Employee that he is owed the Separation Payment set forth in his Employment Agreement, Employer and Employee agree that any claim, complaint, or dispute that relates in any way to the parties' employment relationship and that has not been resolved by any available internal grievance process shall be submitted to binding arbitration before a neutral arbitrator.

2. **Covered Claims.** Except as provided above, this Agreement covers all grievances, disputes, claims, or causes of action (collectively, "claims") arising out of the termination of Employee's employment, or any claim of discrimination or unlawful harassment of any kind, that Employee may have against Employer or against its officers, directors, employees, or agents, or that Employer may have against Employee. The claims covered by this Agreement include, but are not limited to, claims for breach of any contract or covenant (express or implied), tort claims, claims for discrimination (including, but not limited to, race, sex, sexual harassment, or any type of unlawful harassment, religion, national origin, age, marital status, medical condition, disability, or sexual orientation), claims for violation of any federal, state, or other governmental law, statute, regulation, or ordinance, including, but not limited to, all claims arising under Title VII of the Civil Rights Act of 1969, the Age Discrimination Act of 1967, the Americans With Disabilities Act, the California Fair Employment and Housing Act, the Consolidated Omnibus Budget Reconciliation Act of 1985, or Employee Retirement Income Security Act.

3. **Claims Not Covered.** Claims not covered by this Agreement are claims for workers' compensation or unemployment compensation benefits, claims for injunctive relief premised on irreparable harm or specific performance, and other claims found not subject to mandatory arbitration by governing law.

4. **Claims Procedure.** Arbitration shall be initiated upon the express written request of either party. The aggrieved party must give written notice of any claim to the other party within the limitations period that would apply to the claim were it pursued in a court action. The written notice shall identify and describe the nature of all claims asserted and detail the facts upon which such claims are based. The notice shall be sent by regular U.S mail or by certified mail, return receipt requested to the following addresses:

If to Employer, to:

Mayor
Town Hall
91 Ashfield Road
Atherton, CA 94027

If to Employee, to:

City Manager
160 Watkins Avenue
Atherton, CA 94027

5. Arbitrator Selection. The arbitration shall be conducted before a retired judge who is licensed to practice law in the State of California (the "Arbitrator"). The arbitration shall be conducted under the auspices of JAMS/ENDISPUTE, in accordance with its Employment Arbitration Rules. The parties may informally choose their desired Arbitrator. If informal selection is not possible, then the Arbitrator shall be selected as follows: The arbitration service shall give each party a list of five arbitrators, drawn from its panel of arbitrators with employment dispute experience. Each party may strike all names on the list it deems unacceptable. If only one common name remains on the lists of all parties, that individual shall be designated as the Arbitrator. If more than one common name remains on the lists of all parties, the parties shall strike names alternately until only one remains. The party who did not initiate the claim shall strike first. If no common name remains on the lists of all parties, the arbitration service shall furnish an additional list or lists until an Arbitrator is selected.

6. Discovery. The laws of the State of California regarding discovery practices and rules of evidence in civil actions, except as otherwise agreed upon herein, shall be applied to the arbitration. Each party shall have the right to take the deposition of five (5) individuals and any expert witness designated by another party. Each party shall also have the right to make requests for production of documents, requests for admissions, and special interrogatories to any party, according to the laws of the State of California regarding such forms of discovery. The subpoena right specified below shall be applicable to discovery pursuant to this paragraph. Upon a showing of substantial need, additional discovery may be had only where the Arbitrator selected according to this Agreement so orders. At least fifteen (15) calendar days before the arbitration, the parties must exchange lists of witnesses (not including witnesses to be used for impeachment purposes), including any experts, and copies of exhibits intended to be used at the arbitration.

7. Substantive Law/Written Decision. The Arbitrator shall apply the substantive state or federal law (and the law of remedies, if applicable) as applicable to the claim(s) asserted. The California Rules of Evidence shall apply. The Arbitrator, and not any federal, state, or local court or agency, shall have exclusive authority to resolve any dispute relating to the interpretation, applicability, enforceability, or formation of this Agreement, including, but not limited to, any claim that all or any part of this Agreement is void or voidable. The Arbitrator shall provide the parties with a written decision explaining his or her findings and conclusions. The Arbitrator's decision shall be final and binding upon the parties, except as provided in this Agreement. The Arbitrator, and not any federal, state, or local court or agency, shall have exclusive authority to resolve any dispute relating to the interpretation, applicability, enforceability, or formation of this Agreement, including, but not limited to, any claim that all or any part of this Agreement is void or voidable.

8. **Motions.** The Arbitrator shall have jurisdiction to hear and rule on pre-hearing disputes and is authorized to hold pre-hearing conferences by telephone or in person as the Arbitrator deems necessary. The Arbitrator shall have the authority to entertain a motion to dismiss and/or a motion for summary judgment by any party and shall apply the standards governing such motion under the California Code of Civil Procedure.

9. **Confidentiality.** The parties agree to maintain in absolute confidence the final results of the arbitration and shall not divulge or release to any member of the general public the results of the arbitration whether resolved by decision of the Arbitrator after hearing or by voluntary dismissal or by negotiated settlement, except as California law provides for confirmation, correction, or vacation of the award pursuant to California Code of Civil Procedure sections 1285 *et seq.*

10. **Damages/Attorney Fees.** The prevailing party shall be entitled to the same type and measure of damages and recovery of attorneys' fees and costs as available under the law governing the claims resolved through the arbitration process.

11. **Compelling Arbitration/Enforcing Award.** Either party may bring an action in court to compel arbitration under this Agreement or to enforce an arbitration award, and each party shall bear their own attorneys' fees and costs and other expenses of such action.

12. **Arbitration Fees.** Employer shall be responsible to pay for the arbitration and the Arbitrator's fees, except that Employee shall be obligated to pay the filing fee if Employee initiates the claim (up to a maximum of \$500).

13. **Term of Agreement.** This Agreement shall survive the termination of Employee's employment. It can only be revoked or modified by a writing signed by the parties that specifically states an intent to revoke or modify this Agreement.

14. **Severability.** If any provision of this Agreement is adjudged to be void or otherwise unenforceable, in whole or in part, such adjudication shall not affect the validity of the remainder of this Agreement.

15. **Waiver of Trial By Jury.** The parties understand and fully agree that by entering into this Agreement providing for binding arbitration, they are giving up their constitutional right to have a trial by jury, and are giving up their normal rights of appeal following the rendering of a decision except as California law provides for judicial review of arbitration proceedings. The parties anticipate that by entering this Agreement, they will gain the benefits of a speedy, impartial dispute resolution procedure.

EMPLOYER

Dated: _____

By _____
Mayor, Jerry Carlson

Dated: _____

Jerome Gruber



Town of Atherton

CITY COUNCIL STAFF REPORT

**TO: HONORABLE MAYOR AND CITY COUNCIL
JERRY GRUBER, CITY MANAGER**

FROM: LT. MICHAEL GUERRA

DATE: FOR THE MEETING OF NOVEMBER 18, 2009

**SUBJECT: RESOLUTION AUTHORIZING AN ADJUSTMENT IN
MUNICIPAL CODE PARKING FINES DUE TO SENATE BILL
1407**

RECOMMENDATION:

Staff and the Atherton Transportation Committee request that Council adopt a resolution authorizing an adjustment to increase Municipal Code parking violation fines in the amount of \$5.

INTRODUCTION:

Senate Bill 1407 was signed by the Governor and became effective January 1, 2009. This bill amends subdivision (b) of section 70372 of the Government Code to authorize the assessment of \$4.50, designated as a court construction penalty, from each parking violation (See Exhibit "A").

The San Mateo County Controllers Office began discussions with local agencies in February 2009 to increase parking citation assessments from \$3-5. During these discussions, the County clarified that the current \$1.50 assessment is set aside for the local courthouse construction fund authorized in Government Code Section 76100 and is separate from the SB1407 assessment. As a result of these discussions, the minimum increase of the fine would need to be \$4.50 to offset the increased cost to the Town. According to San Mateo County Budget Director Jim Saco, Atherton will need to add \$5 to every parking violation because DMV can only process whole dollars. The County of San Mateo along with nearly all cities within San Mateo County and around the state have taken similar action, and raised fines associated with parking violations.

The Atherton Transportation Committee at their November 10, 2009 meeting recommended that this parking fine schedule be adopted by Council.

ANALYSIS:

An additional \$4.50 must be added to each parking fine in order to cover the increased amount specified in SB 1407. This per citation fee is now being assessed on a monthly basis and will result in an increased annual expenditure estimated at approximately \$565. Since DMV cannot process \$0.50 increments, the fine will need to be raised to \$5 in order to at least recover the \$4.50 assessment. To date, PD has issued 111 parking violation citations this calendar year, which are up from the 92 parking citations that were issued in 2008. By raising the fine an additional \$0.50 because of DMV's ability to process fines, the Town would increase revenue approximately \$63.

The California Vehicle Code authorizes the Town Council to establish local parking regulations and to set penalties for violations. California Vehicle Code Section 40203.5 states in part . . . "To the extent possible, issuing agencies within the same county shall standardize parking penalties". Consequently, San Mateo County and other municipalities within the County have already incorporated the \$4.50 SB1407 assessment into their parking fines, or are in the process like Atherton. Please refer to Exhibit "B" which indicates the Vehicle/Municipal Code Sections, current fine, and the proposed fines for parking violations in Atherton.

FISCAL IMPACT:

Staff recommends that parking fines be increased by \$5.00 to recover the SB 1407 assessment of \$4.50. Staff also estimates the impact of Senate Bill 1407 will result in an additional expenditure of \$563. By considering DMV's inability to process \$0.50 increments, the net impact would result in an estimated \$62.50 increase in revenue to the General Fund, if the number of citations remains consistent with current levels.

ATTACHMENTS:

1. Exhibit "A" – California State Association of Counties April 2009 Information Bulletin.
2. Exhibit "B" – Current Atherton PD Parking Citation Sections and Fines.

Prepared By:

Approved:

Mike Guerra
Lieutenant

Jerome D. Gruber
City Manager

Exhibit "A" Atherton PD
Parking Citation Sections and Fines

Code Section	Description	Current Fine	Proposed Fine
VC 4000a	Registration Expired	POC+\$50.00	POC+\$55.00
VC 5200	Display of License Plates	POC+\$25.00	POC+\$30.00
VC 5204(a)	Tabs on Vehicle	POC+\$25.00	POC+\$30.00
VC 26708.5(a)	Tinted Windows	POC+\$25.00	POC+\$30.00
VC 26710	Defective or Cracked Windshield	POC+\$25.00	POC+\$30.00
VC 27155	No Fuel Cap	POC+\$25.00	POC+\$30.00
VC 27600	Mudguards	POC+\$25.00	POC+\$30.00
VC 28071	Front and Rear Bumper Req'd. on Pass Veh	POC+\$25.00	POC+\$30.00
MC 10.04.020	Failure to Obey Parking Sign Regulations	\$25.00	\$30.00
MC 10.16.010	Commercial Vehicle Parking (2AM to 4AM)	\$25.00	\$30.00
MC 10.16.020	Display of Vehicles for Sale	\$25.00	\$30.00
MC 10.28.010	Abandonment of Vehicle on a Public Street	\$25.00	\$30.00
MC 10.36.030b	Illegal Parking in City Lot (CalTrain Depot)	\$25.00	\$30.00
MC 12.24.090b	Parking Violations at HP Park	\$25.00	\$30.00
VC 4462(b)	False Tabs	\$50.00	\$55.00
VC 21113(a)	Parking on School Grounds	\$35.00	\$40.00
VC 21211(b)	Parking in a Bike Lane	\$25.00	\$30.00
VC 22500(e)	Parking Blocking a Driveway	\$20.00	\$25.00
VC 22500.1	Parking in a Fire Lane	\$35.00	\$40.00
VC 22502(a)	Wrong Side Parking - Right Hand Wheels not Within 18" of Curb	\$20.00	\$25.00
VC 22507.8(a)	Parking in a Disabled parking Zone	\$325.00	\$330.00
VC 22507.8(b)	Blocking Handicapped Stall	\$325.00	\$330.00
VC22507.8(c)(2)	Parked in Handicapped Crosshatch	\$325.00	\$330.00
VC 22514	parking Within 15' of a Fire Hydrant	\$20.00	\$25.00
VC 22523(a)	Abandon Vehicle on a Highway	\$100.00	\$105.00
VC 22523(b)	Abandon Vehicle on Public or private Property	\$100.00	\$105.00

POC = Proof of Correction

RESOLUTION NO. 09-48

**RESOLUTION OF THE CITY COUNCIL OF THE TOWN OF ATHERTON FOR
ADJUSTING MUNICIPAL CODE PARKING FINES**

WHEREAS, California Vehicle Code section 40203.5 authorizes the Town council to set parking penalties for parking violations; and

WHEREAS, The Town council wishes to adjust those penalties from time-to-time;

NOW, THEREFORE, BE IT RESOLVED:

1. The Town council adopt the schedule attached hereto as exhibit A as the Parking Fine Schedule for the Town of Atherton. The schedule shall be effective upon adoption.

* * * * *

I hereby certify that the foregoing Resolution was duly and regularly passed and adopted by the City Council of the Town of Atherton at a regular meeting thereof held on the 18th day of November, 2009, by the following vote:

*AYES: COUNCILMEMBERS:
NOES: COUNCILMEMBERS:
ABSENT: COUNCILMEMBERS:
ABSTAIN: COUNCILMEMBERS:*

Jerry Carlson, Mayor
Town of Atherton

ATTEST:

APPROVED AS TO FORM:

Theresa N. DellaSanta
Deputy City Clerk

Wynne Furth
City Attorney



EFFECT OF STATE COURT CONSTRUCTION PENALTIES ON PARKING VIOLATIONS

April 2009

1100 K Street
Suite 101
Sacramento
California
95814

Telephone
916.327-7500

Facsimile
916.441.5507

This information bulletin and attached materials are intended to ensure that counties are aware of certain effects of [SB 1407](#) (Perata, 2008¹), a measure that created a framework for the judicial branch to issue up to \$5 billion in lease-revenue bonds to finance the construction of state court capital projects. SB 1407 established the authority to increase various fees for purposes of creating a revenue source to support debt payments on the bond issuance. Among those fees is the State Court Construction Parking Penalty (Government Code (GC) Section 70372(b)), which was increased in SB 1407 by \$3 (from \$1.50 to \$4.50). The measure also created a new Immediate and Critical Needs Account (ICNA) within the State Court Facilities Construction Fund (SCFCF), into which revenues will be deposited for purposes of addressing the most pressing state court construction needs. Also addressed in this transmittal are the largely overlooked impacts of [SB 425](#)², as it relates to overall remittance of parking penalties.

The changes to parking penalties contained in SB 1407 have created a certain amount of confusion, in part because each county's overall parking remittance will vary depending several factors, including whether the county (1) has concluded its court facility transfer process, (2) has bonded indebtedness on any of the facilities that transfer, and (3) has exercised its authority to charge a \$2.50 parking penalty under GC Section 76000 (b), a portion of which is directed to the locally established criminal justice facilities fund (GC Section 76101). Further, this transmittal also is intended to ensure that counties are aware of statutory changes that became effective January 1, 2008, which also affect overall remittances related to penalties on parking violations.

Key Points of Interest and Action

- SB 1407 increased the state court construction parking penalty (GC Section 70372(b)) from \$1.50 to \$4.50, effective January 1, 2009. Of the \$4.50 penalty per violation, \$1.50 is directed to the State Court Facilities Construction Fund (as the law directed even prior to SB 1407), and the new \$3.00 goes to the SCFCF Immediate and Critical Needs Account (created by SB 1407). **No portion of the \$4.50 penalty authorized under this section is to be retained by the county.** All ticketing agencies should now be collecting and remitting this full amount to the state through their counties.
- The provisions of SB 1407 **did not affect** imposition of local parking penalties authorized under GC Section 76000(b).
- The \$1.50 offset previously authorized under GC Section 70375(b)(1) was eliminated, pursuant to SB 425 (Margett, 2007), which became effective January 1, 2008. **The elimination of this offset made mandatory the collection and remittance of a \$1.50 parking penalty, regardless of amounts collected for deposit into the local courthouse construction fund established pursuant to GC Section 76100. Counties and ticketing agencies must take care to ensure they are complying with the requirements of GC Section 70372(b) and account for the elimination of the offset previously**

¹ Chapter 311, Statutes of 2008.

² Chapter 302, Statutes of 2007.

authorized under GC Section 70375. It is apparent from state remittance information that many entities overlooked this statutory change. Your specific attention is drawn to this detail to ensure that counties are properly applying and remitting the full scope of parking penalties required by law.

- It is not possible to define for each county what is required as its overall remittance related to parking penalties authorized under GC Sections 70372(b) and 76000. The total remittance could be up to \$9.50, but — specifically as it relates to penalties authorized under Section 76000(b) — that amount will vary depending on (1) whether and to what extent a county has completed its court facility transfer process; (2) whether it has ongoing bonded indebtedness on court facilities; and (3) whether it has authorized the \$2.50 penalty related to a local criminal justice facilities fund (GC Section 76101). (Various scenarios are possible; see Attachment #1 for examples.)

Reference Materials Attached

We encourage you to review the materials listed below, which are attached for your review and reference:

Attachment #1 – Handout packet prepared by the AOC

- Frequently Asked Questions (State Court Construction Parking Penalty – GC Section 70372(b))
- Court Transfer Status – GC Sections 70321 and 76000(d)
- County and State Parking Penalties – GC Sections 76000(b) and 73072(b)

Attachment #2 – PowerPoint presentation prepared by the SCO

- State Construction Penalties on Parking Violations: Understanding the effect of SB 1407

Attachment #3 – Chart compiled by AOC

- GC 76000(b) – Parking Penalty Assessments (County): information from Board of Supervisors' Resolutions

It is our understanding that the State Controller's Office is in the process of preparing Revision 21 of its Manual of Accounting and Audit Guidelines for Trial Courts – Appendix C, which details the distribution of fines, fees, forfeitures, penalties and assessments. The new edition will address statutory changes enacted through SB 1407 and SB 425, among others.

Assistance/Action Needed

First and foremost, it is critical that each county ensure that it is correctly implementing parking penalty statutes and making the required remittances to the state. We also ask that counties communicate this information and the requirements in SB 1407 and SB 425 to the ticketing agencies in their respective jurisdictions.

Further, it is very important that for purposes of determining — and keeping current on, depending on progress in the court facility transfer process and gradual retirement of court facility debt — what each county is required to remit for overall parking offense penalties. To assist the AOC in this process, we are asking that each county review the information in the chart provided at Attachment #3, which identifies whether the AOC has on file the appropriate

Board of Supervisor resolution authorizing, where applicable, either a local courthouse construction fund (GC Section 76100) or a local criminal justice facilities construction fund (GC Section 76101).

Finally, information on the local CCF is also critical for ensuring that the amounts per county listed in the table in GC Section 76000 (e) are accurate. These amounts determine what a county is permitted to collect after the local CCF is directed to the state — that is, once all its court facilities transfer to the state. We are finding that in some instances, a given county’s amount specified in Section 76000(e) is incorrect, which could limit that county’s authority to collect the amount it should be entitled to, simply because the incorrect dollar amount is listed in 76000(e). Counties are again asked to verify the accuracy of these amounts. For ease of reference, the table as specified in current law is provided below.

Government Code Section 76000 (e)

Alameda	\$5.00	Marin	\$5.00	San Luis Obispo	\$6.00
Alpine	\$5.00	Mariposa	\$2.00	San Mateo	\$4.75
Amador	\$5.00	Mendocino	\$7.00	Santa Barbara	\$3.50
Butte	\$6.00	Merced	\$5.00	Santa Clara	\$5.50
Calaveras	\$3.00	Modoc	\$4.00	Santa Cruz	\$7.00
Colusa	\$6.00	Mono	\$5.00	Shasta	\$3.50
Contra Costa	\$5.00	Monterey	\$5.00	Sierra	\$7.00
Del Norte	\$5.00	Napa	\$3.00	Siskiyou	\$5.00
El Dorado	\$5.00	Nevada	\$5.00	Solano	\$5.00
Fresno	\$7.00	Orange	\$3.50	Sonoma	\$5.00
Glenn	\$4.06	Placer	\$4.75	Stanislaus	\$5.00
Humboldt	\$5.00	Plumas	\$5.00	Sutter	\$3.00
Imperial	\$6.00	Riverside	\$4.60	Tehama	\$7.00
Inyo	\$4.00	Sacramento	\$5.00	Trinity	\$4.26
Kern	\$7.00	San Benito	\$5.00	Tulare	\$5.00
Kings	\$7.00	San Bernardino	\$5.00	Tuolumne	\$5.00
Lake	\$7.00	San Diego	\$5.00	Ventura	\$5.00
Lassen	\$2.00	San Francisco	\$6.99	Yolo	\$7.00
Los Angeles	\$5.00	San Joaquin	\$3.75	Yuba	\$3.00
Madera	\$7.00				

Contact Information

Several resources are available to answer questions regarding the parking penalty increases and the proper distribution of funds, as identified below:

CSAC	Elizabeth Howard	916/650-8131; ehoward@counties.org
AOC	Steven Chang Gisele Corrie	415/865-7195; steven.chang@jud.ca.gov 916/263-1687; gisele.corrie@jud.ca.gov
SCO	Scott Taylor	916/327-2289; SATaylor@sco.ca.gov

RESOLUTION NO. 09-49

RESOLUTION OF THE CITY COUNCIL OF THE TOWN OF ATHERTON IN SUPPORT OF THE LOCAL TAXPAYER, PUBLIC SAFETY AND TRANSPORTATION PROTECTION ACT OF 2010

WHEREAS, California voters have repeatedly and overwhelmingly passed separate ballot measures to stop State raids of local government funds, and to dedicate the taxes on gasoline to fund local and state transportation improvement projects; and

WHEREAS, these local government funds are critical to provide the police and fire, emergency response, parks, libraries, and other vital local services that residents rely upon every day, and gas tax funds are vital to maintain and improve local streets and roads, to make road safety improvements, relieve traffic congestion, and provide mass transit; and

WHEREAS, despite the fact that voters have repeatedly passed measures to prevent the State from taking these revenues dedicated to funding local government services and transportation improvement projects, the State Legislature has seized and borrowed billions of dollars in local government and transportation funds in the past few years; and

WHEREAS, this year's borrowing and raids of local government, redevelopment and transit funds, as well as previous, ongoing raids of local government and transportation funds have lead to severe consequences, such as layoffs of police, fire and paramedic first responders, fire station closures, stalled economic development, healthcare cutbacks, delays in road safety improvements, public transit fare increases and cutbacks in public transit services; and

WHEREAS, State politicians in Sacramento have continued to ignore the will of the voters, and current law provides no penalties when state politicians take or borrow these locally-dedicated funds; and

WHEREAS, a coalition of local government, transportation and transit advocates recently filed a constitutional amendment with the California Attorney General, called the Local Taxpayer, Public Safety, and Transportation Protection Act of 2010, for potential placement on California's November 2010 statewide ballot; and

WHEREAS, approval of this ballot initiative would close loopholes and change the constitution to further prevent State politicians in Sacramento from seizing, diverting, shifting, borrowing, transferring, suspending or otherwise taking or interfering with tax revenues dedicated to funding local government services, including redevelopment, or dedicated to transportation improvement projects and mass transit.

THEREFORE, BE IT RESOLVED that the Town of Atherton formally endorses the Local Taxpayer, Public Safety and Transportation Protection Act of 2010, a proposed constitutional amendment.

BE IT FURTHER RESOLVED that we hereby authorize the listing of the Town of Atherton in support of the Local Taxpayer, Public Safety and Transportation Protection Act of 2010 and instruct staff to fax a copy of this resolution to campaign offices at 916.442.3510.

* * * * *

I hereby certify that the foregoing Resolution was duly and regularly passed and adopted by the City Council of the Town of Atherton at a regular meeting thereof held on the 18th day of November, 2009, by the following vote:

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

Jerry Carlson, Mayor
Town of Atherton

ATTEST:

Theresa N. DellaSanta
Deputy City Clerk

APPROVED AS TO FORM:

Wynne Furth
City Attorney



Town of Atherton

CITY COUNCIL STAFF REPORT

**TO: HONORABLE MAYOR AND CITY COUNCIL
JERRY GRUBER, CITY MANAGER**

FROM: LT. MICHAEL GUERRA

DATE: FOR THE MEETING OF NOVEMBER 18, 2009

SUBJECT: POLICE DEPARTMENT VEHICLE PURCHASE

RECOMMENDATION:

Staff recommends that Council authorize the purchase of one Ford Crown Victoria patrol car not to exceed \$25,094.00.

INTRODUCTION:

Council approved the purchase of three vehicles for the police department in FY 09/10 (two marked patrol vehicles and one unmarked vehicle). One patrol car and the unmarked vehicle have been purchased. The second marked patrol car purchase request was deferred until November for budgetary reasons.

ANALYSIS:

The 2010 Ford Crown Victoria Interceptor patrol car would replace patrol car #3 (VID# 2FAFP71W6YX201714) with 89,629 miles on the odometer. This vehicle is not drivable and has not been repaired since it was towed to our PD lot after breaking down while on patrol. This vehicle is in the process of being sent for auction.

There may also be a need to request the purchase of one to two additional marked patrol cars in the next few months because an alleged drunk driver struck two of our patrol cars while the officers were on a traffic stop. One patrol car (#6) cannot be repaired and PD is unable to determine at the time of this report if the second patrol car (Sgts.) is repairable.

FISCAL IMPACT:

The purchase of this vehicle will be conducted through the City of Redwood City's competitive bid process (piggy-backing). This practice is in accord with Atherton Municipal Code Section 3.16.110 (A) 5. The City Manager, in his capacity as Purchasing Officer, has approved the procedures followed.

The cost for the 2010 Ford Crown Victoria Interceptor with a 5-year/100,000 mile power train warranty is \$25,094.00.

Prepared By:

Approved:

Lt. Michael Guerra

Jerome D. Gruber
City Manager



Town of Atherton

CITY COUNCIL STAFF REPORT

**TO: HONORABLE MAYOR AND CITY COUNCIL
JEROME GRUBER, CITY MANAGER**

FROM: LOUISE HO, FINANCE DIRECTOR

DATE: FOR THE MEETING OF NOVEMBER 18, 2009

**SUBJECT: ADOPT RESOLUTION 09-32 TO APPROVE MASTER FEE SCHEDULE
SETTING MISCELLANEOUS FEES FOR TOWN SERVICES**

RECOMMENDATION

Adopt the resolution to approve the Master Fee Schedule. Staff recommends that Council defer the Building Department fee adoption to December 16, 2009.

DISCUSSION

On January 29, 2009, The Town of Atherton engaged the services of NBS to prepare a cost allocation plan, full cost recovery staff hourly rates, and comprehensive fee study. For the last few months, NBS has worked and presented several draft master fee schedules to the Town for review and comment. The City Council also conducted public hearings and study sessions to invite public input and asked questions of NBS. Attached is the proposed Master Fee Schedule and report prepared by NBS explaining the various fees structure and methodology.

At the September 16, 2009 City Council meeting Council tabled adoption of the Master Fee Schedule to allow maximum public input before final adoption. Town staff together with NBS held a community meeting on November 5, 2009 to allow the public an opportunity to discuss the fee schedule. Six Atherton residents attended the community meeting.

In March, 2009 Council directed NBS to get examine and provide a report on the Building Department fees for a clear understanding of how expenses and revenues are related and if there is a surplus or deficit that should be considered in setting fees going forward. Since the Building Department report could have an impact on future building department fees staff is

recommending that Council defer the Building Department fees to the December 16 Council meeting.

Once the proposed Master Fee Schedule is approved by the City Council, the new fees will be effective 60 days after adoption.

FISCAL IMPACT

The new Master Fee Schedule is expected to generate modest revenues for the Town. NBS is projecting up to \$150,000 of additional revenues to General Fund for the remainder of FY 2009-10.

Prepared by:

Approved by:

/s/ Louise Ho

Louise Ho, Finance Director

Jerome D. Gruber, City Manager

Attachment: Resolution
Master Fee Schedule

TOWN OF ATHERTON

MASTER FEE SCHEDULE

Note: This Fee Schedule does not include all fees that may be imposed by the Town of Atherton

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TOWN OF ATHERTON
MASTER FEE SCHEDULE
Schedule of Administrative Fees

Service	Fee
ADMINISTRATIVE FEES	
Photocopying and/or Printing	\$0.10 Per Page
Digital Transmission of Files	\$0
Returned Checks (Non-Sufficient Funds)	\$35 Per Check
Stop-payment Check & Lost Check Replacement	\$35 Per Check
Tape Duplication - Per Tape	\$64
Notarize - Per Signature	\$10
Certified Copies - Per Copy	\$32
Special Event Application Review	\$218
Copy of Municipal Code	Free Via Website or See Photocopying and Printing Charge
Copy of General Plan	Free Via Website or See Photocopying and Printing Charge
Copy of Zoning Ordinance	Free Via Website or See Photocopying and Printing Charge
Copy of Budget	Free Via Website or See Photocopying and Printing Charge
Copy of Subdivision Ordinance	Free Via Website or See Photocopying and Printing Charge
List of All Businesses in Atherton	Free Via Website or \$69
Install and Remove Banner	\$387
Business License Processing Fee	\$25 Pass Through
Duplicate Business License Processing Fee	\$25 Pass Through
Code Enforcement - Administrative (Penalty)	Billed Hourly; Reference Hourly Rates

For Services Requested of Town Staff which have no fee listed in this Master Fee Schedule, the City Manager or the City Manager's designee shall determine the appropriate fee based on the following hourly rates for staff time involved in the service or activity:	
Administration Department Staff:	\$129 Per Hour
Finance Department Staff:	\$166 Per Hour

TOWN OF ATHERTON
MASTER FEE SCHEDULE
Schedule of Building Fees

BUILDING FEES

Building Permit Fees

Total Valuation	Building Permit Fee	Plan Review Fee
\$1.00 to \$500	\$155	65% of Building Permit Fee
\$501 to \$2,000	\$155 for the first \$500, plus \$3.05 for each add'l \$100, or fraction thereof, to and including \$2,000	65% of Building Permit Fee
\$2,001 to \$25,000	\$201 for the first \$2,000, plus \$14.00 for each add'l \$1,000, or fraction thereof, to and including \$25,000	65% of Building Permit Fee
\$25,001 to \$50,000	\$523 for the first \$25,000, plus \$10.10 for each add'l \$1,000, or fraction thereof, to and including \$50,000	65% of Building Permit Fee
\$50,001 to \$100,000	\$775 for the first \$50,000, plus \$18.91 for each add'l \$1,000, or fraction thereof, to and including \$100,000	65% of Building Permit Fee
\$100,001 to \$500,000	\$1,958 for the first \$100,000, plus \$5.07 for each add'l \$1,000, or fraction thereof, to and including \$500,000	45% of Building Permit Fee
\$500,001 to \$1,000,000	\$3,986 for the first \$500,000, plus \$3.84 for each add'l \$1,000, or fraction thereof, to and including \$1,000,000	45% of Building Permit Fee
\$1,000,001 and up	\$5,906 for the first \$1,000,000, plus \$3.84 for each add'l \$1,000, or fraction thereof	45% of Building Permit Fee

Permitted Value of Construction

New Habitable Construction	\$350 Per Square Foot
Remodeled Habitable Construction	\$300 Per Square Foot
New or Remodeled Non-Habitable Construction	\$200 Per Square Foot

TOWN OF ATHERTON
MASTER FEE SCHEDULE
Schedule of Building Fees

Service	Fee
BUILDING FEES	
Other Building Fees	
Plumbing, Mechanical, Electrical Permit (First Appliance)	\$100
Plumbing, Mechanical, Electrical Permit (Each Additional Appliance)	\$60
Demolition Permit Fee	\$300
Landscape Screening Permit Fee	\$289
Water Well Permit Fee	\$599
Solar Panels Permit Fee	\$250
Heritage Tree Removal - Staff Level (First Tree)	\$100
Heritage Tree Removal - Staff Level (Each Additional Tree)	\$41
Unauthorized Heritage Tree Removal/Damage (Penalty)	\$500
Excavation Permit	\$496
Re-Inspection Fee	\$100
Special Inspection or Consultation Inspection Fee	\$83 Per Half Hour
Revision Fee	\$165 Per Hour
Address Change	\$165 Per Hour or Consultant Costs
Permit Search	\$20 Plus Photocopying and/or Printing Posts
Reactivation of an Expired Permit	Up to One-Half the Amount Required for a New Permit for Such Work
Work Commencing Without a Permit (Penalty)	Up to Twice the Applicable Building Permit Fee, Subject to the Building Official's Discretion
Code Enforcement - Administrative (Penalty)	Billed Hourly; Reference Hourly Rates
Second Utility Deposit:	
Deposit	\$10,000
Administrative Fee	\$165
Landscape Screening Deposit:	
Deposit	\$10,000
Administrative Fee	\$165
Temporary Occupancy Deposit:	
Deposit	\$10,000
Administrative Fee	\$165
Excavation Road Deposit:	
Deposit	\$10,000
Administrative Fee	\$165

TOWN OF ATHERTON
MASTER FEE SCHEDULE
Schedule of Building Fees

Service	Fee
BUILDING FEES	
Recycling Deposit For issuance of any construction permit with a project cost estimated above \$50,000 or will generate more than ten tons of construction or demolition debris.	\$1,000 Minimum and \$500 Minimum for Re-Roof Permits
SMIP Fee SMIP - Residential (California Department of Conservation Mandated Fee) SMIP - Commercial (California Department of Conservation Mandated Fee)	 Valuation Amount X 0.0001 Valuation Amount X 0.00021
Building Standards Administration Special Revolving Fund (Senate Bill No. 1473 State Mandated)	
Permit Valuation \$1-25,000 \$25,001-50,000 \$50,001-75,000 \$75,001-100,000 Every \$25,000 or fraction thereof above \$100,000	 \$1 \$2 \$3 \$4 Add \$1
For Services Requested of Town Staff which have no fee listed in this Master Fee Schedule, the City Manager or the City Manager's designee shall determine the appropriate fee based on the following hourly rates for staff time involved in the service or activity:	
Building Division Staff:	\$165 Per Hour

TOWN OF ATHERTON
MASTER FEE SCHEDULE
Schedule of Planning Fees

Service	Fee
PLANNING FEES	
Conditional Use Permit	Billed Per Hour with \$1,963 Minimum, Plus \$2,000 Deposit
Variance	Billed Per Hour with \$2,289 Minimum, Plus \$2,000 Deposit
Heritage Tree Removal Permit	Billed Per Hour with \$2,293 Minimum, Plus \$2,000 Deposit
Exception Review	Billed Per Hour with \$1,963 Minimum, Plus \$2,000 Deposit
Excessive Height	Billed Per Hour with \$1,963 Minimum, Plus \$2,000 Deposit
Lot Line Redesignation	Billed Per Hour with \$2,289 Minimum, Plus \$2,000 Deposit
Lot Line Adjustment	Billed Per Hour with \$1,636 Minimum, Plus \$2,500 Deposit
Tentative Parcel Map	Billed Per Hour with \$2,289 Minimum, Plus \$2,500 Deposit
Final Parcel Map	Billed Per Hour with \$1,310 Minimum, Plus \$2,500 Deposit
Appeal	\$750
School Master Plan	\$750
Initial Review/Negative Declaration	Billed Per Hour with \$3,595 Minimum, Plus \$2,000 Deposit
Zoning Ordinance Amendment	Billed Per Hour with \$3,595 Minimum, Plus \$2,500 Deposit
General Plan Amendment	Billed Per Hour with \$3,595 Minimum, Plus \$2,500 Deposit
Zoning Review for Home Occupation Business	\$82
Pre-Application Review	Billed Hourly; Reference Hourly Rates
Street Easement Vacation	Billed Hourly; Reference Hourly Rates
Code Enforcement - Administrative (Penalty)	Billed Hourly; Reference Hourly Rates
Initial Review (2 reviews for fee amount; additional reviews billed hourly):	
a. Fence	\$164
b. Accessory Structures (includes pools)	\$328
c. Accessory Buildings	\$655
d. Additions	\$818
e. New Construction	\$1,308
Revisions to Previously Approved Plans	Billed Hourly; Reference Hourly Rates

TOWN OF ATHERTON
MASTER FEE SCHEDULE
Schedule of Planning Fees

Service	Fee
PLANNING FEES	
<p>Many of the above-listed fees are applied on an hourly basis and are structured to recover the full cost of service for each activity type. The Town will apply the prevailing hourly rates against recorded staff time to determine the fee amount owed by each applicant. Hourly rates from other departments outside the Planning Department, including the City Attorney's Office, may also apply if staff from those other departments perform work on a specific application. Additionally, the Town will pass-through to the applicant any discrete costs incurred from the use of external service providers if required to process the specific application.</p> <p>For Services Requested of Town Staff which have no fee listed in this Master Fee Schedule, the City Manager or the City Manager's designee shall determine the appropriate fee based on the following hourly rates for staff time involved in the service or activity:</p>	
Town Planner:	\$226 Per Hour
Deputy Town Planner:	\$178 Per Hour
Senior Planner:	\$169 Per Hour
Assistant Planner:	\$136 Per Hour
Planning Administrative Staff:	\$120 Per Hour

TOWN OF ATHERTON
MASTER FEE SCHEDULE
Schedule of Parks Program Fees

Service	Fee
PARKS PROGRAM FEES	
Weddings/Receptions or Social Functions	
One Building Rental	
1 - 100 Guests	\$2,000
101 - 200 Guests	\$2,250
Additional Hour	\$100 Per Hour
Additional Attendant	\$50 Per Hour
Two Building Rental	
1 - 100 Guests	\$4,000
101 - 200 Guests	\$4,500
Additional Hour	\$100 Per Hour
Additional Attendant	\$50 Per Hour
Deposit	
Security Deposit:	\$1,000
Amount refundable if cancelled more than nine months in advance	\$750
Amount refundable if cancelled seven to nine months in advance	\$500
Amount refundable if cancelled six months or less in advance	\$0

TOWN OF ATHERTON
MASTER FEE SCHEDULE
Schedule of Parks Program Fees

Service	Fee
PARKS PROGRAM FEES	
Meetings	
The Main House	
Half Day (Mon. - Fri.) (Four hours)	\$300
Full Day/Evening (Mon. - Fri.)	\$400; Plus \$50 Per Hour After 5:00 p.m.
Additional Hour	\$50 Per Hour
Carriage House	
Weekday, Half Day (Mon. - Fri.) (Four hours)	\$200
Weekday, Full Day (Mon. - Fri.) (8:00 a.m. - 5:00 p.m.)	\$250
Weekend, Full Day (Sat. - Sun.) (9:00 a.m. - 4:00 p.m.)	\$250; Plus \$25 Per Hour
Weekend Evening (Fri. - Sun.) (5:00 p.m. - 11:00 p.m.)	\$500
Additional Hour or Additional Attendant	\$25 Per Hour
Jennings Pavilion	
1 - 100 Guests	
Half Day (Mon. - Fri.) (Four hours)	\$400
Full Day/Evening (Mon. - Fri.)	\$500; Plus \$50 Per Hour After 5:00 p.m.
Additional Hour or Additional Attendant	\$50 Per Hour
101 - 200 Guests	
Half Day (Mon. - Fri.)	\$500
Full Day/Evening (Mon. - Fri.)	\$600; Plus \$100 Per Hour After 5:00 p.m.
Additional Hour or Additional Attendant	\$100 Per Hour
Town Related Organizations	40% Discount for Main House Meeting Rentals; 20% Discount for Carriage House and Jennings Pavilion Meeting Rentals
Security Deposit (1)	\$250
Other	
Day Use Permit (Exclusive Use of Picnic Facilities)	\$100 Per Day
Code Enforcement - Administrative (Penalty)	Billed Hourly; Reference Hourly Rates

For Services Requested of Town Staff which have no fee listed in this Master Fee Schedule, the City Manager or the City Manager's designee shall determine the appropriate fee based on the following hourly rates for staff time involved in the service or activity:

Program Director, for services related to facility use:	\$272 Per Hour
Facility Maintenance Staff, for services related to facility use:	\$256 Per Hour
Facility Attendant, for services related to facility use:	\$122 Per Hour

(1) Security deposit not required for Town Related Organizations.

TOWN OF ATHERTON
MASTER FEE SCHEDULE
Schedule of Public Works Fees

Service	Fee
PUBLIC WORKS FEES	
Encroachment Permits	
Driveway Connection to Street - Asphalt/Pavers:	
Without Driveway Culvert (up to 3 inspections)	
i. Application	\$300
ii. Plan Check	\$400
iii. Inspection	\$599
Total	\$1,299
iv. Additional Plan Check	\$400
v. Additional Inspection	\$200
With Driveway Culvert (up to 4 inspections)	
i. Application	\$300
ii. Plan Check	\$499
iii. Inspection	\$799
Total	\$1,598
iv. Additional Plan Check	\$499
v. Additional Inspection	\$200
Driveway Connection to Street - Concrete:	
Without Driveway Culvert (up to 4 inspections)	
i. Application	\$300
ii. Plan Check	\$499
iii. Inspection	\$799
Total	\$1,598
iv. Additional Plan Check	\$499
v. Additional Inspection	\$200
Driveway Connection to Street - Concrete:	
With Driveway Culvert (up to 5 inspections)	
i. Application	\$300
ii. Plan Check	\$499
iii. Inspection	\$999
Total	\$1,798
iv. Additional Plan Check	\$499
v. Additional Inspection	\$200

TOWN OF ATHERTON
MASTER FEE SCHEDULE
Schedule of Public Works Fees

Service	Fee
PUBLIC WORKS FEES	
Right-of-Way Landscaping, Fence, Etc. - Minor Construction (up to 2 inspections)	
i. Application	\$200
ii. Plan Check	\$100
iii. Inspection	\$200
Total	\$500
iv. Additional Plan Check	\$100
v. Additional Inspection	\$200
Right-of-Way Landscaping, Fence, Etc. - Standard (up to 2 inspections)	
i. Application	\$300
ii. Plan Check	\$200
iii. Inspection	\$400
Total	\$900
iv. Additional Plan Check	\$200
v. Additional Inspection	\$200
Connection to Storm Drain or Atherton Channel:	
i. Application (Per Application)	\$300
ii. Plan Check (Per Application)	\$599
iii. Inspection	
a. In-Pavement (up to 5 inspections)	
i. Trench (per linear foot)	\$48
ii. Bored pit (per pit)	\$1,199
b. Outside Pavement (up to 4 inspections)	
i. Trench (per linear foot)	\$28
ii. Bored pit (per pit)	\$699
Total	Varies
iv. Additional Plan Check	\$599
v. Additional Inspection	
a. In-Pavement	
i. Trench (per linear foot)	\$10
ii. Bored pit (per pit)	\$240
b. Outside Pavement	
i. Trench (per linear foot)	\$7
ii. Bored pit (per pit)	\$175

TOWN OF ATHERTON
MASTER FEE SCHEDULE
Schedule of Public Works Fees

Service	Fee
PUBLIC WORKS FEES	
Utility Connect/Disconnect:	
i. Application (Per Application)	\$300
ii. Plan Check (Per Application)	\$400
iii. Inspection	
a. In-Pavement (up to 7 inspections)	
i. Trench (per linear foot)	\$36
ii. Bored pit (per pit)	\$899
b. Outside Pavement (up to 6 inspections)	
i. Trench (per linear foot)	\$24
ii. Bored pit (per pit)	\$499
Total	Varies
iv. Additional Plan Check	\$400
v. Additional Inspection	
a. In-Pavement	
i. Trench (per linear foot)	\$5
ii. Bored pit (per pit)	\$128
b. Outside Pavement	
i. Trench (per linear foot)	\$4
ii. Bored pit (per pit)	\$83
Utility Main:	
i. Application (Per Application)	\$300
ii. Plan Check (Per Application)	\$999
iii. Inspection	
a. In-Pavement (up to 7 inspections)	
i. Trench (per linear foot)	\$40
ii. Bored pit (per pit)	\$999
b. Outside Pavement (up to 6 inspections)	
i. Trench (per linear foot)	\$27
ii. Bored pit (per pit)	\$599
Total	Varies
iv. Additional Plan Check	\$999
v. Additional Inspection	
a. In-Pavement	
i. Trench (per linear foot)	\$6
ii. Bored pit (per pit)	\$143
b. Outside Pavement	
i. Trench (per linear foot)	\$4
ii. Bored pit (per pit)	\$100

TOWN OF ATHERTON
MASTER FEE SCHEDULE
Schedule of Public Works Fees

Service	Fee
PUBLIC WORKS FEES	
Telecommunication Installation Permit: i. Without Trenching ii. With Trenching	\$100 See Utility Connect Fee
Property Improvement Permits and Reviews	
Grading and Drainage	Actual Consultant Cost Plus Town Overhead
Detention System Annual Report Filing	\$120
Detention System Annual Report - Submittals Out of Compliance	\$300
Other	
Stop Work Order (Penalty)	50% of Permit Fee
Code Enforcement - Administrative (Penalty)	Billed Hourly; Reference Hourly Rates
<p>At the discretion of the Public Works Director, additional fees may apply for projects requiring in excess of 8 hours. For Services Requested of Town Staff which have no fee listed in this Master Fee Schedule, the City Manager or the City Manager's designee shall determine the appropriate fee based on the following hourly rates for staff time involved in the service or activity:</p>	
Public Works/Engineering Staff:	\$200 Per Hour

TOWN OF ATHERTON
MASTER FEE SCHEDULE
Schedule of Police Fees

Service	Fee
POLICE FEES	
Copy of Police Report: Without Photos or Tape Copies With Photos or Tape Copies Vehicle Releases Alarm Registration Alarm Alert Signs Garage Sale/Estate Sale Permits Fingerprints Solicitor Permit (Valid for six months; business license required) After Hours Emergency Construction Permits Special Service Request: Administrative Fee On-Site Personnel Fee Clearance Letter Microfilmed Reports Code Enforcement - Administrative (Penalty)	\$20 \$119 Per Hour \$60 \$25 \$30 \$20 \$58 \$50 \$150 \$20 Fully Burdened Hourly Rate x 1.5; 2 Hour Minimum \$20 \$119 Per Hour Billed Hourly; Reference Hourly Rates
For Services Requested of Town Staff which have no fee listed in this Master Fee Schedule, the City Manager or the City Manager's designee shall determine the appropriate fee based on the following hourly rates for staff time involved in the service or activity:	
Records/Communications Staff:	\$119 Per Hour
Patrol/Investigations Staff:	\$154 Per Hour

TOWN OF ATHERTON

MASTER FEE SCHEDULE

Note: This Fee Schedule does not include all fees that may be imposed by the Town of Atherton

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TOWN OF ATHERTON
MASTER FEE SCHEDULE
Schedule of Administrative Fees

Service	Fee
ADMINISTRATIVE FEES	
Photocopying and/or Printing	\$0.10 Per Page
Digital Transmission of Files	\$0
Returned Checks (Non-Sufficient Funds)	\$35 Per Check
Stop-payment Check & Lost Check Replacement	\$35 Per Check
Tape Duplication - Per Tape	\$64
Notarize - Per Signature	\$10
Certified Copies - Per Copy	\$32
Special Event Application Review	\$218
Copy of Municipal Code	Free Via Website or See Photocopying and Printing Charge
Copy of General Plan	Free Via Website or See Photocopying and Printing Charge
Copy of Zoning Ordinance	Free Via Website or See Photocopying and Printing Charge
Copy of Budget	Free Via Website or See Photocopying and Printing Charge
Copy of Subdivision Ordinance	Free Via Website or See Photocopying and Printing Charge
List of All Businesses in Atherton	Free Via Website or \$69
Install and Remove Banner	\$387
Business License Processing Fee	\$25 Pass Through
Duplicate Business License Processing Fee	\$25 Pass Through
Code Enforcement - Administrative (Penalty)	Billed Hourly; Reference Hourly Rates

For Services Requested of Town Staff which have no fee listed in this Master Fee Schedule, the City Manager or the City Manager's designee shall determine the appropriate fee based on the following hourly rates for staff time involved in the service or activity:

Administration Department Staff:	\$129 Per Hour
Finance Department Staff:	\$166 Per Hour

TOWN OF ATHERTON
MASTER FEE SCHEDULE
Schedule of Planning Fees

Service	Fee
PLANNING FEES	
Conditional Use Permit	Billed Per Hour with \$1,963 Minimum, Plus \$2,000 Deposit
Variance	Billed Per Hour with \$2,289 Minimum, Plus \$2,000 Deposit
Heritage Tree Removal Permit	Billed Per Hour with \$2,293 Minimum, Plus \$2,000 Deposit
Exception Review	Billed Per Hour with \$1,963 Minimum, Plus \$2,000 Deposit
Excessive Height	Billed Per Hour with \$1,963 Minimum, Plus \$2,000 Deposit
Lot Line Redesignation	Billed Per Hour with \$2,289 Minimum, Plus \$2,000 Deposit
Lot Line Adjustment	Billed Per Hour with \$1,636 Minimum, Plus \$2,500 Deposit
Tentative Parcel Map	Billed Per Hour with \$2,289 Minimum, Plus \$2,500 Deposit
Final Parcel Map	Billed Per Hour with \$1,310 Minimum, Plus \$2,500 Deposit
Appeal	\$750
School Master Plan	\$750
Initial Review/Negative Declaration	Billed Per Hour with \$3,595 Minimum, Plus \$2,000 Deposit
Zoning Ordinance Amendment	Billed Per Hour with \$3,595 Minimum, Plus \$2,500 Deposit
General Plan Amendment	Billed Per Hour with \$3,595 Minimum, Plus \$2,500 Deposit
Zoning Review for Home Occupation Business	\$82
Pre-Application Review	Billed Hourly; Reference Hourly Rates
Street Easement Vacation	Billed Hourly; Reference Hourly Rates
Code Enforcement - Administrative (Penalty)	Billed Hourly; Reference Hourly Rates
Initial Review (2 reviews for fee amount; additional reviews billed hourly):	
a. Fence	\$164
b. Accessory Structures (includes pools)	\$328
c. Accessory Buildings	\$655
d. Additions	\$818
e. New Construction	\$1,308
Revisions to Previously Approved Plans	Billed Hourly; Reference Hourly Rates

TOWN OF ATHERTON
MASTER FEE SCHEDULE
Schedule of Planning Fees

Service	Fee
PLANNING FEES	
<p>Many of the above-listed fees are applied on an hourly basis and are structured to recover the full cost of service for each activity type. The Town will apply the prevailing hourly rates against recorded staff time to determine the fee amount owed by each applicant. Hourly rates from other departments outside the Planning Department, including the City Attorney's Office, may also apply if staff from those other departments perform work on a specific application. Additionally, the Town will pass-through to the applicant any discrete costs incurred from the use of external service providers if required to process the specific application.</p> <p>For Services Requested of Town Staff which have no fee listed in this Master Fee Schedule, the City Manager or the City Manager's designee shall determine the appropriate fee based on the following hourly rates for staff time involved in the service or activity:</p>	
Town Planner:	\$226 Per Hour
Deputy Town Planner:	\$178 Per Hour
Senior Planner:	\$169 Per Hour
Assistant Planner:	\$136 Per Hour
Planning Administrative Staff:	\$120 Per Hour

TOWN OF ATHERTON
MASTER FEE SCHEDULE
Schedule of Parks Program Fees

Service	Fee
PARKS PROGRAM FEES	
Weddings/Receptions or Social Functions	
One Building Rental	
1 - 100 Guests	\$2,000
101 - 200 Guests	\$2,250
Additional Hour	\$100 Per Hour
Additional Attendant	\$50 Per Hour
Two Building Rental	
1 - 100 Guests	\$4,000
101 - 200 Guests	\$4,500
Additional Hour	\$100 Per Hour
Additional Attendant	\$50 Per Hour
Deposit	
Security Deposit:	\$1,000
Amount refundable if cancelled more than nine months in advance	\$750
Amount refundable if cancelled seven to nine months in advance	\$500
Amount refundable if cancelled six months or less in advance	\$0

TOWN OF ATHERTON
MASTER FEE SCHEDULE
Schedule of Parks Program Fees

Service	Fee
PARKS PROGRAM FEES	
Meetings	
The Main House	
Half Day (Mon. - Fri.) (Four hours)	\$300
Full Day/Evening (Mon. - Fri.)	\$400; Plus \$50 Per Hour After 5:00 p.m.
Additional Hour	\$50 Per Hour
Carriage House	
Weekday, Half Day (Mon. - Fri.) (Four hours)	\$200
Weekday, Full Day (Mon. - Fri.) (8:00 a.m. - 5:00 p.m.)	\$250
Weekend, Full Day (Sat. - Sun.) (9:00 a.m. - 4:00 p.m.)	\$250; Plus \$25 Per Hour
Weekend Evening (Fri. - Sun.) (5:00 p.m. - 11:00 p.m.)	\$500
Additional Hour or Additional Attendant	\$25 Per Hour
Jennings Pavilion	
1 - 100 Guests	
Half Day (Mon. - Fri.) (Four hours)	\$400
Full Day/Evening (Mon. - Fri.)	\$500; Plus \$50 Per Hour After 5:00 p.m.
Additional Hour or Additional Attendant	\$50 Per Hour
101 - 200 Guests	
Half Day (Mon. - Fri.)	\$500
Full Day/Evening (Mon. - Fri.)	\$600; Plus \$100 Per Hour After 5:00 p.m.
Additional Hour or Additional Attendant	\$100 Per Hour
Town Related Organizations	40% Discount for Main House Meeting Rentals; 20% Discount for Carriage House and Jennings Pavilion Meeting Rentals
Security Deposit (1)	\$250
Other	
Day Use Permit (Exclusive Use of Picnic Facilities)	\$100 Per Day
Code Enforcement - Administrative (Penalty)	Billed Hourly; Reference Hourly Rates

For Services Requested of Town Staff which have no fee listed in this Master Fee Schedule, the City Manager or the City Manager's designee shall determine the appropriate fee based on the following hourly rates for staff time involved in the service or activity:

Program Director, for services related to facility use:	\$272 Per Hour
Facility Maintenance Staff, for services related to facility use:	\$256 Per Hour
Facility Attendant, for services related to facility use:	\$122 Per Hour

(1) Security deposit not required for Town Related Organizations.

TOWN OF ATHERTON
MASTER FEE SCHEDULE
Schedule of Public Works Fees

Service	Fee
PUBLIC WORKS FEES	
Encroachment Permits	
Driveway Connection to Street - Asphalt/Pavers:	
Without Driveway Culvert (up to 3 inspections)	
i. Application	\$300
ii. Plan Check	\$400
iii. Inspection	\$599
Total	\$1,299
iv. Additional Plan Check	\$400
v. Additional Inspection	\$200
With Driveway Culvert (up to 4 inspections)	
i. Application	\$300
ii. Plan Check	\$499
iii. Inspection	\$799
Total	\$1,598
iv. Additional Plan Check	\$499
v. Additional Inspection	\$200
Driveway Connection to Street - Concrete:	
Without Driveway Culvert (up to 4 inspections)	
i. Application	\$300
ii. Plan Check	\$499
iii. Inspection	\$799
Total	\$1,598
iv. Additional Plan Check	\$499
v. Additional Inspection	\$200
Driveway Connection to Street - Concrete:	
With Driveway Culvert (up to 5 inspections)	
i. Application	\$300
ii. Plan Check	\$499
iii. Inspection	\$999
Total	\$1,798
iv. Additional Plan Check	\$499
v. Additional Inspection	\$200

TOWN OF ATHERTON
MASTER FEE SCHEDULE
Schedule of Public Works Fees

Service	Fee
PUBLIC WORKS FEES	
Right-of-Way Landscaping, Fence, Etc. - Minor Construction (up to 2 inspections)	
i. Application	\$200
ii. Plan Check	\$100
iii. Inspection	\$200
Total	\$500
iv. Additional Plan Check	\$100
v. Additional Inspection	\$200
Right-of-Way Landscaping, Fence, Etc. - Standard (up to 2 inspections)	
i. Application	\$300
ii. Plan Check	\$200
iii. Inspection	\$400
Total	\$900
iv. Additional Plan Check	\$200
v. Additional Inspection	\$200
Connection to Storm Drain or Atherton Channel:	
i. Application (Per Application)	\$300
ii. Plan Check (Per Application)	\$599
iii. Inspection	
a. In-Pavement (up to 5 inspections)	
i. Trench (per linear foot)	\$48
ii. Bored pit (per pit)	\$1,199
b. Outside Pavement (up to 4 inspections)	
i. Trench (per linear foot)	\$28
ii. Bored pit (per pit)	\$699
Total	Varies
iv. Additional Plan Check	\$599
v. Additional Inspection	
a. In-Pavement	
i. Trench (per linear foot)	\$10
ii. Bored pit (per pit)	\$240
b. Outside Pavement	
i. Trench (per linear foot)	\$7
ii. Bored pit (per pit)	\$175

TOWN OF ATHERTON
MASTER FEE SCHEDULE
Schedule of Public Works Fees

Service	Fee
PUBLIC WORKS FEES	
Utility Connect/Disconnect:	
i. Application (Per Application)	\$300
ii. Plan Check (Per Application)	\$400
iii. Inspection	
a. In-Pavement (up to 7 inspections)	
i. Trench (per linear foot)	\$36
ii. Bored pit (per pit)	\$899
b. Outside Pavement (up to 6 inspections)	
i. Trench (per linear foot)	\$24
ii. Bored pit (per pit)	\$499
Total	Varies
iv. Additional Plan Check	\$400
v. Additional Inspection	
a. In-Pavement	
i. Trench (per linear foot)	\$5
ii. Bored pit (per pit)	\$128
b. Outside Pavement	
i. Trench (per linear foot)	\$4
ii. Bored pit (per pit)	\$83
Utility Main:	
i. Application (Per Application)	\$300
ii. Plan Check (Per Application)	\$999
iii. Inspection	
a. In-Pavement (up to 7 inspections)	
i. Trench (per linear foot)	\$40
ii. Bored pit (per pit)	\$999
b. Outside Pavement (up to 6 inspections)	
i. Trench (per linear foot)	\$27
ii. Bored pit (per pit)	\$599
Total	Varies
iv. Additional Plan Check	\$999
v. Additional Inspection	
a. In-Pavement	
i. Trench (per linear foot)	\$6
ii. Bored pit (per pit)	\$143
b. Outside Pavement	
i. Trench (per linear foot)	\$4
ii. Bored pit (per pit)	\$100

TOWN OF ATHERTON
MASTER FEE SCHEDULE
Schedule of Public Works Fees

Service	Fee
PUBLIC WORKS FEES	
Telecommunication Installation Permit: i. Without Trenching ii. With Trenching	\$100 See Utility Connect Fee
Property Improvement Permits and Reviews	
Grading and Drainage	Actual Consultant Cost Plus Town Overhead
Detention System Annual Report Filing	\$120
Detention System Annual Report - Submittals Out of Compliance	\$300
Other	
Stop Work Order (Penalty)	50% of Permit Fee
Code Enforcement - Administrative (Penalty)	Billed Hourly; Reference Hourly Rates
<p>At the discretion of the Public Works Director, additional fees may apply for projects requiring in excess of 8 hours. For Services Requested of Town Staff which have no fee listed in this Master Fee Schedule, the City Manager or the City Manager's designee shall determine the appropriate fee based on the following hourly rates for staff time involved in the service or activity:</p>	
Public Works/Engineering Staff:	\$200 Per Hour

TOWN OF ATHERTON
MASTER FEE SCHEDULE
Schedule of Police Fees

Service	Fee
POLICE FEES	
Copy of Police Report: Without Photos or Tape Copies With Photos or Tape Copies Vehicle Releases Alarm Registration Alarm Alert Signs Garage Sale/Estate Sale Permits Fingerprints Solicitor Permit (Valid for six months; business license required) After Hours Emergency Construction Permits Special Service Request: Administrative Fee On-Site Personnel Fee Clearance Letter Microfilmed Reports Code Enforcement - Administrative (Penalty)	\$20 \$119 Per Hour \$60 \$25 \$30 \$20 \$58 \$50 \$150 \$20 Fully Burdened Hourly Rate x 1.5; 2 Hour Minimum \$20 \$119 Per Hour Billed Hourly; Reference Hourly Rates
For Services Requested of Town Staff which have no fee listed in this Master Fee Schedule, the City Manager or the City Manager's designee shall determine the appropriate fee based on the following hourly rates for staff time involved in the service or activity:	
Records/Communications Staff:	\$119 Per Hour
Patrol/Investigations Staff:	\$154 Per Hour

RESOLUTION NO. 09-32

**A RESOLUTION OF THE CITY COUNCIL OF THE TOWN OF ATHERTON
ADOPTING A MASTER FEE SCHEDULE FOR THE TOWN OF ATHERTON**

WHEREAS, the City Council commissioned NBS to prepare a Cost Allocation, Cost Recovery, and Comprehensive Fee Study to establish a Master Fee Schedule for the Town;

WHEREAS, the Comprehensive Fee Study provides the necessary data to substantiate that the proposed fees will not exceed the estimated reasonable cost of providing the services for which the fees are to be levied;

WHEREAS, the City Council has reviewed the Comprehensive Fee Study and determined that all of the proposed fees will not exceed the estimated reasonable cost of providing the services for which the fees are to be levied;

WHEREAS, none of the fees outlined in the Master Fee Schedule are Development Impact Fees (fees imposed as a condition of approval of a development project) subject to state law requirements pertaining to such fees;

WHEREAS, in accordance with state law, the Comprehensive Fee Study was made available for public review at least 10 days prior to the meeting at which the Master Fee Schedule was adopted; and

WHEREAS, in compliance with relevant provisions of the Mitigation Fee Act (Government Code sections 66000 et seq.), the City Council held a noticed public hearing on the proposed Master Fee Schedule at special meetings on June 10, 2009 and June 25, 2009 and at a regular meeting on September 16, 2009, and staff held a community meeting on November 5, 2009 and published notice in accordance with Government Code section 6062a.

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

Section 1. Findings.

The City Council declares that the above recitations are true and correct.

Section 2. Amount of Fee.

The City Council hereby approves and adopts the Master Fee Schedule as set forth in Exhibit A to this Resolution, attached hereto and incorporated by this reference.

Section 3. Waiver of Fee.

The City Council is hereby authorized to waive any of the fees outlined in Exhibit A. If such a waiver occurs, the City Manager or his/her designee will ensure that any fee category for which a waiver was granted does not exceed the estimated reasonable cost of providing the service.

Section 4. No Increase in Amount of Any Town Mitigation Fee.

In calculating any town mitigation fee based upon fees or factors modified by this resolution, the fee shall be calculated using the previously existing fees or factors if the result is a lower mitigation fee.

Section 5. Environmental Clearance.

The adoption of the Master Fee Schedule is not subject to the California Environmental Quality Act (CEQA) in that the establishment of such a funding mechanism is not a "project." Specifically, in accordance with CEQA Guidelines section 15378(b)(4), the creation of government funding mechanisms that do not involve any commitment to any specific project that may cause a significant effect on the environment is not deemed to be a "project" under CEQA.

Section 6. Severability.

If any action, subsection, sentence, clause or phrase of this Resolution or the fees levied by this Resolution shall be held invalid or unconstitutional by a court of competent jurisdiction, such invalidity shall not affect the validity of the remaining portions of this Resolution or the fees levied by this Resolution that can be given effect without the invalid provisions.

Section 7. Effective date.

Pursuant to Government Code section 66017(a), the fees identified in Exhibit A shall take effect 60 days following the adoption of this Resolution by the Town Council.

* * * * *

I hereby certify that the foregoing Resolution was duly and regularly passed and adopted by the City Council of the Town of Atherton at a regular meeting thereof held on this 18th day of November 2009, by the following vote:

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

Jerry Carlson, MAYOR
TOWN OF ATHERTON

Resolution 09-32
Approved November 18, 2009

ATTEST:

Theresa DellaSanta, Deputy City Clerk

APPROVED AS TO FORM:

Wynne Furth, City Attorney



TRANSMITTAL

TO: Louise Ho, Finance Director
Town of Atherton

FROM: Jeanette Hahn, Director
NBS

DATE: September 10, 2009

RE: Technical Analysis for Comprehensive Fee Study

PURPOSE

The purpose of this transmittal is to introduce a series of technical exhibits which illustrate the analytical work of the Town of Atherton's Comprehensive Fee Study performed by NBS. The separate technical exhibits provide the following information:

- A. Proposed Master Fee Schedule
- B. Proposed Master Fee Schedule with Comparison to Current Fees and Costs of Service
- C. Illustration of Proposed Building Permit Fees with Comparison to Current Fees and Costs of Service
- D. Overhead Cost Allocation Plan
- E. Fully-Burdened Composite Hourly Rates
- F. Activity Costs of Service
- G. Market Comparison of Fees

The proposed Master Fee Schedule shown as Exhibit A is currently scheduled for consideration at a Public Hearing on September 16, 2009, per the Town's Public Notice issued on September 4, 2009. In addition to the upcoming Public Hearing, the work, progress, and outcomes of this study have been presented to the City Council during a series of special meetings on the following dates: April 7, 2009; June 1, 2009; June 25, 2009; and July 28, 2009.

SCOPE OF STUDY

The Town's Comprehensive Fee Study encompassed user fees and regulatory fees, including the following services and activities:

- Development and construction regulation activities, including:
 - Development plan review, zoning, and other planning and engineering activities
 - Building plan check and inspection and related activities
- Public Works services and activities, including:
 - Review and inspection of improvements within the public right-of-way
 - Various operational and maintenance activities

- Parks services, including:
 - Rental of Town facilities
 - Use of parks
- Administrative services
- Police services and activities

The study purposely did not include the following types of fees and charges: business licenses, fines, and development impact fees. These excluded fees require different analytical justification than the included fees and/or are under separate review by the Town through other processes.

It is generally accepted in California that cities are granted the authority to impose these user fees and regulatory fees for services and activities they provide through provisions of the State Constitution. First, cities are granted the ability to perform broad activities related to their local policing power and other service authority as defined in Article XI, Sections 7 and 9. Second, cities are granted the ability to establish fees for service through the framework defined in Article XIII B, Section 8. Under this latter framework, a fee may not exceed the estimated reasonable cost of providing the service or performing the activity. For a fee to qualify as such, it must relate to a service or activity under the control of the individual/entity on which the fee is imposed. For example, the individual/entity requests service of the municipality or his or her actions specifically cause the municipality to perform activities pursuant to its regulatory obligations. In this manner, the service or the underlying action causing the municipality to perform activities is discretionary. As a discretionary service or activity, the individual/entity can avoid the fee. Therefore, the user fees and regulatory fees considered in this study fall outside requirements that must otherwise be followed by the Town to impose special taxes or fees imposed as incidences of property ownership. For all the fees included in the proposed Master Fee Schedule, the City Council has the authority to approve modification and/or implementation.

The Town's chief purposes in conducting this study were to ensure that existing fees were calibrated to the costs of service and to provide an opportunity for the City Council to consider, if not optimize, its fee-related revenue sources, provided that any increased cost recovery from user fees and regulatory fees would not conflict with broader Town goals and values.

METHODS OF ANALYSIS

In determining a proposed Master Fee Schedule, there were three primary phases of analysis used throughout the Town's Comprehensive Fee Study:

- Cost of service analysis
- Cost recovery evaluation
- Fee establishment

Cost of Service Analysis

A cost of service analysis is a quantitative effort which compiles the full cost of providing governmental services and activities. There are two primary types of costs considered: direct and indirect costs. Direct costs are those which specifically relate to the activity in question, including the real-time provision of the service. Indirect costs are those which support the provision of services but cannot be directly or easily assigned to the activity in question. An example of a direct cost is the salary and benefit expense associated with an individual performing a service. In the same example, an indirect cost would include the expenses incurred to provide an office and equipment for that individual to perform his or her duties, including (but not exclusive to) the provision of the service in question.

Components of the full cost of service include direct labor costs, indirect labor costs, specific direct non-labor costs where applicable, allocated non-labor costs, and allocated organization-wide overhead. Definitions of these cost components are as follows:

- Direct labor costs – These are the salary/wage and benefits expenses for Town personnel specifically involved in the provision of services and activities to the public.
- Indirect labor costs – These are the salary/wage and benefits expenses for Town personnel supporting the provision of services and activities. This can include line supervision and departmental management, administrative support within a department, and staff involved in technical activities related to the direct services provided to the public.
- Specific direct non-labor costs – These are discrete expenses incurred by the Town due to a specific service or activity performed, such as contractor costs, third-party charges, and very specific materials used in the service or activity. (In most fee types, this component is not used, as it is very difficult to directly assign most non-labor costs at the activity level.)
- Allocated indirect non-labor costs – These are expenses other than labor for the departments involved in the provision of services. In most cases, these costs are allocated across all services provided by a department, rather than directly assigned to fee categories. Throughout the cost of service analysis used in this study, many non-labor expenses have been excluded from allocation if they can be directly attributable to a service not under review in this study.
- Allocated indirect organization-wide overhead – These are expenses, both labor and non-labor, related to the Town's agency-wide support services. Support services include general administrative services provided internally across the Town's departments by the Administration Department, the City Council, the City Attorney, and the Finance Department, as well as cost burdens for building use and facilities maintenance. These support services departments provide functions to the direct providers of public service, such as overall management, human resources, payroll, financial management, information technology, and other similar business functions.

These cost components were expressed using annual (or annualized) figures, representing a twelve-month cycle of expenses incurred by the Town in the provision of all services and activities agency-wide.

Nearly all of the fees under review in this study require specific actions on the part of Town staff to provide the service or conduct the activity. Because labor is an underlying factor in these activities, the full cost of service was most appropriately expressed as a fully-burdened cost per available labor hour. This labor rate – expressed as composite rate for each department in the Town's organization or functional division within a department – served as the basis for further quantifying the average full cost of providing individual services and activities.

To derive the fully-burdened labor rate for each department – and various functional divisions within a department – two figures were required: the full costs of service and the number of hours available to perform those services. The full costs of service were quantified generally through the earlier steps described in this analysis. The number of hours was derived from a complete listing of all personnel employed by the Town and reflected in the labor expenses embedded in the full cost of service.

Each Town employee was assigned a full-time equivalent factor. An employee working full-time would have a factor of 1.0; an employee working exactly half-time would have a factor of 0.5. A full-time employee is paid for roughly 2,080 hours per year of regular time. Using this as an initial benchmark of labor time, each employee's full-time equivalent factor was applied to this amount of hours to generate the total number of regular paid hours in each department.

Next, each employee's annual paid leave hours were approximated. Paid leave included holidays, vacation, sick leave, and any other regular leave indicated in personnel data. Once quantified for the

entire department, annual paid leave hours were removed from the total number of regular paid hours to generate the total number of available labor hours in each department. These available hours represent the amount of productive time during which services and activities can be performed.

The productive labor hours were then divided into the eligible annual full costs of service to derive a composite fully-burdened labor rate for each department or functional division. This schedule of composite labor rates by department was used in this Fee Study to quantify costs at an individual fee level. It should be noted, however, that the composite labor rates may also be used by the Town for other purposes when the need arises to calculate the full cost of general services. (As a work product of this study, the Town will be provided with a listing of fully-burdened hourly rates for each individual staff position, as well.) For nearly all services and activities in a governmental agency – not just those reflected in a fee schedule – labor is the most accessible and reasonable underlying variable.

Once fully-burdened labor rates were developed, they could be used at the individual fee level to estimate an average full cost of providing each service or activity. This step required the development of staff time estimates for the services and activities listed in the master fee schedule. Since the Town does not systematically track personnel time at a level of detail that could be applied in a cost of service analysis, interviews and questionnaires were used to develop the necessary data sets describing estimated labor time. In most cases, departments were asked to estimate the average amount of time (in minutes and hours) it would take to complete a typical occurrence of each service or activity considered. In some cases, a range of estimated time for a service or activity was developed, to best understand highly variable activities. Every attempt was made to ensure that each department having a direct role in the provision of each service or activity provided a time estimate.

It should be noted that the development of these time estimates was not a one-step process: estimates received were carefully reviewed by both consultant and departmental management to assess the reasonableness of such estimates. Based on this review, some time estimates were reconsidered until all parties were comfortable that they reasonably reflected average workload at the Town. Once finalized, the staff time estimates were then applied to the fully-burdened labor rate for each department and functional division to yield an average full cost of the service or activity.

The above-described steps were used for each department to describe the costs of general services, including those activities related to an existing or newly considered fee. For several sub-sets of fees, some deviations in analytical methods were taken to provide supplemental information in defining the full costs of services.

For development review services – the regulatory activities conducted by personnel in the Building and Planning Departments and the Engineering division of the Public Works Department – additional steps were taken to define the full cost of service. Before generating a fully-burdened labor rate, departmental staff was asked through an interview and questionnaire process to describe their annual workload across various functions of development review services. The purpose of this effort was to reflect the magnitude of the development review process and the fact that many of the indirect activities conducted by these departments – while not directly related to the act of reviewing, inspecting, and approving development or construction – are necessary components in providing complete and accurate regulation of those activities.

For example, the Planning Department devotes time to long-range or strategic planning, an effort required to establish the policies and standards under which direct review and approval of development applications occurs. It can be argued reasonably that effort associated with long-range planning is in fact part of the process of development review, and its costs can be considered for cost recovery – in whole or in part – through fees. As another example, the Building Department conducts some level of code enforcement: activities related to non-compliance with development, construction, and building regulation. It can be argued reasonably that those efforts – while related to development regulation – should not be considered for cost recovery from fees: that such efforts should either be funded by the public at large through General Fund resources or through the collection of penalties imposed on those in non-compliance with Town code.

From this functional expression of development review activities in each of these departments/divisions responsible for the activities, a fully-burdened rate per hour of time spent on active development applications and projects was computed. This rate included a provision for costs associated with indirect activities that were determined to have a correlation to the provision of development regulation. This fully-burdened hourly rate was different than that computed for other activities across other Town departments. Those other hourly rates encompassed the general activities of the departments. The fully-burdened rate calculated through this supplemental process for Building, Planning, and Engineering is applicable to services and activities within the sphere of development review.

Fees within the Parks Program – specifically, facility rentals – were calculated following fully-burdened labor rates that were derived for several specific categories of personnel, in addition to functional divisions. Hourly rates distinguish between full-time and part-time labor, and the type of labor being performed: rental coordination/management and facilities maintenance. Hourly rates in this program also carry a significant indirect service related to the estimated annual maintenance costs of facilities and grounds available for rent (or necessary to support rental).

The products of the Cost of Service Analysis can be viewed in the separate technical exhibits in Exhibit Series E and Exhibit Series F. A summary of cost of service results can be seen in each fee category by viewing the working version of the Master Fee Schedule in Exhibit B.

Cost Recovery Evaluation

Once the full cost of service was quantified for individual fees or for a body of fees, the next steps toward establishing fees were to first understand current levels of cost recovery from fee revenues and then – if applicable and desired – to target a different level of cost recovery from new and/or increased fees.

Current levels of cost recovery from existing fee revenues were stated simply by comparing the existing fee for each service or activity – if a fee was imposed – to the average full cost of service quantified through this analysis. Cost recovery was expressed as a percentage of the full cost. A cost recovery rate of 0-percent (0%) means no costs are recovered from fee revenues. A rate of 100-percent (100%) means that the full cost of service is recovered from the fee. A rate between 0- and 100-percent indicated partial recovery of the full cost of service through fees. A rate greater than 100-percent means that the fee exceeded the full cost of service.

With some exceptions, user fees and regulatory fees examined in this study should not exceed the full cost of service. In other words, the cost recovery rate achieved by a fee should not be greater than 100-percent. In most cases, imposing a fee above this threshold could require the consensus of the voters. Exceptions to this rule typically focus on areas where the fee actually behaves akin to a fine or penalty imposed on an individual or entity that has violated Town requirements or code. In those circumstances, the Town is not limited to the cost of service when setting the amount. Another exception to this rule is in areas where policy or values may encourage a differential fee for Town residents and non-residents, which is most often applied in parks and recreation programs. It is commonly accepted in governmental fee-setting that justifications can be made for imposing a moderately higher fee on non-residents than the full cost of the direct service in question. A common, generally-accepted justification is that the non-resident does not also contribute individual taxes to the municipality: revenues which have contributed to making the Town a fully-functioning entity with an organization, property, facilities, and equipment, without which the provision of the individual service in question would not even be possible.

Determining the targeted level of cost recovery from a new or increased fee is not an analytical exercise. Instead, targets reflect agency-specific judgments linked to a variety of factors, such as existing Town policies, agency-wide or departmental revenue objectives, economic goals, community values, market conditions, level of demand, and others. Because of this, targeted levels of cost recovery vary by fee type and/or department.

A general means of selecting an appropriate cost recovery target is to consider the public and private benefits of the service or activity in question. To what degree does the public at large benefit from the

service? To what degree does the individual or entity requesting, requiring, or causing the service benefit? When a service or activity completely benefits the public at large, it can be argued reasonably that there should be no cost recovery from fees (i.e., 0-percent cost recovery): that a truly public-benefit service is best funded by the general resources of the Town, such as General Fund revenues (e.g., taxes). Conversely, when a service or activity completely benefits an individual or entity, it can be argued reasonably that 100-percent of the cost should be recovered from fees collected from the individual or entity.

Under this approach, it is often found that many governmental services and activities fall somewhere between these two extremes, which is to say that most activities have a mixed benefit. In the majority of those cases, the initial cost recovery level targeted may attempt to reflect that mixed public and private benefit. For example, an activity that seems to have a 40-percent private benefit and a 60-percent public benefit would yield a cost recovery target from fees of 40-percent.

In some cases, a strict public-versus-private benefit judgment may not be sufficient to finalize a cost recovery target. Any of the following other factors and considerations may influence exclusively or supplement the public/private benefit of a service or activity:

- If optimizing revenue potential is an overriding goal, is it feasible to recover the full cost of service?
- Will increasing fees result in non-compliance or public safety problems?
- Are there desired behaviors or modifications to behaviors of the service population that could be helped or hindered through the degree of pricing for the activities?
- Could fee increases adversely affect Town goals, priorities, or values?

For specific sub-sets of Town fees, even more specific questions may influence ultimate cost recovery targets:

- Does current demand for services support a fee increase without adverse impact to the citizenry served or current revenue levels? (In other words, would fee increases have the unintended consequence of driving away the population served?)
- Is there a good policy basis for differentiating between type of users (e.g., residents and non-residents, residential and commercial, non-profit entities and business entities)?
- Are there broader Town objectives that inform a less than full cost recovery target from fees, such as economic development goals and local social values?

Because this element of the study is subjective – despite the above attempts to provide structure for consistent decision-making – the proposed Master Fee Schedule in Exhibit A represents the cost recovery recommendations of the departments most closely involved with each set of fees. In this case, the consultant in charge of the analytical outcomes of this study has provided the full cost of service information and the framework for considering fees, while those closest to the fee-paying population – the Town departments – have considered appropriate cost recovery levels at or below that full cost. One exception to this staff-recommended set of cost recovery targets exists in Building fees: In this case, the City Council has provided substantive direction in the level of cost recovery, which has significantly influenced the final fees proposed, as summarized later in this transmittal.

Current cost recovery levels from existing fees can be viewed in the working version of the Master Fee Schedule shown in Exhibit B.

Fee Establishment

Once the full cost of service was established and cost recovery targets were set, fees were calculated. The fully-burdened rate was applied to an average labor time estimate to generate the average full cost of service. If less than full cost recovery was targeted, this figure was then adjusted downward to match the intended level of cost recovery from the fee. In nearly all cases, once these few steps were complete, the proposed fee was complete.

Because many of the Town's fees are flat fees, they correspond directly to the average full cost of service result. For most Planning Department activities and for a few activities in other departments where estimating an average was impossible, use of fully-burdened hourly rates coupled with formal or informal time-tracking was retained or suggested as the fee structure. (In other words, the Town would impose a fee per hour of staff time, requiring some degree of time estimation and/or tracking.) In other cases, the average full cost of service was translated into a cost per unit of service, based on data or estimates provided by the lead department for the fee in question.

Calculating fees during this study also included a range of other activities, described below:

- Development of a consolidated, master schedule of fees – One objective of this study was to develop a consolidated schedule of all Town-wide user fees and regulatory fees. This report provides a master schedule in the appendices. (Exhibit A is the suggested form for implementation.)
- Addition to and deletion of fees imposed – The study process provided each department the opportunity to propose additions and deletions to their fee schedules, as well as rename, reorganize, and clarify fees imposed. Many such revisions were performed to better conform fees to current practices, as well as improve the calculation of fees owed by an individual, the application of said fees, and the collection of revenues. In other words, as staff is more knowledgeable and comfortable working with the fee schedule, the accuracy achieved in both imposing fees on users and collecting revenues for the Town is greater. Beyond this, some additions to the fee schedule were simply identification of existing services or activities performed by Town staff for which no fee was imposed.
- Revision to the structure of fees – In most cases, the current structure of fees was sustained; the level of the fee was simply recalibrated to match the costs of service and targeted cost recovery level. In several cases, however, the manner in which a fee is imposed on a user was changed, most noticeably in the Public Works Department. In the majority of cases in which this was done, the primary objectives were to better relate the fee structure to the manner in which service is performed or increase the likelihood that the full cost of service would be recovered accurately.
- Documentation of tools to calculate special cost recovery – An element added to the Town's fee schedule was the inclusion of fully-burdened hourly rates by department. Documenting these rates in the fee schedule provides an opportunity for the City Council to approve rates that should be used whenever the Town computes a special form of cost recovery under a "time and materials" approach. It also provides clear publication of those rates, so ultimate fee payers of any uniquely determined fee can reference the amounts. Publication of these rates in the master fee schedule is accompanied by language providing that special forms of cost recovery for activities and services not contemplated by the adopted master fee schedule can be computed at the discretion of the City Manager or his or her designee, following the rates adopted by the City Council in the master fee schedule.

Data Sources

The following data sources were used to support the cost of service analysis and fee establishment phases of this study:

- The Town of Atherton Adopted Budget for Fiscal Year 2009-10.
- The Town of Atherton actual estimated revenues and expenditures for Fiscal Years 2007-08 and 2008-09.
- Various correspondences with the Town staff supporting the adopted Fiscal Year 2009-10 budget and current fees, including budget notes and expenditure detail not shown in the published document.
- A complete listing of all Town personnel, salary/wage rates, regular hours, paid benefits, and paid leave amounts – provided by the Finance Department.
- Prevailing fee schedules provided by each involved department.
- Permit history from the Building Department for Fiscal Years 2003-04 through 2008 (summary level) and May 2008 through May 2009 (detailed).
- Various organizational and procedural documentation provided by individual departments describing processes, rules, and standards for certain services and activities.
- The draft Overhead Cost Allocation Plan for Fiscal Year 2009-10, prepared by NBS as a separate effort performed concurrently with this Fee Study. Refer to Exhibit D for the analysis.

The Town's adopted budget is the most significant source of information affecting cost of service results. It should be noted that consultants did not conduct separate efforts to audit or validate the Town's financial management and budget practices, nor was cost information adjusted to reflect different levels of service or any specific, targeted performance benchmarks. This study has accepted the Town's budget as a legislatively adopted directive describing the most appropriate and reasonable level of Town spending. Consultants accept the City Council's deliberative process and adoption of the budget plan, and consultants further assert that through that legislative process, the Town has yielded an expenditure plan it deems reasonable, valid for use in setting cost-based fees.

Beyond the data sources listed above, original data sets were also developed to support the work of this study: primarily, estimated staff time at various levels of detail. To develop these data sets, consultants prepared questionnaires and conducted meetings and interviews with individual departments. In the fee establishment phase of the analysis, departmental staff provided estimates of average time spent providing a service or activity corresponding with an existing or new fee. Consultants and departmental management reviewed and questioned responses to ensure the best possible set of estimates.

For development review services, in the supplemental step that required staff to describe their annual workload across various functions of service, a deductive questionnaire was prepared. That tool required responding personnel to work step-by-step through their last year and estimate time spent across indirect and direct activities. The deductive approach was designed to avoid the natural inclination toward over-estimation related to the direct permitting function of each division. Responses to this questionnaire were also reviewed by both consultants and departmental management, and data was revised when inconsistent with overall activity at the Town or when anomalies were found.

(Note: The use of time estimates in fee justification is widely practiced throughout the public sector in California and other states. It is unusual for municipalities – even very large agencies – to have systematically tracked staff time at a level of detail that would be informative in a cost of service analysis. However, advances in information technology available to the public sector, including cost-effective and user-friendly software systems, are now slowly enabling agencies to gather meaningful and quality data useful in fee studies. Outside of systematic time-keeping, the only other alternative to time estimation is to conduct time studies. A time study is a process by which individual staff members record time in specific categories for a pre-determined amount of time (e.g., six weeks to six months or longer). For

most of the services considered in this Fee Study, temporary time studies would not likely generate better information than outright estimation based on staff experience and knowledge of processes; the sample size attainable in a short amount of time would almost certainly be too small. For these reasons, it was the decision of this study to trust in the experience and judgment of Town staff and management, coupled with the consultant's experience at other agencies in the development of time estimates.)

The final sets of labor time estimates used in this study are reflected throughout the cost of service analysis shown in Exhibit Series E and Exhibit Series F.

SUMMARY OF OUTCOMES

Please refer to Exhibit A for the proposed Master Fee Schedule, which is the primary product of the Town's Comprehensive Fee Study. (Exhibit B provides additional detail, including current fees, costs of service, current cost recovery levels, and proposed fee amounts.)

The following sections provide several highlights from each broad section of fees, focusing primarily on changes to cost recovery policy.

Administrative Fees

The cost of service analysis has yielded some opportunities for improved cost recovery in this area of fees. In nearly all cases, fees for various administrative services the Town performs are proposed to be calibrated to the full cost of service incurred by the Town to the extent allowed by State law. (Several activities are limited by statute.) Many changes to this fee schedule are also reflective of a modernization of services, which includes less reliance on distribution of information via paper documents and increased use of email distribution and/or web publishing.

Building Fees

The majority of the Town's Building fee revenue comes from its valuation-based Building Permit fee structure for new and remodeled construction. The proposed fee schedule listed in Exhibit A does not modify the valuation-basis for Building Permit fees; however, based on the results of the cost of service analysis and subsequent policy direction from the City Council, substantive edits are proposed.

Best illustrated in the graphs included in the technical exhibits as Exhibit C, the cost of service analysis shows that the Town is recovering varying degrees of the full cost of service across different project valuations. The most significant under-recovery occurs at the lower end of the valuation spectrum, shown best in Graph B and Graph E for Building Permit and Plan Review activities respectively. At the higher end of the valuation spectrum – best illustrated in Graph C and Graph F – under-recovery is still observed for Building Permit activities, while Plan Review fees are recovering at or near the full cost of service.

The full cost of service for Building activities is inclusive of all eligible direct and indirect costs of the regulatory function, excluding activities associated with punitive code enforcement and activities completely unrelated to the review and inspection of private construction. The full cost of service does include costs attributable to public information and assistance. However, upon review with the City Council, direction was received from a consensus of Councilmembers that such costs, while indirectly attributable to development and construction regulation within the Town, may be best recovered by the general resources of the Town due to the at-large benefit such service yields. Excluding these costs results in a targeted cost recovery rate for Building activities of approximately 79% of maximum eligible costs of service. (This percentage is based on current workload distribution; if such a policy is sustained in the future, the actual percentage may change as workload shifts.)

From this benchmark, Building Department staff and consultants devised a proposed fee structure that targets the Council-directed level of cost recovery. One additional modification to this target was made: Given the scale of discrepancy between the costs of service and current fees at the lower end of the valuation spectrum, staff chose to propose fee amounts that improve cost recovery achieved but to avoid

moving substantively out of line with fees imposed by comparable or neighboring agencies. The resulting fee structure provides a linear progression of increasing fee amounts as valuation increases, topping out at the Council-directed cost recovery target of 79% for both Building Permit and Plan Review fees.

Exhibit C, Graphs H and I, best illustrate the total cost to an applicant under the resulting proposed fee structure. Graph H shows the total fee – for Building Permit and Plan Review – increasing substantively for all project valuations between \$1 and \$100,000. Graph I shows that despite an increase in the Building Permit fee to meet the Council-directed cost recovery target, the total fee paid by applicants with projects valued greater than roughly \$700,000 will actually decrease. This is predominantly due to the need to recalibrate Plan Review fees at the higher end of the valuation spectrum, which were already proved to be performing at or near full cost recovery (i.e., higher than the proposed Council-directed cost recovery target stemming from this study). Despite this higher-end decrease, Building fee revenues are projected to increase on the whole; however, revenue increases will come from lower-end, currently under-recovering projects and miscellaneous Building permits.

Also supported by the cost of service analysis, Town staff is proposing to modify the bases for determining permitted values for construction, which is used as the method for classifying projects within the Town's valuation-based Building Permit fee structure. Currently, all habitable construction is valued at \$350 per square foot. Exhibit A reflects a proposal to reduce the basis for remodeled construction to \$300 per square foot. Also, non-habitable construction is valued currently at \$250 per square foot, and Exhibit A reflects a proposal to reduce that basis to \$200 per square foot. Within this topic, Town staff will also be modifying its procedures to no longer allow a contractor's estimate to be used for valuing remodeled construction, instead relying on the above-cited bases.

Outside of the Building Permit and Plan Review fee structure, the miscellaneous permit fees and other activities within the Building Department shown in Exhibits A and B are proposed to change to varying degrees. In general, the Council-directed cost recovery target is sought – yielding fee increases – however, fee levels imposed by neighboring or comparable cities also influenced staff proposals. Several new fees are also proposed – primarily associated with excessive effort caused by an applicant or non-compliance – as are administrative fees associated with deposits.

Finally, as part of this effort, Town staff will be revising procedures related to the timing of fee collection. Past practice has required the Town to collect all estimated fees at the time of submittal. Staff proposes to modify procedures to require payment only of Plan Review fees at the time of submittal, with all remaining fees due at the time of Building Permit issuance. Town staff believes this change in process will streamline administrative burdens, particularly in the event that a project does not proceed beyond submittal, which currently necessitates fee refunding.

Planning Fees

The Town's current Planning fee structure is intended to recover all costs of individual development review and approval, particularly those costs incurred by the Town's use of contract planners. Full cost recovery is aided by this department's practice of billing applicants for actual time incurred to a project in most cases. No change to that practice is proposed.

The cost of service analysis has recalibrated the applicable fully-burdened hourly rates for Planning activities. These rates reflect the full cost of service of the Town's Planning function excluding the indirect service of providing information and assistance to the public regarding development review and punitive forms of code enforcement. Excluding costs attributable to public information and assistance conforms to direction received from the City Council that such costs, while indirectly attributable to development within the Town, may be best recovered by the general resources of the Town due to the at-large benefit such service yields. Excluding these costs results in a targeted cost recovery rate for Planning activities of approximately 71% of maximum eligible costs of service. (This percentage is based on current workload distribution; if such a policy is sustained in the future, the actual percentage may change as workload shifts.)

Based on this cost recovery target, minimum fee amounts have been recalibrated, and initial deposits against actual staff time recorded for each project have been revisited. Several activities with no prior fee have also been proposed for new fees to provide additional cost recovery: pre-application reviews, initial reviews, and revisions. Despite these new fees, the activities are intended to improve application quality and may help to keep an applicant's subsequent fee amount lower; or, in the case of fees for revisions, modifications to undesirable behaviors may be encouraged.

There are only three activities for which fees are not proposed to change, and hence, cost recovery shall remain less than the overall target: Appeals are proposed to remain as currently listed to avoid potential disenfranchisement; School Master Plans are not proposed to change to encourage continued participation in the process; and Home Occupation Reviews are proposed to remain unchanged to avoid discouraging compliance.

Parks Program Fees

Opportunities for increased revenue exist across all Parks Program services, when compared to costs of service; however, of all fees imposed by the Town, these are considered the most sensitive to market conditions (i.e., competition from nearby, similar facilities and other factors). Fees proposed in Exhibit A make progress toward full cost recovery, but remain influenced by market comparisons:

- Fees for facility rentals for weddings and social events are proposed to increase within the Town's costs of service but not to exceed fees for similar facilities to avoid driving away demand.
- Fees for facility rentals for meetings are proposed to increase within the Town's costs of service, but will continue to be heavily discounted to avoid driving away demand and continue marketing benefits for weddings and social events which are attained through these non-peak period uses.
- Fees for day use permits are proposed to increase; however, the Parks Program will alter its policies to provide exclusive use of amenities with the purchase of a permit.
- Proposed fees for facility rentals eliminate discounted pricing for residents and waivers for historically subsidized Town organizations. For the latter – Town organizations, the Parks Program will work with organizations to provide discounted rentals depending on the facility rented and timing of rental.

Public Works Fees

With the exception of one activity, current fees imposed by the Public Works Department generate revenue well below the Town's full cost of each service. In every case, Public Works fees shown in Exhibit A target full cost recovery, as determined through the cost of service analysis.

That said, in addition to improved cost recovery, fee restructuring has also been performed to better correlate fee amounts to different levels of effort actually required. This will improve the equity inherent in fees paid by individuals, particularly with respect to Encroachment Permits. For example, separate fee categories by project type and defining characteristics have been proposed. Fee amounts are also proposed to be determined based on metrics which can account for the size or complexity of a project. Additionally, the level of effort embedded in each fee amount is defined, particularly in terms of the number of plan review and inspections anticipated; and additional fees are proposed for cases where the applicant causes the Town to exceed those defined levels of effort. Finally, in cases where the level of staff time involved in review/inspection is highly variable and/or the use of external consultants is required, proposed fees target full cost recovery through the charging for actual time recorded to the project.

Police Fees

With few exceptions, fees for Police services and activities are targeted to recover the full cost of service calculated through this study. In some cases, this requires a fee decrease, consistent with modern practices and efficiencies compared to the basis for current fees. It should be noted that updated hourly rates for departmental labor provides an opportunity to the Town for improved cost recovery, particularly when associated with special service requests fulfilled by the Police Department.

Less than full cost recovery will be accepted for two fee categories: alarm registration and alarm signs. It is the recommendation of departmental staff that the community's broader crime prevention program not be potentially compromised by an increase in fees that might deter participation.

Approximate Revenue Projection

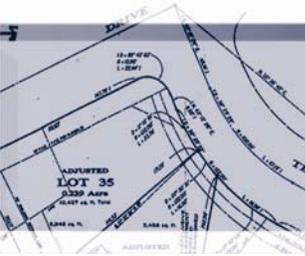
The proposed Master Fee Schedule includes revisions to fees which should improve the Town's recovery of costs incurred to provide individual service. Predicting the amount to which those fee increases will affect Town revenues is very difficult to quantify, as the services considered in this analysis are discretionary, non-recurring, and dependent upon factors and conditions external to the Town and outside its influence. For the near-term, the Town should not rely upon increased revenues to meet any specific, necessary expenditure plan. Experience with these fee increases should be gained first before revenue projections are revised. However, unless there is some significant, long-term change in activity levels at the Town, these proposed fee increases should – over time – enhance the Town's revenue capabilities, providing it the ability to stretch other resources further for the benefit of the public at large.

Of the fees under review in this study, the Town recorded a total of \$1,512,408.20 in revenues in Fiscal Year 2008-09. The fees shown in the Master Fee Schedule have the potential to generate an incremental addition to revenues of \$350,000, which would represent an approximate increase to total Town user/regulatory fee revenue of 23%. This overall increase is the product of many changes to fees across all Town departments, which includes both increases and decreases to fees. For example, it is expected that Plan Review revenue in the Building Department may actually decrease by roughly 5% under the new fees, while revenues from Encroachment permits have the possibility of doubling, depending on the characteristics of individual projects.

This figure is a very rough estimate and should be accompanied by many caveats, not the least of which is: The incremental revenue estimate assumes the same underlying activity levels that drove revenue receipts in FY 2008-09. It is problematic to attempt to predict activity levels, particularly in fee structures that are based heavily on project-specific variables, such as future staff time (e.g., Planning fees) and characteristics of future projects (e.g., Encroachment Permits). Furthermore, the incremental revenue estimate assumes newly proposed fees would apply immediately after the statutory wait period is exhausted, which is true in all cases except for facility rentals, where existing contracts for future events would be grandfathered in at older fee levels. Revenue estimates here assume full implementation (i.e., all fee payers are subject to the modified fees).

NEXT STEPS

The outcomes summarized in this transmittal and shown in the separate series of technical exhibits from the study will be presented and discussed further with the City Council at a Public Hearing scheduled for September 16, 2009. A final report for the Comprehensive Fee Study will be delivered to the Town upon completion of the project, which is currently estimated to occur after adoption of a Master Fee Schedule by the City Council. In addition to that final report describing final fee outcomes after Council deliberation and action, NBS will be delivering to the Town the functional analytical models used to justify cost allocations, fully-burdened hourly labor rates for Town personnel, and activity costs of service.



*-- DRAFT EDITION --
-- FINDINGS SUBJECT TO CHANGE BASED ON CITY COUNCIL DELIBERATION AND ACTION --*

**COST OF SERVICE STUDY FOR ANALYZING
USER FEES AND REGULATORY FEES**

TECHNICAL EXHIBITS

Prepared for the

TOWN OF ATHERTON

August 2009

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LIST OF TECHNICAL EXHIBITS

- 1. **PROPOSED MASTER FEE SCHEDULE..... EXHIBIT A**

- 2. **PROPOSED MASTER FEE SCHEDULE WITH COMPARISON
TO CURRENT FEES AND COSTS OF SERVICE..... EXHIBIT B**

- 3. **ILLUSTRATION OF PROPOSED BUILDING PERMIT FEES WITH
COMPARISON TO CURRENT FEES AND COSTS OF SERVICE..... EXHIBIT C**

- 3. **OVERHEAD COST ALLOCATION PLAN EXHIBIT D**

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EXHIBIT A

Proposed Master Fee Schedule

Draft Edition Subject to Change Based on City Council Deliberation and Action

TOWN OF ATHERTON
MASTER FEE SCHEDULE

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TOWN OF ATHERTON
MASTER FEE SCHEDULE
Schedule of Administrative Fees

Service	Fee
ADMINISTRATIVE FEES	
Photocopying and/or Printing	\$0.10 Per Page
Digital Transmission of Files	\$0
Returned Checks (Non-Sufficient Funds)	\$35 Per Check
Stop-payment Check & Lost Check Replacement	\$35 Per Check
Tape Duplication - Per Tape	\$64
Notarize - Per Signature	\$10
Certified Copies - Per Copy	\$32
Special Event Application Review	\$218
Copy of Municipal Code	Free Via Website or See Photocopying and Printing Charge
Copy of General Plan	Free Via Website or See Photocopying and Printing Charge
Copy of Zoning Ordinance	Free Via Website or See Photocopying and Printing Charge
Copy of Budget	Free Via Website or See Photocopying and Printing Charge
Copy of Subdivision Ordinance	Free Via Website or See Photocopying and Printing Charge
List of All Businesses in Atherton	Free Via Website or \$69
Install and Remove Banner	\$387
Business License Processing Fee	\$25 Pass Through
Duplicate Business License Processing Fee	\$25 Pass Through
Code Enforcement - Administrative (Penalty)	Billed Hourly; Reference Hourly Rates
For Services Requested of Town Staff which have no fee listed in this Master Fee Schedule, the City Manager or the City Manager's designee shall determine the appropriate fee based on the following hourly rates for staff time involved in the service or activity:	
Administration Department Staff:	\$129 Per Hour
Finance Department Staff:	\$166 Per Hour

TOWN OF ATHERTON
MASTER FEE SCHEDULE
Schedule of Building Fees

BUILDING FEES

Building Permit Fees

Total Valuation	Building Permit Fee	Plan Review Fee
\$1.00 to \$500	\$155	65% of Building Permit Fee
\$501 to \$2,000	\$155 for the first \$500, plus \$3.05 for each add'l \$100, or fraction thereof, to and including \$2,000	65% of Building Permit Fee
\$2,001 to \$25,000	\$201 for the first \$2,000, plus \$14.00 for each add'l \$1,000, or fraction thereof, to and including \$25,000	65% of Building Permit Fee
\$25,001 to \$50,000	\$523 for the first \$25,000, plus \$10.10 for each add'l \$1,000, or fraction thereof, to and including \$50,000	65% of Building Permit Fee
\$50,001 to \$100,000	\$775 for the first \$50,000, plus \$18.91 for each add'l \$1,000, or fraction thereof, to and including \$100,000	65% of Building Permit Fee
\$100,001 to \$500,000	\$1,958 for the first \$100,000, plus \$5.07 for each add'l \$1,000, or fraction thereof, to and including \$500,000	45% of Building Permit Fee
\$500,001 to \$1,000,000	\$3,986 for the first \$500,000, plus \$3.84 for each add'l \$1,000, or fraction thereof, to and including \$1,000,000	45% of Building Permit Fee
\$1,000,001 and up	\$5,906 for the first \$1,000,000, plus \$3.84 for each add'l \$1,000, or fraction thereof	45% of Building Permit Fee

Permitted Value of Construction

New Habitable Construction	\$350 Per Square Foot
Remodeled Habitable Construction	\$300 Per Square Foot
New or Remodeled Non-Habitable Construction	\$200 Per Square Foot

TOWN OF ATHERTON
MASTER FEE SCHEDULE
Schedule of Building Fees

Service	Fee
BUILDING FEES	
Other Building Fees	
Plumbing, Mechanical, Electrical Permit (First Appliance)	\$100
Plumbing, Mechanical, Electrical Permit (Each Additional Appliance)	\$60
Demolition Permit Fee	\$300
Landscape Screening Permit Fee	\$289
Water Well Permit Fee	\$599
Solar Panels Permit Fee	\$250
Heritage Tree Removal - Staff Level (First Tree)	\$100
Heritage Tree Removal - Staff Level (Each Additional Tree)	\$41
Unauthorized Heritage Tree Removal/Damage (Penalty)	\$500
Excavation Permit	\$496
Re-Inspection Fee	\$100
Special Inspection or Consultation Inspection Fee	\$83 Per Half Hour
Revision Fee	\$165 Per Hour
Address Change	\$165 Per Hour or Consultant Costs
Permit Search	\$20 Plus Photocopying and/or Printing Posts
Reactivation of an Expired Permit	Up to One-Half the Amount Required for a New Permit for Such Work
Work Commencing Without a Permit (Penalty)	Up to Twice the Applicable Building Permit Fee, Subject to the Building Official's Discretion
Code Enforcement - Administrative (Penalty)	Billed Hourly; Reference Hourly Rates
Second Utility Deposit:	
Deposit	\$10,000
Administrative Fee	\$165
Landscape Screening Deposit:	
Deposit	\$10,000
Administrative Fee	\$165
Temporary Occupancy Deposit:	
Deposit	\$10,000
Administrative Fee	\$165
Excavation Road Deposit:	
Deposit	\$10,000
Administrative Fee	\$165

TOWN OF ATHERTON
MASTER FEE SCHEDULE
Schedule of Building Fees

Service	Fee
BUILDING FEES	
Recycling Deposit For issuance of any construction permit with a project cost estimated above \$50,000 or will generate more than ten tons of construction or demolition debris.	\$1,000 Minimum and \$500 Minimum for Re-Roof Permits
SMIP Fee	
SMIP - Residential (California Department of Conservation Mandated Fee)	Valuation Amount X 0.0001
SMIP - Commercial (California Department of Conservation Mandated Fee)	Valuation Amount X 0.00021
Building Standards Administration Special Revolving Fund (Senate Bill No. 1473 State Mandated)	
Permit Valuation	
\$1-25,000	\$1
\$25,001-50,000	\$2
\$50,001-75,000	\$3
\$75,001-100,000	\$4
Every \$25,000 or fraction thereof above \$100,000	Add \$1
For Services Requested of Town Staff which have no fee listed in this Master Fee Schedule, the City Manager or the City Manager's designee shall determine the appropriate fee based on the following hourly rates for staff time involved in the service or activity:	
Building Division Staff:	\$165 Per Hour

**TOWN OF ATHERTON
 MASTER FEE SCHEDULE
 Schedule of Planning Fees**

Service	Fee
PLANNING FEES	
Conditional Use Permit	Billed Per Hour with \$1,963 Minimum, Plus \$2,000 Deposit
Variance	Billed Per Hour with \$2,289 Minimum, Plus \$2,000 Deposit
Heritage Tree Removal Permit	Billed Per Hour with \$2,293 Minimum, Plus \$2,000 Deposit
Exception Review	Billed Per Hour with \$1,963 Minimum, Plus \$2,000 Deposit
Excessive Height	Billed Per Hour with \$1,963 Minimum, Plus \$2,000 Deposit
Lot Line Redesignation	Billed Per Hour with \$2,289 Minimum, Plus \$2,000 Deposit
Lot Line Adjustment	Billed Per Hour with \$1,636 Minimum, Plus \$2,500 Deposit
Tentative Parcel Map	Billed Per Hour with \$2,289 Minimum, Plus \$2,500 Deposit
Final Parcel Map	Billed Per Hour with \$1,310 Minimum, Plus \$2,500 Deposit
Appeal	\$750
School Master Plan	\$750
Initial Review/Negative Declaration	Billed Per Hour with \$3,595 Minimum, Plus \$2,000 Deposit
Zoning Ordinance Amendment	Billed Per Hour with \$3,595 Minimum, Plus \$2,500 Deposit
General Plan Amendment	Billed Per Hour with \$3,595 Minimum, Plus \$2,500 Deposit
Zoning Review for Home Occupation Business	\$82
Pre-Application Review	Billed Hourly; Reference Hourly Rates
Street Easement Vacation	Billed Hourly; Reference Hourly Rates
Code Enforcement - Administrative (Penalty)	Billed Hourly; Reference Hourly Rates
Initial Review (2 reviews for fee amount; additional reviews billed hourly):	
a. Fence	\$164
b. Accessory Structures (includes pools)	\$328
c. Accessory Buildings	\$655
d. Additions	\$818
e. New Construction	\$1,308
Revisions to Previously Approved Plans	Billed Hourly; Reference Hourly Rates

TOWN OF ATHERTON
MASTER FEE SCHEDULE
Schedule of Planning Fees

Service	Fee
PLANNING FEES	
<p>Many of the above-listed fees are applied on an hourly basis and are structured to recover the full cost of service for each activity type. The Town will apply the prevailing hourly rates against recorded staff time to determine the fee amount owed by each applicant. Hourly rates from other departments outside the Planning Department, including the City Attorney's Office, may also apply if staff from those other departments perform work on a specific application. Additionally, the Town will pass-through to the applicant any discrete costs incurred from the use of external service providers if required to process the specific application.</p>	
<p>For Services Requested of Town Staff which have no fee listed in this Master Fee Schedule, the City Manager or the City Manager's designee shall determine the appropriate fee based on the following hourly rates for staff time involved in the service or activity:</p>	
Town Planner:	\$226 Per Hour
Deputy Town Planner:	\$178 Per Hour
Senior Planner:	\$169 Per Hour
Assistant Planner:	\$136 Per Hour
Planning Administrative Staff:	\$120 Per Hour

**TOWN OF ATHERTON
 MASTER FEE SCHEDULE
 Schedule of Parks Program Fees**

Service	Fee
PARKS PROGRAM FEES	
Weddings/Receptions or Social Functions	
One Building Rental	
1 - 100 Guests	\$2,000
101 - 200 Guests	\$2,250
Additional Hour	\$100 Per Hour
Additional Attendant	\$50 Per Hour
Two Building Rental	
1 - 100 Guests	\$4,000
101 - 200 Guests	\$4,500
Additional Hour	\$100 Per Hour
Additional Attendant	\$50 Per Hour
Deposit	
Security Deposit:	\$1,000
Amount refundable if cancelled more than nine months in advance	\$750
Amount refundable if cancelled seven to nine months in advance	\$500
Amount refundable if cancelled six months or less in advance	\$0

TOWN OF ATHERTON
MASTER FEE SCHEDULE
Schedule of Parks Program Fees

Service	Fee
PARKS PROGRAM FEES	
Meetings	
The Main House	
Half Day (Mon. - Fri.) (Four hours)	\$300
Full Day/Evening (Mon. - Fri.)	\$400; Plus \$50 Per Hour After 5:00 p.m.
Additional Hour	\$50 Per Hour
Carriage House	
Weekday, Half Day (Mon. - Fri.) (Four hours)	\$200
Weekday, Full Day (Mon. - Fri.) (8:00 a.m. - 5:00 p.m.)	\$250
Weekend, Full Day (Sat. - Sun.) (9:00 a.m. - 4:00 p.m.)	\$250; Plus \$25 Per Hour
Weekend Evening (Fri. - Sun.) (5:00 p.m. - 11:00 p.m.)	\$500
Additional Hour or Additional Attendant	\$25 Per Hour
Jennings Pavilion	
1 - 100 Guests	
Half Day (Mon. - Fri.) (Four hours)	\$400
Full Day/Evening (Mon. - Fri.)	\$500; Plus \$50 Per Hour After 5:00 p.m.
Additional Hour or Additional Attendant	\$50 Per Hour
101 - 200 Guests	
Half Day (Mon. - Fri.)	\$500
Full Day/Evening (Mon. - Fri.)	\$600; Plus \$100 Per Hour After 5:00 p.m.
Additional Hour or Additional Attendant	\$100 Per Hour
Town Related Organizations	40% Discount for Main House Meeting Rentals; 20% Discount for Carriage House and Jennings Pavilion Meeting Rentals
Security Deposit (1)	\$250
Other	
Day Use Permit (Exclusive Use of Picnic Facilities)	\$100 Per Day
Code Enforcement - Administrative (Penalty)	Billed Hourly; Reference Hourly Rates

For Services Requested of Town Staff which have no fee listed in this Master Fee Schedule, the City Manager or the City Manager's designee shall determine the appropriate fee based on the following hourly rates for staff time involved in the service or activity:	
Program Director, for services related to facility use:	\$272 Per Hour
Facility Maintenance Staff, for services related to facility use:	\$256 Per Hour
Facility Attendant, for services related to facility use:	\$122 Per Hour

(1) Security deposit not required for Town Related Organizations.

TOWN OF ATHERTON
MASTER FEE SCHEDULE
Schedule of Public Works Fees

Service	Fee
PUBLIC WORKS FEES	
Encroachment Permits	
Driveway Connection to Street - Asphalt/Pavers:	
Without Driveway Culvert (up to 3 inspections)	
i. Application	\$300
ii. Plan Check	\$400
iii. Inspection	\$599
Total	\$1,299
iv. Additional Plan Check	\$400
v. Additional Inspection	\$200
With Driveway Culvert (up to 4 inspections)	
i. Application	\$300
ii. Plan Check	\$499
iii. Inspection	\$799
Total	\$1,598
iv. Additional Plan Check	\$499
v. Additional Inspection	\$200
Driveway Connection to Street - Concrete:	
Without Driveway Culvert (up to 4 inspections)	
i. Application	\$300
ii. Plan Check	\$499
iii. Inspection	\$799
Total	\$1,598
iv. Additional Plan Check	\$499
v. Additional Inspection	\$200
Driveway Connection to Street - Concrete:	
With Driveway Culvert (up to 5 inspections)	
i. Application	\$300
ii. Plan Check	\$499
iii. Inspection	\$999
Total	\$1,798
iv. Additional Plan Check	\$499
v. Additional Inspection	\$200

TOWN OF ATHERTON
MASTER FEE SCHEDULE
Schedule of Public Works Fees

Service	Fee
PUBLIC WORKS FEES	
Right-of-Way Landscaping, Fence, Etc. - Minor Construction (up to 2 inspections)	
i. Application	\$200
ii. Plan Check	\$100
iii. Inspection	\$200
Total	\$500
iv. Additional Plan Check	\$100
v. Additional Inspection	\$200
Right-of-Way Landscaping, Fence, Etc. - Standard (up to 2 inspections)	
i. Application	\$300
ii. Plan Check	\$200
iii. Inspection	\$400
Total	\$900
iv. Additional Plan Check	\$200
v. Additional Inspection	\$200
Connection to Storm Drain or Atherton Channel:	
i. Application (Per Application)	\$300
ii. Plan Check (Per Application)	\$599
iii. Inspection	
a. In-Pavement (up to 5 inspections)	
i. Trench (per linear foot)	\$48
ii. Bored pit (per pit)	\$1,199
b. Outside Pavement (up to 4 inspections)	
i. Trench (per linear foot)	\$28
ii. Bored pit (per pit)	\$699
Total	Varies
iv. Additional Plan Check	\$599
v. Additional Inspection	
a. In-Pavement	
i. Trench (per linear foot)	\$10
ii. Bored pit (per pit)	\$240
b. Outside Pavement	
i. Trench (per linear foot)	\$7
ii. Bored pit (per pit)	\$175

TOWN OF ATHERTON
MASTER FEE SCHEDULE
Schedule of Public Works Fees

Service	Fee
PUBLIC WORKS FEES	
Utility Connect/Disconnect:	
i. Application (Per Application)	\$300
ii. Plan Check (Per Application)	\$400
iii. Inspection	
a. In-Pavement (up to 7 inspections)	
i. Trench (per linear foot)	\$36
ii. Bored pit (per pit)	\$899
b. Outside Pavement (up to 6 inspections)	
i. Trench (per linear foot)	\$24
ii. Bored pit (per pit)	\$499
Total	Varies
iv. Additional Plan Check	\$400
v. Additional Inspection	
a. In-Pavement	
i. Trench (per linear foot)	\$5
ii. Bored pit (per pit)	\$128
b. Outside Pavement	
i. Trench (per linear foot)	\$4
ii. Bored pit (per pit)	\$83
Utility Main:	
i. Application (Per Application)	\$300
ii. Plan Check (Per Application)	\$999
iii. Inspection	
a. In-Pavement (up to 7 inspections)	
i. Trench (per linear foot)	\$40
ii. Bored pit (per pit)	\$999
b. Outside Pavement (up to 6 inspections)	
i. Trench (per linear foot)	\$27
ii. Bored pit (per pit)	\$599
Total	Varies
iv. Additional Plan Check	\$999
v. Additional Inspection	
a. In-Pavement	
i. Trench (per linear foot)	\$6
ii. Bored pit (per pit)	\$143
b. Outside Pavement	
i. Trench (per linear foot)	\$4
ii. Bored pit (per pit)	\$100

**TOWN OF ATHERTON
 MASTER FEE SCHEDULE
 Schedule of Public Works Fees**

Service	Fee
PUBLIC WORKS FEES	
Telecommunication Installation Permit: i. Without Trenching ii. With Trenching Property Improvement Permits and Reviews Grading and Drainage Detention System Annual Report Filing Detention System Annual Report - Submittals Out of Compliance Other Stop Work Order (Penalty) Code Enforcement - Administrative (Penalty)	\$100 See Utility Connect Fee Actual Consultant Cost Plus Town Overhead \$120 \$300 50% of Permit Fee Billed Hourly; Reference Hourly Rates
<p style="text-align: center;">At the discretion of the Public Works Director, additional fees may apply for projects requiring in excess of 8 hours. For Services Requested of Town Staff which have no fee listed in this Master Fee Schedule, the City Manager or the City Manager's designee shall determine the appropriate fee based on the following hourly rates for staff time involved in the service or activity:</p>	
Public Works/Engineering Staff:	\$200 Per Hour

EXHIBIT B

Proposed Master Fee Schedule with Comparison to Current Fees and Costs of Service

Draft Edition Subject to Change Based on City Council Deliberation and Action

TOWN OF ATHERTON

WORKING VERSION OF THE MASTER FEE SCHEDULE

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TOWN OF ATHERTON
MASTER FEE SCHEDULE
Schedule of Administrative Fees

Service	Current Fee	Calculated Fee Amount Assuming Recovery of 100% of the Cost of Service	Current Cost Recovery Percentage	Recommended Fee
ADMINISTRATIVE FEES				
Photocopying and/or Printing	\$0.10 Per Page	\$11 Minimum	May Be Less Than 100%	\$0.10 Per Page
Digital Transmission of Files	\$0	\$32	0%	\$0
Returned Checks (Non-Sufficient Funds)	\$20	\$124 Plus Bank Fees	16%	\$35 Per Check
Stop-payment Check & Lost Check Replacement	\$0	\$124 Plus Bank Fees	0%	\$35 Per Check
Tape Duplication - Per Tape	\$10	\$64	16%	\$64
Notarize - Per Signature	\$10	\$32	31%	\$10
Certified Copies - Per Copy	\$1	\$32	3%	\$32
Special Event Application Review	\$75	\$218	34%	\$218
Copy of Municipal Code	\$100	Free Via Website or See Photocopying and Printing Charge	n/a	Free Via Website or See Photocopying and Printing Charge
Copy of General Plan	\$40	Free Via Website or See Photocopying and Printing Charge	n/a	Free Via Website or See Photocopying and Printing Charge
Copy of Zoning Ordinance	\$15	Free Via Website or See Photocopying and Printing Charge	n/a	Free Via Website or See Photocopying and Printing Charge
Copy of Budget	\$15	Free Via Website or See Photocopying and Printing Charge	n/a	Free Via Website or See Photocopying and Printing Charge
Copy of Subdivision Ordinance	\$5	Free Via Website or See Photocopying and Printing Charge	n/a	Free Via Website or See Photocopying and Printing Charge
List of All Businesses in Atherton	\$0	Free Via Website or \$69	0%	Free Via Website or \$69
Install and Remove Banner	\$0	\$387	0%	\$387
Business License Processing Fee	\$25 Pass Through	n/a	n/a	\$25 Pass Through
Duplicate Business License Processing Fee	\$25 Pass Through	n/a	n/a	\$25 Pass Through
Code Enforcement - Administrative (Penalty)	\$0	See Hourly Rates	0%	Billed Hourly; Reference Hourly Rates

For Services Requested of Town Staff which have no fee listed in this Master Fee Schedule, the City Manager or the City Manager's designee shall determine the appropriate fee based on the following hourly rates for staff time involved in the service or activity:

Administration Department Staff:	\$129 Per Hour
Finance Department Staff:	\$166 Per Hour

TOWN OF ATHERTON
MASTER FEE SCHEDULE
Schedule of Building Fees

Service	Current Fee	Calculated Fee Amount Assuming Recovery of 100% of the Cost of Service	Current Cost Recovery Percentage	Calculated Fee Amount Assuming Targeted Recovery of 79% of Cost of Service	Recommended Fee
BUILDING FEES					
Building Permit Fees					
\$1.00 to \$500					
Permit	\$23.50	\$209	11%	\$165	\$155
Plan Review	\$15.28	\$431	4%	\$341 OR 207% of Building Permit Fee	65% of Building Permit Fee
\$501 to \$2,000					
Permit	\$23.50 for the first \$500, plus \$3.05 for each add'l \$100, or fraction thereof, to and including \$2,000	\$209 for the first \$500, plus \$19.60 for each add'l \$100, or fraction thereof, to and including \$2,000	11% -- 14%	\$165 for the first \$500, plus \$15.53 for each add'l \$100, or fraction thereof, to and including \$2,000	\$155 for the first \$500, plus \$3.05 for each add'l \$100, or fraction thereof, to and including \$2,000
Plan Review	65% of Building Permit Fee	\$437 for the first \$500, plus \$6.53 for each add'l \$100, or fraction thereof, to and including \$2,000	3% -- 8%	\$346 for the first \$500, plus \$5.13 for each add'l \$100, or fraction thereof, to and including \$2,000 OR 158% of Building Permit Fee	65% of Building Permit Fee
\$2,001 to \$25,000					
Permit	\$69.25 for the first \$2,000, plus \$14 for each add'l \$1,000, or fraction thereof, to and including \$25,000	\$503 for the first \$2,000, plus \$20.70 for each add'l \$1,000, or fraction thereof, to and including \$25,000	14% -- 40%	\$398 for the first \$2,000, plus \$16.35 for each add'l \$1,000, or fraction thereof, to and including \$25,000	\$201 for the first \$2,000, plus \$14.00 for each add'l \$1,000, or fraction thereof, to and including \$25,000
Plan Review	65% of Building Permit Fee	\$535 for the first \$2,000, plus \$6.26 for each add'l \$1,000, or fraction thereof, to and including \$25,000	8% -- 37%	\$423 for the first \$2,000, plus \$4.96 for each add'l \$1,000, or fraction thereof, to and including \$25,000 OR 88% of Building Permit Fee	65% of Building Permit Fee
\$25,001 to \$50,000					
Permit	\$391.25 for the first \$25,000, plus \$10.10 for each add'l \$1,000, or fraction thereof, to and including \$50,000	\$979 for the first \$25,000, plus \$18.56 for each add'l \$1,000, or fraction thereof, to and including \$50,000	40% -- 45%	\$774 for the first \$25,000, plus \$14.68 for each add'l \$1,000, or fraction thereof, to and including \$50,000	\$523 for the first \$25,000, plus \$10.10 for each add'l \$1,000, or fraction thereof, to and including \$50,000
Plan Review	65% of Building Permit Fee	\$679 for the first \$25,000, plus \$9.40 for each add'l \$1,000, or fraction thereof, to and including \$50,000	37% -- 46%	\$537 for the first \$25,000, plus \$7.44 for each add'l \$1,000, or fraction thereof, to and including \$50,000 OR 66% of Building Permit Fee	65% of Building Permit Fee

TOWN OF ATHERTON
MASTER FEE SCHEDULE
Schedule of Building Fees

Service	Current Fee	Calculated Fee Amount Assuming Recovery of 100% of the Cost of Service	Current Cost Recovery Percentage	Calculated Fee Amount Assuming Targeted Recovery of 79% of Cost of Service	Recommended Fee
BUILDING FEES					
\$50,001 to \$100,000					
Permit	\$643.75 for the first \$50,000, plus \$7 for each add'l \$1,000, or fraction thereof, to and including \$100,000	\$1,443 for the first \$50,000, plus \$41.38 for each add'l \$1,000, or fraction thereof, to and including \$100,000	45% -- 28%	\$1,141 for the first \$50,000, plus \$32.72 for each add'l \$1,000, or fraction thereof, to and including \$100,000	\$775 for the first \$50,000, plus \$18.91 for each add'l \$1,000, or fraction thereof, to and including \$100,000
Plan Review	65% of Building Permit Fee	\$914 for the first \$50,000, plus \$13.32 for each add'l \$1,000, or fraction thereof, to and including \$100,000	46% -- 41%	\$723 for the first \$50,000, plus \$10.52 for each add'l \$1,000, or fraction thereof, to and including \$100,000 OR 54% of Building Permit Fee	65% of Building Permit Fee
\$100,001 to \$500,000					
Permit	\$993.75 for the first \$100,000, plus \$5.60 for each add'l \$1,000, or fraction thereof, to and including \$500,000	\$3,512 for the first \$100,000, plus \$3.82 for each add'l \$1,000, or fraction thereof, to and including \$500,000	28% -- 64%	\$2,777 for the first \$100,000, plus \$3.02 for each add'l \$1,000, or fraction thereof, to and including \$500,000	\$1,958 for the first \$100,000, plus \$5.07 for each add'l \$1,000, or fraction thereof, to and including \$500,000
Plan Review	65% of Building Permit Fee	\$1,580 for the first \$100,000, plus \$1.57 for each add'l \$1,000, or fraction thereof, to and including \$500,000	41% -- 95%	\$1,249 for the first \$100,000, plus \$1.24 for each add'l \$1,000, or fraction thereof, to and including \$500,000 OR 45% of Building Permit Fee	45% of Building Permit Fee
\$500,001 to \$1,000,000					
Permit	\$3,233.75 for the first \$500,000, plus \$4.75 for each add'l \$1,000, or fraction thereof, to and including \$1,000,000	\$5,040 for the first \$500,000, plus \$4.86 for each add'l \$1,000, or fraction thereof, to and including \$1,000,000	64% -- 75%	\$3,986 for the first \$500,000, plus \$3.84 for each add'l \$1,000, or fraction thereof, to and including \$1,000,000	\$3,986 for the first \$500,000, plus \$3.84 for each add'l \$1,000, or fraction thereof, to and including \$1,000,000
Plan Review	65% of Building Permit Fee	\$2,207 for the first \$500,000, plus \$2.60 for each add'l \$1,000, or fraction thereof, to and including \$1,000,000	95% -- 104%	\$1,745 for the first \$500,000, plus \$2.06 for each add'l \$1,000, or fraction thereof, to and including \$1,000,000 OR 46% of Building Permit Fee	45% of Building Permit Fee
\$1,000,001 and up					
Permit	\$5,608.75 for the first \$1,000,000, plus \$3.65 for each add'l \$1,000, or fraction thereof	\$7,469 for the first \$1,000,000, plus \$4.86 for each add'l \$1,000, or fraction thereof	75% -- varies	\$5,906 for the first \$1,000,000, plus \$3.84 for each add'l \$1,000, or fraction thereof	\$5,906 for the first \$1,000,000, plus \$3.84 for each add'l \$1,000, or fraction thereof
Plan Review	65% of Building Permit Fee	\$3,508 for the first \$1,000,000, plus \$2.60 for each add'l \$1,000, or fraction thereof	104% -- varies	\$2,774 for the first \$1,000,000, plus \$2.06 for each add'l \$1,000, or fraction thereof OR 47% of Building Permit Fee	45% of Building Permit Fee

TOWN OF ATHERTON
MASTER FEE SCHEDULE
Schedule of Building Fees

Service	Current Fee	Calculated Fee Amount Assuming Recovery of 100% of the Cost of Service	Current Cost Recovery Percentage	Calculated Fee Amount Assuming Targeted Recovery of 79% of Cost of Service	Recommended Fee
BUILDING FEES					
Permitted Value of Construction					
New Habitable Construction	\$350 Per Square Foot	n/a	n/a	n/a	\$350 Per Square Foot
Remodeled Habitable Construction	\$350 Per Square Foot	n/a	n/a	n/a	\$300 Per Square Foot
New or Remodeled Non-Habitable Construction	\$250 Per Square Foot	n/a	n/a	n/a	\$200 Per Square Foot
Other Building Fees					
Plumbing, Mechanical, Electrical Permit (First Appliance)	\$100	\$418	24%	\$330	\$100
Plumbing, Mechanical, Electrical Permit (Each Additional Appliance)	\$0	\$418	0%	\$330	\$60
Demolition Permit Fee	\$200	\$706	28%	\$558	\$300
Landscape Screening Permit Fee	\$250	\$366	68%	\$289	\$289
Water Well Permit Fee	\$500	\$758	66%	\$599	\$599
Solar Panels Permit Fee	\$250	\$732	34%	\$578	\$250
Heritage Tree Removal - Staff Level (First Tree)	\$100	\$209	48%	\$165	\$100
Heritage Tree Removal - Staff Level (Each Additional Tree)	\$50	\$52	96%	\$41	\$41
Unauthorized Heritage Tree Removal/Damage (Penalty)	\$0	\$209 Per Hour	0%	\$165 Per Hour	\$500
Excavation Permit	\$1,000	\$627	159%	\$496	\$496
Re-Inspection Fee	\$0	\$209 Per Hour	0%	\$165 Per Hour	\$100
Special Inspection or Consultation Inspection Fee	\$0	\$209 Per Hour	0%	\$165 Per Hour	\$83 Per Half Hour
Revision Fee	\$54 Per Hour	\$209 Per Hour	26%	\$165 Per Hour	\$165 Per Hour
Address Change	\$250	\$209 Per Hour or Consultant Costs	Varies	\$165 Per Hour or Consultant Costs	\$165 Per Hour or Consultant Costs
Permit Search	\$20 Plus Photocopying and/or Printing Posts	\$35 Plus Photocopying and/or Printing Posts	57%	\$28 Plus Photocopying and/or Printing Posts	\$20 Plus Photocopying and/or Printing Posts
Reactivation of an Expired Permit	\$0	n/a	n/a	n/a	Up to One-Half the Amount Required for a New Permit for Such Work
Work Commencing Without a Permit (Penalty)	\$0	n/a	n/a	n/a	Up to Twice the Applicable Building Permit Fee, Subject to the Building Official's Discretion

TOWN OF ATHERTON
MASTER FEE SCHEDULE
Schedule of Building Fees

Service	Current Fee	Calculated Fee Amount Assuming Recovery of 100% of the Cost of Service	Current Cost Recovery Percentage	Calculated Fee Amount Assuming Targeted Recovery of 79% of Cost of Service	Recommended Fee
BUILDING FEES					
Code Enforcement - Administrative (Penalty)	\$0	See Hourly Rates	0%	See Hourly Rates	Billed Hourly; Reference Hourly Rates
Second Utility Deposit:					
Deposit	\$5,000	n/a	n/a	n/a	\$10,000
Administrative Fee	\$0	\$209	0%	\$165	\$165
Landscape Screening Deposit:					
Deposit	\$5,000	n/a	n/a	n/a	\$10,000
Administrative Fee	\$0	\$209	0%	\$165	\$165
Temporary Occupancy Deposit:					
Deposit	\$0	n/a	n/a	n/a	\$10,000
Administrative Fee	\$0	\$209	0%	\$165	\$165
Excavation Road Deposit:					
Deposit	\$5,000	n/a	n/a	n/a	\$10,000
Administrative Fee	\$0	\$209	0%	\$165	\$165
Recycling Deposit	\$1,000 Minimum and \$500 Minimum for Re-Roof Permits	n/a	n/a	n/a	\$1,000 Minimum and \$500 Minimum for Re-Roof Permits
SMIP Fee					
SMIP - Residential (California Department of Conservation Mandated Fee)	Valuation Amount X 0.0001	n/a	n/a	n/a	Valuation Amount X 0.0001
SMIP - Commercial (California Department of Conservation Mandated Fee)	Valuation Amount X 0.00021	n/a	n/a	n/a	Valuation Amount X 0.00021

TOWN OF ATHERTON
MASTER FEE SCHEDULE
Schedule of Building Fees

Service	Current Fee	Calculated Fee Amount Assuming Recovery of 100% of the Cost of Service	Current Cost Recovery Percentage	Calculated Fee Amount Assuming Targeted Recovery of 79% of Cost of Service	Recommended Fee
BUILDING FEES					
Building Standards Administration Special Revolving Fund (Senate Bill No. 1473 State Mandated)					
Permit Valuation					
\$1-25,000	\$1	n/a	n/a	n/a	\$1
\$25,001-50,000	\$2	n/a	n/a	n/a	\$2
\$50,001-75,000	\$3	n/a	n/a	n/a	\$3
\$75,001-100,000	\$4	n/a	n/a	n/a	\$4
Every \$25,000 or fraction thereof above \$100,000	Add \$1	n/a	n/a	n/a	Add \$1

For Services Requested of Town Staff which have no fee listed in this Master Fee Schedule, the City Manager or the City Manager's designee shall determine the appropriate fee based on the following hourly rates for staff time involved in the service or activity:

	Current Fee	Calculated Fee Amount Assuming Recovery of 100% of the Cost of Service	Current Cost Recovery Percentage	Calculated Fee Amount Assuming Targeted Recovery of Cost of Service	Recommended Fee
Building Division Staff:	n/a	\$209 Per Hour	n/a	\$165 Per Hour	\$165 Per Hour

TOWN OF ATHERTON
MASTER FEE SCHEDULE
Schedule of Planning Fees

Service	Current Fee	Minimum Calculated Fee Amount Assuming Recovery of 100% of Cost of Service	Current Cost Recovery Percentage	Minimum Calculated Fee Amount Assuming Targeted Recovery of 71% of Cost of Service	Recommended Fee
PLANNING FEES					
Conditional Use Permit	Billed Per Hour with \$1,500 Minimum Plus \$2,000 Deposit	\$2,771	May Be Less Than 100%	\$1,963	Billed Per Hour with \$1,963 Minimum, Plus \$2,000 Deposit
Variance	Billed Per Hour with \$1,500 Minimum Plus \$2,000 Deposit	\$3,241	May Be Less Than 100%	\$2,289	Billed Per Hour with \$2,289 Minimum, Plus \$2,000 Deposit
Heritage Tree Removal Permit	Billed Per Hour with \$1,500 Minimum Plus \$2,000 Deposit	\$3,188	May Be Less Than 100%	\$2,293	Billed Per Hour with \$2,293 Minimum, Plus \$2,000 Deposit
Exception Review	Billed Per Hour with \$1,500 Minimum Plus \$1,000 Deposit	\$2,771	May Be Less Than 100%	\$1,963	Billed Per Hour with \$1,963 Minimum, Plus \$2,000 Deposit
Excessive Height	Billed Per Hour with \$1,500 Minimum Plus \$2,000 Deposit	\$2,771	May Be Less Than 100%	\$1,963	Billed Per Hour with \$1,963 Minimum, Plus \$2,000 Deposit
Lot Line Redesignation	Billed Per Hour with \$1,500 Minimum Plus \$1,000 Deposit	\$3,241	May Be Less Than 100%	\$2,289	Billed Per Hour with \$2,289 Minimum, Plus \$2,000 Deposit
Lot Line Adjustment	Billed Per Hour with \$2,500 Minimum Plus \$1,000 Deposit	\$2,300, Plus Additional Consultant Costs	May Be Greater Than 100%	\$1,636	Billed Per Hour with \$1,636 Minimum, Plus \$2,500 Deposit
Tentative Parcel Map	Billed Per Hour with \$5,000 Minimum Plus \$2,500 Deposit	\$3,241 Plus Additional Consultant Costs	May Be Greater Than 100%	\$2,289	Billed Per Hour with \$2,289 Minimum, Plus \$2,500 Deposit
Final Parcel Map	Billed Per Hour with \$5,000 Minimum Plus \$2,500 Deposit	\$1,829 Plus Additional Consultant Costs	May Be Greater Than 100%	\$1,310	Billed Per Hour with \$1,310 Minimum, Plus \$2,500 Deposit
Appeal	\$750	\$2,300	May Be Less Than 100%	\$1,636	\$750
School Master Plan	\$750	\$1,829	May Be Less Than 100%	\$1,310	\$750
Initial Review/Negative Declaration	Billed Per Hour with \$2,500 Minimum Plus \$1,000 Deposit	\$5,123	May Be Less Than 100%	\$3,595	Billed Per Hour with \$3,595 Minimum, Plus \$2,000 Deposit
Zoning Ordinance Amendment	Billed Per Hour with \$5,000 Minimum Plus \$2,500 Deposit	\$5,123	May Be Less Than 100%	\$3,595	Billed Per Hour with \$3,595 Minimum, Plus \$2,500 Deposit
General Plan Amendment	Billed Per Hour with \$5,000 Minimum Plus \$2,500 Deposit	\$5,123	May Be Less Than 100%	\$3,595	Billed Per Hour with \$3,595 Minimum, Plus \$2,500 Deposit
Zoning Review for Home Occupation Business	\$100	\$118	85%	\$82	\$82
Pre-Application Review	\$0	See Hourly Rates	0%	See Hourly Rates	Billed Hourly; Reference Hourly Rates

TOWN OF ATHERTON
MASTER FEE SCHEDULE
Schedule of Planning Fees

Service	Current Fee	Minimum Calculated Fee Amount Assuming Recovery of 100% of Cost of Service	Current Cost Recovery Percentage	Minimum Calculated Fee Amount Assuming Targeted Recovery of 71% of Cost of Service	Recommended Fee
PLANNING FEES					
Street Easement Vacation	\$1,000	See Hourly Rates	Varies	See Hourly Rates	Billed Hourly; Reference Hourly Rates
Code Enforcement - Administrative (Penalty)	\$0	See Hourly Rates	0%	See Hourly Rates	Billed Hourly; Reference Hourly Rates
Initial Review (2 reviews for fee amount; additional reviews billed hourly):					
a. Fence	\$0	\$222	0%	\$164	\$164
b. Accessory Structures (includes pools)	\$0	\$444	0%	\$328	\$328
c. Accessory Buildings	\$0	\$915	0%	\$655	\$655
d. Additions	\$0	\$1,150	0%	\$818	\$818
e. New Construction	\$0	\$1,856	0%	\$1,308	\$1,308
Revisions to Previously Approved Plans	\$0	See Hourly Rates	0%	See Hourly Rates	Billed Hourly; Reference Hourly Rates

Many of the above-listed fees are applied on an hourly basis and are structured to recover the full cost of service for each activity type. The Town will apply the following hourly rates against recorded time to determine the fee amount owed by each applicant. Hourly rates from other departments outside the Planning Department, including the City Attorney's Office, may also apply if staff from those other departments perform work on a specific application. Additionally, the Town will pass-through to the applicant any discrete costs incurred from the use of external service providers if required to process the specific application.

For Services Requested of Town Staff which have no fee listed in this Master Fee Schedule, the City Manager or the City Manager's designee shall determine the appropriate fee based on the following hourly rates for staff time involved in the service or activity:

	Current Fee	Calculated Fee Amount Assuming Recovery of 100% of the Cost of Service	Current Cost Recovery Percentage	Calculated Fee Amount Assuming Targeted Recovery of Cost of Service	Recommended Fee
Town Planner:	n/a	\$298 Per Hour	n/a	\$226 Per Hour	\$226 Per Hour
Deputy Town Planner:	n/a	\$250 Per Hour	n/a	\$178 Per Hour	\$178 Per Hour
Senior Planner:	n/a	\$241 Per Hour	n/a	\$169 Per Hour	\$169 Per Hour
Assistant Planner:	n/a	\$208 Per Hour	n/a	\$136 Per Hour	\$136 Per Hour
Administrative Staff:	n/a	\$192 Per Hour	n/a	\$120 Per Hour	\$120 Per Hour

TOWN OF ATHERTON
MASTER FEE SCHEDULE
Schedule of Parks Program Fees

Service	Current Fee	Calculated Fee Amount Assuming Recovery of 100% of the Cost of Service	Current Cost Recovery Percentage	Recommended Fee
PARKS PROGRAM FEES				
Weddings/Receptions or Social Functions				
One Building Rental				
1 - 100 Guests	\$1,500 Resident, \$1,750 Non-Resident	\$3,128	48% Resident, 56% Non-Resident	\$2,000
101 - 200 Guests	\$1,750 Resident, \$2,000 Non-Resident	\$3,884	45% Resident, 51% Non-Resident	\$2,250
Additional Hour	\$100 Per Hour	\$122 Per Hour	82%	\$100 Per Hour
Additional Attendant	\$25 Per Hour	\$122 Per Hour	20%	\$50 Per Hour
Two Building Rental				
1 - 100 Guests	\$3,000 Resident, \$3,500 Non-Resident	\$3,384	89% Resident, 103% Non-Resident	\$4,000
101 - 200 Guests	\$3,500 Resident, \$4,000 Non-Resident	\$4,396	80% Resident, 91% Non-Resident	\$4,500
Additional Hour	\$100 Per Hour	\$122 Per Hour	82%	\$100 Per Hour
Additional Attendant	\$25 Per Hour	\$122 Per Hour	20%	\$50 Per Hour
Deposit				
Security Deposit:	\$1,000	n/a	n/a	\$1,000
Amount refundable if cancelled more than nine months in advance	\$750	n/a	n/a	\$750
Amount refundable if cancelled seven to nine months in advance	\$500	n/a	n/a	\$500
Amount refundable if cancelled six months or less in advance	\$0	n/a	n/a	\$0

TOWN OF ATHERTON
MASTER FEE SCHEDULE
Schedule of Parks Program Fees

Service	Current Fee	Calculated Fee Amount Assuming Recovery of 100% of the Cost of Service	Current Cost Recovery Percentage	Recommended Fee
PARKS PROGRAM FEES				
Meetings				
The Main House				
Half Day (Mon. - Fri.) (Four hours)	\$200	\$2,493	8%	\$300
Full Day/Evening (Mon. - Fri.)	\$300; Plus \$25 Per Hour After 5:00 p.m.	\$2,493	Varies	\$400; Plus \$50 Per Hour After 5:00 p.m.
Additional Hour	\$25 Per Hour	\$122 Per Hour	20%	\$50 Per Hour
Carriage House				
Weekday, Half Day (Mon. - Fri.) (Four hours)	\$200	\$2,493	8%	\$200
Weekday, Full Day (Mon. - Fri.) (8:00 am - 5:00 pm)	\$250	\$2,493	10%	\$250
Weekend, Full Day (Sat. - Sun.) (9:00 am - 4:00 pm)	\$250; Plus \$25 Per Hour	\$2,493	Varies	\$250; Plus \$25 Per Hour
Weekend Evening (Fri. - Sun.) (5:00 pm - 11:00 pm)	\$250; Plus \$25 Per Hour	\$2,493	Varies	\$500
Additional Hour or Additional Attendant	\$25 Per Hour	\$122 Per Hour	20%	\$25 Per Hour
Jennings Pavilion				
1 - 100 Guests				
Half Day (Mon. - Fri.) (Four hours)	\$300	\$2,539	12%	\$400
Full Day/Evening (Mon. - Fri.)	\$400; Plus \$25 Per Hour After 5:00 p.m.	\$2,539	Varies	\$500; Plus \$50 Per Hour After 5:00 p.m.
Additional Hour or Additional Attendant	\$25 Per Hour	\$122 Per Hour	20%	\$50 Per Hour
101 - 200 Guests				
Half Day (Mon. - Fri.)	\$400	\$3,550	11%	\$500
Full Day/Evening (Mon. - Fri.)	\$500; Plus \$50 Per Hour After 5:00 p.m.	\$3,550	Varies	\$600; Plus \$100 Per Hour After 5:00 p.m.
Additional Hour or Additional Attendant	\$50 Per Hour	\$122 Per Hour	41%	\$100 Per Hour
Town Related Organizations				
	\$25 Per Hour	See Meeting Costs of Service Above	Varies	40% Discount for Main House Meeting Rentals; 20% Discount for Carriage House and Jennings Pavilion Meeting Rentals
Security Deposit (1)				
	\$250	n/a	n/a	\$250
Other				
Day Use Permit (Exclusive Use of Picnic Facilities)	\$25 Per Day	\$122 Per Hour	Varies	\$100 Per Day
Code Enforcement - Administrative (Penalty)	\$0	See Hourly Rates	0%	Billed Hourly; Reference Hourly Rates

TOWN OF ATHERTON
MASTER FEE SCHEDULE
Schedule of Parks Program Fees

Service	Current Fee	Calculated Fee Amount Assuming Recovery of 100% of the Cost of Service	Current Cost Recovery Percentage	Recommended Fee
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PARKS PROGRAM FEES

For Services Requested of Town Staff which have no fee listed in this Master Fee Schedule, the City Manager or the City Manager's designee shall determine the appropriate fee based on the following hourly rates for staff time involved in the service or activity:				
Program Director, for services related to facility use:				\$272 Per Hour
Facility Maintenance Staff, for services related to facility use:				\$256 Per Hour
Facility Attendant, for services related to facility use:				\$122 Per Hour

(1) Security deposit not required for Town Related Organizations.

TOWN OF ATHERTON
MASTER FEE SCHEDULE
Schedule of Public Works Fees

Service	Current Fee	Calculated Fee Amount Assuming Recovery of 100% of the Cost of Service	Current Cost Recovery Percentage	Recommended Fee
PUBLIC WORKS FEES				
Encroachment Permits				
Driveway Connection to Street - Asphalt/Pavers:				
Without Driveway Culvert (up to 3 inspections)				
i. Application	See Total Below	\$300	See Total Below	\$300
ii. Plan Check	See Total Below	\$400	See Total Below	\$400
iii. Inspection	See Total Below	\$599	See Total Below	\$599
Total	\$550	\$1,299	42%	\$1,299
iv. Additional Plan Check	\$0	\$400	0%	\$400
v. Additional Inspection	\$0	\$200	0%	\$200
With Driveway Culvert (up to 4 inspections)				
i. Application	See Total Below	\$300	See Total Below	\$300
ii. Plan Check	See Total Below	\$499	See Total Below	\$499
iii. Inspection	See Total Below	\$799	See Total Below	\$799
Total	\$750	\$1,598	47%	\$1,598
iv. Additional Plan Check	\$0	\$499	0%	\$499
v. Additional Inspection	\$0	\$200	0%	\$200
Driveway Connection to Street - Concrete:				
Without Driveway Culvert (up to 4 inspections)				
i. Application	See Total Below	\$300	See Total Below	\$300
ii. Plan Check	See Total Below	\$499	See Total Below	\$499
iii. Inspection	See Total Below	\$799	See Total Below	\$799
Total	\$550	\$1,598	34%	\$1,598
iv. Additional Plan Check	\$0	\$499	0%	\$499
v. Additional Inspection	\$0	\$200	0%	\$200
With Driveway Culvert (up to 5 inspections)				
i. Application	See Total Below	\$300	See Total Below	\$300
ii. Plan Check	See Total Below	\$499	See Total Below	\$499
iii. Inspection	See Total Below	\$999	See Total Below	\$999
Total	\$750	\$1,798	42%	\$1,798
iv. Additional Plan Check	\$0	\$499	0%	\$499
v. Additional Inspection	\$0	\$200	0%	\$200

TOWN OF ATHERTON
MASTER FEE SCHEDULE
Schedule of Public Works Fees

Service	Current Fee	Calculated Fee Amount Assuming Recovery of 100% of the Cost of Service	Current Cost Recovery Percentage	Recommended Fee
PUBLIC WORKS FEES				
Right-of-Way Landscaping, Fence, Etc. - Minor Construction (up to 2 inspections) <ul style="list-style-type: none"> i. Application ii. Plan Check iii. Inspection Total iv. Additional Plan Check v. Additional Inspection 	See Total Below See Total Below See Total Below \$550 \$0 \$0	\$200 \$100 \$200 \$500 \$100 \$200	See Total Below See Total Below See Total Below 110% 0% 0%	\$200 \$100 \$200 \$500 \$100 \$200
Right-of-Way Landscaping, Fence, Etc. - Standard (up to 2 inspections) <ul style="list-style-type: none"> i. Application ii. Plan Check iii. Inspection Total iv. Additional Plan Check v. Additional Inspection 	See Total Below See Total Below See Total Below \$550 \$0 \$0	\$300 \$200 \$400 \$900 \$200 \$200	See Total Below See Total Below See Total Below 61% 0% 0%	\$300 \$200 \$400 \$900 \$200 \$200
Connection to Storm Drain or Atherton Channel: <ul style="list-style-type: none"> i. Application (Per Application) ii. Plan Check (Per Application) iii. Inspection <ul style="list-style-type: none"> a. In-Pavement (up to 5 inspections) <ul style="list-style-type: none"> i. Trench (per linear foot) ii. Bored pit (per pit) b. Outside Pavement (up to 4 inspections) <ul style="list-style-type: none"> i. Trench (per linear foot) ii. Bored pit (per pit) Total iv. Additional Plan Check v. Additional Inspection <ul style="list-style-type: none"> a. In-Pavement <ul style="list-style-type: none"> i. Trench (per linear foot) ii. Bored pit (per pit) b. Outside Pavement <ul style="list-style-type: none"> i. Trench (per linear foot) ii. Bored pit (per pit) 	See Total Below See Total Below \$550 Plus Utility Lateral Fee Where in the Street \$0 \$0 \$0 \$0 \$0	\$300 \$599 \$48 \$1,199 \$28 \$699 Varies \$599 \$10 \$240 \$7 \$175	See Total Below See Total Below See Total Below See Total Below See Total Below See Total Below Varies 0% 0% 0% 0% 0%	\$300 \$599 \$48 \$1,199 \$28 \$699 Varies \$599 \$10 \$240 \$7 \$175

TOWN OF ATHERTON
MASTER FEE SCHEDULE
Schedule of Public Works Fees

Service	Current Fee	Calculated Fee Amount Assuming Recovery of 100% of the Cost of Service	Current Cost Recovery Percentage	Recommended Fee
PUBLIC WORKS FEES				
Utility Connect/Disconnect:				
i. Application (Per Application)	See Total Below	\$300	See Total Below	\$300
ii. Plan Check (Per Application)	See Total Below	\$400	See Total Below	\$400
iii. Inspection				
a. In-Pavement (up to 7 inspections)				
i. Trench (per linear foot)	See Total Below	\$36	See Total Below	\$36
ii. Bored pit (per pit)	See Total Below	\$899	See Total Below	\$899
b. Outside Pavement (up to 6 inspections)				
i. Trench (per linear foot)	See Total Below	\$24	See Total Below	\$24
ii. Bored pit (per pit)	See Total Below	\$499	See Total Below	\$499
Total	Trench = \$10 Per LF; Bored Pit In = \$550; Bored Pit Out = \$300	Varies	Varies	Varies
iv. Additional Plan Check	\$0	\$400	0%	\$400
v. Additional Inspection				
a. In-Pavement				
i. Trench (per linear foot)	\$0	\$5	0%	\$5
ii. Bored pit (per pit)	\$0	\$128	0%	\$128
b. Outside Pavement				
i. Trench (per linear foot)	\$0	\$4	0%	\$4
ii. Bored pit (per pit)	\$0	\$83	0%	\$83

TOWN OF ATHERTON
MASTER FEE SCHEDULE
Schedule of Public Works Fees

Service	Current Fee	Calculated Fee Amount Assuming Recovery of 100% of the Cost of Service	Current Cost Recovery Percentage	Recommended Fee
PUBLIC WORKS FEES				
Utility Main:				
i. Application (Per Application)	See Total Below	\$300	See Total Below	\$300
ii. Plan Check (Per Application)	See Total Below	\$999	See Total Below	\$999
iii. Inspection				
a. In-Pavement (up to 7 inspections)				
i. Trench (per linear foot)	See Total Below	\$40	See Total Below	\$40
ii. Bored pit (per pit)	See Total Below	\$999	See Total Below	\$999
b. Outside Pavement (up to 6 inspections)				
i. Trench (per linear foot)	See Total Below	\$27	See Total Below	\$27
ii. Bored pit (per pit)	See Total Below	\$599	See Total Below	\$599
Total	3% of Value, Plus \$10 Per LF for Trench and \$1,000 Per Pit	Varies	Varies	Varies
iv. Additional Plan Check	\$0	\$999	0%	\$999
v. Additional Inspection				
a. In-Pavement				
i. Trench (per linear foot)	\$0	\$6	0%	\$6
ii. Bored pit (per pit)	\$0	\$143	0%	\$143
b. Outside Pavement				
i. Trench (per linear foot)	\$0	\$4	0%	\$4
ii. Bored pit (per pit)	\$0	\$100	0%	\$100
Telecommunication Installation Permit:				
i. Without Trenching	\$550	\$100	550%	\$100
ii. With Trenching	See Utility Connect Fee	See Utility Connect Fee	See Utility Connect Fee	See Utility Connect Fee
Property Improvement Permits and Reviews				
Grading and Drainage	\$2,000	\$200 Per Hour or Actual Consultant Cost	Varies	Actual Consultant Cost Plus Town Overhead
Detention System Annual Report Filing	\$0	\$120	0%	\$120
Detention System Annual Report - Submittals Out of Compliance	\$0	\$300	0%	\$300

TOWN OF ATHERTON
MASTER FEE SCHEDULE
Schedule of Public Works Fees

Service	Current Fee	Calculated Fee Amount Assuming Recovery of 100% of the Cost of Service	Current Cost Recovery Percentage	Recommended Fee
PUBLIC WORKS FEES				
Other				
Stop Work Order (Penalty)	50% of Permit	n/a	n/a	50% of Permit
Code Enforcement - Administrative (Penalty)	\$0	See Hourly Rates	0%	Billed Hourly; Reference Hourly Rates
<p>At the discretion of the Public Works Director, additional fees may apply for projects requiring in excess of 8 hours. For Services Requested of Town Staff which have no fee listed in this Master Fee Schedule, the City Manager or the City Manager's designee shall determine the appropriate fee based on the following hourly rates for staff time involved in the service or activity:</p>				
Public Works/Engineering Staff:				\$200 Per Hour

TOWN OF ATHERTON
MASTER FEE SCHEDULE
Schedule of Police Fees

Service	Current Fee	Calculated Fee Amount Assuming Recovery of 100% of the Cost of Service	Current Cost Recovery Percentage	Recommended Fee
POLICE FEES				
Copy of Police Report:				
Without Photos or Tape Copies	\$20	\$20	100%	\$20
With Photos or Tape Copies	\$20	\$119 Per Hour	Varies	\$119 Per Hour
Vehicle Releases	\$40	\$60	67%	\$60
Alarm Registration	\$25	\$60	42%	\$25
Alarm Alert Signs	\$30	\$60	50%	\$30
Garage Sale/Estate Sale Permits	\$25	\$20	125%	\$20
Fingerprints	\$15	\$58	26%	\$58
Solicitor Permit (Valid for six months; business license required)	\$25	\$50	50%	\$50
After Hours Emergency Construction Permits	\$350	\$150	233%	\$150
Special Service Request:				
Administrative Fee	\$50	\$20	250%	\$20
On-Site Personnel Fee	Hourly Rate x 1.5; 2 Hour Minimum	Fully Burdened Hourly Rate x 1.5	58%	Fully Burdened Hourly Rate x 1.5; 2 Hour Minimum
Clearance Letter	\$0	\$20	0%	\$20
Microfilmed Reports	\$0	\$119 Per Hour	0%	\$119 Per Hour
Code Enforcement - Administrative (Penalty)	\$0	See Hourly Rates	0%	Billed Hourly; Reference Hourly Rates

For Services Requested of Town Staff which have no fee listed in this Master Fee Schedule, the City Manager or the City Manager's designee shall determine the appropriate fee based on the following hourly rates for staff time involved in the service or activity:

Records/Communications Staff:	\$119 Per Hour
Patrol/Investigations Staff:	\$154 Per Hour

EXHIBIT C

Illustration of Proposed Building Permit Fees with Comparison to Current Fees and Costs of Service

Draft Edition Subject to Change Based on City Council Deliberation and Action

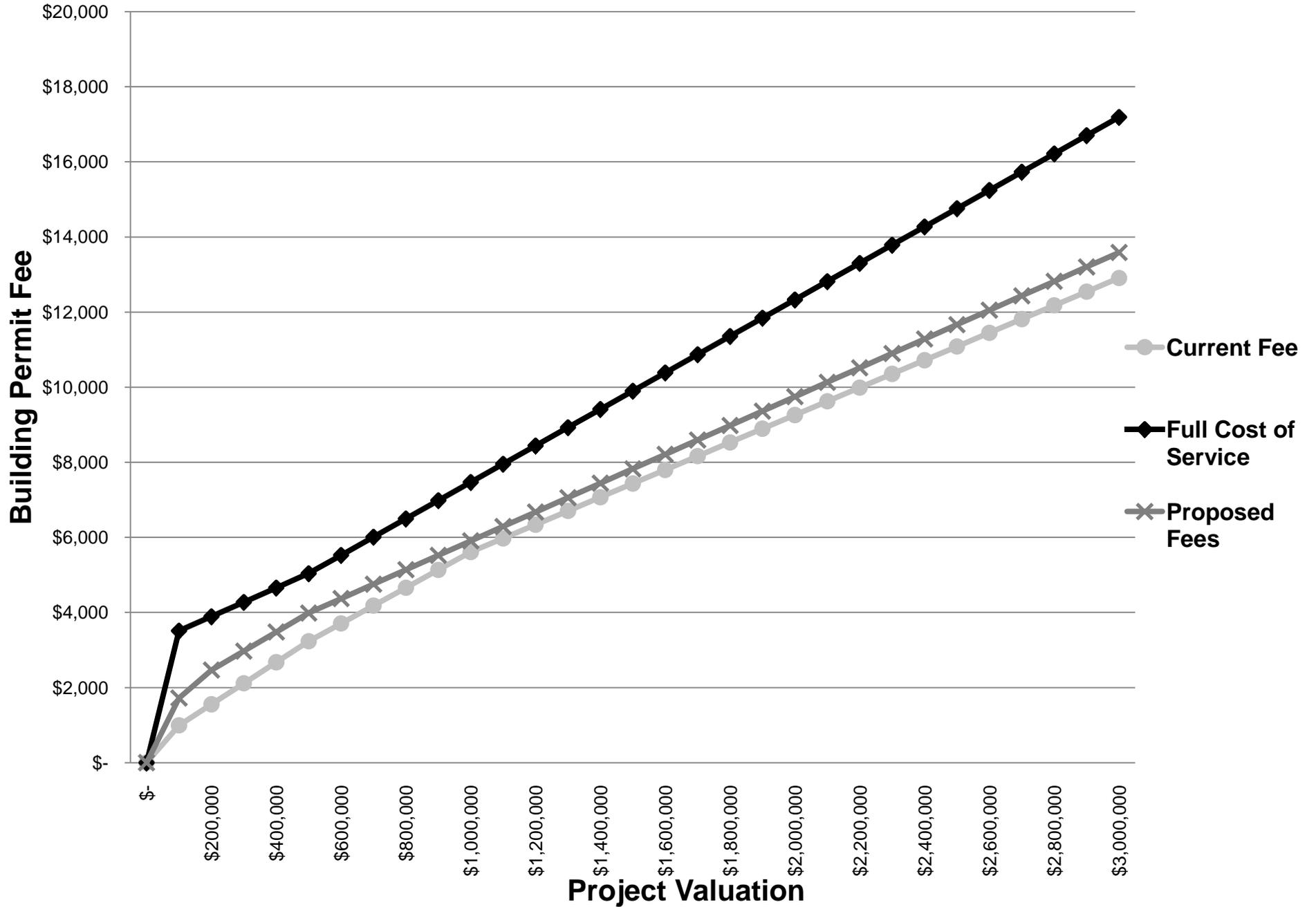
TOWN OF ATHERTON
BUILDING FEE SCHEDULE COMPARISON
Tables of Building Fees

Proposed Fee

Total Valuation	Building Permit Fee	Plan Review Fee
\$1.00 to \$500	\$155	65% of Building Permit Fee
\$501 to \$2,000	\$155 for the first \$500, plus \$3.05 for each add'l \$100, or fraction thereof, to and including \$2,000	65% of Building Permit Fee
\$2,001 to \$25,000	\$201 for the first \$2,000, plus \$14.00 for each add'l \$1,000, or fraction thereof, to and including \$25,000	65% of Building Permit Fee
\$25,001 to \$50,000	\$523 for the first \$25,000, plus \$10.10 for each add'l \$1,000, or fraction thereof, to and including \$50,000	65% of Building Permit Fee
\$50,001 to \$100,000	\$775 for the first \$50,000, plus \$18.91 for each add'l \$1,000, or fraction thereof, to and including \$100,000	65% of Building Permit Fee
\$100,001 to \$500,000	\$1,958 for the first \$100,000, plus \$5.07 for each add'l \$1,000, or fraction thereof, to and including \$500,000	45% of Building Permit Fee
\$500,001 to \$1,000,000	\$3,986 for the first \$500,000, plus \$3.84 for each add'l \$1,000, or fraction thereof, to and including \$1,000,000	45% of Building Permit Fee
\$1,000,001 and up	\$5,906 for the first \$1,000,000, plus \$3.84 for each add'l \$1,000, or fraction thereof	45% of Building Permit Fee

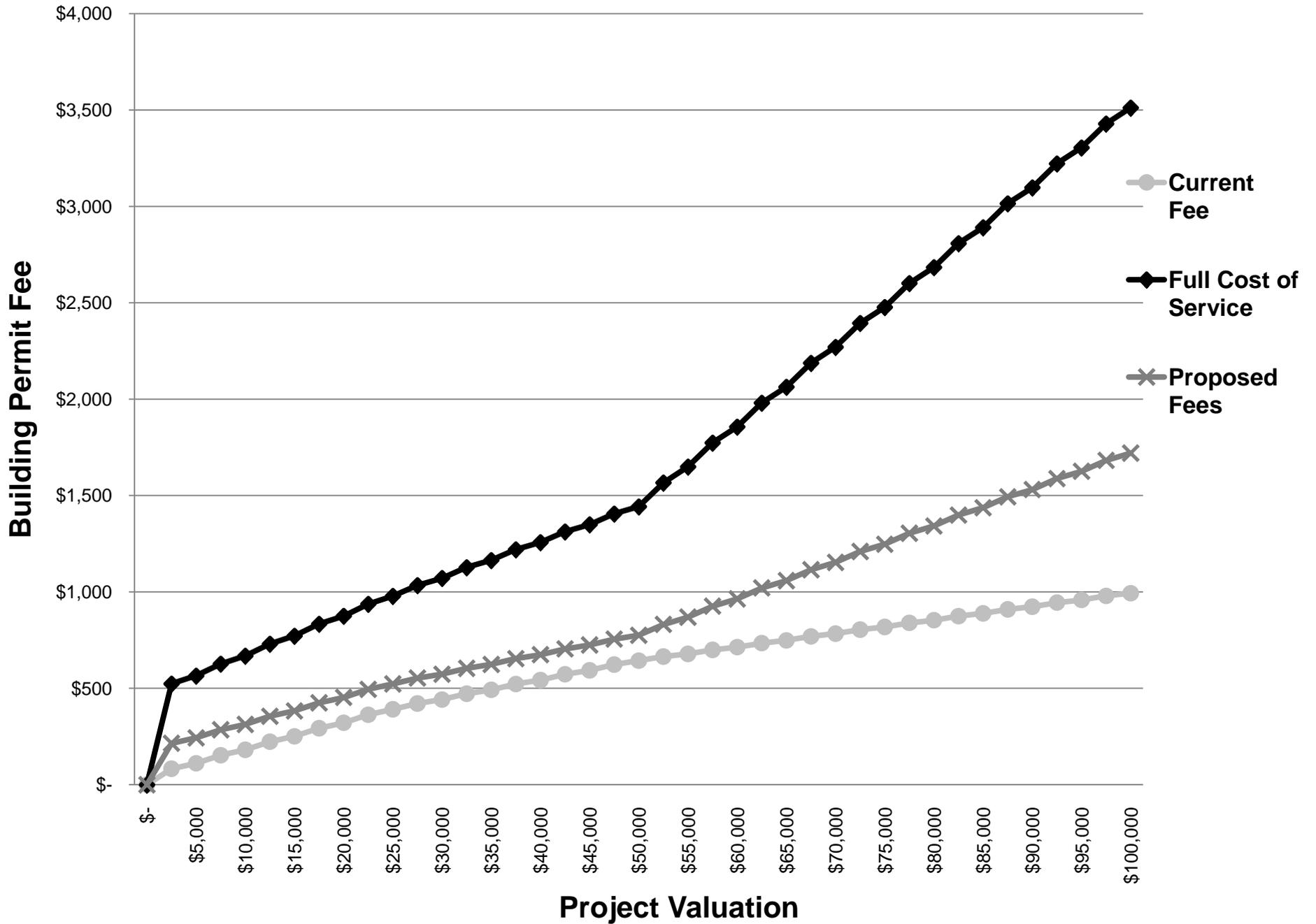
Building Permit Cost Comparison

Graph A



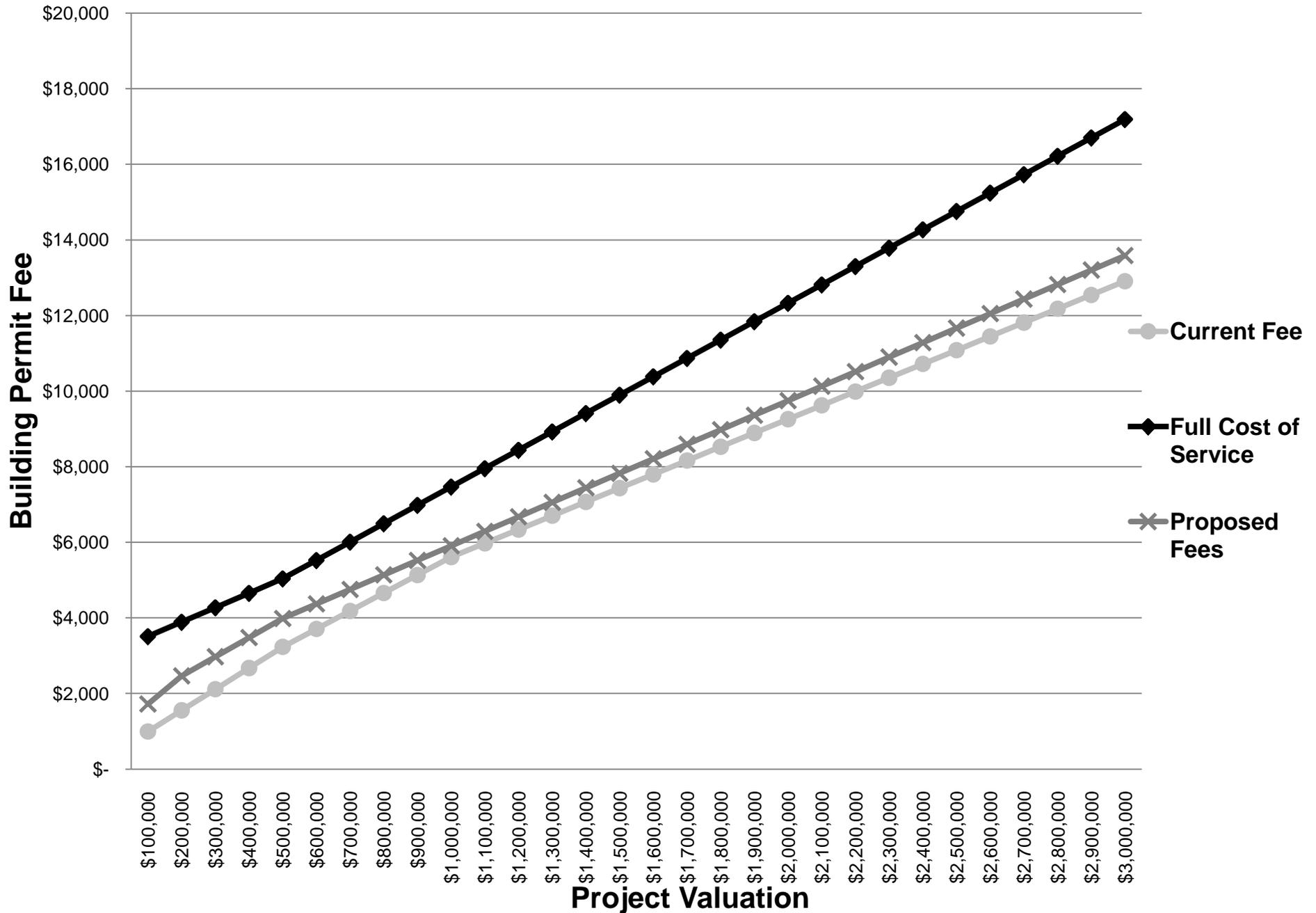
Building Permit Cost Comparison Part 1 of 2

Graph B



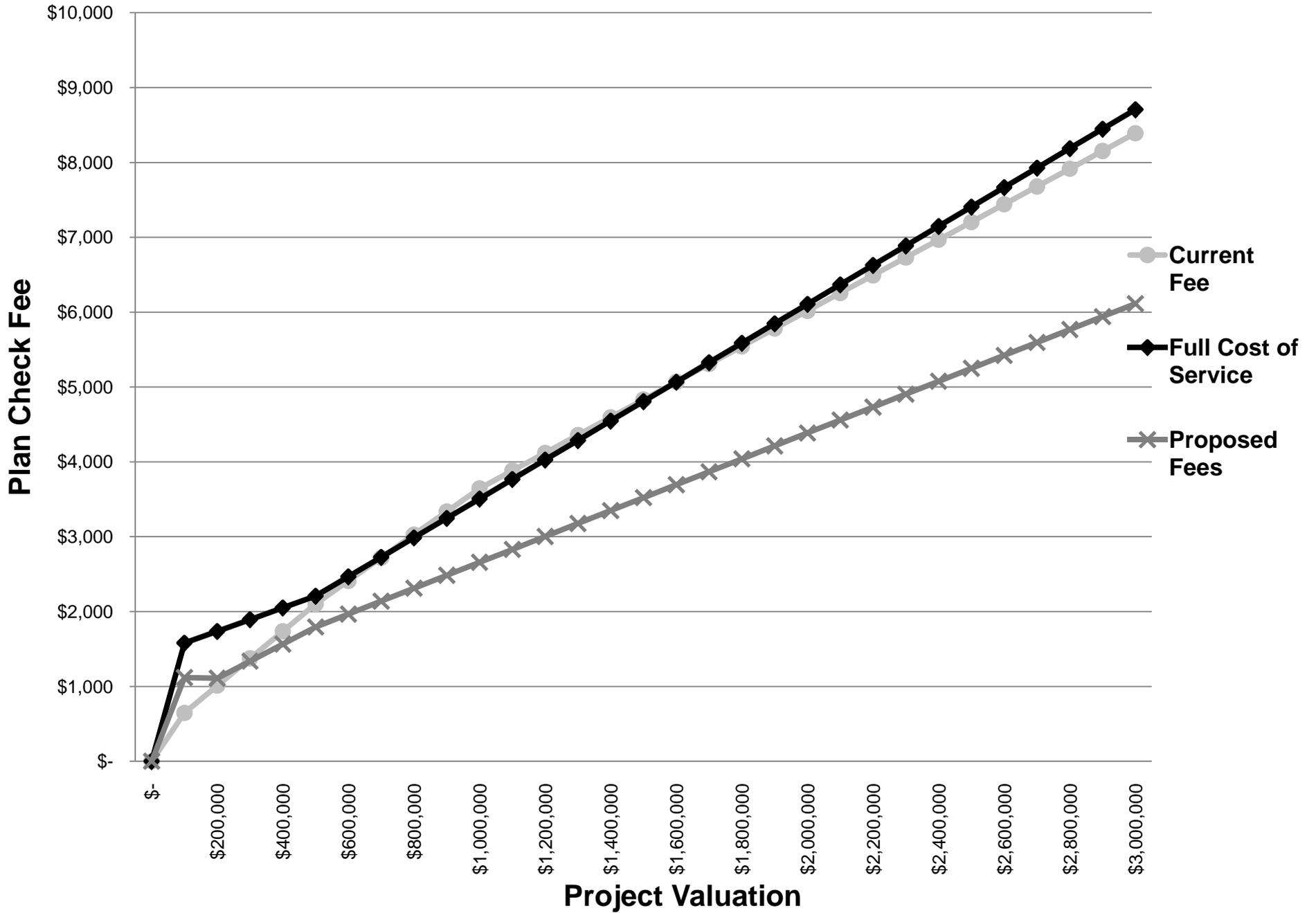
Building Permit Cost Comparison Part 2 of 2

Graph C



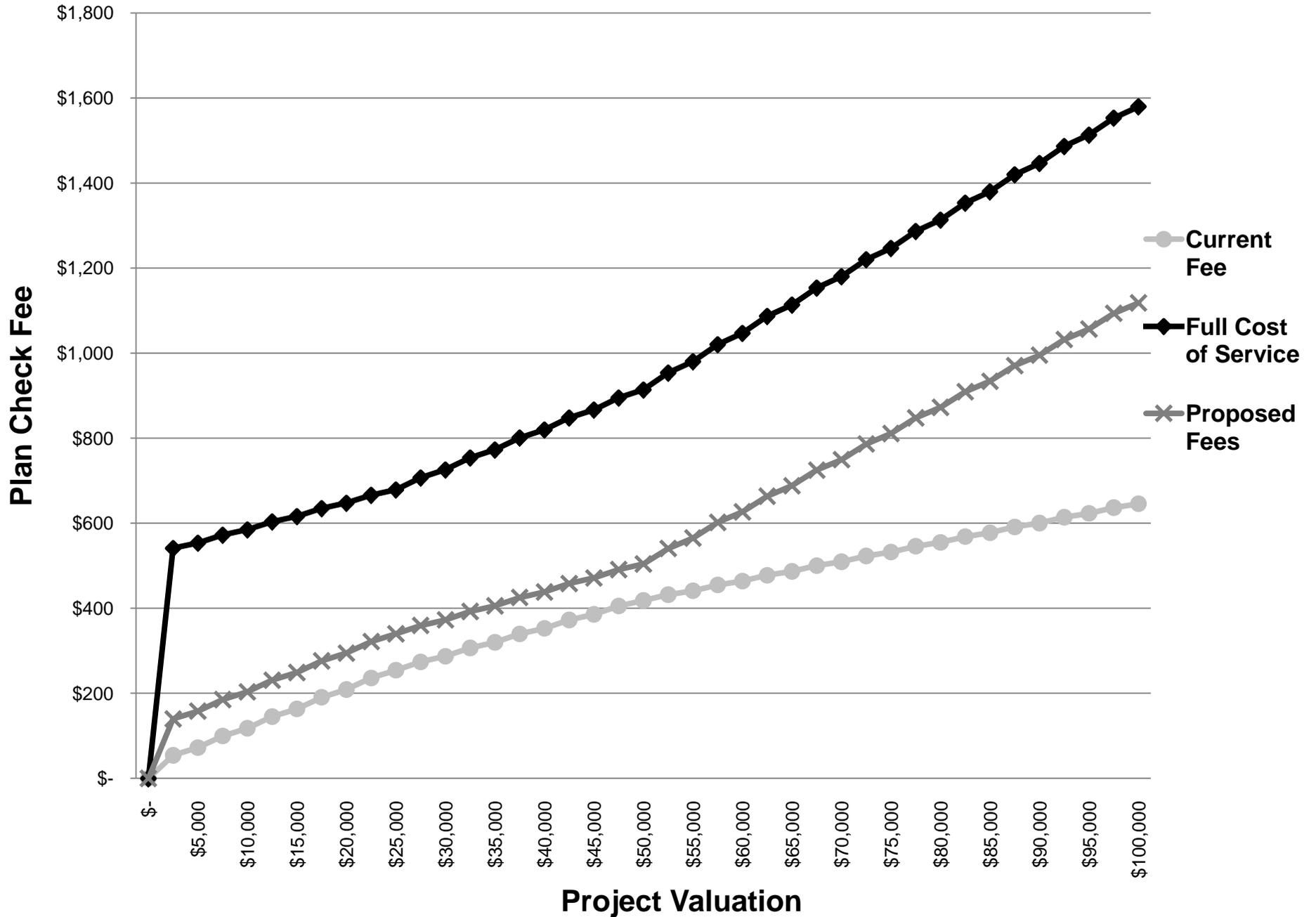
Plan Check Cost Comparison

Graph D



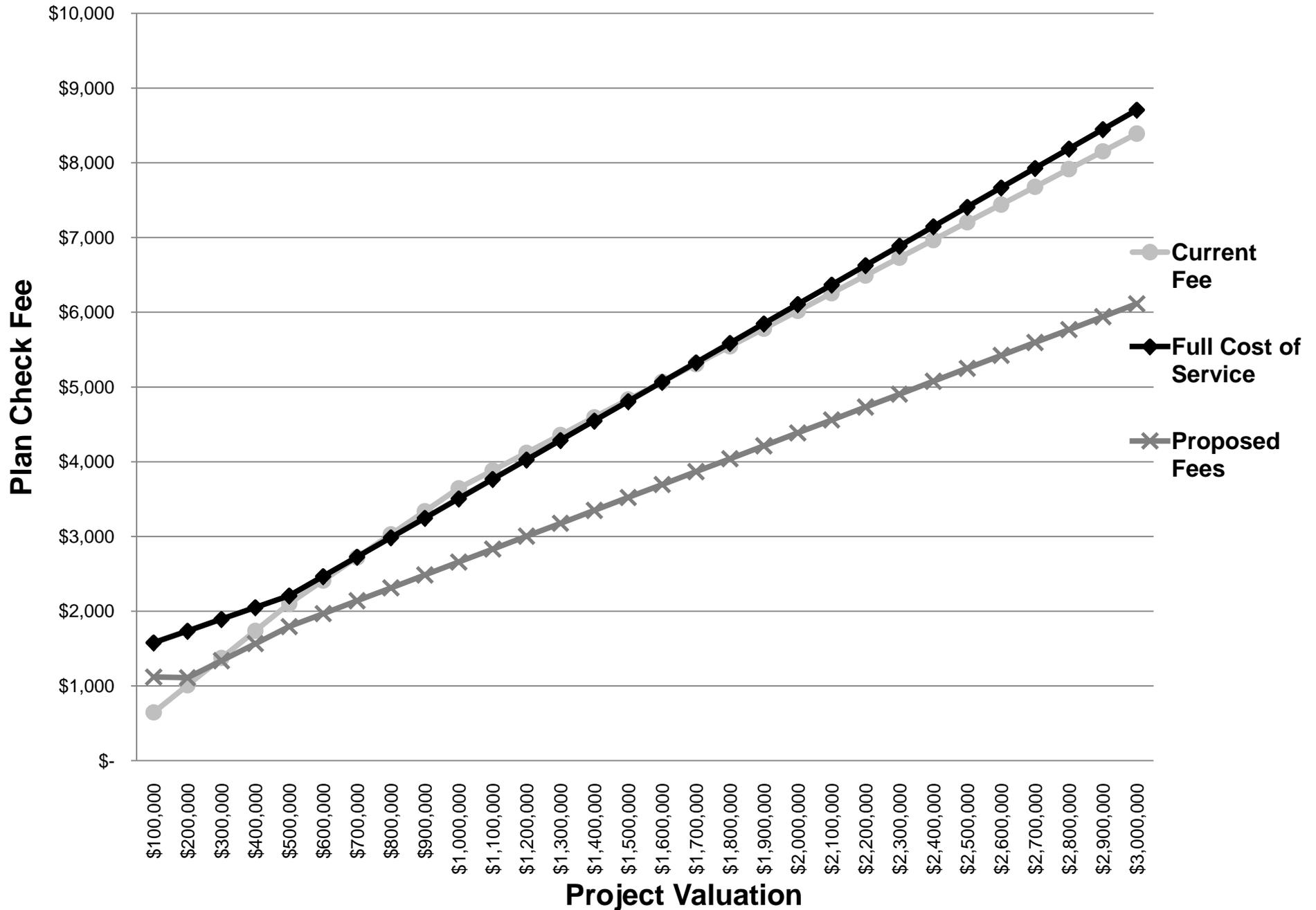
Plan Check Cost Comparison Part 1 of 2

Graph E



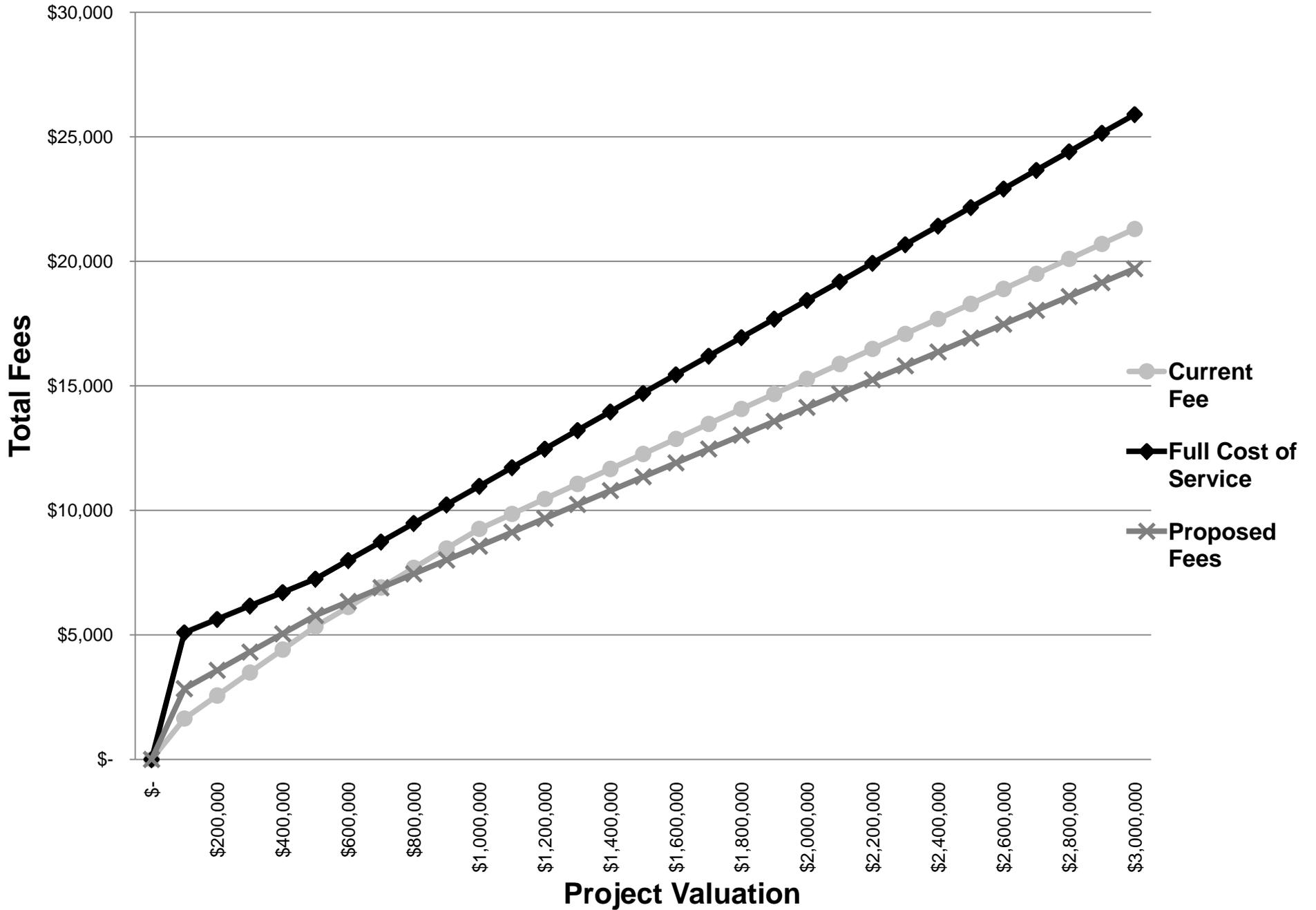
Plan Check Cost Comparison Part 2 of 2

Graph F



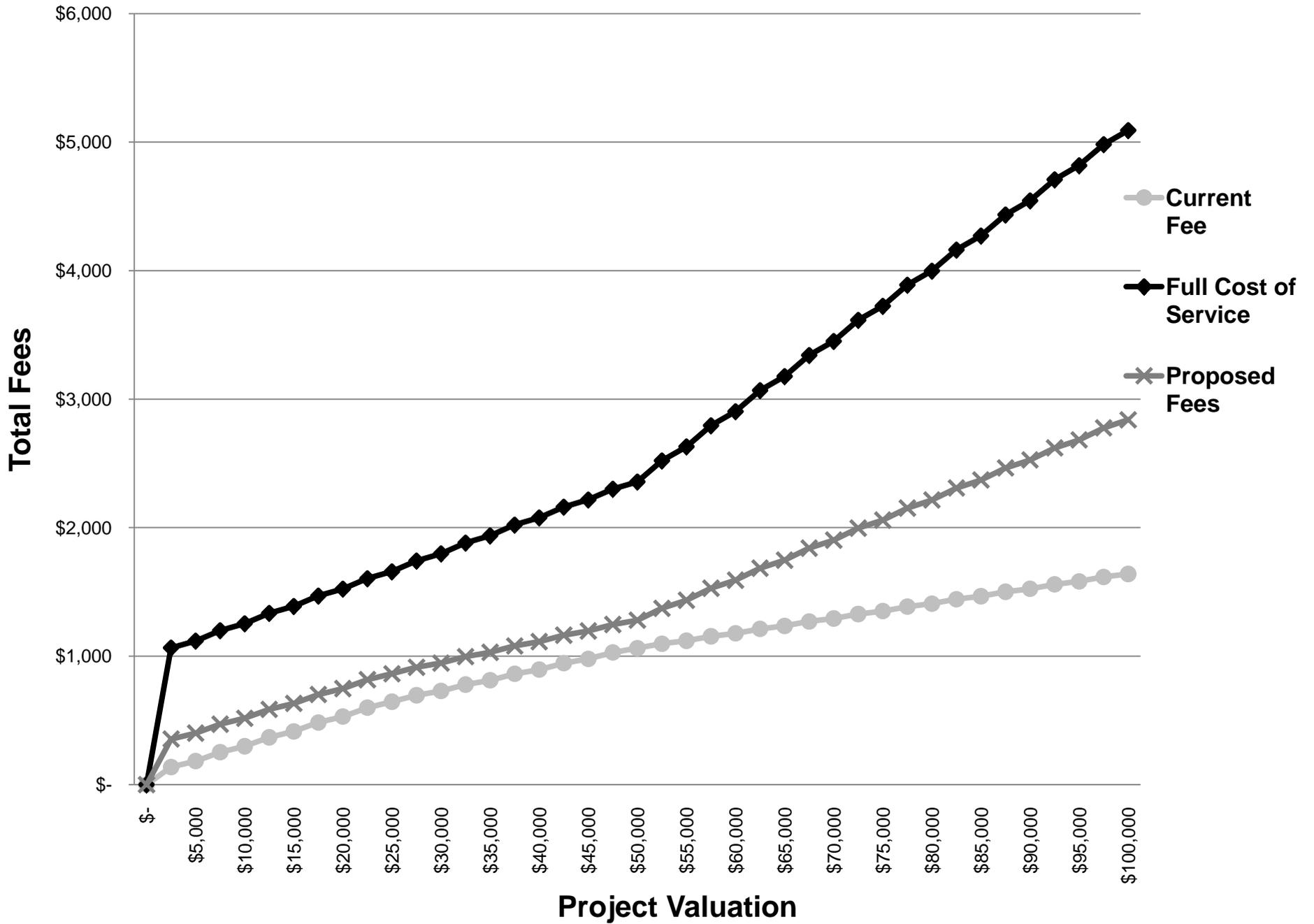
Total Cost Comparison

Graph G



Total Cost Comparison Part 1 of 2

Graph H



Total Cost Comparison Part 2 of 2

Graph I

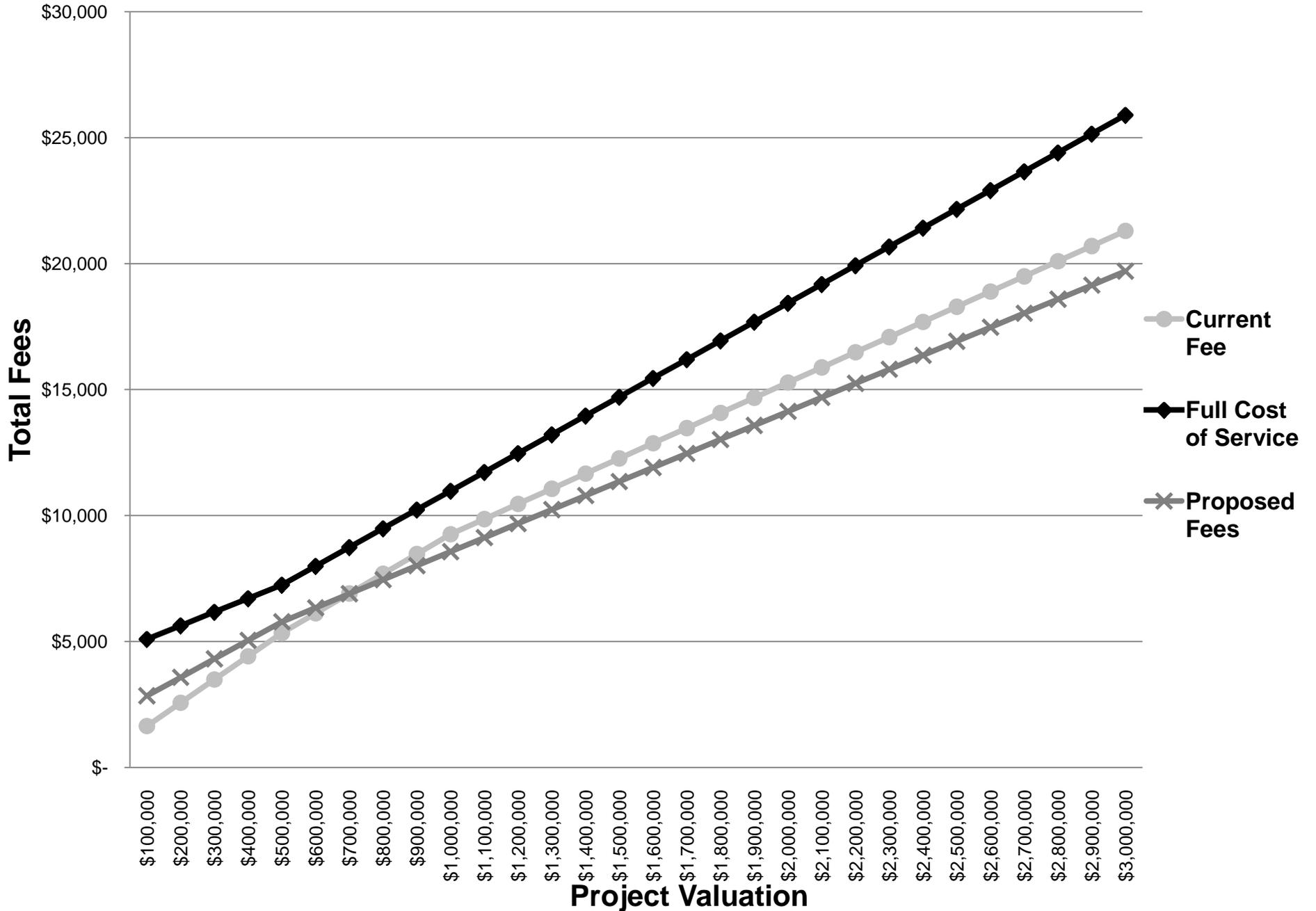


EXHIBIT D

Overhead Cost Allocation Plan

TOWN OF ATHERTON
OVERHEAD COST ALLOCATION PLAN
City Organization and Financial Structure

Dept Number	Department Name [a]	Program Name [a]	Complete Name for Overhead Cost Allocation Plan
11	City Council		11 City Council
12	Administration		12 Administration
16	City Attorney		16 City Attorney
18	Finance		18 Finance
20	Planning		20 Planning
25	Building		25 Building
30	Non-Department		30 Non-Department
40	Police		40 Police
50	Public Works	Engineering	50 Public Works - Engineering
53	Public Works	Street Maintenance	53 Public Works - Street Maintenance
57	Public Works	Park Maintenance	57 Public Works - Park Maintenance
58	Public Works	Park Programs	58 Public Works - Park Programs
59	Public Works	Building Maintenance	59 Public Works - Building Maintenance
	Other	Other	Other - Other
	Other	Other	Other - Other

Notes:
[a] Funds/budget units strictly related to capital expenditures and debt service have been excluded from the organizational structure listed for cost allocation purposes. This implies that capital and debt service funds/budget units neither allocate nor receive overhead costs through this plan.

Budget Items Outside of Overhead Cost Allocation Scope

Dept Number	Department Name	Program Name	Complete Name
	Public Works	Tennis Fund	Public Works - Tennis Fund
401	Capital Projects	Capital Improvement	401 Capital Projects - Capital Improvement
402	Capital Projects	Storm Drainage	402 Capital Projects - Storm Drainage
403	Capital Projects	Channel Drainage District	403 Capital Projects - Channel Drainage District
406	Capital Projects	Facilities Construction	406 Capital Projects - Facilities Construction

Internal Service Funds

Dept Number	Department Name	Program Name	Complete Name
184	Finance	Fleet Management (Equip. Repair & Replace.)	184 Finance - Fleet Management (Equip. Repair & Replace.)
	Finance	Employee Benefits/Compensated Absences	Finance - Employee Benefits/Compensated Absences
	Finance	GASB 45	Finance - GASB 45

TOWN OF ATHERTON
OVERHEAD COST ALLOCATION PLAN
Labor Organization and Identification of Indirect Services

Note: This page is not used to catalog the actual costs that will be allocated. It is used only to identify departments and/or functions that should be allocated as overhead. Refer to Worksheet C for the actual costs to be allocated.

11 City Council

Personnel Number and Position Description	Total Salary/Wage & Benefits	Distribution to Service Type		Allocation of Staff Time to Functions of Indirect Service or Overhead				
		Indirect Service or Overhead	Direct Service	City Council	[Other]	[Other]	[Other]	[Other]
x Mayor		100.0%	0.0%	100.0%	0.0%	0.0%	0.0%	0.0%
x Vice Mayor		100.0%	0.0%	100.0%	0.0%	0.0%	0.0%	0.0%
x Council Member		100.0%	0.0%	100.0%	0.0%	0.0%	0.0%	0.0%
x Council Member		100.0%	0.0%	100.0%	0.0%	0.0%	0.0%	0.0%
x Council Member		100.0%	0.0%	100.0%	0.0%	0.0%	0.0%	0.0%
x Position		100.0%	0.0%	100.0%	0.0%	0.0%	0.0%	0.0%
x Position		100.0%	0.0%	100.0%	0.0%	0.0%	0.0%	0.0%
Total	-	100.0%	0.0%	100.0%	0.0%	0.0%	0.0%	0.0%

Notes:

12 Administration

Personnel Number and Position Description	Total Salary/Wage & Benefits	Distribution to Service Type		Allocation of Staff Time to Functions of Indirect Service or Overhead				
		Indirect Service or Overhead	Direct Service	Administration	[Other]	[Other]	[Other]	[Other]
x City Manager		100.0%	0.0%	100.0%	0.0%	0.0%	0.0%	0.0%
x Assistant City Manager		100.0%	0.0%	100.0%	0.0%	0.0%	0.0%	0.0%
x Executive Assistant/Deputy City Clerk		100.0%	0.0%	100.0%	0.0%	0.0%	0.0%	0.0%
x Office Specialist		100.0%	0.0%	100.0%	0.0%	0.0%	0.0%	0.0%
x Position		100.0%	0.0%	100.0%	0.0%	0.0%	0.0%	0.0%
x Position		100.0%	0.0%	100.0%	0.0%	0.0%	0.0%	0.0%
Total	614,770	100.0%	0.0%	100.0%	0.0%	0.0%	0.0%	0.0%

Notes:

TOWN OF ATHERTON
OVERHEAD COST ALLOCATION PLAN
Labor Organization and Identification of Indirect Services

Note: This page is not used to catalog the actual costs that will be allocated. It is used only to identify departments and/or functions that should be allocated as overhead. Refer to Worksheet C for the actual costs to be allocated.

16 City Attorney

Personnel Number and Position Description	Total Salary/Wage & Benefits	Distribution to Service Type		Allocation of Staff Time to Functions of Indirect Service or Overhead				
		Indirect Service or Overhead	Direct Service	General Counsel	Planning Counsel	Building Counsel	DPW Engineering Counsel	[Other]
x Position		100.0%	0.0%	100.0%	0.0%	0.0%	0.0%	0.0%
x Position		100.0%	0.0%	100.0%	0.0%	0.0%	0.0%	0.0%
x Position		100.0%	0.0%	100.0%	0.0%	0.0%	0.0%	0.0%
Total	-	100.0%	0.0%	100.0%	0.0%	0.0%	0.0%	0.0%

Notes:

18 Finance

Personnel Number and Position Description	Total Salary/Wage & Benefits	Distribution to Service Type		Allocation of Staff Time to Functions of Indirect Service or Overhead				
		Indirect Service or Overhead	Direct Service	Finance	[Other]	[Other]	[Other]	[Other]
x Finance Director		100.0%	0.0%	100.0%	0.0%	0.0%	0.0%	0.0%
x Asst Finance Director		100.0%	0.0%	100.0%	0.0%	0.0%	0.0%	0.0%
x Accountant		100.0%	0.0%	100.0%	0.0%	0.0%	0.0%	0.0%
x Finance Assistant (.6)		100.0%	0.0%	100.0%	0.0%	0.0%	0.0%	0.0%
x Position		100.0%	0.0%	100.0%	0.0%	0.0%	0.0%	0.0%
x Position		100.0%	0.0%	100.0%	0.0%	0.0%	0.0%	0.0%
Total	373,858	100.0%	0.0%	100.0%	0.0%	0.0%	0.0%	0.0%

Notes:

TOWN OF ATHERTON
 OVERHEAD COST ALLOCATION PLAN
 Labor Organization and Identification of Indirect Services

Note: This page is not used to catalog the actual costs that will be allocated. It is used only to identify departments and/or functions that should be allocated as overhead. Refer to Worksheet C for the actual costs to be allocated.

20 Planning

Personnel Number and Position Description	Total Salary/Wage & Benefits	Distribution to Service Type		Allocation of Staff Time to Functions of Indirect Service or Overhead				
		Indirect Service or Overhead	Direct Service	[Other]	[Other]	[Other]	[Other]	[Other]
x Position		0.0%	100.0%	0.0%	0.0%	0.0%	0.0%	0.0%
x Position		0.0%	100.0%	0.0%	0.0%	0.0%	0.0%	0.0%
x Position		0.0%	100.0%	0.0%	0.0%	0.0%	0.0%	0.0%
Total	-	0.0%	100.0%	0.0%	0.0%	0.0%	0.0%	0.0%

Notes:

25 Building

Personnel Number and Position Description	Total Salary/Wage & Benefits	Distribution to Service Type		Allocation of Staff Time to Functions of Indirect Service or Overhead				
		Indirect Service or Overhead	Direct Service	[Other]	[Other]	[Other]	[Other]	[Other]
x Building Official		0.0%	100.0%	0.0%	0.0%	0.0%	0.0%	0.0%
x Senior Bldg Inspector		0.0%	100.0%	0.0%	0.0%	0.0%	0.0%	0.0%
x Building Inspector		0.0%	100.0%	0.0%	0.0%	0.0%	0.0%	0.0%
x Building Inspector		0.0%	100.0%	0.0%	0.0%	0.0%	0.0%	0.0%
x Arborist		0.0%	100.0%	0.0%	0.0%	0.0%	0.0%	0.0%
x Permit Technician		0.0%	100.0%	0.0%	0.0%	0.0%	0.0%	0.0%
x Office Specialist		0.0%	100.0%	0.0%	0.0%	0.0%	0.0%	0.0%
x Position		0.0%	100.0%	0.0%	0.0%	0.0%	0.0%	0.0%
x Position		0.0%	100.0%	0.0%	0.0%	0.0%	0.0%	0.0%
Total	870,309	0.0%	100.0%	0.0%	0.0%	0.0%	0.0%	0.0%

Notes:

TOWN OF ATHERTON
 OVERHEAD COST ALLOCATION PLAN
 Labor Organization and Identification of Indirect Services

Note: This page is not used to catalog the actual costs that will be allocated. It is used only to identify departments and/or functions that should be allocated as overhead. Refer to Worksheet C for the actual costs to be allocated.

30 Non-Department

Personnel Number and Position Description	Total Salary/Wage & Benefits	Distribution to Service Type		Allocation of Staff Time to Functions of Indirect Service or Overhead				
		Indirect Service or Overhead	Direct Service	General Indirect Activities	Information Technology	Code Enforcement	[Other]	[Other]
x Position		100.0%	0.0%	100.0%	0.0%	0.0%	0.0%	0.0%
x Position		100.0%	0.0%	100.0%	0.0%	0.0%	0.0%	0.0%
x Position		100.0%	0.0%	100.0%	0.0%	0.0%	0.0%	0.0%
Total	-	100.0%	0.0%	100.0%	0.0%	0.0%	0.0%	0.0%

Notes:

TOWN OF ATHERTON
OVERHEAD COST ALLOCATION PLAN
Labor Organization and Identification of Indirect Services

Note: This page is not used to catalog the actual costs that will be allocated. It is used only to identify departments and/or functions that should be allocated as overhead. Refer to Worksheet C for the actual costs to be allocated.

40 Police		Distribution to Service Type		Allocation of Staff Time to Functions of Indirect Service or Overhead				
Personnel Number and Position Description	Total Salary/Wage & Benefits	Indirect Service or Overhead	Direct Service	[Other]	[Other]	[Other]	[Other]	[Other]
x Chief of Police		0.0%	100.0%	0.0%	0.0%	0.0%	0.0%	0.0%
x Lieutenant		0.0%	100.0%	0.0%	0.0%	0.0%	0.0%	0.0%
x Sergeant (84 hrs)		0.0%	100.0%	0.0%	0.0%	0.0%	0.0%	0.0%
x Sergeant (84 hrs)		0.0%	100.0%	0.0%	0.0%	0.0%	0.0%	0.0%
x Sergeant (84 hrs)		0.0%	100.0%	0.0%	0.0%	0.0%	0.0%	0.0%
x Sergeant (84 hrs)		0.0%	100.0%	0.0%	0.0%	0.0%	0.0%	0.0%
x Sergeant (80 hrs)		0.0%	100.0%	0.0%	0.0%	0.0%	0.0%	0.0%
x Officer (84 hrs)		0.0%	100.0%	0.0%	0.0%	0.0%	0.0%	0.0%
x Officer (84 hrs)		0.0%	100.0%	0.0%	0.0%	0.0%	0.0%	0.0%
x Officer (84 hrs)		0.0%	100.0%	0.0%	0.0%	0.0%	0.0%	0.0%
x Officer (84 hrs)		0.0%	100.0%	0.0%	0.0%	0.0%	0.0%	0.0%
x Officer (80 hrs)		0.0%	100.0%	0.0%	0.0%	0.0%	0.0%	0.0%
x Officer (84 hrs)		0.0%	100.0%	0.0%	0.0%	0.0%	0.0%	0.0%
x Officer (80 hrs)		0.0%	100.0%	0.0%	0.0%	0.0%	0.0%	0.0%
x Officer (84 hrs)		0.0%	100.0%	0.0%	0.0%	0.0%	0.0%	0.0%
x Officer (80 hrs)		0.0%	100.0%	0.0%	0.0%	0.0%	0.0%	0.0%
x Officer (84 hrs)		0.0%	100.0%	0.0%	0.0%	0.0%	0.0%	0.0%
x Officer (84 hrs)		0.0%	100.0%	0.0%	0.0%	0.0%	0.0%	0.0%
x Officer (80 hrs)		0.0%	100.0%	0.0%	0.0%	0.0%	0.0%	0.0%
x Officer (84 hrs) - Vacant		0.0%	100.0%	0.0%	0.0%	0.0%	0.0%	0.0%
x Officer (84 hrs)		0.0%	100.0%	0.0%	0.0%	0.0%	0.0%	0.0%
x Com Supervisor		0.0%	100.0%	0.0%	0.0%	0.0%	0.0%	0.0%
x Dispatcher		0.0%	100.0%	0.0%	0.0%	0.0%	0.0%	0.0%
x Dispatcher		0.0%	100.0%	0.0%	0.0%	0.0%	0.0%	0.0%
x Dispatcher		0.0%	100.0%	0.0%	0.0%	0.0%	0.0%	0.0%
x Dispatcher - Vacant		0.0%	100.0%	0.0%	0.0%	0.0%	0.0%	0.0%
x CSO/Dispatcher		0.0%	100.0%	0.0%	0.0%	0.0%	0.0%	0.0%
x Police Lieutenant		0.0%	100.0%	0.0%	0.0%	0.0%	0.0%	0.0%

TOWN OF ATHERTON
 OVERHEAD COST ALLOCATION PLAN
 Labor Organization and Identification of Indirect Services

Note: This page is not used to catalog the actual costs that will be allocated. It is used only to identify departments and/or functions that should be allocated as overhead. Refer to Worksheet C for the actual costs to be allocated.

40 Police (Continued)

Personnel Number and Position Description	Total Salary/Wage & Benefits	Distribution to Service Type		Allocation of Staff Time to Functions of Indirect Service or Overhead				
		Indirect Service or Overhead	Direct Service	[Other]	[Other]	[Other]	[Other]	[Other]
x Part-Time Temp Dispatcher		0.0%	100.0%	0.0%	0.0%	0.0%	0.0%	0.0%
x Part-Time Temp Dispatcher		0.0%	100.0%	0.0%	0.0%	0.0%	0.0%	0.0%
x Part-Time Temp Dispatcher		0.0%	100.0%	0.0%	0.0%	0.0%	0.0%	0.0%
x Part-Time Temp Dispatcher		0.0%	100.0%	0.0%	0.0%	0.0%	0.0%	0.0%
x Part-Time Temp Dispatcher		0.0%	100.0%	0.0%	0.0%	0.0%	0.0%	0.0%
x Part-Time Temp Dispatcher		0.0%	100.0%	0.0%	0.0%	0.0%	0.0%	0.0%
x Part-Time Temp Dispatcher		0.0%	100.0%	0.0%	0.0%	0.0%	0.0%	0.0%
x Part-Time Temp Dispatcher		0.0%	100.0%	0.0%	0.0%	0.0%	0.0%	0.0%
x Part-Time Temp Dispatcher		0.0%	100.0%	0.0%	0.0%	0.0%	0.0%	0.0%
x Reserve Officer		0.0%	100.0%	0.0%	0.0%	0.0%	0.0%	0.0%
x Reserve Officer		0.0%	100.0%	0.0%	0.0%	0.0%	0.0%	0.0%
x Reserve Officer		0.0%	100.0%	0.0%	0.0%	0.0%	0.0%	0.0%
x Reserve Officer		0.0%	100.0%	0.0%	0.0%	0.0%	0.0%	0.0%
x Reserve Officer		0.0%	100.0%	0.0%	0.0%	0.0%	0.0%	0.0%
x Administrative Assistant		0.0%	100.0%	0.0%	0.0%	0.0%	0.0%	0.0%
x Position		0.0%	100.0%	0.0%	0.0%	0.0%	0.0%	0.0%
x Position		0.0%	100.0%	0.0%	0.0%	0.0%	0.0%	0.0%
Total	3,920,084	0.0%	100.0%	0.0%	0.0%	0.0%	0.0%	0.0%

Notes:

TOWN OF ATHERTON
 OVERHEAD COST ALLOCATION PLAN
 Labor Organization and Identification of Indirect Services

Note: This page is not used to catalog the actual costs that will be allocated. It is used only to identify departments and/or functions that should be allocated as overhead. Refer to Worksheet C for the actual costs to be allocated.

50 Public Works - Engineering

Personnel Number and Position Description	Total Salary/Wage & Benefits	Distribution to Service Type		Allocation of Staff Time to Functions of Indirect Service or Overhead				
		Indirect Service or Overhead	Direct Service	[Other]	[Other]	[Other]	[Other]	[Other]
x PW Director (.6)		0.0%	100.0%	0.0%	0.0%	0.0%	0.0%	0.0%
x PW Superintendent (.1)		0.0%	100.0%	0.0%	0.0%	0.0%	0.0%	0.0%
x Assistant Engineer		0.0%	100.0%	0.0%	0.0%	0.0%	0.0%	0.0%
x PW Supervisor (.5)		0.0%	100.0%	0.0%	0.0%	0.0%	0.0%	0.0%
x Office Specialist		0.0%	100.0%	0.0%	0.0%	0.0%	0.0%	0.0%
x Position		0.0%	100.0%	0.0%	0.0%	0.0%	0.0%	0.0%
x Position		0.0%	100.0%	0.0%	0.0%	0.0%	0.0%	0.0%
Total	396,552	0.0%	100.0%	0.0%	0.0%	0.0%	0.0%	0.0%

Notes:

53 Public Works - Street Maintenance

Personnel Number and Position Description	Total Salary/Wage & Benefits	Distribution to Service Type		Allocation of Staff Time to Functions of Indirect Service or Overhead				
		Indirect Service or Overhead	Direct Service	[Other]	[Other]	[Other]	[Other]	[Other]
x PW Director (.1)		0.0%	100.0%	0.0%	0.0%	0.0%	0.0%	0.0%
x PW Superintendent (.4)		0.0%	100.0%	0.0%	0.0%	0.0%	0.0%	0.0%
x PW Supervisor (.5)		0.0%	100.0%	0.0%	0.0%	0.0%	0.0%	0.0%
x PW Maint Worker I (.8)		0.0%	100.0%	0.0%	0.0%	0.0%	0.0%	0.0%
x PW Maint Worker II (.9)		0.0%	100.0%	0.0%	0.0%	0.0%	0.0%	0.0%
x PW Maint Worker II (.9)		0.0%	100.0%	0.0%	0.0%	0.0%	0.0%	0.0%
x Position		0.0%	100.0%	0.0%	0.0%	0.0%	0.0%	0.0%
x Position		0.0%	100.0%	0.0%	0.0%	0.0%	0.0%	0.0%
Total	405,551	0.0%	100.0%	0.0%	0.0%	0.0%	0.0%	0.0%

Notes:

OVERHEAD COST ALLOCATION PLAN

Labor Organization and Identification of Indirect Services

Note: This page is not used to catalog the actual costs that will be allocated. It is used only to identify departments and/or functions that should be allocated as overhead. Refer to Worksheet C for the actual costs to be allocated.

57 Public Works - Park Maintenance

Personnel Number and Position Description	Total Salary/Wage & Benefits	Distribution to Service Type		Allocation of Staff Time to Functions of Indirect Service or Overhead				
		Indirect Service or Overhead	Direct Service	[Other]	[Other]	[Other]	[Other]	[Other]
x PW Director (.1)		0.0%	100.0%	0.0%	0.0%	0.0%	0.0%	0.0%
x PW Superintendent (.2)		0.0%	100.0%	0.0%	0.0%	0.0%	0.0%	0.0%
x Park Supervisor		0.0%	100.0%	0.0%	0.0%	0.0%	0.0%	0.0%
x Park/Facil Maint Worker II (.1)		0.0%	100.0%	0.0%	0.0%	0.0%	0.0%	0.0%
x Position		0.0%	100.0%	0.0%	0.0%	0.0%	0.0%	0.0%
x Position		0.0%	100.0%	0.0%	0.0%	0.0%	0.0%	0.0%
Total	189,350	0.0%	100.0%	0.0%	0.0%	0.0%	0.0%	0.0%

Notes:

58 Public Works - Park Programs

Personnel Number and Position Description	Total Salary/Wage & Benefits	Distribution to Service Type		Allocation of Staff Time to Functions of Indirect Service or Overhead				
		Indirect Service or Overhead	Direct Service	[Other]	[Other]	[Other]	[Other]	[Other]
x PW Director (.1)		0.0%	100.0%	0.0%	0.0%	0.0%	0.0%	0.0%
x Park Program Manager (.8)		0.0%	100.0%	0.0%	0.0%	0.0%	0.0%	0.0%
x Park/Facil Maint Worker II (.5)		0.0%	100.0%	0.0%	0.0%	0.0%	0.0%	0.0%
x Position		0.0%	100.0%	0.0%	0.0%	0.0%	0.0%	0.0%
x Position		0.0%	100.0%	0.0%	0.0%	0.0%	0.0%	0.0%
Total	168,721	0.0%	100.0%	0.0%	0.0%	0.0%	0.0%	0.0%

Notes:

OVERHEAD COST ALLOCATION PLAN

Labor Organization and Identification of Indirect Services

Note: This page is not used to catalog the actual costs that will be allocated. It is used only to identify departments and/or functions that should be allocated as overhead. Refer to Worksheet C for the actual costs to be allocated.

59 Public Works - Building Maintenance

Personnel Number and Position Description	Total Salary/Wage & Benefits	Distribution to Service Type		Allocation of Staff Time to Functions of Indirect Service or Overhead				
		Indirect Service or Overhead	Direct Service	Building Maintenance	[Other]	[Other]	[Other]	[Other]
x PW Director (.1)		100.0%	0.0%	100.0%	0.0%	0.0%	0.0%	0.0%
x PW Superintendent (.3)		100.0%	0.0%	100.0%	0.0%	0.0%	0.0%	0.0%
x Park Program Manager (.2)		100.0%	0.0%	100.0%	0.0%	0.0%	0.0%	0.0%
x PW Maint Worker I (.2)		100.0%	0.0%	100.0%	0.0%	0.0%	0.0%	0.0%
x Park/Facil Maint Worker II (.3)		100.0%	0.0%	100.0%	0.0%	0.0%	0.0%	0.0%
x PW Maint Worker II (.1)		100.0%	0.0%	100.0%	0.0%	0.0%	0.0%	0.0%
x PW Maint Worker II (.1)		100.0%	0.0%	100.0%	0.0%	0.0%	0.0%	0.0%
x Position		100.0%	0.0%	100.0%	0.0%	0.0%	0.0%	0.0%
x Position		100.0%	0.0%	100.0%	0.0%	0.0%	0.0%	0.0%
Total	165,797	100.0%	0.0%	100.0%	0.0%	0.0%	0.0%	0.0%

Notes:

11 City Council									
Expenditure Description	Budgeted Expenditure	Portion for Indirect/Overhead		Indirect Services Expenditures	Distribution of Indirect Service/Overhead Expenditures to Function				
		Labor Distribution Factor	...or Other Allocation Factor		City Council	[Other]	[Other]	[Other]	[Other]
Advertising/Publishing	\$ 2,000	100.0%	0.0%	\$ 2,000	\$ 2,000	\$ -	\$ -	\$ -	\$ -
Bus Meeting & Meals	1,100	100.0%	0.0%	1,100	1,100	-	-	-	-
Other Contract Services	-	100.0%	0.0%	-	-	-	-	-	-
Office Supplies	1,950	100.0%	0.0%	1,950	1,950	-	-	-	-
Membership/Dues	8,407	100.0%	0.0%	8,407	8,407	-	-	-	-
Utilities - Water	625	100.0%	0.0%	625	625	-	-	-	-
Conferences	5,000	100.0%	0.0%	5,000	5,000	-	-	-	-
Mileage Reimbursement	1,300	100.0%	0.0%	1,300	1,300	-	-	-	-
Boards & Commissions	2,000	100.0%	0.0%	2,000	2,000	-	-	-	-
Special Events & Awards	-	100.0%	0.0%	-	-	-	-	-	-
Office Equip & Furniture	7,000	100.0%	0.0%	7,000	7,000	-	-	-	-
Administrative Services	-	100.0%	0.0%	-	-	-	-	-	-
Computer Services Charge	-	100.0%	0.0%	-	-	-	-	-	-
OTHER	-	100.0%	0.0%	-	-	-	-	-	-
OTHER	-	100.0%	0.0%	-	-	-	-	-	-
Total	29,382			29,382	29,382	-	-	-	-

Notes:

TOWN OF ATHERTON
OVERHEAD COST ALLOCATION PLAN
Master Expenditure Detail for Source Fiscal Year 2009/2010

12 Administration									
Expenditure Description	Budgeted Expenditure	Portion for Indirect/Overhead		Indirect Services Expenditures	Distribution of Indirect Service/Overhead Expenditures to Function				
		Labor Distribution Factor	...or Other Allocation Factor		Administration	[Other]	[Other]	[Other]	[Other]
Regular Salaries	\$ 453,964	100.0%	0.0%	\$ 453,964	\$ 453,964	\$ -	\$ -	\$ -	\$ -
Part-Time Permanent	-	100.0%	0.0%	-	-	-	-	-	-
Temporary Help	-	100.0%	0.0%	-	-	-	-	-	-
Overtime	5,000	100.0%	0.0%	5,000	5,000	-	-	-	-
Medicare Tax	6,582	100.0%	0.0%	6,582	6,582	-	-	-	-
Social Security Tax	-	100.0%	0.0%	-	-	-	-	-	-
PERS Retire Contrib- ER	59,483	100.0%	0.0%	59,483	59,483	-	-	-	-
PERS Retire Contrib- EE	31,777	100.0%	0.0%	31,777	31,777	-	-	-	-
Deferred Compensation	-	100.0%	0.0%	-	-	-	-	-	-
Health Insurance	46,442	100.0%	0.0%	46,442	46,442	-	-	-	-
Retiree Healthcare	91,898	100.0%	0.0%	91,898	91,898	-	-	-	-
Dental Insurance	6,778	100.0%	0.0%	6,778	6,778	-	-	-	-
Vision Insurance	636	100.0%	0.0%	636	636	-	-	-	-
Workers' Compensation	754	100.0%	0.0%	754	754	-	-	-	-
Life & ADD Insurance	890	100.0%	0.0%	890	890	-	-	-	-
LTD Insurance	2,663	100.0%	0.0%	2,663	2,663	-	-	-	-
Unemployment Insurance	4,540	100.0%	0.0%	4,540	4,540	-	-	-	-
Auto Allowance	4,800	100.0%	0.0%	4,800	4,800	-	-	-	-
Educational Reimbursement	1,000	100.0%	0.0%	1,000	1,000	-	-	-	-
EE Benefits Earned	4,540	100.0%	0.0%	4,540	4,540	-	-	-	-
Recruitment Costs	1,000	100.0%	0.0%	1,000	1,000	-	-	-	-
Labor Relation Services	14,000	100.0%	0.0%	14,000	14,000	-	-	-	-
Repair Machinery & Equip	4,800	100.0%	0.0%	4,800	4,800	-	-	-	-
Facility Repair	-	100.0%	0.0%	-	-	-	-	-	-
Advertising - Noticing	2,500	100.0%	0.0%	2,500	2,500	-	-	-	-
Training and Workshops	5,668	100.0%	0.0%	5,668	5,668	-	-	-	-
Other Contract Services	-	100.0%	0.0%	-	-	-	-	-	-
Disaster Preparedness	-	100.0%	0.0%	-	-	-	-	-	-
Human Resources Services	-	100.0%	0.0%	-	-	-	-	-	-
Office Supplies	3,000	100.0%	0.0%	3,000	3,000	-	-	-	-
Subscriptions	800	100.0%	0.0%	800	800	-	-	-	-
Memberships & Dues	15,280	100.0%	0.0%	15,280	15,280	-	-	-	-
External Printing Services	12,000	100.0%	0.0%	12,000	12,000	-	-	-	-
Postage	1,000	100.0%	0.0%	1,000	1,000	-	-	-	-

12 Administration (Continued)

Expenditure Description	Budgeted Expenditure	Portion for Indirect/Overhead		Indirect Services Expenditures	Distribution of Indirect Service/Overhead Expenditures to Function				
		Labor Distribution Factor	...or Other Allocation Factor		Administration	[Other]	[Other]	[Other]	[Other]
Utilities - Electricity	\$ 6,000	100.0%	0.0%	\$ 6,000	\$ 6,000	\$ -	\$ -	\$ -	\$ -
Utilities - Gas	650	100.0%	0.0%	650	650	-	-	-	-
Utilities - Water	485	100.0%	0.0%	485	485	-	-	-	-
Utilities - Telephone	600	100.0%	0.0%	600	600	-	-	-	-
Conferences	2,000	100.0%	0.0%	2,000	2,000	-	-	-	-
Business Meetings & Meals	1,230	100.0%	0.0%	1,230	1,230	-	-	-	-
Special Events & Awards	1,800	100.0%	0.0%	1,800	1,800	-	-	-	-
Election Expense	-	100.0%	0.0%	-	-	-	-	-	-
Computer Equipment	3,000	100.0%	0.0%	3,000	3,000	-	-	-	-
Office Equip & Furn	500	100.0%	0.0%	500	500	-	-	-	-
Administrative Services	-	100.0%	0.0%	-	-	-	-	-	-
Computer Services	-	100.0%	0.0%	-	-	-	-	-	-
OTHER	-	100.0%	0.0%	-	-	-	-	-	-
OTHER	-	100.0%	0.0%	-	-	-	-	-	-
Total	798,060			798,060	798,060	-	-	-	-

Notes:

TOWN OF ATHERTON
 OVERHEAD COST ALLOCATION PLAN
 Master Expenditure Detail for Source Fiscal Year 2009/2010

16 City Attorney

Expenditure Description	Budgeted Expenditure	Portion for Indirect/Overhead		Indirect Services Expenditures	Distribution of Indirect Service/Overhead Expenditures to Function				
		Labor Distribution Factor	...or Other Allocation Factor		General Counsel	Planning Counsel	Building Counsel	DPW Engineering Counsel	[Other]
City Attorney - Retainer	\$ 132,000	100.0%	0.0%	\$ 132,000	\$ 132,000	\$ -	\$ -	\$ -	\$ -
City Attorney - Planning	48,000	100.0%	0.0%	48,000	-	48,000	-	-	-
City Attorney - Building	27,500	100.0%	0.0%	27,500	-	-	27,500	-	-
City Attorney - DPW Eng	15,000	100.0%	0.0%	15,000	-	-	-	15,000	-
City Attorney - Other Services	200,500	100.0%	0.0%	200,500	200,500	-	-	-	-
Attorney - Other Legal	-	100.0%	0.0%	-	-	-	-	-	-
Labor Relations Service	-	100.0%	0.0%	-	-	-	-	-	-
Litigation Services	-	100.0%	0.0%	-	-	-	-	-	-
Other Contract Services	-	100.0%	0.0%	-	-	-	-	-	-
Facility Repair	-	100.0%	0.0%	-	-	-	-	-	-
Membership/Dues	-	100.0%	0.0%	-	-	-	-	-	-
Travel & Meetings	-	100.0%	0.0%	-	-	-	-	-	-
Liability Claims	-	100.0%	0.0%	-	-	-	-	-	-
Administrative Services	-	100.0%	0.0%	-	-	-	-	-	-
Computer Service Charge	-	100.0%	0.0%	-	-	-	-	-	-
OTHER	-	100.0%	0.0%	-	-	-	-	-	-
OTHER	-	100.0%	0.0%	-	-	-	-	-	-
Total	423,000			423,000	332,500	48,000	27,500	15,000	-

Notes:

TOWN OF ATHERTON
OVERHEAD COST ALLOCATION PLAN
Master Expenditure Detail for Source Fiscal Year 2009/2010

18 Finance

Expenditure Description	Budgeted Expenditure	Portion for Indirect/Overhead		Indirect Services Expenditures	Distribution of Indirect Service/Overhead Expenditures to Function				
		Labor Distribution Factor	...or Other Allocation Factor		Finance	[Other]	[Other]	[Other]	[Other]
Regular Salaries	\$ 261,601	100.0%	0.0%	\$ 261,601	\$ 261,601	\$ -	\$ -	\$ -	\$ -
Part-Time Permanent Salaries	-	100.0%	0.0%	-	-	-	-	-	-
Temporary Help	-	100.0%	0.0%	-	-	-	-	-	-
Overtime	-	100.0%	0.0%	-	-	-	-	-	-
Medicare	3,793	100.0%	0.0%	3,793	3,793	-	-	-	-
Social Security Tax	-	100.0%	0.0%	-	-	-	-	-	-
PERS Retire Contrib- ER	34,278	100.0%	0.0%	34,278	34,278	-	-	-	-
PERS Retire Contrib- EE	18,312	100.0%	0.0%	18,312	18,312	-	-	-	-
Health Insurance	48,279	100.0%	0.0%	48,279	48,279	-	-	-	-
Retiree Health	34,434	100.0%	0.0%	34,434	34,434	-	-	-	-
Dental Insurance	4,462	100.0%	0.0%	4,462	4,462	-	-	-	-
Vision Insurance	674	100.0%	0.0%	674	674	-	-	-	-
Workers' Compensation	434	100.0%	0.0%	434	434	-	-	-	-
Life & ADD Insurance	406	100.0%	0.0%	406	406	-	-	-	-
LTD Insurance	1,621	100.0%	0.0%	1,621	1,621	-	-	-	-
Unemployment Insurance	2,616	100.0%	0.0%	2,616	2,616	-	-	-	-
EE Benefits Earned	2,616	100.0%	0.0%	2,616	2,616	-	-	-	-
Audit & Financial	42,057	100.0%	0.0%	42,057	42,057	-	-	-	-
Technical Services	24,584	100.0%	0.0%	24,584	24,584	-	-	-	-
Repair Machinery & Equip	1,000	100.0%	0.0%	1,000	1,000	-	-	-	-
External Printing Service	3,000	100.0%	0.0%	3,000	3,000	-	-	-	-
Training and Workshops	5,084	100.0%	0.0%	5,084	5,084	-	-	-	-
Other Contract Services	14,480	100.0%	0.0%	14,480	14,480	-	-	-	-
Office Supplies	3,000	100.0%	0.0%	3,000	3,000	-	-	-	-
Subscriptions	750	100.0%	0.0%	750	750	-	-	-	-
Misc. Computer Parts	500	100.0%	0.0%	500	500	-	-	-	-
Memberships & Dues	1,205	100.0%	0.0%	1,205	1,205	-	-	-	-
Postage	-	100.0%	0.0%	-	-	-	-	-	-
Utilities - Telephone	-	100.0%	0.0%	-	-	-	-	-	-
Conferences	1,300	100.0%	0.0%	1,300	1,300	-	-	-	-
Mileage Reimbursement	600	100.0%	0.0%	600	600	-	-	-	-
Banking Services	10,500	100.0%	0.0%	10,500	10,500	-	-	-	-
Computer Equipment	3,000	100.0%	0.0%	3,000	3,000	-	-	-	-
Office Machines & Furniture	-	100.0%	0.0%	-	-	-	-	-	-
Administrative Services	-	100.0%	0.0%	-	-	-	-	-	-

18 Finance (Continued)

Expenditure Description	Budgeted Expenditure	Portion for Indirect/Overhead		Indirect Services Expenditures	Distribution of Indirect Service/Overhead Expenditures to Function				
		Labor Distribution Factor	...or Other Allocation Factor		Finance	[Other]	[Other]	[Other]	[Other]
Trsfr to Computer Services Fd	\$ -	100.0%	0.0%	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Trsfr to Equip Replace Fund	10,000	100.0%	0.0%	10,000	10,000	-	-	-	-
OTHER	-	100.0%	0.0%	-	-	-	-	-	-
OTHER	-	100.0%	0.0%	-	-	-	-	-	-
Total	534,584			534,584	534,584	-	-	-	-

Notes:

20 Planning

Expenditure Description	Budgeted Expenditure	Portion for Indirect/Overhead		Indirect Services Expenditures	Distribution of Indirect Service/Overhead Expenditures to Function				
		Labor Distribution Factor	...or Other Allocation Factor		[Other]	[Other]	[Other]	[Other]	[Other]
Contract Planner	\$ 177,077	0.0%	0.0%	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Zoning Code Update	-	0.0%	0.0%	-	-	-	-	-	-
General Plan Update	4,900	0.0%	0.0%	-	-	-	-	-	-
Housing Element	7,350	0.0%	0.0%	-	-	-	-	-	-
Historical Artifacts	-	0.0%	0.0%	-	-	-	-	-	-
Advertising/Noticing	2,000	0.0%	0.0%	-	-	-	-	-	-
Plan Review	-	0.0%	0.0%	-	-	-	-	-	-
Other Contract Services	-	0.0%	0.0%	-	-	-	-	-	-
Printing - External Service	2,500	0.0%	0.0%	-	-	-	-	-	-
Office Supplies	2,000	0.0%	0.0%	-	-	-	-	-	-
Postage	-	0.0%	0.0%	-	-	-	-	-	-
Utilities - Electricity	230	0.0%	0.0%	-	-	-	-	-	-
Utilities - Gas	150	0.0%	0.0%	-	-	-	-	-	-
Utilities - Water	50	0.0%	0.0%	-	-	-	-	-	-
OTHER	-	0.0%	0.0%	-	-	-	-	-	-
OTHER	-	0.0%	0.0%	-	-	-	-	-	-
Total	196,257			-	-	-	-	-	-

Notes:

TOWN OF ATHERTON
OVERHEAD COST ALLOCATION PLAN
Master Expenditure Detail for Source Fiscal Year 2009/2010

25 Building

Expenditure Description	Budgeted Expenditure	Portion for Indirect/Overhead		Indirect Services Expenditures	Distribution of Indirect Service/Overhead Expenditures to Function				
		Labor Distribution Factor	...or Other Allocation Factor		[Other]	[Other]	[Other]	[Other]	[Other]
Regular Salaries	\$ 597,738	0.0%	0.0%	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Temporary Help	-	0.0%	0.0%	-	-	-	-	-	-
Overtime	-	0.0%	0.0%	-	-	-	-	-	-
Medicare	8,667	0.0%	0.0%	-	-	-	-	-	-
Social Security Tax	-	0.0%	0.0%	-	-	-	-	-	-
PER Retire Contrb- ER	78,322	0.0%	0.0%	-	-	-	-	-	-
PERS Retire Contrb- EE	41,842	0.0%	0.0%	-	-	-	-	-	-
Health Insurance	83,686	0.0%	0.0%	-	-	-	-	-	-
Retiree Healthcare	74,878	0.0%	0.0%	-	-	-	-	-	-
Dental Insurance	11,497	0.0%	0.0%	-	-	-	-	-	-
Vision Insurance	1,413	0.0%	0.0%	-	-	-	-	-	-
Workers' Compensation	25,454	0.0%	0.0%	-	-	-	-	-	-
Life & ADD Insurance	909	0.0%	0.0%	-	-	-	-	-	-
LTD Insurance	4,282	0.0%	0.0%	-	-	-	-	-	-
Unemployment Insurance	5,977	0.0%	0.0%	-	-	-	-	-	-
Uniforms	600	0.0%	0.0%	-	-	-	-	-	-
Auto Allowance	15,900	0.0%	0.0%	-	-	-	-	-	-
EE Benefits Earned	5,977	0.0%	0.0%	-	-	-	-	-	-
Technical Service	8,000	0.0%	0.0%	-	-	-	-	-	-
City Attorney Retainer	-	0.0%	0.0%	-	-	-	-	-	-
Contract Planner	-	0.0%	0.0%	-	-	-	-	-	-
Plan Reviewer	-	0.0%	0.0%	-	-	-	-	-	-
Vehicle Repair & Maint	600	0.0%	0.0%	-	-	-	-	-	-
Equip Repair & Maint	2,000	0.0%	0.0%	-	-	-	-	-	-
Custodial Services	-	0.0%	0.0%	-	-	-	-	-	-
Advertising/Publishing	-	0.0%	0.0%	-	-	-	-	-	-
Training & Workshop	5,640	0.0%	0.0%	-	-	-	-	-	-
Plan Review	-	0.0%	0.0%	-	-	-	-	-	-
Code Enforcement	-	0.0%	0.0%	-	-	-	-	-	-
Other Contract Services	-	0.0%	0.0%	-	-	-	-	-	-
Environment Programs	-	0.0%	0.0%	-	-	-	-	-	-
Building Inspection	-	0.0%	0.0%	-	-	-	-	-	-
Environ Report Service	-	0.0%	0.0%	-	-	-	-	-	-
Office Supplies	6,000	0.0%	0.0%	-	-	-	-	-	-
Subscriptions	905	0.0%	0.0%	-	-	-	-	-	-
Microfilms	7,500	0.0%	0.0%	-	-	-	-	-	-
Safety Supplies & Mats	5,785	0.0%	0.0%	-	-	-	-	-	-

25 Building (Continued)

Expenditure Description	Budgeted Expenditure	Portion for Indirect/Overhead		Indirect Services Expenditures	Distribution of Indirect Service/Overhead Expenditures to Function				
		Labor Distribution Factor	...or Other Allocation Factor		[Other]	[Other]	[Other]	[Other]	[Other]
Computer Software	\$ -	0.0%	0.0%	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Oil & Gasoline	600	0.0%	0.0%	-	-	-	-	-	-
Recycling	-	0.0%	0.0%	-	-	-	-	-	-
Memberships & Dues	2,145	0.0%	0.0%	-	-	-	-	-	-
Utilities - Electricity	1,380	0.0%	0.0%	-	-	-	-	-	-
Utilities - Gas	900	0.0%	0.0%	-	-	-	-	-	-
Utilities - Water	300	0.0%	0.0%	-	-	-	-	-	-
Communication	1,650	0.0%	0.0%	-	-	-	-	-	-
Conferences	2,000	0.0%	0.0%	-	-	-	-	-	-
Computer Equipment	2,500	0.0%	0.0%	-	-	-	-	-	-
Office Equip & Furniture	2,000	0.0%	0.0%	-	-	-	-	-	-
Administrative Services	-	0.0%	0.0%	-	-	-	-	-	-
Trsfr to Computer Service	-	0.0%	0.0%	-	-	-	-	-	-
Trsfr to Equip Replace Fd	10,000	0.0%	0.0%	-	-	-	-	-	-
OTHER	-	0.0%	0.0%	-	-	-	-	-	-
OTHER	-	0.0%	0.0%	-	-	-	-	-	-
Total	1,017,047			-	-	-	-	-	-

Notes:

30 Non-Department

Expenditure Description	Budgeted Expenditure	Portion for Indirect/Overhead		Indirect Services Expenditures	Distribution of Indirect Service/Overhead Expenditures to Function				
		Labor Distribution Factor	...or Other Allocation Factor		General Indirect Activities	Information Technology	Code Enforcement	[Other]	[Other]
Retiree Health	\$ -	100.0%	0.0%	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Audit & Financial	-	100.0%	0.0%	-	-	-	-	-	-
Code Enforcement Services	56,985	100.0%	0.0%	56,985	-	-	56,985	-	-
Environmental Programs Committee	29,900	0.0%	0.0%	-	-	-	-	-	-
IT Support	32,324	100.0%	0.0%	32,324	-	32,324	-	-	-
Misc Computer Parts & Supplies	7,300	100.0%	0.0%	7,300	-	7,300	-	-	-
Other Supplies & Materials	4,000	100.0%	0.0%	4,000	4,000	-	-	-	-
Memberships & Dues	5,719	100.0%	0.0%	5,719	5,719	-	-	-	-
Liability Insurance	190,937	100.0%	0.0%	190,937	190,937	-	-	-	-
Property Insurance	5,139	100.0%	0.0%	5,139	5,139	-	-	-	-
Employment Practice Liability Insurance	36,000	100.0%	0.0%	36,000	36,000	-	-	-	-
Employee Assistance Program	3,510	100.0%	0.0%	3,510	3,510	-	-	-	-
Contribution - SSV	500	0.0%	0.0%	-	-	-	-	-	-
Contribution - HIP	2,500	0.0%	0.0%	-	-	-	-	-	-
Contribution - Sustainable San Mateo Cty	1,500	0.0%	0.0%	-	-	-	-	-	-
Postage	16,843	100.0%	0.0%	16,843	16,843	-	-	-	-
Utilities - Telephone	23,500	100.0%	0.0%	23,500	23,500	-	-	-	-
Election Cost	13,000	100.0%	0.0%	13,000	13,000	-	-	-	-
Post Office Expense	3,820	0.0%	0.0%	-	-	-	-	-	-
OTHER	-	100.0%	0.0%	-	-	-	-	-	-
OTHER	-	100.0%	0.0%	-	-	-	-	-	-
Total	433,477			395,257	298,648	39,624	56,985	-	-

Notes:

TOWN OF ATHERTON
OVERHEAD COST ALLOCATION PLAN
Master Expenditure Detail for Source Fiscal Year 2009/2010

40 Police

Expenditure Description	Budgeted Expenditure	Portion for Indirect/Overhead		Indirect Services Expenditures	Distribution of Indirect Service/Overhead Expenditures to Function				
		Labor Distribution Factor	...or Other Allocation Factor		[Other]	[Other]	[Other]	[Other]	[Other]
Regular Salaries	\$ 2,026,451	0.0%	0.0%	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Part-time Permanent	-	0.0%	0.0%	-	-	-	-	-	-
Dispatcher Salaries	319,280	0.0%	0.0%	-	-	-	-	-	-
Reserve Salaries	39,872	0.0%	0.0%	-	-	-	-	-	-
Temporary Help	82,673	0.0%	0.0%	-	-	-	-	-	-
Overtime	161,000	0.0%	0.0%	-	-	-	-	-	-
Reimbursed Salaries	-	0.0%	0.0%	-	-	-	-	-	-
Medicare Tax	37,240	0.0%	0.0%	-	-	-	-	-	-
Social Security	1,490	0.0%	0.0%	-	-	-	-	-	-
PERS Retire Contr - ER	718,922	0.0%	0.0%	-	-	-	-	-	-
PERS Retire Contr - EE	182,971	0.0%	0.0%	-	-	-	-	-	-
Deferred Comp-ER Paid	6,386	0.0%	0.0%	-	-	-	-	-	-
Health Insurance	328,296	0.0%	0.0%	-	-	-	-	-	-
Retiree Healthcare	359,631	0.0%	0.0%	-	-	-	-	-	-
Dental Insurance	38,953	0.0%	0.0%	-	-	-	-	-	-
Vision Insurance	6,072	0.0%	0.0%	-	-	-	-	-	-
Workers' Compensation	94,506	0.0%	0.0%	-	-	-	-	-	-
Life & ADD Insurance	3,251	0.0%	0.0%	-	-	-	-	-	-
LTD Insurance	17,572	0.0%	0.0%	-	-	-	-	-	-
Unemployment Insurance	25,683	0.0%	0.0%	-	-	-	-	-	-
Uniforms	16,150	0.0%	0.0%	-	-	-	-	-	-
Educational Reimbursement	2,000	0.0%	0.0%	-	-	-	-	-	-
EE Benefits Earned	48,915	0.0%	0.0%	-	-	-	-	-	-
Technical Services	57,905	0.0%	0.0%	-	-	-	-	-	-
Animal Control Services	50,951	0.0%	0.0%	-	-	-	-	-	-
Equip Maint - Vehicles	35,000	0.0%	0.0%	-	-	-	-	-	-
Equip Maint - Other	4,000	0.0%	0.0%	-	-	-	-	-	-
Facility Repair & Maint	-	0.0%	0.0%	-	-	-	-	-	-
Custodial Services	-	0.0%	0.0%	-	-	-	-	-	-
Training & Workshops	6,300	0.0%	0.0%	-	-	-	-	-	-
SMC Booking Fees	4,139	0.0%	0.0%	-	-	-	-	-	-
Citation Processing	541	0.0%	0.0%	-	-	-	-	-	-
Other Contract Services	57,197	0.0%	0.0%	-	-	-	-	-	-
Recruitment Cost	5,000	0.0%	0.0%	-	-	-	-	-	-
Printing - External Service	2,000	0.0%	0.0%	-	-	-	-	-	-
Office Supplies	5,850	0.0%	0.0%	-	-	-	-	-	-
Subscriptions	746	0.0%	0.0%	-	-	-	-	-	-

TOWN OF ATHERTON
OVERHEAD COST ALLOCATION PLAN
Master Expenditure Detail for Source Fiscal Year 2009/2010

40 Police (Continued)

Expenditure Description	Budgeted Expenditure	Portion for Indirect/Overhead		Indirect Services Expenditures	Distribution of Indirect Service/Overhead Expenditures to Function				
		Labor Distribution Factor	...or Other Allocation Factor		[Other]	[Other]	[Other]	[Other]	[Other]
Safety Supplies & Materials	\$ 6,000	0.0%	0.0%	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
POST Training	20,000	0.0%	0.0%	-	-	-	-	-	-
K-9 Expenses	22,269	0.0%	0.0%	-	-	-	-	-	-
Vehicles Supplies	-	0.0%	0.0%	-	-	-	-	-	-
Oil and Gasoline	61,800	0.0%	0.0%	-	-	-	-	-	-
Other Supplies & Matls	31,000	0.0%	0.0%	-	-	-	-	-	-
Memberships & Dues	2,101	0.0%	0.0%	-	-	-	-	-	-
Postage	-	0.0%	0.0%	-	-	-	-	-	-
Utilities - Electricity	21,000	0.0%	0.0%	-	-	-	-	-	-
Utilities - Gas	1,100	0.0%	0.0%	-	-	-	-	-	-
Utilities - Water	500	0.0%	0.0%	-	-	-	-	-	-
Communication	40,622	0.0%	0.0%	-	-	-	-	-	-
Conferences	5,815	0.0%	0.0%	-	-	-	-	-	-
Mileage Reimbursement	300	0.0%	0.0%	-	-	-	-	-	-
Disaster/Emergency	2,800	0.0%	0.0%	-	-	-	-	-	-
Special Events & Awards	-	0.0%	0.0%	-	-	-	-	-	-
Rent Facilities	8,590	0.0%	0.0%	-	-	-	-	-	-
Non-Cap Off Mach & Furn	-	0.0%	0.0%	-	-	-	-	-	-
Non-Cap Tools & Equip	-	0.0%	0.0%	-	-	-	-	-	-
Misc. Capital Outlay	14,286	0.0%	0.0%	-	-	-	-	-	-
Building Improvements	-	0.0%	0.0%	-	-	-	-	-	-
Mach & Equip	25,185	0.0%	0.0%	-	-	-	-	-	-
Vehicles & Accessories	-	0.0%	0.0%	-	-	-	-	-	-
Computer Equip	4,500	0.0%	0.0%	-	-	-	-	-	-
Office Equip & Furniture	700	0.0%	0.0%	-	-	-	-	-	-
Administrative Services	-	0.0%	0.0%	-	-	-	-	-	-
Computer Svs Charge	-	0.0%	0.0%	-	-	-	-	-	-
Trsfr to Equip Replace Fd	69,800	0.0%	0.0%	-	-	-	-	-	-
OTHER	-	0.0%	0.0%	-	-	-	-	-	-
OTHER	-	0.0%	0.0%	-	-	-	-	-	-
Total	5,085,310			-	-	-	-	-	-

Notes:

TOWN OF ATHERTON
OVERHEAD COST ALLOCATION PLAN
Master Expenditure Detail for Source Fiscal Year 2009/2010

50 Public Works - Engineering

Expenditure Description	Budgeted Expenditure	Portion for Indirect/Overhead		Indirect Services Expenditures	Distribution of Indirect Service/Overhead Expenditures to Function				
		Labor Distribution Factor	...or Other Allocation Factor		[Other]	[Other]	[Other]	[Other]	[Other]
Regular Salaries	\$ 295,213	0.0%	0.0%	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Part-Time Permanent	-	0.0%	0.0%	-	-	-	-	-	-
Temporary Help	-	0.0%	0.0%	-	-	-	-	-	-
Overtime	-	0.0%	0.0%	-	-	-	-	-	-
Standby Pay	1,475	0.0%	0.0%	-	-	-	-	-	-
Medicare Insurance	4,281	0.0%	0.0%	-	-	-	-	-	-
Social Security	-	0.0%	0.0%	-	-	-	-	-	-
PERS Retire Contr - ER	38,682	0.0%	0.0%	-	-	-	-	-	-
PERS Retire Contr - EE	20,665	0.0%	0.0%	-	-	-	-	-	-
Health Insurance	22,297	0.0%	0.0%	-	-	-	-	-	-
Retiree Healthcare	46,091	0.0%	0.0%	-	-	-	-	-	-
Dental Insurance	5,277	0.0%	0.0%	-	-	-	-	-	-
Vision Insurance	466	0.0%	0.0%	-	-	-	-	-	-
Workers Compensation	3,607	0.0%	0.0%	-	-	-	-	-	-
Life & ADD Insurance	437	0.0%	0.0%	-	-	-	-	-	-
LTD Insurance	1,994	0.0%	0.0%	-	-	-	-	-	-
Unemployment Insurance	2,952	0.0%	0.0%	-	-	-	-	-	-
Uniforms	-	0.0%	0.0%	-	-	-	-	-	-
Auto Allowance	2,160	0.0%	0.0%	-	-	-	-	-	-
EE Benefits Earned	2,952	0.0%	0.0%	-	-	-	-	-	-
Salary Allocated to CIP	(214,060)	0.0%	0.0%	-	-	-	-	-	-
Salary Savings	(64,140)	0.0%	0.0%	-	-	-	-	-	-
Contract Engineering	3,000	0.0%	0.0%	-	-	-	-	-	-
Contract Plan Reviewer	-	0.0%	0.0%	-	-	-	-	-	-
Vehicle Repair & Maint	400	0.0%	0.0%	-	-	-	-	-	-
Equipment Repair & Maint	100	0.0%	0.0%	-	-	-	-	-	-
Building Security	-	0.0%	0.0%	-	-	-	-	-	-
Facility Repair & Maint	-	0.0%	0.0%	-	-	-	-	-	-
Catering Services	-	0.0%	0.0%	-	-	-	-	-	-
Custodial Services	-	0.0%	0.0%	-	-	-	-	-	-
HVAC Repair & Maint	-	0.0%	0.0%	-	-	-	-	-	-
Electrical Repair & Maint	-	0.0%	0.0%	-	-	-	-	-	-
Roof Repair & Maint	-	0.0%	0.0%	-	-	-	-	-	-
Tree Maintenance	-	0.0%	0.0%	-	-	-	-	-	-
Pesticides & Fertilizer	-	0.0%	0.0%	-	-	-	-	-	-
Street Sweeping	-	0.0%	0.0%	-	-	-	-	-	-
Contract Lndscp Maint.	-	0.0%	0.0%	-	-	-	-	-	-

50 Public Works - Engineering (Continued)

Expenditure Description	Budgeted Expenditure	Portion for Indirect/Overhead		Indirect Services Expenditures	Distribution of Indirect Service/Overhead Expenditures to Function				
		Labor Distribution Factor	...or Other Allocation Factor		[Other]	[Other]	[Other]	[Other]	[Other]
Traffic Signal Repair & Maint	\$ -	0.0%	0.0%	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Street Light Repair & Maint	-	0.0%	0.0%	-	-	-	-	-	-
Advertising/Publishing	5,000	0.0%	0.0%	-	-	-	-	-	-
Training & Workshops	2,000	0.0%	0.0%	-	-	-	-	-	-
Inspection & Testing	-	0.0%	0.0%	-	-	-	-	-	-
Other Contract Services	2,000	0.0%	0.0%	-	-	-	-	-	-
Disaster Preparedness	-	0.0%	0.0%	-	-	-	-	-	-
Technical Services	6,000	0.0%	0.0%	-	-	-	-	-	-
Office Supplies	3,000	0.0%	0.0%	-	-	-	-	-	-
Safety Supplies & Mats	1,000	0.0%	0.0%	-	-	-	-	-	-
Computer Software	6,000	0.0%	0.0%	-	-	-	-	-	-
Computer Supplies	500	0.0%	0.0%	-	-	-	-	-	-
Custodial Supplies	-	0.0%	0.0%	-	-	-	-	-	-
Landscape Supplies	-	0.0%	0.0%	-	-	-	-	-	-
Construction Mats	-	0.0%	0.0%	-	-	-	-	-	-
Minor Tools & Equip	250	0.0%	0.0%	-	-	-	-	-	-
Gas & Oil	750	0.0%	0.0%	-	-	-	-	-	-
Other Supplies & Mats	-	0.0%	0.0%	-	-	-	-	-	-
Membership/Dues	6,366	0.0%	0.0%	-	-	-	-	-	-
Postage	200	0.0%	0.0%	-	-	-	-	-	-
Utilities - Electricity	690	0.0%	0.0%	-	-	-	-	-	-
Utilities - Gas	450	0.0%	0.0%	-	-	-	-	-	-
Utilities - Water	150	0.0%	0.0%	-	-	-	-	-	-
Utilities - Sewer	-	0.0%	0.0%	-	-	-	-	-	-
Communication	1,550	0.0%	0.0%	-	-	-	-	-	-
Conferences	264	0.0%	0.0%	-	-	-	-	-	-
Credit Card Merchant Fees	-	0.0%	0.0%	-	-	-	-	-	-
Rent - Facilities	-	0.0%	0.0%	-	-	-	-	-	-
Rent - Tools & Equipment	-	0.0%	0.0%	-	-	-	-	-	-
Building Improvements	-	0.0%	0.0%	-	-	-	-	-	-
Machinery & Equipment	-	0.0%	0.0%	-	-	-	-	-	-
Computer Equipment	2,000	0.0%	0.0%	-	-	-	-	-	-
Office Machines & Furn	500	0.0%	0.0%	-	-	-	-	-	-

50 Public Works - Engineering (Continued)

Expenditure Description	Budgeted Expenditure	Portion for Indirect/Overhead		Indirect Services Expenditures	Distribution of Indirect Service/Overhead Expenditures to Function				
		Labor Distribution Factor	...or Other Allocation Factor		[Other]	[Other]	[Other]	[Other]	[Other]
Administrative Services	\$ -	0.0%	0.0%	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Computer Services Charg	-	0.0%	0.0%	-	-	-	-	-	-
Equip Replace Charges	-	0.0%	0.0%	-	-	-	-	-	-
OTHER	-	0.0%	0.0%	-	-	-	-	-	-
OTHER	-	0.0%	0.0%	-	-	-	-	-	-
Total	212,517			-	-	-	-	-	-

Notes:

53 Public Works - Street Maintenance

Expenditure Description	Budgeted Expenditure	Portion for Indirect/Overhead		Indirect Services Expenditures	Distribution of Indirect Service/Overhead Expenditures to Function				
		Labor Distribution Factor	...or Other Allocation Factor		[Other]	[Other]	[Other]	[Other]	[Other]
Regular Salaries	\$ 260,692	0.0%	0.0%	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Part-Time Permanent	-	0.0%	0.0%	-	-	-	-	-	-
Temporary Help	10,165	0.0%	0.0%	-	-	-	-	-	-
Overtime	2,305	0.0%	0.0%	-	-	-	-	-	-
Standby Pay	9,145	0.0%	0.0%	-	-	-	-	-	-
Medicare Insurance	3,927	0.0%	0.0%	-	-	-	-	-	-
Social Security	630	0.0%	0.0%	-	-	-	-	-	-
PERS Retire Contr - ER	34,159	0.0%	0.0%	-	-	-	-	-	-
PERS Retire Contr - EE	18,248	0.0%	0.0%	-	-	-	-	-	-
Health Insurance	52,597	0.0%	0.0%	-	-	-	-	-	-
Retiree Healthcare	43,415	0.0%	0.0%	-	-	-	-	-	-
Dental Insurance	5,912	0.0%	0.0%	-	-	-	-	-	-
Vision Insurance	873	0.0%	0.0%	-	-	-	-	-	-
Workers Compensation	14,556	0.0%	0.0%	-	-	-	-	-	-
Life & ADD Insurance	445	0.0%	0.0%	-	-	-	-	-	-
LTD Insurance	1,891	0.0%	0.0%	-	-	-	-	-	-
Unemployment Insurance	2,709	0.0%	0.0%	-	-	-	-	-	-
Uniforms	3,450	0.0%	0.0%	-	-	-	-	-	-
Auto Allowance	360	0.0%	0.0%	-	-	-	-	-	-
EE Benefits Earned	2,607	0.0%	0.0%	-	-	-	-	-	-
Salary Savings	(18,098)	0.0%	0.0%	-	-	-	-	-	-
Salary Allocated to CIP	-	0.0%	0.0%	-	-	-	-	-	-
Contract Engineering	-	0.0%	0.0%	-	-	-	-	-	-
Contract Plan Reviewer	-	0.0%	0.0%	-	-	-	-	-	-
Vehicle Repair & Maint	2,500	0.0%	0.0%	-	-	-	-	-	-
Equipment Repair & Maint	500	0.0%	0.0%	-	-	-	-	-	-
Building Security	-	0.0%	0.0%	-	-	-	-	-	-
Facility Repair & Maint	6,000	0.0%	0.0%	-	-	-	-	-	-
Catering Services	-	0.0%	0.0%	-	-	-	-	-	-
Custodial Services	-	0.0%	0.0%	-	-	-	-	-	-
HVAC Repair & Maint	-	0.0%	0.0%	-	-	-	-	-	-
Electrical Repair & Maint	-	0.0%	0.0%	-	-	-	-	-	-
Roof Repair & Maint	-	0.0%	0.0%	-	-	-	-	-	-
Tree Maintenance	50,000	0.0%	0.0%	-	-	-	-	-	-
Pesticides & Fertilizer	5,000	0.0%	0.0%	-	-	-	-	-	-
Street Sweeping	21,000	0.0%	0.0%	-	-	-	-	-	-

53 Public Works - Street Maintenance (Continued)

Expenditure Description	Budgeted Expenditure	Portion for Indirect/Overhead		Indirect Services Expenditures	Distribution of Indirect Service/Overhead Expenditures to Function				
		Labor Distribution Factor	...or Other Allocation Factor		[Other]	[Other]	[Other]	[Other]	[Other]
Contract Lndscp Maint.	\$ -	0.0%	0.0%	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Traffic Signal Repair & Maint	20,000	0.0%	0.0%	-	-	-	-	-	-
Street Light Repair & Maint	35,000	0.0%	0.0%	-	-	-	-	-	-
Advertising/Publishing	-	0.0%	0.0%	-	-	-	-	-	-
Training & Workshops	1,500	0.0%	0.0%	-	-	-	-	-	-
Inspection & Testing	500	0.0%	0.0%	-	-	-	-	-	-
Other Contract Services	5,000	0.0%	0.0%	-	-	-	-	-	-
Disaster Preparedness	-	0.0%	0.0%	-	-	-	-	-	-
Technical Services	-	0.0%	0.0%	-	-	-	-	-	-
Office Supplies	100	0.0%	0.0%	-	-	-	-	-	-
Safety Supplies & Matls	1,000	0.0%	0.0%	-	-	-	-	-	-
Computer Software	1,000	0.0%	0.0%	-	-	-	-	-	-
Computer Supplies	250	0.0%	0.0%	-	-	-	-	-	-
Custodial Supplies	-	0.0%	0.0%	-	-	-	-	-	-
Landscape Supplies	500	0.0%	0.0%	-	-	-	-	-	-
Construction Matls	15,000	0.0%	0.0%	-	-	-	-	-	-
Minor Tools & Equip	1,000	0.0%	0.0%	-	-	-	-	-	-
Gas & Oil	10,000	0.0%	0.0%	-	-	-	-	-	-
Other Supplies & Matls	-	0.0%	0.0%	-	-	-	-	-	-
Membership/Dues	258	0.0%	0.0%	-	-	-	-	-	-
Postage	-	0.0%	0.0%	-	-	-	-	-	-
Utilities - Electricity	52,000	0.0%	0.0%	-	-	-	-	-	-
Utilities - Gas	1,200	0.0%	0.0%	-	-	-	-	-	-
Utilities - Water	10,000	0.0%	0.0%	-	-	-	-	-	-
Utilities - Sewer	-	0.0%	0.0%	-	-	-	-	-	-
Communication	2,700	0.0%	0.0%	-	-	-	-	-	-
Conferences	2,000	0.0%	0.0%	-	-	-	-	-	-
Credit Card Merchant Fees	-	0.0%	0.0%	-	-	-	-	-	-
Rent - Facilities	-	0.0%	0.0%	-	-	-	-	-	-
Rent - Tools & Equipment	20,000	0.0%	0.0%	-	-	-	-	-	-
Building Improvements	-	0.0%	0.0%	-	-	-	-	-	-
Machinery & Equipment	3,000	0.0%	0.0%	-	-	-	-	-	-

53 Public Works - Street Maintenance (Continued)

Expenditure Description	Budgeted Expenditure	Portion for Indirect/Overhead		Indirect Services Expenditures	Distribution of Indirect Service/Overhead Expenditures to Function				
		Labor Distribution Factor	...or Other Allocation Factor		[Other]	[Other]	[Other]	[Other]	[Other]
Computer Equipment	\$ 2,000	0.0%	0.0%	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Office Machines & Furn	500	0.0%	0.0%	-	-	-	-	-	-
Administrative Services	-	0.0%	0.0%	-	-	-	-	-	-
Computer Services Charg	-	0.0%	0.0%	-	-	-	-	-	-
Equip Replace Charges	17,361	0.0%	0.0%	-	-	-	-	-	-
OTHER	-	0.0%	0.0%	-	-	-	-	-	-
OTHER	-	0.0%	0.0%	-	-	-	-	-	-
Total	736,857			-	-	-	-	-	-

Notes:

57 Public Works - Park Maintenance

Expenditure Description	Budgeted Expenditure	Portion for Indirect/Overhead		Indirect Services Expenditures	Distribution of Indirect Service/Overhead Expenditures to Function				
		Labor Distribution Factor	...or Other Allocation Factor		[Other]	[Other]	[Other]	[Other]	[Other]
Regular Salaries	\$ 133,984	0.0%	0.0%	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Part-Time Permanent	-	0.0%	0.0%	-	-	-	-	-	-
Temporary Help	22,540	0.0%	0.0%	-	-	-	-	-	-
Overtime	819	0.0%	0.0%	-	-	-	-	-	-
Standby Pay	2,950	0.0%	0.0%	-	-	-	-	-	-
Medicare Insurance	2,270	0.0%	0.0%	-	-	-	-	-	-
Social Security	1,397	0.0%	0.0%	-	-	-	-	-	-
PERS Retire Contr - ER	17,556	0.0%	0.0%	-	-	-	-	-	-
PERS Retire Contr - EE	9,379	0.0%	0.0%	-	-	-	-	-	-
Health Insurance	11,866	0.0%	0.0%	-	-	-	-	-	-
Retiree Healthcare	11,078	0.0%	0.0%	-	-	-	-	-	-
Dental Insurance	2,308	0.0%	0.0%	-	-	-	-	-	-
Vision Insurance	218	0.0%	0.0%	-	-	-	-	-	-
Workers Compensation	8,009	0.0%	0.0%	-	-	-	-	-	-
Life & ADD Insurance	182	0.0%	0.0%	-	-	-	-	-	-
LTD Insurance	1,018	0.0%	0.0%	-	-	-	-	-	-
Unemployment Insurance	1,565	0.0%	0.0%	-	-	-	-	-	-
Uniforms	813	0.0%	0.0%	-	-	-	-	-	-
Auto Allowance	360	0.0%	0.0%	-	-	-	-	-	-
EE Benefits Earned	1,340	0.0%	0.0%	-	-	-	-	-	-
Salary Allocated to CIP	-	0.0%	0.0%	-	-	-	-	-	-
Contract Engineering	-	0.0%	0.0%	-	-	-	-	-	-
Contract Plan Reviewer	-	0.0%	0.0%	-	-	-	-	-	-
Vehicle Repair & Maint	500	0.0%	0.0%	-	-	-	-	-	-
Equipment Repair & Maint	2,500	0.0%	0.0%	-	-	-	-	-	-
Building Security	-	0.0%	0.0%	-	-	-	-	-	-
Facility Repair & Maint	2,500	0.0%	0.0%	-	-	-	-	-	-
Catering Services	-	0.0%	0.0%	-	-	-	-	-	-
Custodial Services	-	0.0%	0.0%	-	-	-	-	-	-
HVAC Repair & Maint	-	0.0%	0.0%	-	-	-	-	-	-
Electrical Repair & Maint	500	0.0%	0.0%	-	-	-	-	-	-
Roof Repair & Maint	-	0.0%	0.0%	-	-	-	-	-	-
Tree Maintenance	10,000	0.0%	0.0%	-	-	-	-	-	-
Pesticides & Fertilizer	10,000	0.0%	0.0%	-	-	-	-	-	-
Street Sweeping	-	0.0%	0.0%	-	-	-	-	-	-

57 Public Works - Park Maintenance (Continued)

Expenditure Description	Budgeted Expenditure	Portion for Indirect/Overhead		Indirect Services Expenditures	Distribution of Indirect Service/Overhead Expenditures to Function				
		Labor Distribution Factor	...or Other Allocation Factor		[Other]	[Other]	[Other]	[Other]	[Other]
Contract Lndscp Maint.	\$ -	0.0%	0.0%	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Traffic Signal Repair & Maint	-	0.0%	0.0%	-	-	-	-	-	-
Street Light Repair & Maint	2,500	0.0%	0.0%	-	-	-	-	-	-
Advertising/Publishing	-	0.0%	0.0%	-	-	-	-	-	-
Training & Workshops	500	0.0%	0.0%	-	-	-	-	-	-
Inspection & Testing	3,000	0.0%	0.0%	-	-	-	-	-	-
Other Contract Services	2,000	0.0%	0.0%	-	-	-	-	-	-
Disaster Preparedness	-	0.0%	0.0%	-	-	-	-	-	-
Technical Services	-	0.0%	0.0%	-	-	-	-	-	-
Office Supplies	100	0.0%	0.0%	-	-	-	-	-	-
Safety Supplies & Mats	750	0.0%	0.0%	-	-	-	-	-	-
Computer Software	1,200	0.0%	0.0%	-	-	-	-	-	-
Computer Supplies	100	0.0%	0.0%	-	-	-	-	-	-
Custodial Supplies	2,000	0.0%	0.0%	-	-	-	-	-	-
Landscape Supplies	5,000	0.0%	0.0%	-	-	-	-	-	-
Construction Mats	2,500	0.0%	0.0%	-	-	-	-	-	-
Minor Tools & Equip	500	0.0%	0.0%	-	-	-	-	-	-
Gas & Oil	1,500	0.0%	0.0%	-	-	-	-	-	-
Other Supplies & Mats	-	0.0%	0.0%	-	-	-	-	-	-
Membership/Dues	200	0.0%	0.0%	-	-	-	-	-	-
Postage	-	0.0%	0.0%	-	-	-	-	-	-
Utilities - Electricity	3,500	0.0%	0.0%	-	-	-	-	-	-
Utilities - Gas	-	0.0%	0.0%	-	-	-	-	-	-
Utilities - Water	-	0.0%	0.0%	-	-	-	-	-	-
Utilities - Sewer	-	0.0%	0.0%	-	-	-	-	-	-

57 Public Works - Park Maintenance (Continued)

Expenditure Description	Budgeted Expenditure	Portion for Indirect/Overhead		Indirect Services Expenditures	Distribution of Indirect Service/Overhead Expenditures to Function				
		Labor Distribution Factor	...or Other Allocation Factor		[Other]	[Other]	[Other]	[Other]	[Other]
Communication	\$ 515	0.0%	0.0%	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Conferences	100	0.0%	0.0%	-	-	-	-	-	-
Credit Card Merchant Fees	-	0.0%	0.0%	-	-	-	-	-	-
Rent - Facilities	-	0.0%	0.0%	-	-	-	-	-	-
Rent - Tools & Equipment	500	0.0%	0.0%	-	-	-	-	-	-
Building Improvements	-	0.0%	0.0%	-	-	-	-	-	-
Machinery & Equipment	1,000	0.0%	0.0%	-	-	-	-	-	-
Computer Equipment	-	0.0%	0.0%	-	-	-	-	-	-
Office Machines & Furn	500	0.0%	0.0%	-	-	-	-	-	-
Administrative Services	-	0.0%	0.0%	-	-	-	-	-	-
Computer Services Charg	-	0.0%	0.0%	-	-	-	-	-	-
Equip Replace Charges	2,531	0.0%	0.0%	-	-	-	-	-	-
OTHER	-	0.0%	0.0%	-	-	-	-	-	-
OTHER	-	0.0%	0.0%	-	-	-	-	-	-
Total	286,148			-	-	-	-	-	-

Notes:

58 Public Works - Park Programs

Expenditure Description	Budgeted Expenditure	Portion for Indirect/Overhead		Indirect Services Expenditures	Distribution of Indirect Service/Overhead Expenditures to Function				
		Labor Distribution Factor	...or Other Allocation Factor		[Other]	[Other]	[Other]	[Other]	[Other]
Regular Salaries	\$ 116,262	0.0%	100.0%	\$ 116,262	\$ -	\$ -	\$ -	\$ -	\$ -
Part-Time Permanent	-	0.0%	100.0%	-	-	-	-	-	-
Temporary Help	55,687	0.0%	100.0%	55,687	-	-	-	-	-
Overtime	314	0.0%	100.0%	314	-	-	-	-	-
Standby Pay	-	0.0%	100.0%	-	-	-	-	-	-
Medicare Insurance	2,493	0.0%	100.0%	2,493	-	-	-	-	-
Social Security	3,453	0.0%	100.0%	3,453	-	-	-	-	-
PERS Retire Contr - ER	15,234	0.0%	100.0%	15,234	-	-	-	-	-
PERS Retire Contr - EE	8,138	0.0%	100.0%	8,138	-	-	-	-	-
Health Insurance	20,730	0.0%	100.0%	20,730	-	-	-	-	-
Retiree Healthcare	17,404	0.0%	100.0%	17,404	-	-	-	-	-
Dental Insurance	2,360	0.0%	100.0%	2,360	-	-	-	-	-
Vision Insurance	300	0.0%	100.0%	300	-	-	-	-	-
Workers Compensation	4,837	0.0%	100.0%	4,837	-	-	-	-	-
Life & ADD Insurance	171	0.0%	100.0%	171	-	-	-	-	-
LTD Insurance	884	0.0%	100.0%	884	-	-	-	-	-
Unemployment Insurance	1,719	0.0%	100.0%	1,719	-	-	-	-	-
Uniforms	813	0.0%	100.0%	813	-	-	-	-	-
Auto Allowance	360	0.0%	100.0%	360	-	-	-	-	-
EE Benefits Earned	1,163	0.0%	100.0%	1,163	-	-	-	-	-
Salary Allocated to CIP	-	0.0%	100.0%	-	-	-	-	-	-
Contract Engineering	-	0.0%	100.0%	-	-	-	-	-	-
Contract Plan Reviewer	-	0.0%	100.0%	-	-	-	-	-	-
Vehicle Repair & Maint	500	0.0%	100.0%	500	-	-	-	-	-
Equipment Repair & Maint	500	0.0%	100.0%	500	-	-	-	-	-
Building Security	-	0.0%	100.0%	-	-	-	-	-	-
Facility Repair & Maint	2,000	0.0%	100.0%	2,000	-	-	-	-	-
Catering Services	500	0.0%	100.0%	500	-	-	-	-	-
Custodial Services	-	0.0%	100.0%	-	-	-	-	-	-
HVAC Repair & Maint	-	0.0%	100.0%	-	-	-	-	-	-
Electrical Repair & Maint	1,000	0.0%	100.0%	1,000	-	-	-	-	-
Roof Repair & Maint	-	0.0%	100.0%	-	-	-	-	-	-
Tree Maintenance	-	0.0%	100.0%	-	-	-	-	-	-
Pesticides & Fertilizer	-	0.0%	100.0%	-	-	-	-	-	-
Street Sweeping	-	0.0%	100.0%	-	-	-	-	-	-

58 Public Works - Park Programs (Continued)

Expenditure Description	Budgeted Expenditure	Portion for Indirect/Overhead		Indirect Services Expenditures	Distribution of Indirect Service/Overhead Expenditures to Function				
		Labor Distribution Factor	...or Other Allocation Factor		[Other]	[Other]	[Other]	[Other]	[Other]
Contract Lndscp Maint.	\$ -	0.0%	100.0%	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Traffic Signal Repair & Maint	-	0.0%	100.0%	-	-	-	-	-	-
Street Light Repair & Maint	-	0.0%	100.0%	-	-	-	-	-	-
Advertising/Publishing	18,000	0.0%	100.0%	18,000	-	-	-	-	-
Training & Workshops	500	0.0%	100.0%	500	-	-	-	-	-
Inspection & Testing	-	0.0%	100.0%	-	-	-	-	-	-
Other Contract Services	-	0.0%	100.0%	-	-	-	-	-	-
Disaster Preparedness	-	0.0%	100.0%	-	-	-	-	-	-
Technical Services	-	0.0%	100.0%	-	-	-	-	-	-
Office Supplies	100	0.0%	100.0%	100	-	-	-	-	-
Safety Supplies & Matls	-	0.0%	100.0%	-	-	-	-	-	-
Computer Software	-	0.0%	100.0%	-	-	-	-	-	-
Computer Supplies	250	0.0%	100.0%	250	-	-	-	-	-
Custodial Supplies	6,000	0.0%	100.0%	6,000	-	-	-	-	-
Landscape Supplies	2,500	0.0%	100.0%	2,500	-	-	-	-	-
Construction Matls	1,000	0.0%	100.0%	1,000	-	-	-	-	-
Minor Tools & Equip	500	0.0%	100.0%	500	-	-	-	-	-
Gas & Oil	-	0.0%	100.0%	-	-	-	-	-	-
Other Supplies & Matls	-	0.0%	100.0%	-	-	-	-	-	-
Membership/Dues	-	0.0%	100.0%	-	-	-	-	-	-
Postage	-	0.0%	100.0%	-	-	-	-	-	-
Utilities - Electricity	11,650	0.0%	100.0%	11,650	-	-	-	-	-
Utilities - Gas	3,100	0.0%	100.0%	3,100	-	-	-	-	-
Utilities - Water	2,850	0.0%	100.0%	2,850	-	-	-	-	-
Utilities - Sewer	2,250	0.0%	100.0%	2,250	-	-	-	-	-

58 Public Works - Park Programs (Continued)

Expenditure Description	Budgeted Expenditure	Portion for Indirect/Overhead		Indirect Services Expenditures	Distribution of Indirect Service/Overhead Expenditures to Function				
		Labor Distribution Factor	...or Other Allocation Factor		[Other]	[Other]	[Other]	[Other]	[Other]
Communication	\$ 1,050	0.0%	100.0%	\$ 1,050	\$ -	\$ -	\$ -	\$ -	\$ -
Conferences	-	0.0%	100.0%	-	-	-	-	-	-
Credit Card Merchant Fees	3,000	0.0%	100.0%	3,000	-	-	-	-	-
Rent - Facilities	4,500	0.0%	100.0%	4,500	-	-	-	-	-
Rent - Tools & Equipment	2,000	0.0%	100.0%	2,000	-	-	-	-	-
Building Improvements	-	0.0%	100.0%	-	-	-	-	-	-
Machinery & Equipment	-	0.0%	100.0%	-	-	-	-	-	-
Computer Equipment	-	0.0%	100.0%	-	-	-	-	-	-
Office Machines & Furn	500	0.0%	100.0%	500	-	-	-	-	-
Administrative Services	-	0.0%	100.0%	-	-	-	-	-	-
Computer Services Charg	-	0.0%	100.0%	-	-	-	-	-	-
Equip Replace Charges	-	0.0%	100.0%	-	-	-	-	-	-
OTHER	-	0.0%	100.0%	-	-	-	-	-	-
OTHER	-	0.0%	100.0%	-	-	-	-	-	-
Total	316,571			316,571	-	-	-	-	-

Notes:

59 Public Works - Building Maintenance

Expenditure Description	Budgeted Expenditure	Portion for Indirect/Overhead		Indirect Services Expenditures	Distribution of Indirect Service/Overhead Expenditures to Function				
		Labor Distribution Factor	...or Other Allocation Factor		Building Maintenance	[Other]	[Other]	[Other]	[Other]
Regular Salaries	\$ 111,814	100.0%	0.0%	\$ 111,814	\$ 111,814	\$ -	\$ -	\$ -	\$ -
Part-Time Permanent	-	100.0%	0.0%	-	-	-	-	-	-
Temporary Help	-	100.0%	0.0%	-	-	-	-	-	-
Overtime	-	100.0%	0.0%	-	-	-	-	-	-
Standby Pay	1,180	100.0%	0.0%	1,180	1,180	-	-	-	-
Medicare Insurance	1,621	100.0%	0.0%	1,621	1,621	-	-	-	-
Social Security	-	100.0%	0.0%	-	-	-	-	-	-
PERS Retire Contr - ER	14,651	100.0%	0.0%	14,651	14,651	-	-	-	-
PERS Retire Contr - EE	7,827	100.0%	0.0%	7,827	7,827	-	-	-	-
Health Insurance	20,049	100.0%	0.0%	20,049	20,049	-	-	-	-
Retiree Healthcare	-	100.0%	0.0%	-	-	-	-	-	-
Dental Insurance	2,171	100.0%	0.0%	2,171	2,171	-	-	-	-
Vision Insurance	335	100.0%	0.0%	335	335	-	-	-	-
Workers Compensation	4,763	100.0%	0.0%	4,763	4,763	-	-	-	-
Life & ADD Insurance	176	100.0%	0.0%	176	176	-	-	-	-
LTD Insurance	850	100.0%	0.0%	850	850	-	-	-	-
Unemployment Insurance	1,118	100.0%	0.0%	1,118	1,118	-	-	-	-
Uniforms	-	100.0%	0.0%	-	-	-	-	-	-
Auto Allowance	360	100.0%	0.0%	360	360	-	-	-	-
EE Benefits Earned	1,118	100.0%	0.0%	1,118	1,118	-	-	-	-
Salary Allocated to CIP	-	100.0%	0.0%	-	-	-	-	-	-
Contract Engineering	-	100.0%	0.0%	-	-	-	-	-	-
Contract Plan Reviewer	-	100.0%	0.0%	-	-	-	-	-	-
Vehicle Repair & Maint	-	100.0%	0.0%	-	-	-	-	-	-
Equipment Repair & Maint	500	100.0%	0.0%	500	500	-	-	-	-
Building Security	5,000	100.0%	0.0%	5,000	5,000	-	-	-	-
Facility Repair & Maint	15,000	100.0%	0.0%	15,000	15,000	-	-	-	-
Catering Services	-	100.0%	0.0%	-	-	-	-	-	-
Custodial Services	11,000	100.0%	0.0%	11,000	11,000	-	-	-	-
HVAC Repair & Maint	7,500	100.0%	0.0%	7,500	7,500	-	-	-	-
Electrical Repair & Maint	8,500	100.0%	0.0%	8,500	8,500	-	-	-	-
Roof Repair & Maint	5,000	100.0%	0.0%	5,000	5,000	-	-	-	-
Tree Maintenance	-	100.0%	0.0%	-	-	-	-	-	-
Pesticides & Fertilizer	1,500	100.0%	0.0%	1,500	1,500	-	-	-	-
Street Sweeping	-	100.0%	0.0%	-	-	-	-	-	-

59 Public Works - Building Maintenance (Continued)

Expenditure Description	Budgeted Expenditure	Portion for Indirect/Overhead		Indirect Services Expenditures	Distribution of Indirect Service/Overhead Expenditures to Function				
		Labor Distribution Factor	...or Other Allocation Factor		Building Maintenance	[Other]	[Other]	[Other]	[Other]
Contract Lndscp Maint.	\$ -	100.0%	0.0%	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Traffic Signal Repair & Maint	-	100.0%	0.0%	-	-	-	-	-	-
Street Light Repair & Maint	-	100.0%	0.0%	-	-	-	-	-	-
Advertising/Publishing	-	100.0%	0.0%	-	-	-	-	-	-
Training & Workshops	-	100.0%	0.0%	-	-	-	-	-	-
Inspection & Testing	2,500	100.0%	0.0%	2,500	2,500	-	-	-	-
Other Contract Services	500	100.0%	0.0%	500	500	-	-	-	-
Disaster Preparedness	8,500	100.0%	0.0%	8,500	8,500	-	-	-	-
Technical Services	-	100.0%	0.0%	-	-	-	-	-	-
Office Supplies	-	100.0%	0.0%	-	-	-	-	-	-
Safety Supplies & Matls	100	100.0%	0.0%	100	100	-	-	-	-
Computer Software	-	100.0%	0.0%	-	-	-	-	-	-
Computer Supplies	-	100.0%	0.0%	-	-	-	-	-	-
Custodial Supplies	3,500	100.0%	0.0%	3,500	3,500	-	-	-	-
Landscape Supplies	250	100.0%	0.0%	250	250	-	-	-	-
Construction Matls	2,500	100.0%	0.0%	2,500	2,500	-	-	-	-
Minor Tools & Equip	100	100.0%	0.0%	100	100	-	-	-	-
Gas & Oil	-	100.0%	0.0%	-	-	-	-	-	-
Other Supplies & Matls	-	100.0%	0.0%	-	-	-	-	-	-
Membership/Dues	-	100.0%	0.0%	-	-	-	-	-	-
Postage	-	100.0%	0.0%	-	-	-	-	-	-
Utilities - Electricity	-	100.0%	0.0%	-	-	-	-	-	-
Utilities - Gas	-	100.0%	0.0%	-	-	-	-	-	-
Utilities - Water	-	100.0%	0.0%	-	-	-	-	-	-
Utilities - Sewer	1,350	100.0%	0.0%	1,350	1,350	-	-	-	-

59 Public Works - Building Maintenance (Continued)

Expenditure Description	Budgeted Expenditure	Portion for Indirect/Overhead		Indirect Services Expenditures	Distribution of Indirect Service/Overhead Expenditures to Function				
		Labor Distribution Factor	...or Other Allocation Factor		Building Maintenance	[Other]	[Other]	[Other]	[Other]
Communication	\$ -	100.0%	0.0%	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Conferences	-	100.0%	0.0%	-	-	-	-	-	-
Credit Card Merchant Fees	-	100.0%	0.0%	-	-	-	-	-	-
Rent - Facilities	-	100.0%	0.0%	-	-	-	-	-	-
Rent - Tools & Equipment	-	100.0%	0.0%	-	-	-	-	-	-
Building Improvements	-	100.0%	0.0%	-	-	-	-	-	-
Machinery & Equipment	6,000	100.0%	0.0%	6,000	6,000	-	-	-	-
Computer Equipment	-	100.0%	0.0%	-	-	-	-	-	-
Office Machines & Furn	-	100.0%	0.0%	-	-	-	-	-	-
Administrative Services	-	100.0%	0.0%	-	-	-	-	-	-
Computer Services Charg	-	100.0%	0.0%	-	-	-	-	-	-
Equip Replace Charges	-	100.0%	0.0%	-	-	-	-	-	-
OTHER	-	100.0%	0.0%	-	-	-	-	-	-
OTHER	-	100.0%	0.0%	-	-	-	-	-	-
Total	247,333			247,333	247,333	-	-	-	-

Notes:

TOWN OF ATHERTON
OVERHEAD COST ALLOCATION PLAN
Inventory of Available Allocation Factors

Data for All Budget Units	FTEs	City-Wide Budgeted Expenditures	Estimated IT Service Usage	Estimated Code Enforcement Time	Building Square Footage	City Attorney Planning Time	City Attorney Building Time	City Attorney DPW Engineering Time
<i>Factor Number to Reference in Worksheet E</i>	<i>1</i>	<i>2</i>	<i>3</i>	<i>4</i>	<i>5</i>	<i>6</i>	<i>7</i>	<i>8</i>
11 City Council	-	\$ 29,382	5.0%	0.0%	966	0.0%	0.0%	0.0%
12 Administration	4.00	798,060	15.0%	11.0%	1,788	0.0%	0.0%	0.0%
16 City Attorney	0.50	423,000	20.0%	0.0%	-	0.0%	0.0%	0.0%
18 Finance	2.60	534,584	5.0%	0.0%	1,162	0.0%	0.0%	0.0%
20 Planning	0.50	196,257	5.0%	12.0%	650	100.0%	0.0%	0.0%
25 Building	7.00	1,017,047	5.0%	31.0%	1,200	0.0%	100%	0.0%
30 Non-Department	-	433,477	0.0%	0.0%	-	0.0%	0.0%	0.0%
40 Police	28.85	5,085,310	40.0%	9.0%	6,900	0.0%	0.0%	0.0%
50 Public Works - Engineering	3.20	212,517	2.0%	37.0%	1,100	0.0%	0.0%	100%
53 Public Works - Street Maintenance	3.60	736,857	2.0%	0.0%	1,300	0.0%	0.0%	0.0%
57 Public Works - Park Maintenance	1.40	286,148	0.5%	0.0%	-	0.0%	0.0%	0.0%
58 Public Works - Park Programs	1.40	316,571	0.5%	0.0%	9,991	0.0%	0.0%	0.0%
59 Public Works - Building Maintenance	1.30	247,333	0.0%	0.0%	-	0.0%	0.0%	0.0%
Other - Other	-	-	0.0%	0.0%	-	0.0%	0.0%	0.0%
Other - Other	-	-	0.0%	0.0%	-	0.0%	0.0%	0.0%
Total	54.35	10,316,543	100.0%	100.0%	25,057	100.0%	100.0%	100.0%

TOWN OF ATHERTON
OVERHEAD COST ALLOCATION PLAN
Inventory of Available Allocation Factors

Distribution of Data Sets Across All Budget Units	FTEs	City-Wide Budgeted Expenditures	Estimated IT Service Usage	Estimated Code Enforcement Time	Building Square Footage	City Attorney Planning Time	City Attorney Building Time	City Attorney DPW Engineering Time
<i>Factor Number to Reference in Worksheet E</i>	<i>1</i>	<i>2</i>	<i>3</i>	<i>4</i>	<i>5</i>	<i>6</i>	<i>7</i>	<i>8</i>
11 City Council	0.0%	0.3%	5.0%	0.0%	3.9%	0.0%	0.0%	0.0%
12 Administration	7.4%	7.7%	15.0%	11.0%	7.1%	0.0%	0.0%	0.0%
16 City Attorney	0.9%	4.1%	20.0%	0.0%	0.0%	0.0%	0.0%	0.0%
18 Finance	4.8%	5.2%	5.0%	0.0%	4.6%	0.0%	0.0%	0.0%
20 Planning	0.9%	1.9%	5.0%	12.0%	2.6%	100.0%	0.0%	0.0%
25 Building	12.9%	9.9%	5.0%	31.0%	4.8%	0.0%	100.0%	0.0%
30 Non-Department	0.0%	4.2%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
40 Police	53.1%	49.3%	40.0%	9.0%	27.5%	0.0%	0.0%	0.0%
50 Public Works - Engineering	5.9%	2.1%	2.0%	37.0%	4.4%	0.0%	0.0%	100.0%
53 Public Works - Street Maintenance	6.6%	7.1%	2.0%	0.0%	5.2%	0.0%	0.0%	0.0%
57 Public Works - Park Maintenance	2.6%	2.8%	0.5%	0.0%	0.0%	0.0%	0.0%	0.0%
58 Public Works - Park Programs	2.6%	3.1%	0.5%	0.0%	39.9%	0.0%	0.0%	0.0%
59 Public Works - Building Maintenance	2.4%	2.4%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
Other - Other	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
Other - Other	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
Total	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%

TOWN OF ATHERTON
OVERHEAD COST ALLOCATION PLAN
Inventory of Available Allocation Factors

Distribution of Data Sets Across Direct Services Only	% of Direct Service	FTEs	City-Wide Budgeted Expenditures	Estimated IT Service Usage	Estimated Code Enforcement Time	Building Square Footage	City Attorney Planning Time	City Attorney Building Time	City Attorney DPW Engineering Time
<i>Factor Number to Reference in Worksheet E</i>		<i>1</i>	<i>2</i>	<i>3</i>	<i>4</i>	<i>5</i>	<i>6</i>	<i>7</i>	<i>8</i>
11 City Council	0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
12 Administration	0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
16 City Attorney	0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
18 Finance	0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
20 Planning	100%	1.1%	2.5%	9.1%	13.5%	3.1%	100.0%	0.0%	0.0%
25 Building	100%	15.2%	13.0%	9.1%	34.8%	5.7%	0.0%	100.0%	0.0%
30 Non-Department	0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
40 Police	100%	62.8%	64.8%	72.7%	10.1%	32.6%	0.0%	0.0%	0.0%
50 Public Works - Engineering	100%	7.0%	2.7%	3.6%	41.6%	5.2%	0.0%	0.0%	100.0%
53 Public Works - Street Maintenance	100%	7.8%	9.4%	3.6%	0.0%	6.1%	0.0%	0.0%	0.0%
57 Public Works - Park Maintenance	100%	3.0%	3.6%	0.9%	0.0%	0.0%	0.0%	0.0%	0.0%
58 Public Works - Park Programs	100%	3.0%	4.0%	0.9%	0.0%	47.3%	0.0%	0.0%	0.0%
59 Public Works - Building Maintenance	0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
Other - Other	100%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
Other - Other	100%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
Total		100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%

OVERHEAD COST ALLOCATION PLAN

Summary of Allocable Overhead Expenditures and Selection of Allocation Factor

Budget Unit: Department Number and Name - Division	Indirect Service or Overhead Function	Allocable Overhead Expenditures	Selected Allocation Basis	
			No.	Factor Description
11 City Council	City Council	\$ 29,382	2	City-Wide Budgeted Expenditures
12 Administration	Administration	798,060	2	City-Wide Budgeted Expenditures
16 City Attorney	General Counsel	332,500	2	City-Wide Budgeted Expenditures
16 City Attorney	Planning Counsel	48,000	6	City Attorney Planning Time
16 City Attorney	Building Counsel	27,500	7	City Attorney Building Time
16 City Attorney	DPW Engineering Counsel	15,000	8	City Attorney DPW Engineering Time
18 Finance	Finance	534,584	2	City-Wide Budgeted Expenditures
20 Planning	--	-	0	n/a
25 Building	--	-	0	n/a
30 Non-Department	General Indirect Activities	298,648	1	FTEs
30 Non-Department	Information Technology	39,624	3	Estimated IT Service Usage
30 Non-Department	Code Enforcement	56,985	4	Estimated Code Enforcement Time
40 Police	--	-	0	n/a
50 Public Works - Engineering	--	-	0	n/a
53 Public Works - Street Maintenance	--	-	0	n/a
57 Public Works - Park Maintenance	--	-	0	n/a
58 Public Works - Park Programs	--	-	0	n/a
59 Public Works - Building Maintenance	Building Maintenance	247,333	5	Building Square Footage
Total Allocable Overhead Expenditures		2,427,616		

TOWN OF ATHERTON
OVERHEAD COST ALLOCATION PLAN
First Allocation of Overhead Expenditures

The results listed in the column "Total First Allocation" are the outcomes that may be used in the Town's budget process. All other allocations on subsequent worksheets are used for full cost recovery analyses, such as fee computations for direct services.

Allocation to All Budget Units Regardless of Service Type	Allocable Indirect Services / Overhead Functions											Total First Allocation
	City Council	Administration	General Counsel	Planning Counsel	Building Counsel	DPW Engineering Counsel	Finance	General Indirect Activities	Information Technology	Code Enforcement	Building Maintenance	
	11	12	16	16	16	16	18	30	30	30	59	
11 City Council	\$ 84	\$ 2,273	\$ 947	\$ -	\$ -	\$ -	\$ 1,523	\$ -	\$ 1,981	\$ -	\$ 9,535	\$ 16,342
12 Administration	2,273	61,736	25,721	-	-	-	41,354	21,980	5,944	6,268	17,648	182,923
16 City Attorney	1,205	32,722	13,633	-	-	-	21,919	2,747	7,925	-	-	80,151
18 Finance	1,523	41,354	17,230	-	-	-	27,701	14,287	1,981	-	11,471	115,546
20 Planning	559	15,182	6,325	48,000	-	-	10,170	2,747	1,981	6,838	6,416	98,219
25 Building	2,897	78,676	32,779	-	27,500	-	52,701	38,464	1,981	17,665	11,845	264,509
30 Non-Department	1,235	33,533	13,971	-	-	-	22,462	-	-	-	-	71,200
40 Police	14,483	393,386	163,898	-	-	-	263,511	158,528	15,850	5,129	68,109	1,082,894
50 Public Works - Engineering	605	16,440	6,849	-	-	15,000	11,012	17,584	792	21,084	10,858	100,225
53 Public Works - Street Maintenance	2,099	57,001	23,749	-	-	-	38,183	19,782	792	-	12,832	154,437
57 Public Works - Park Maintenance	815	22,136	9,223	-	-	-	14,828	7,693	198	-	-	54,892
58 Public Works - Park Programs	902	24,489	10,203	-	-	-	16,404	7,693	198	-	98,619	158,508
59 Public Works - Building Maintenance	704	19,133	7,971	-	-	-	12,816	7,143	-	-	-	47,769
Other - Other	-	-	-	-	-	-	-	-	-	-	-	-
Other - Other	-	-	-	-	-	-	-	-	-	-	-	-
Total Allocable Overhead Expenditures	29,382	798,060	332,500	48,000	27,500	15,000	534,584	298,648	39,624	56,985	247,333	2,427,616

Costs Allocated to Indirect Services / Overhead Functions to be Reallocated in Second Allocation on Worksheet G: \$	513,932
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TOWN OF ATHERTON
OVERHEAD COST ALLOCATION PLAN
Second Allocation of Overhead Expenditures

Allocation of Remaining Indirect Service/Overhead Costs to Direct Services Only	Allocable Indirect Services / Overhead Functions											Total Second Allocation
	City Council	Administration	General Counsel	Planning Counsel	Building Counsel	DPW Engineering Counsel	Finance	General Indirect Activities	Information Technology	Code Enforcement	Building Maintenance	
	11	12	16	16	16	16	18	30	30	30	59	
11 City Council	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
12 Administration	-	-	-	-	-	-	-	-	-	-	-	-
16 City Attorney	-	-	-	-	-	-	-	-	-	-	-	-
18 Finance	-	-	-	-	-	-	-	-	-	-	-	-
20 Planning	409	4,573	2,004	-	-	-	2,888	775	-	-	1,469	12,117
25 Building	2,117	23,697	10,383	-	-	-	14,969	10,847	-	-	2,711	64,725
30 Non-Department	-	-	-	-	-	-	-	-	-	-	-	-
40 Police	10,586	118,489	51,918	-	-	-	74,845	44,703	-	-	15,591	316,132
50 Public Works - Engineering	442	4,952	2,170	-	-	-	3,128	4,958	-	-	2,485	18,136
53 Public Works - Street Maintenance	1,534	17,169	7,523	-	-	-	10,845	5,578	-	-	2,937	45,586
57 Public Works - Park Maintenance	596	6,667	2,921	-	-	-	4,212	2,169	-	-	-	16,565
58 Public Works - Park Programs	659	7,376	3,232	-	-	-	4,659	2,169	-	-	22,575	40,671
59 Public Works - Building Maintenance	-	-	-	-	-	-	-	-	-	-	-	-
Other - Other	-	-	-	-	-	-	-	-	-	-	-	-
Other - Other	-	-	-	-	-	-	-	-	-	-	-	-
Total Allocable Overhead Expenditures	16,342	182,923	80,151	-	-	-	115,546	71,200	-	-	47,769	513,932

OVERHEAD COST ALLOCATION PLAN

Total Annual Allocated City-Wide Overhead to Direct Services

Total Indirect Service/Overhead Costs Allocated to Direct Services Only	Allocable Indirect Services / Overhead Functions											Total: All Allocations
	City Council	Administration	General Counsel	Planning Counsel	Building Counsel	DPW Engineering Counsel	Finance	General Indirect Activities	Information Technology	Code Enforcement	Building Maintenance	
	11	12	16	16	16	16	18	30	30	30	59	
11 City Council	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
12 Administration	-	-	-	-	-	-	-	-	-	-	-	-
16 City Attorney	-	-	-	-	-	-	-	-	-	-	-	-
18 Finance	-	-	-	-	-	-	-	-	-	-	-	-
20 Planning	967	19,755	8,329	48,000	-	-	13,058	3,522	1,981	6,838	7,885	110,336
25 Building	5,014	102,373	43,163	-	27,500	-	67,670	49,311	1,981	17,665	14,556	329,234
30 Non-Department	-	-	-	-	-	-	-	-	-	-	-	-
40 Police	25,069	511,875	215,817	-	-	-	338,356	203,231	15,850	5,129	83,699	1,399,026
50 Public Works - Engineering	1,048	21,391	9,019	-	-	15,000	14,140	22,542	792	21,084	13,343	118,361
53 Public Works - Street Maintenance	3,632	74,170	31,272	-	-	-	49,028	25,360	792	-	15,769	200,024
57 Public Works - Park Maintenance	1,411	28,803	12,144	-	-	-	19,039	9,862	198	-	-	71,457
58 Public Works - Park Programs	1,561	31,865	13,435	-	-	-	21,063	9,862	198	-	121,194	199,179
59 Public Works - Building Maintenance	-	-	-	-	-	-	-	-	-	-	-	-
Other - Other	-	-	-	-	-	-	-	-	-	-	-	-
Other - Other	-	-	-	-	-	-	-	-	-	-	-	-
Total Allocable Overhead Expenditures	38,702	790,233	333,178	48,000	27,500	15,000	522,355	323,691	21,793	50,717	256,448	2,427,616

EXHIBIT E-1

Fully-Burdened Composite Hourly Rates Administration Department

TOWN OF ATHERTON
 User Fee Study
 Direct Labor Cost Detail

Department/Division	Name	Position	Salary	Benefits	Prof Svcs Cost	FTE	Annual Hours	Vac	Hol	Sick	Admin Leave	Productive Hours	Fully-Loaded Labor Rate
Administration Department:													
Administration		CITY MANAGER											
Administration		ASSISTANT CITY MANAGER											
Administration		OFFICE ASSISTANT											
Administration		EXECUTIVE ASSISTANT/DEPUTY CITY CLERK											
Divisional Composite													
Administration - Departmental Composite:			429,788.42	153,090.10		4.00	8,320	640	352	384	80	6,864	\$84.92

TOWN OF ATHERTON
 ADMINISTRATION DEPARTMENT
 User Fee Study
 Derivation of the Fully-Burdened Hourly Rate

LABOR EXPENDITURES AND STATISTICS (1)

Expenditure or Statistic	Administration
FTE	4.00
Salary	\$ 429,788
Benefits	153,090
Total Labor Costs	\$ 582,879
Productive Hours	6,864
Labor Cost per Productive Hour	\$ 84.92

**TOWN OF ATHERTON
ADMINISTRATION DEPARTMENT
User Fee Study
Derivation of the Fully-Burdened Hourly Rate**

NON-LABOR EXPENDITURES (2)

Operating Expenditures	2009-10 Projected Budget	Adopted Budget Amendments	Adjustments (3)	Administration
<i>Administration</i>				
Recruitment Costs	\$ 1,000	\$ -	\$ -	\$ 1,000
3104 Labor Relation Services	14,000	-	(14,000)	-
3111 Repair Machinery and Equip	4,800	-	-	4,800
3122 Facility Repair	-	-	-	-
3150 Advertising - Noticing	2,500	-	-	2,500
3151 Training and Workshops	5,668	-	-	5,668
3165 Other Contract Services	-	-	-	-
3169 Disaster Preparedness	-	-	-	-
3170 Human Resource Services	-	-	-	-
3201 Office Supplies	3,000	-	-	3,000
3202 Subscriptions	800	-	-	800
3302 Membership/Dues	15,280	-	-	15,280
External Printing Services	12,000	-	-	12,000
3303 Postage	1,000	-	-	1,000
3304 Utilities - Electricity	6,000	-	-	6,000
Utilities - Gas	650	-	-	650
Utilities - Water	485	-	-	485
3305 Utilities - Telephone	600	-	-	600
3306 Conferences	2,000	-	-	2,000
Business Meetings and Meals	1,230	-	-	1,230
3350 Special Events and Awards	1,800	-	(1,800)	-
3351 Election Expense	-	-	-	-
3513 Computer Equipment	3,000	-	-	3,000
3514 Office Equip and Furn	500	-	-	500
3910 Administrative Services	-	-	-	-
3920 Computer Services	-	-	-	-
Supplemental GASB 45 Funding	55,916	-	-	55,916
Subtotal Non-Labor Expenditures	\$ 132,229	\$ -	\$ (15,800)	\$ 116,429
Total Non-Labor Operating Expenditures	\$ 132,229	\$ -	\$ (15,800)	\$ 116,429

**TOWN OF ATHERTON
 ADMINISTRATION DEPARTMENT
 User Fee Study
 Derivation of the Fully-Burdened Hourly Rate**

Amortization for Periodic Expenditures	Periodic Cost	Amortization Period (Years)	Adjustments	Net Departmental Expenditures to be Considered
Example - Vehicles	\$ -	5	\$ -	\$ -
Total Non-Labor Periodic Expenditures	\$ -	n/a	\$ -	\$ -

Operating and Periodic Expenditures	Net Departmental Operating Expenditures to be Considered	Net Departmental Amortized Periodic Expenditures to be Considered	Net Departmental Expenditures to be Considered
Total Non-Labor Expenditures	\$ 116,429	\$ -	\$ 116,429

**TOWN OF ATHERTON
 ADMINISTRATION DEPARTMENT
 User Fee Study
 Derivation of the Fully-Burdened Hourly Rate**

TOWNWIDE OVERHEAD COSTS

Allocated Indirect/Support Services	2009-10 Projected Budget	Adopted Amendments	Adjustments	Net Departmental Expenditures to be Considered
City Council	\$ 2,273	\$ -	\$ -	\$ 2,273
Administration	61,736	-	-	61,736
General Counsel	25,721	-	-	25,721
Finance	41,354	-	-	41,354
General Indirect Activities	21,980	-	-	21,980
Information Technology	5,944	-	-	5,944
Code Enforcement	6,268	-	-	6,268
Building Maintenance	17,648	-	-	17,648
Total Townwide Overhead	\$ 182,924	\$ -	\$ -	\$ 182,924

**TOWN OF ATHERTON
 ADMINISTRATION DEPARTMENT
 User Fee Study
 Derivation of the Fully-Burdened Hourly Rate**

FULLY-BURDENED HOURLY RATE FOR THE DEPARTMENT

Cost Layer	2009-10 Projected Budget	
	Expenditure	Hourly Rate
Labor Costs	\$ 582,879	\$ 84.92
Departmental Non-Labor Costs	116,429	\$ 16.96
Townwide Overhead	182,924	\$ 26.65
Total Department	\$ 882,232	\$ 128.53
Rate Basis: Productive Hours		6,864

- (1) Labor Expenses and Statistics information based on salary and benefits information provided by Town Finance Department.
- (2) Non-Labor Expenditures information based on Fiscal Year 2009-10 Projected Budget.
- (3) Represents items not recoverable via user fees.

EXHIBIT E-2

Fully-Burdened Composite Hourly Rates Finance Department

TOWN OF ATHERTON
 User Fee Study
 Direct Labor Cost Detail

Department/Division	Name	Position	Salary	Benefits	Prof Svcs Cost	FTE	Annual Hours	Vac	Hol	Sick	Admin Leave	Productive Hours	Fully-Loaded Labor Rate
Finance Department: Finance Finance Divisional Composite		FINANCE ASSISTANT											
		FINANCE DIRECTOR											
Finance - Departmental Composite:			195,771.16	78,511.83		1.60	3,328	256	176	154	40	2,702	\$101.50

TOWN OF ATHERTON
 FINANCE DEPARTMENT
 User Fee Study
 Derivation of the Fully-Burdened Hourly Rate

LABOR EXPENDITURES AND STATISTICS (1)

Expenditure or Statistic	Finance
FTE	1.60
Salary	\$ 195,771
Benefits	78,512
Total Labor Costs	\$ 274,283
Productive Hours	2,702
Labor Cost per Productive Hour	\$ 101.50

TOWN OF ATHERTON
FINANCE DEPARTMENT
User Fee Study
Derivation of the Fully-Burdened Hourly Rate

NON-LABOR EXPENDITURES (2)

Operating Expenditures	2009-10 Projected Budget	Adopted Budget Amendments	Adjustments (3)	Net Departmental Expenditures to be Considered
Finance Department				
3101 Audit & Financial	\$ 42,057	\$ -	\$ (42,057)	\$ -
Technical Services	24,584	-	(24,584)	-
3111 Repair Machinery & Equip	1,000	-	-	1,000
External Printing Service	3,000	-	-	3,000
3151 Training and Workshops	5,084	-	-	5,084
3165 Other Contract Services	14,480	-	(14,480)	-
3201 Office Supplies	3,000	-	-	3,000
3202 Subscriptions	750	-	-	750
3231 Misc. Computer Parts	500	-	-	500
3302 Memberships & Dues	1,205	-	-	1,205
3303 Postage	-	-	-	-
3305 Utilities - Telephone	-	-	-	-
3306 Conferences	1,300	-	-	1,300
3307 Mileage Reimbursement	600	-	-	600
3315 Banking Services	10,500	-	(10,500)	-
3513 Computer Equipment	3,000	-	-	3,000
Computer Software	-	-	-	-
3514 Office Machines & Furniture	-	-	-	-
3910 Administrative Services	-	-	-	-
3920 Trsfr to Computer Services Fd	-	-	-	-
3930 Trsfr to Equip Replace Fund	10,000	-	-	10,000
Supplemental GASB 45 Funding	28,396	-	-	28,396
Subtotal Non-Labor Expenditures	\$ 149,456	\$ -	\$ (91,621)	\$ 57,835

TOWN OF ATHERTON
FINANCE DEPARTMENT
User Fee Study
Derivation of the Fully-Burdened Hourly Rate

Operating Expenditures	2009-10 Projected Budget	Adopted Budget Amendments	Adjustments (3)	Net Departmental Expenditures to be Considered
Total Non-Labor Operating Expenditures	\$ 149,456	\$ -	\$ (91,621)	\$ 57,835

Amortization for Periodic Expenditures	Periodic Cost	Amortization Period (Years)	Adjustments	Net Departmental Expenditures to be Considered
Example - Vehicles	\$ -	5	\$ -	\$ -
Total Non-Labor Periodic Expenditures	\$ -	n/a	\$ -	\$ -

Operating and Periodic Expenditures	Net Departmental Operating Expenditures to be Considered	Net Departmental Amortized Periodic Expenditures to be Considered	Net Departmental Expenditures to be Considered
Total Non-Labor Expenditures	\$ 57,835	\$ -	\$ 57,835

**TOWN OF ATHERTON
 FINANCE DEPARTMENT
 User Fee Study
 Derivation of the Fully-Burdened Hourly Rate**

TOWNWIDE OVERHEAD COSTS

Allocated Indirect/Support Services	2009-10 Projected Budget	Adopted Amendments	Adjustments	Net Departmental Expenditures to be Considered
City Council	\$ 1,523	\$ -	\$ -	\$ 1,523
Administration	41,354	-	-	41,354
General Counsel	17,230	-	-	17,230
Finance	27,701	-	-	27,701
General Indirect Activities	14,287	-	-	14,287
Information Technology	1,981	-	-	1,981
Building Maintenance	11,471	-	-	11,471
Total Townwide Overhead	\$ 115,547	\$ -	\$ -	\$ 115,547

**TOWN OF ATHERTON
 FINANCE DEPARTMENT
 User Fee Study
 Derivation of the Fully-Burdened Hourly Rate**

FULLY-BURDENED HOURLY RATE FOR THE DEPARTMENT

Cost Layer	2009-10 Projected Budget	
	Expenditure	Hourly Rate
Labor Costs	\$ 274,283	\$ 101.50
Departmental Non-Labor Costs	57,835	\$ 21.40
Townwide Overhead	115,547	\$ 42.76
Total Department	\$ 447,665	\$ 165.65
Rate Basis: Productive Hours		2,702

- (1) Labor Expenses and Statistics information based on salary and benefits information provided by Town Finance Department.
- (2) Non-Labor Expenditures information based on Fiscal Year 2009-10 Projected Budget.
- (3) Represents items not recoverable in fees.

EXHIBIT E-3

Fully-Burdened Composite Hourly Rates Building Department

TOWN OF ATHERTON
 User Fee Study
 Direct Labor Cost Detail

Department/Division	Name	Position	Salary	Benefits	Prof Svcs Cost	FTE	Annual Hours	Vac	Hol	Sick	Admin Leave	Productive Hours	Fully-Loaded Labor Rate
Building Department:													
Department Administration													
Divisional Composite													
Building		BUILDING INSPECTOR/PLAN CHECKER											
Building		SENIOR BUILDING INSPECTOR											
Building		BUILDING INSPECTOR/PLAN CHECKER											
Building		PERMIT TECHNICIAN											
Building		OFFICE SPECIALIST											
Divisional Composite													
Building - Arbor													
Divisional Composite													
Planning													
Divisional Composite													
Building - Departmental Composite:			580,808.28	271,870.82	177,077	8.00	16,640	1,152	688	768	40	13,848	\$74.36

TOWN OF ATHERTON
BUILDING DEPARTMENT
User Fee Study
Functional Labor Time Allocation (1)

Division	Department Administration	
	Building Official	Divisional
Position		Subtotal
Calculation of Productive Hours:		
Annual Hours - Standard	2,080	2,080
Annual Hours - Paid Overtime	0	0
Annual Leave	336	336
Productive Hours (Total Annual Hours - Net of Leave)	1,744	1,744
Allocation of Work Hours to Indirect Activities and Services:		
General Administration and Management	972	972
General Town Activities and Training	30	30
Certification and Training	30	30
Long-Range Planning	32	32
Code & Policy Development	32	32
Code Enforcement and Compliance	324	324
Public Information and Assistance	324	324
Other	0	0
Total Work Hours Spent on Indirect Activities and Services	1,744	1,744
Work Hours for Direct Activities and Services	0	0

Division	Department Administration	
	Building Official	Divisional
Position		Subtotal
Calculation of Labor Cost per Productive Hour:		
Salary		
Benefits		
Professional Service Cost		
Estimated Paid Overtime		
Total Labor Cost		
Cost per Productive Hour		

TOWN OF ATHERTON
BUILDING DEPARTMENT
User Fee Study
Functional Labor Time Allocation (1)

Division	Department Administration	
	Building Official	Divisional
Position		Subtotal
Distribution of Productive Time:		
General Administration and Management	56%	56%
General Town Activities and Training	2%	2%
Certification and Training	2%	2%
Long-Range Planning	2%	2%
Code & Policy Development	2%	2%
Code Enforcement and Compliance	19%	19%
Public Information and Assistance	19%	19%
Other	0%	0%
Direct Activities and Services	0%	0%

(1) Functional labor time information based on responses to questionnaires completed by individual staff members. Questionnaires asked each staff member to identify percentage of time spent on various activities in a normal year.

TOWN OF ATHERTON
BUILDING DEPARTMENT
User Fee Study
Functional Labor Time Allocation (1)

Division	Building						All	
Position	Building Inspector / Plan Checker	Senior Building Inspector / Plan Review	Building Inspector / Plan Checker	Permit Technician	Office Specialist	Town Arborist	Divisional Subtotal	Departmental Total
Calculation of Productive Hours:								
Annual Hours - Standard	2,080	2,080	2,080	2,080	2,080	2,080	12,480	14,560
Annual Hours - Paid Overtime	0	0	0	0	0	100	100	100
Annual Leave	200	296	192	176	264	328	1,456	1,792
Productive Hours (Total Annual Hours - Net of Leave)	1,880	1,784	1,888	1,904	1,816	1,852	11,124	12,868
Allocation of Work Hours to Indirect Activities and Services:								
General Administration and Management	64	350	40	230	625	260	1,569	2,541
General Town Activities and Training	12	10	40	18	10	60	150	180
Certification and Training	144	200	24	46	0	40	454	484
Long-Range Planning	0	5	0	0	0	96	101	133
Code & Policy Development	12	250	120	0	0	88	470	502
Code Enforcement and Compliance	104	5	20	23	0	40	192	516
Public Information and Assistance	120	400	40	633	625	260	2,078	2,402
Other	0	0	0	0	0	0	0	0
Total Work Hours Spent on Indirect Activities and Services	456	1,220	284	950	1,260	844	5,014	6,758
Work Hours for Direct Activities and Services	1,424	564	1,604	954	556	1,008	6,110	6,110

Division	Building						All	
Position	Building Inspector / Plan Checker	Senior Building Inspector / Plan Review	Building Inspector / Plan Checker	Permit Technician	Office Specialist	Town Arborist	Divisional Subtotal	Departmental Total
Calculation of Labor Cost per Productive Hour:								
Salary								\$ 580,808
Benefits								\$ 271,871
Professional Service Cost								\$ -
Estimated Paid Overtime								\$ 7,836
Total Labor Cost								\$ 860,515
Cost per Productive Hour								\$ 66.87

**TOWN OF ATHERTON
 BUILDING DEPARTMENT
 User Fee Study
 Functional Labor Time Allocation (1)**

Division Position	Building						All	
	Building Inspector / Plan Checker	Senior Building Inspector / Plan Review	Building Inspector / Plan Checker	Permit Technician	Office Specialist	Town Arborist	Divisional Subtotal	Departmental Total
Distribution of Productive Time:								
General Administration and Management	3%	20%	2%	12%	34%	14%	13%	29%
General Town Activities and Training	1%	1%	2%	1%	1%	3%	1%	2%
Certification and Training	8%	11%	1%	2%	0%	2%	4%	3%
Long-Range Planning	0%	0%	0%	0%	0%	5%	1%	1%
Code & Policy Development	1%	14%	6%	0%	0%	5%	5%	4%
Code Enforcement and Compliance	6%	0%	1%	1%	0%	2%	2%	8%
Public Information and Assistance	6%	22%	2%	33%	34%	14%	17%	18%
Other	0%	0%	0%	0%	0%	0%	0%	0%
Direct Activities and Services	76%	32%	85%	50%	31%	54%	56%	36%

(1) Functional labor time information based on responses to questionnaires completed by individual staff members. Questionnaires asked each staff member to identify percentage of time spent on various activities in a normal year.

TOWN OF ATHERTON
 BUILDING DEPARTMENT
 User Fee Study
 Derivation of the Fully-Burdened Hourly Rate

LABOR EXPENSES AND STATISTICS (1)

Description	Building Department	Department Administration	Building	Planning
FTE	8.00	1.00	6.00	1.00
Salary	\$ 580,808	\$ 129,101	\$ 451,708	\$ -
Benefits	271,871	60,878	210,993	-
Overtime	7,836	-	7,836	-
Professional Services	177,077	-	-	177,077
Total Labor Costs	\$ 1,037,592	\$ 189,978	\$ 670,537	\$ 177,077
Productive Hours	14,604	1,744	11,124	
Labor Cost per Productive Hour	\$ 71.05	\$ 108.93	\$ 60.28	

**TOWN OF ATHERTON
BUILDING DEPARTMENT
User Fee Study
Derivation of the Fully-Burdened Hourly Rate**

NON-LABOR EXPENSES (2)

Operating Expenditures	2009-10 Projected Budget	Adopted Budget Amendments	Adjustments (3)	Net Departmental Expenditures to be Considered	Direct Assignment or Allocation of Departmental Expenses to Functional Division			General Departmental Expenditures
					Department Administration	Building	Planning	
Building Department								
Technical Service	\$ 8,000	\$ -	\$ -	\$ 8,000	\$ -	\$ 8,000	\$ -	\$ -
3102 City Attorney Retainer	-	-	-	-	-	-	-	-
3108 Contract Planner	-	-	-	-	-	-	-	-
3109 Plan Reviewer	-	-	-	-	-	-	-	-
3110 Vehicle Repair & Maint	600	-	-	600	-	600	-	-
3111 Equip Repair & Maint	2,000	-	-	2,000	-	2,000	-	-
3124 Custodial Services	-	-	-	-	-	-	-	-
3150 Advertising/Publishing	-	-	-	-	-	-	-	-
6151 Training & Workshop	5,640	-	-	5,640	-	5,640	-	-
3162 Plan Review	-	-	-	-	-	-	-	-
3163 Code Enforcement	-	-	-	-	-	-	-	-
3165 Other Contract Services	-	-	-	-	-	-	-	-
3166 Environment Programs	-	-	-	-	-	-	-	-
3167 Building Inspection	-	-	-	-	-	-	-	-
3171 Environ Report Service	-	-	-	-	-	-	-	-
3201 Office Supplies	6,000	-	-	6,000	-	6,000	-	-
3202 Subscriptions	905	-	-	905	-	905	-	-
3203 Microfilms	7,500	-	-	7,500	-	7,500	-	-
3210 Safety Supplies & Matls	5,785	-	-	5,785	-	5,785	-	-
3230 Computer Software	-	-	-	-	-	-	-	-
3252 Oil & Gasoline	600	-	-	600	-	600	-	-
3260 Recycling	-	-	-	-	-	-	-	-
3302 Memberships & Dues	2,145	-	-	2,145	-	2,145	-	-
3304 Utilities - Electricity	1,380	-	-	1,380	-	1,380	-	-
Utilities - Gas	900	-	-	900	-	900	-	-
Utilities - Water	300	-	-	300	-	300	-	-
3305 Communication	1,650	-	-	1,650	-	1,650	-	-
3306 Conferences	2,000	-	-	2,000	-	2,000	-	-
3513 Computer Equipment	2,500	-	-	2,500	-	2,500	-	-
3514 Office Equip & Furniture	2,000	-	-	2,000	-	2,000	-	-
3910 Administrative Services	-	-	-	-	-	-	-	-
3920 Trsf to Computer Service	-	-	-	-	-	-	-	-
3930 Trsf to Equip Replace Fd	10,000	-	-	10,000	-	10,000	-	-
Supplemental GASB 45 Funding	69,681	-	-	69,681	-	69,681	-	-
Subtotal Non-Labor Expenses	\$ 129,586	\$ -	\$ -	\$ 129,586	\$ -	\$ 129,586	\$ -	\$ -

**TOWN OF ATHERTON
BUILDING DEPARTMENT
User Fee Study
Derivation of the Fully-Burdened Hourly Rate**

NON-LABOR EXPENSES (2) (CONT.)

Operating Expenditures	2009-10 Projected Budget	Adopted Budget Amendments	Adjustments (3)	Net Departmental Expenditures to be Considered	Direct Assignment or Allocation of Departmental Expenses to Functional Division			General Departmental Expenditures
					Department Administration	Building	Planning	
Planning Department								
101-20-3108 Contract Planner	\$ 177,077	\$ -	\$ (177,077)	\$ -	\$ -	\$ -	\$ -	\$ -
3114 Zoning Code Update	-	-	-	-	-	-	-	-
3115 General Plan Update	4,900	-	(4,900)	-	-	-	-	-
3116 Housing Element	7,350	-	(7,350)	-	-	-	-	-
3117 Historical Artifacts	-	-	-	-	-	-	-	-
3150 Advertising/Noticing	2,000	-	-	2,000	-	-	2,000	-
3162 Plan Review	-	-	-	-	-	-	-	-
3165 Other Contract Services	-	-	-	-	-	-	-	-
Printing - External Service	2,500	-	-	2,500	-	-	2,500	-
3201 Office Supplies	2,000	-	-	2,000	-	-	2,000	-
3303 Postage	-	-	-	-	-	-	-	-
Utilities - Electricity	230	-	-	230	-	-	230	-
Utilities - Gas	150	-	-	150	-	-	150	-
Utilities - Water	50	-	-	50	-	-	50	-
3501 Office Equip & Furn	-	-	-	-	-	-	-	-
Subtotal Non-Labor Expenses	\$ 196,257	\$ -	\$ (189,327)	\$ 6,930	\$ -	\$ -	\$ 6,930	\$ -

Operating Expenditures	2009-10 Projected Budget	Adopted Budget Amendments	Adjustments (3)	Net Departmental Expenditures to be Considered	Direct Assignment or Allocation of Departmental Expenses to Functional Division			General Departmental Expenditures
					Department Administration	Building	Planning	
Total Non-Labor Operating Expenses	\$ 325,843	\$ -	\$ (189,327)	\$ 136,516	\$ -	\$ 129,586	\$ 6,930	\$ -

Amortization for Periodic Expenditures	Periodic Cost	Amortization Period (Years)	Adjustments (3)	Net Departmental Expenditures to be Considered	Direct Assignment or Allocation of Departmental Expenses to Functional Division			General Departmental Expenditures
					Department Administration	Building	Planning	
CRW Permit Tracking System	\$ 175,000	5	\$ -	35,000	\$ -	\$ -	\$ -	35,000
Total Non-Labor Periodic Expenses	\$ 175,000	n/a	\$ -	\$ 35,000	\$ -	\$ -	\$ -	\$ 35,000

Operating and Periodic Expenditures	Operating Expenditures to be Considered	Periodic Expenditures to be Considered	Net Departmental Expenditures to be Considered	Direct Assignment or Allocation of Department Expenses to Functional Division			General Departmental Expenditures
				Department Administration	Building	Planning	
Total Non-Labor Expenses	\$ 136,516	\$ 35,000	\$ 171,516	\$ -	\$ 129,586	\$ 6,930	\$ 35,000

**TOWN OF ATHERTON
BUILDING DEPARTMENT
User Fee Study
Derivation of the Fully-Burdened Hourly Rate**

TOWNWIDE OVERHEAD COSTS

Allocated Indirect/Support Services	2009-10 Overhead Costs	Adopted Amendments	Adjustments (3)	Net Departmental Costs to be Considered	Direct Assignment or Allocation of Department Expenses to Functional Division			General Departmental Expenditures
					Department Administration	Building	Planning	
<i>Building</i>								
City Council	\$ 5,014	\$ -	\$ -	\$ 5,014	\$ -	\$ 5,014	\$ -	\$ -
Administration	102,373	-	-	102,373	-	102,373	-	-
General Counsel	43,163	-	-	43,163	-	43,163	-	-
Building Counsel	27,500	-	-	27,500	-	27,500	-	-
Finance	67,670	-	-	67,670	-	67,670	-	-
General Indirect Activities	49,311	-	-	49,311	-	49,311	-	-
Information Technology	1,981	-	-	1,981	-	1,981	-	-
Code Enforcement	17,665	-	-	17,665	-	17,665	-	-
Building Maintenance	14,556	-	-	14,556	-	14,556	-	-
Total Overhead Cost	\$ 329,234	\$ -	\$ -	\$ 329,234	\$ -	\$ 329,234	\$ -	\$ -
Allocation Basis: Budget Name								

Allocated Indirect/Support Services	2009-10 Overhead Costs	Adopted Amendments	Adjustments (3)	Net Departmental Costs to be Considered	Direct Assignment or Allocation of Department Expenses to Functional Division			General Departmental Expenditures
					Department Administration	Building	Planning	
<i>Planning</i>								
City Council	\$ 967	\$ -	\$ -	\$ 967	\$ -	\$ -	\$ 967	\$ -
Administration	19,755	-	-	19,755	-	-	19,755	-
General Counsel	8,329	-	-	8,329	-	-	8,329	-
Planning Counsel	48,000	-	-	48,000	-	-	48,000	-
Finance	13,058	-	-	13,058	-	-	13,058	-
General Indirect Activities	3,522	-	-	3,522	-	-	3,522	-
Information Technology	1,981	-	-	1,981	-	-	1,981	-
Code Enforcement	6,838	-	-	6,838	-	-	6,838	-
Building Maintenance	7,885	-	-	7,885	-	-	7,885	-
Total Overhead Cost	\$ 110,335	\$ -	\$ -	\$ 110,335	\$ -	\$ -	\$ 110,335	\$ -
Allocation Basis: Budget Name								

**TOWN OF ATHERTON
 BUILDING DEPARTMENT
 User Fee Study
 Derivation of the Fully-Burdened Hourly Rate**

TOWNWIDE OVERHEAD COSTS (CONT.)

Allocated Indirect/Support Services	2009-10 Overhead Costs	Adopted Amendments	Adjustments (3)	Net Departmental Costs to be Considered	Direct Assignment or Allocation of Department Expenses to Functional Division			General Departmental Expenditures
					Department Administration	Building	Planning	
Total Townwide Overhead Costs	\$ 439,569	\$ -	\$ -	\$ 439,569	\$ -	\$ 329,234	\$ 110,335	\$ -
Total Overhead Cost	\$ 439,569	\$ -	\$ -	\$ 439,569	\$ -	\$ 329,234	\$ 110,335	\$ -

**TOWN OF ATHERTON
 BUILDING DEPARTMENT
 User Fee Study
 Derivation of the Fully-Burdened Hourly Rate**

ALLOCATION OF NON-LABOR EXPENSES TO FUNCTIONAL DIVISIONS OF THE DEPARTMENT

		Direct Assignment or Allocation of Department Expenses to Functional Division		
Departmental Expenditures	Expenses to Be Allocated	Department Administration	Building	Planning
Operating Expenses	\$ -	\$ -	\$ -	\$ -
Periodic Expenses	35,000	4,375	26,250	4,375
Total Departmental Expenses	\$ 35,000	\$ 4,375	\$ 26,250	\$ 4,375
Allocation Basis: Total FTEs		1.00	6.00	1.00

		Direct Assignment or Allocation of Department Expenses to Functional Division		
Divisional Expenditures	Expenses to Be Allocated	Department Administration	Building	Planning
Operating Expenses	\$ 136,516	\$ -	\$ 129,586	\$ 6,930
Periodic Expenses	-	-	-	-
Total Divisional Expenses	\$ 136,516	\$ -	\$ 129,586	\$ 6,930
Allocation Basis: Budget Name				

		Direct Assignment or Allocation of Department Expenses to Functional Division		
Allocated Non-Labor Expenditures	Total Non-Labor Expenses to be Allocated	Department Administration	Building	Planning
Total Non-Labor Expense Allocation	\$ 171,516	\$ 4,375	\$ 155,836	\$ 11,305

**TOWN OF ATHERTON
 BUILDING DEPARTMENT
 User Fee Study
 Derivation of the Fully-Burdened Hourly Rate**

ALLOCATION OF TOWNWIDE OVERHEAD COSTS TO FUNCTIONAL DIVISIONS OF THE DEPARTMENT

		Direct Assignment or Allocation of Department Expenses to Functional Division		
Departmental Expenditures	Expenses to Be Allocated	Department Administration	Building	Planning
Total Overhead Cost	\$ -	\$ -	\$ -	\$ -
Total Departmental Overhead Costs	\$ -	\$ -	\$ -	\$ -
Allocation Basis: Total FTEs		1.00	6.00	1.00

		Direct Assignment or Allocation of Department Expenses to Functional Division		
Divisional Expenditures	Expenses to Be Allocated	Department Administration	Building	Planning
Total Overhead Cost	\$ 439,569	\$ -	\$ 329,234	\$ 110,335
Total Divisional Overhead Costs	\$ 439,569	\$ -	\$ 329,234	\$ 110,335
Allocation Basis: Budget Name				

		Direct Assignment or Allocation of Department Expenses to Functional Division		
Total Overhead Cost Allocation	Total Townwide Overhead Costs to be Allocated	Department Administration	Building	Planning
Total Overhead Cost Allocation	\$ 439,569	\$ -	\$ 329,234	\$ 110,335

**TOWN OF ATHERTON
 BUILDING DEPARTMENT
 User Fee Study
 Derivation of the Fully-Burdened Hourly Rate**

ALLOCATION OF DEPARTMENT ADMINISTRATION COSTS TO OTHER FUNCTIONAL DIVISIONS OF THE DEPARTMENT

Cost Layer	Department Administration	Direct Assignment or Allocation of Department Expenses to Functional Division	
		Building	Planning
Labor Costs	\$ 189,978	\$ 180,479	\$ 9,499
Non-Labor Costs	4,375	4,156	219
Townwide Overhead	-	-	-
Total	\$ 194,353	\$ 184,636	\$ 9,718
Allocation Basis: Department Feedback		95%	5%

**TOWN OF ATHERTON
BUILDING DEPARTMENT
User Fee Study
Derivation of the Fully-Burdened Hourly Rate**

ALLOCATION OF COSTS BY SERVICE CATEGORY AND CALCULATION OF THE FULLY BURDENED HOURLY RATE

Building	Allocation Percentage	Labor Costs	Non-Labor Costs	Department Admin	Townwide Overhead	Division Subtotal	Percent Recoverable in Fees	Amount Recoverable in Fees	Fully-Burdened Hourly Rate
General Administration and Management	13%	\$ 89,258	\$ 20,744	\$ 24,578	\$ 43,826	\$ 178,405	95%	\$ 169,913	\$ 27.81
General Town Activities and Training	1%	9,347	2,172	2,574	4,589	18,683	0%	-	-
Certification and Training	4%	29,295	6,808	8,067	14,384	58,554	100%	58,554	9.58
Long-Range Planning	1%	6,383	1,483	1,758	3,134	12,758	0%	-	-
Code & Policy Development	5%	31,786	7,387	8,752	15,607	63,532	100%	63,532	10.40
Code Enforcement and Compliance	2%	11,939	2,775	3,287	5,862	23,863	0%	-	-
Public Information and Assistance	17%	115,828	26,919	31,894	56,871	231,512	100%	231,512	37.89
Other	0%	-	-	-	-	-	0%	-	-
Direct Activities and Services	56%	376,702	87,547	103,727	184,961	752,936	100%	752,936	123.23
Total	100%	\$ 670,537	\$ 155,836	\$ 184,636	\$ 329,234	\$ 1,340,242	n/a	\$ 1,276,447	\$ 208.91
Allocation Basis for the Fully-Burdened Hourly Rate: Productive Hours									6,110

ALLOCATION OF COSTS BY SERVICE CATEGORY AND CALCULATION OF THE FULLY BURDENED HOURLY RATE ASSUMING TARGETED LEVEL OF COST RECOVERY

Building	Allocation Percentage	Labor Costs	Non-Labor Costs	Department Admin	Townwide Overhead	Division Subtotal	Targeted Percent Recoverable in Fees	Targeted Amount Recoverable in Fees	Targeted Fully-Burdened Hourly Rate
General Administration and Management	13%	\$ 89,258	\$ 20,744	\$ 24,578	\$ 43,826	\$ 178,405	75%	\$ 134,363	\$ 21.99
General Town Activities and Training	1%	9,347	2,172	2,574	4,589	18,683	0%	-	-
Certification and Training	4%	29,295	6,808	8,067	14,384	58,554	100%	58,554	9.58
Long-Range Planning	1%	6,383	1,483	1,758	3,134	12,758	0%	-	-
Code & Policy Development	5%	31,786	7,387	8,752	15,607	63,532	100%	63,532	10.40
Code Enforcement and Compliance	2%	11,939	2,775	3,287	5,862	23,863	0%	-	-
Public Information and Assistance	17%	115,828	26,919	31,894	56,871	231,512	0%	-	-
Other	0%	-	-	-	-	-	0%	-	-
Direct Activities and Services	56%	376,702	87,547	103,727	184,961	752,936	100%	752,936	123.23
Total	100%	\$ 670,537	\$ 155,836	\$ 184,636	\$ 329,234	\$ 1,340,242	n/a	\$ 1,009,385	\$ 165.20
Allocation Basis for the Fully-Burdened Hourly Rate: Productive Hours									6,110

- (1) Labor Expenses and Statistics information based on salary and benefits information provided by Town Finance Department.
(2) Non-Labor Expenditures information based on anticipated Fiscal Year 2009/10 budget.
(3) Represents items not allocable to building fees.

EXHIBIT E-4

Fully-Burdened Composite Hourly Rates Planning Department

**TOWN OF ATHERTON
 PLANNING DEPARTMENT
 User Fee Study
 Derivation of the Fully-Burdened Hourly Rate**

Consultant Rates Billed to Town	
Town Planner	\$ 151
Deputy Town Planner	103
Assistant Planner	60
Senior Planner	93
Admin	45

Hours Per Year	Total Hours	Direct	Indirect
Town Planner	192	154	38
Deputy Town Planner	960	384	576
Assistant Planner	804	563	241
Total:	1,956	1,100	856

Non-Labor Expenses	Cost	Rate	% Recoverable in Fees
Total Non-Labor Costs	\$ 11,305	\$ 10	100%
Total Overhead Costs	62,335	57	100%
Indirect Planning Costs	79,291	-	0%
Indirect Support from Building Dept	9,718	9	100%

Fully Burdened Hourly Rates by Position

	Town Planner	Deputy Town Planner	Assistant Planner	Senior Planner	Admin
Cost Billed By Consultant to Town	\$ 151	\$ 103	\$ 60	\$ 93	\$ 45
Non-Labor Hourly Rate	10	10	10	10	10
Overhead Hourly Rate	57	57	57	57	57
Indirect Planning Costs	-	-	-	-	-
Indirect Support from Building Dept	9	9	9	9	9
Fully Burdened Hourly Rate	\$ 226	\$ 178	\$ 136	\$ 169	\$ 120
Allocation Basis: % of Total Direct Hours	14%	35%	51%		
Composite Hourly Rate for Fee Setting	\$ 163.22				

EXHIBIT E-5

Fully-Burdened Composite Hourly Rates Public Works Department

TOWN OF ATHERTON
 User Fee Study
 Direct Labor Cost Detail

Department/Division	Name	Position	Salary	Benefits	Prof Svcs Cost	FTE	Annual Hours	Vac	Hol	Sick	Admin Leave	Productive Hours	Fully-Loaded Labor Rate
Public Works Department:													
Department Administration		PUBLIC WORKS DIRECTOR											
Public Works/Engineering		DEPARTMENTAL OFFICE SPECIALIST											
Divisional Composite													
Public Works/Engineering		PUBLIC WORKS SUPERVISOR											
Public Works/Engineering		ASSISTANT ENGINEER											
Divisional Composite													
Street Maintenance													
Street Maintenance													
Street Maintenance													
Street Maintenance													
Divisional Composite		PUBLIC WORKS SUPERINTENDANT											
Parks/Maintenance		PARKS SUPERVISOR											
Divisional Composite													
Parks Programs													
Parks Programs		PARK PROGRAM MANAGER											
Divisional Composite													
Building Maintenance													
Divisional Composite													
			-	-		-	-	-	-	-		-	-
Public Works - Departmental Composite:			908,188.32	396,931.34		11.00	22,880	1,760	968	1,056	80	19,016	\$68.63

**TOWN OF ATHERTON
PUBLIC WORKS DEPARTMENT
User Fee Study
Derivation of the Fully-Burdened Hourly Rate
LABOR EXPENDITURES AND STATISTICS (1)**

Expenditure or Statistic	Public Works Department	Department Administration	Public Works / Engineering	Parks / Maintenance	Street Maintenance	Parks Programs	Building Maintenance
FTE	11.00	2.00	2.00	1.00	4.00	2.00	0.00
Salary	\$ 908,188	\$ 221,101	\$ 165,231	\$ 75,201	\$ 298,874	\$ 147,781	\$ -
Benefits	396,931	80,045	58,623	28,572	156,500	73,192	-
Total Labor Costs	\$ 1,305,120	\$ 301,146	\$ 223,854	\$ 103,774	\$ 455,374	\$ 220,973	\$ -
Productive Hours	19,016	3,432	3,472	1,736	6,944	3,432	0
Labor Cost per Productive Hour	\$ 68.63	\$ 87.75	\$ 64.47	\$ 59.78	\$ 65.58	\$ 64.39	

**TOWN OF ATHERTON
PUBLIC WORKS DEPARTMENT
User Fee Study
Derivation of the Fully-Burdened Hourly Rate**

NON-LABOR EXPENDITURES (2)

Operating Expenditures	2009-10 Requested Budget	Adopted Budget Amendments	Adjustments (3)	Net Departmental Expenditures to be Considered	Direct Assignment to Functional Division (4)						General Departmental Expenditures to be Considered
					Department Administration	Public Works / Engineering	Parks / Maintenance	Street Maintenance	Parks Programs	Building Maintenance	
Engineering 50											
3107 Contract Engineering	\$ 3,000	\$ -	\$ -	\$ 3,000	\$ -	\$ 3,000	\$ -	\$ -	\$ -	\$ -	\$ -
3109 Contract Plan Reviewer	-	-	-	-	-	-	-	-	-	-	-
3110 Vehicle Repair & Maint	400	-	-	400	-	400	-	-	-	-	-
3111 Equipment Repair & Maint	100	-	-	100	-	100	-	-	-	-	-
3120 Building Security	-	-	-	-	-	-	-	-	-	-	-
3122 Facility Repair & Maint	-	-	-	-	-	-	-	-	-	-	-
3123 Catering Services	-	-	-	-	-	-	-	-	-	-	-
3124 Custodial Services	-	-	-	-	-	-	-	-	-	-	-
3125 HVAC Repair & Maint	-	-	-	-	-	-	-	-	-	-	-
3126 Electrical Repair & Maint	-	-	-	-	-	-	-	-	-	-	-
3127 Roof Repair & Maint	-	-	-	-	-	-	-	-	-	-	-
3130 Tree Maintenance	-	-	-	-	-	-	-	-	-	-	-
3131 Pesticides & Fertilizer	-	-	-	-	-	-	-	-	-	-	-
3132 Street Sweeping	-	-	-	-	-	-	-	-	-	-	-
3134 Contract Lndscp Maint.	-	-	-	-	-	-	-	-	-	-	-
3136 Traffic Signal Repair & Maint	-	-	-	-	-	-	-	-	-	-	-
3137 Street Light Repair & Maint	-	-	-	-	-	-	-	-	-	-	-
3150 Advertising/Publishing	5,000	-	-	5,000	-	5,000	-	-	-	-	-
3151 Training & Workshops	2,000	-	-	2,000	-	2,000	-	-	-	-	-
3161 Inspection & Testing	-	-	-	-	-	-	-	-	-	-	-
3165 Other Contract Services	2,000	-	-	2,000	-	2,000	-	-	-	-	-
3169 Disaster Preparedness	-	-	-	-	-	-	-	-	-	-	-
3173 Technical Services	6,000	-	-	6,000	-	6,000	-	-	-	-	-
3201 Office Supplies	3,000	-	-	3,000	-	3,000	-	-	-	-	-
3210 Safety Supplies & Mats	1,000	-	-	1,000	-	1,000	-	-	-	-	-
3230 Computer Software	6,000	-	-	6,000	-	6,000	-	-	-	-	-
3231 Computer Supplies	500	-	-	500	-	500	-	-	-	-	-
3240 Custodial Supplies	-	-	-	-	-	-	-	-	-	-	-
3242 Landscape Supplies	-	-	-	-	-	-	-	-	-	-	-
3244 Construction Mats	-	-	-	-	-	-	-	-	-	-	-
3251 Minor Tools & Equip	250	-	-	250	-	250	-	-	-	-	-
3252 Gas & Oil	750	-	-	750	-	750	-	-	-	-	-
3260 Other Supplies & Mats	-	-	-	-	-	-	-	-	-	-	-
3302 Membership/Dues	6,366	-	-	6,366	-	6,366	-	-	-	-	-
3303 Postage	200	-	-	200	-	200	-	-	-	-	-
3304 Utilities - Electricity	690	-	-	690	-	690	-	-	-	-	-
Utilities - Gas	450	-	-	450	-	450	-	-	-	-	-
Utilities - Water	150	-	-	150	-	150	-	-	-	-	-
Utilities - Sewer	-	-	-	-	-	-	-	-	-	-	-
3305 Communication	1,550	-	-	1,550	-	1,550	-	-	-	-	-
3306 Conferences	264	-	-	264	-	264	-	-	-	-	-
Credit Card Merchant Fees	-	-	-	-	-	-	-	-	-	-	-
3401 Rent - Facilities	-	-	-	-	-	-	-	-	-	-	-
3403 Rent - Tools & Equipment	-	-	-	-	-	-	-	-	-	-	-
3510 Building Improvements	-	-	-	-	-	-	-	-	-	-	-
3511 Machinery & Equipment	-	-	-	-	-	-	-	-	-	-	-
3513 Computer Equipment	2,000	-	-	2,000	-	2,000	-	-	-	-	-

TOWN OF ATHERTON
 PUBLIC WORKS DEPARTMENT
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NON-LABOR EXPENDITURES (2) (cont.)

Operating Expenditures	2009-10 Requested Budget	Adopted Budget Amendments	Adjustments (3)	Net Departmental Expenditures to be Considered	Direct Assignment to Functional Division (4)						General Departmental Expenditures to be Considered
					Department Administration	Public Works / Engineering	Parks / Maintenance	Street Maintenance	Parks Programs	Building Maintenance	
Engineering 50 (cont.)											
3514 Office Machines & Furn	\$ 500	\$ -	\$ -	\$ 500	\$ -	\$ 500	\$ -	\$ -	\$ -	\$ -	\$ -
3910 Administrative Services	-	-	-	-	-	-	-	-	-	-	-
3920 Computer Services Charge	-	-	-	-	-	-	-	-	-	-	-
3930 Equip Replace Charges	-	-	-	-	-	-	-	-	-	-	-
Supplemental GASB 45 Funding	34,227	-	-	34,227	-	34,227	-	-	-	-	-
Subtotal Non-Labor Expenditures	\$ 76,397	\$ -	\$ -	\$ 76,397	\$ -	\$ 76,397	\$ -	\$ -	\$ -	\$ -	\$ -

TOWN OF ATHERTON
PUBLIC WORKS DEPARTMENT
User Fee Study
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NON-LABOR EXPENDITURES (2) (cont.)

Operating Expenditures	2009-10 Requested Budget	Adopted Budget Amendments	Adjustments (3)	Net Departmental Expenditures to be Considered	Direct Assignment to Functional Division (4)						General Departmental Expenditures to be Considered
					Department Administration	Public Works / Engineering	Parks / Maintenance	Street Maintenance	Parks Programs	Building Maintenance	
Street Maintenance 53											
3107 Contract Engineering	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
3109 Contract Plan Reviewer	-	-	-	-	-	-	-	-	-	-	-
3110 Vehicle Repair & Maint	2,500	-	-	2,500	-	-	-	2,500	-	-	-
3111 Equipment Repair & Maint	500	-	-	500	-	-	-	500	-	-	-
3120 Building Security	-	-	-	-	-	-	-	-	-	-	-
3122 Facility Repair & Maint	6,000	-	-	6,000	-	-	-	6,000	-	-	-
3123 Catering Services	-	-	-	-	-	-	-	-	-	-	-
3124 Custodial Services	-	-	-	-	-	-	-	-	-	-	-
3125 HVAC Repair & Maint	-	-	-	-	-	-	-	-	-	-	-
3126 Electrical Repair & Maint	-	-	-	-	-	-	-	-	-	-	-
3127 Roof Repair & Maint	-	-	-	-	-	-	-	-	-	-	-
3130 Tree Maintenance	50,000	-	-	50,000	-	-	-	50,000	-	-	-
3131 Pesticides & Fertilizer	5,000	-	-	5,000	-	-	-	5,000	-	-	-
3132 Street Sweeping	21,000	-	-	21,000	-	-	-	21,000	-	-	-
3134 Contract Lndscp Maint.	-	-	-	-	-	-	-	-	-	-	-
3136 Traffic Signal Repair & Maint	20,000	-	-	20,000	-	-	-	20,000	-	-	-
3137 Street Light Repair & Maint	35,000	-	-	35,000	-	-	-	35,000	-	-	-
3150 Advertising/Publishing	-	-	-	-	-	-	-	-	-	-	-
3151 Training & Workshops	1,500	-	-	1,500	-	-	-	1,500	-	-	-
3161 Inspection & Testing	500	-	-	500	-	-	-	500	-	-	-
3165 Other Contract Services	5,000	-	-	5,000	-	-	-	5,000	-	-	-
3169 Disaster Preparedness	-	-	-	-	-	-	-	-	-	-	-
3173 Technical Services	-	-	-	-	-	-	-	-	-	-	-
3201 Office Supplies	100	-	-	100	-	-	-	100	-	-	-
3210 Safety Supplies & Mats	1,000	-	-	1,000	-	-	-	1,000	-	-	-
3230 Computer Software	1,000	-	-	1,000	-	-	-	1,000	-	-	-
3231 Computer Supplies	250	-	-	250	-	-	-	250	-	-	-
3240 Custodial Supplies	-	-	-	-	-	-	-	-	-	-	-
3242 Landscape Supplies	500	-	-	500	-	-	-	500	-	-	-
3244 Construction Mats	15,000	-	-	15,000	-	-	-	15,000	-	-	-
3251 Minor Tools & Equip	1,000	-	-	1,000	-	-	-	1,000	-	-	-
3252 Gas & Oil	10,000	-	-	10,000	-	-	-	10,000	-	-	-
3260 Other Supplies & Mats	-	-	-	-	-	-	-	-	-	-	-
3302 Membership/Dues	258	-	-	258	-	-	-	258	-	-	-
3303 Postage	-	-	-	-	-	-	-	-	-	-	-
3304 Utilities - Electricity	52,000	-	-	52,000	-	-	-	52,000	-	-	-
Utilities - Gas	1,200	-	-	1,200	-	-	-	1,200	-	-	-
Utilities - Water	10,000	-	-	10,000	-	-	-	10,000	-	-	-
Utilities - Sewer	-	-	-	-	-	-	-	-	-	-	-
3305 Communication	2,700	-	-	2,700	-	-	-	2,700	-	-	-
3306 Conferences	2,000	-	-	2,000	-	-	-	2,000	-	-	-
Credit Card Merchant Fees	-	-	-	-	-	-	-	-	-	-	-
3401 Rent - Facilities	-	-	-	-	-	-	-	-	-	-	-
3403 Rent - Tools & Equipment	20,000	-	-	20,000	-	-	-	20,000	-	-	-
3510 Building Improvements	-	-	-	-	-	-	-	-	-	-	-
3511 Machinery & Equipment	3,000	-	-	3,000	-	-	-	3,000	-	-	-
3513 Computer Equipment	2,000	-	-	2,000	-	-	-	2,000	-	-	-

TOWN OF ATHERTON
PUBLIC WORKS DEPARTMENT
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NON-LABOR EXPENDITURES (2) (cont.)

Operating Expenditures	2009-10 Requested Budget	Adopted Budget Amendments	Adjustments (3)	Net Departmental Expenditures to be Considered	Direct Assignment to Functional Division (4)						General Departmental Expenditures to be Considered
					Department Administration	Public Works / Engineering	Parks / Maintenance	Street Maintenance	Parks Programs	Building Maintenance	
Street Maintenance 53 (cont.)											
3514 Office Machines & Furn	\$ 500	\$ -	\$ -	\$ 500	\$ -	\$ -	\$ -	\$ 500	\$ -	\$ -	\$ -
3910 Administrative Services	-	-	-	-	-	-	-	-	-	-	-
3920 Computer Services Charge	-	-	-	-	-	-	-	-	-	-	-
3930 Equip Replace Charges	17,361	-	-	17,361	-	-	-	17,361	-	-	-
Supplemental GASB 45 Funding	43,415	-	-	43,415	-	-	-	43,415	-	-	-
Subtotal Non-Labor Expenditures	\$ 330,284	\$ -	\$ -	\$ 330,284	\$ -	\$ -	\$ -	\$ 330,284	\$ -	\$ -	\$ -

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NON-LABOR EXPENDITURES (2) (cont.)

Operating Expenditures	2009-10 Requested Budget	Adopted Budget Amendments	Adjustments (3)	Net Departmental Expenditures to be Considered	Direct Assignment to Functional Division (4)						General Departmental Expenditures to be Considered
					Department Administration	Public Works / Engineering	Parks / Maintenance	Street Maintenance	Parks Programs	Building Maintenance	
Park Maintenance 57											
3107 Contract Engineering	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
3109 Contract Plan Reviewer	-	-	-	-	-	-	-	-	-	-	-
3110 Vehicle Repair & Maint	500	-	-	500	-	-	500	-	-	-	-
3111 Equipment Repair & Maint	2,500	-	-	2,500	-	-	2,500	-	-	-	-
3120 Building Security	-	-	-	-	-	-	-	-	-	-	-
3122 Facility Repair & Maint	2,500	-	-	2,500	-	-	2,500	-	-	-	-
3123 Catering Services	-	-	-	-	-	-	-	-	-	-	-
3124 Custodial Services	-	-	-	-	-	-	-	-	-	-	-
3125 HVAC Repair & Maint	-	-	-	-	-	-	-	-	-	-	-
3126 Electrical Repair & Maint	500	-	-	500	-	-	500	-	-	-	-
3127 Roof Repair & Maint	-	-	-	-	-	-	-	-	-	-	-
3130 Tree Maintenance	10,000	-	-	10,000	-	-	10,000	-	-	-	-
3131 Pesticides & Fertilizer	10,000	-	-	10,000	-	-	10,000	-	-	-	-
3132 Street Sweeping	-	-	-	-	-	-	-	-	-	-	-
3134 Contract Lndscp Maint.	-	-	-	-	-	-	-	-	-	-	-
3136 Traffic Signal Repair & Maint	-	-	-	-	-	-	-	-	-	-	-
3137 Street Light Repair & Maint	2,500	-	-	2,500	-	-	2,500	-	-	-	-
3150 Advertising/Publishing	-	-	-	-	-	-	-	-	-	-	-
3151 Training & Workshops	500	-	-	500	-	-	500	-	-	-	-
3161 Inspection & Testing	3,000	-	-	3,000	-	-	3,000	-	-	-	-
3165 Other Contract Services	2,000	-	-	2,000	-	-	2,000	-	-	-	-
3169 Disaster Preparedness	-	-	-	-	-	-	-	-	-	-	-
3173 Technical Services	-	-	-	-	-	-	-	-	-	-	-
3201 Office Supplies	100	-	-	100	-	-	100	-	-	-	-
3210 Safety Supplies & Mats	750	-	-	750	-	-	750	-	-	-	-
3230 Computer Software	1,200	-	-	1,200	-	-	1,200	-	-	-	-
3231 Computer Supplies	100	-	-	100	-	-	100	-	-	-	-
3240 Custodial Supplies	2,000	-	-	2,000	-	-	2,000	-	-	-	-
3242 Landscape Supplies	5,000	-	-	5,000	-	-	5,000	-	-	-	-
3244 Construction Mats	2,500	-	-	2,500	-	-	2,500	-	-	-	-
3251 Minor Tools & Equip	500	-	-	500	-	-	500	-	-	-	-
3252 Gas & Oil	1,500	-	-	1,500	-	-	1,500	-	-	-	-
3260 Other Supplies & Mats	-	-	-	-	-	-	-	-	-	-	-
3302 Membership/Dues	200	-	-	200	-	-	200	-	-	-	-
3303 Postage	-	-	-	-	-	-	-	-	-	-	-
3304 Utilities - Electricity	3,500	-	-	3,500	-	-	3,500	-	-	-	-
Utilities - Gas	-	-	-	-	-	-	-	-	-	-	-
Utilities - Water	-	-	-	-	-	-	-	-	-	-	-
Utilities - Sewer	-	-	-	-	-	-	-	-	-	-	-
3305 Communication	515	-	-	515	-	-	515	-	-	-	-
3306 Conferences	100	-	-	100	-	-	100	-	-	-	-
Credit Card Merchant Fees	-	-	-	-	-	-	-	-	-	-	-
3401 Rent - Facilities	-	-	-	-	-	-	-	-	-	-	-
3403 Rent - Tools & Equipment	500	-	-	500	-	-	500	-	-	-	-
3510 Building Improvements	-	-	-	-	-	-	-	-	-	-	-
3511 Machinery & Equipment	1,000	-	-	1,000	-	-	1,000	-	-	-	-
3513 Computer Equipment	-	-	-	-	-	-	-	-	-	-	-

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NON-LABOR EXPENDITURES (2) (cont.)

Operating Expenditures	2009-10 Requested Budget	Adopted Budget Amendments	Adjustments (3)	Net Departmental Expenditures to be Considered	Direct Assignment to Functional Division (4)						General Departmental Expenditures to be Considered
					Department Administration	Public Works / Engineering	Parks / Maintenance	Street Maintenance	Parks Programs	Building Maintenance	
Park Maintenance 57 (cont.)											
3514 Office Machines & Furn	\$ 500	\$ -	\$ -	\$ 500	\$ -	\$ -	\$ 500	\$ -	\$ -	\$ -	\$ -
3910 Administrative Services	-	-	-	-	-	-	-	-	-	-	-
3920 Computer Services Charge	-	-	-	-	-	-	-	-	-	-	-
3930 Equip Replace Charges	2,531	-	-	2,531	-	-	2,531	-	-	-	-
Supplemental GASB 45 Funding	6,654	-	-	6,654	-	-	6,654	-	-	-	-
Subtotal Non-Labor Expenditures	\$ 63,150	\$ -	\$ -	\$ 63,150	\$ -	\$ -	\$ 63,150	\$ -	\$ -	\$ -	\$ -

TOWN OF ATHERTON
PUBLIC WORKS DEPARTMENT
User Fee Study
Derivation of the Fully-Burdened Hourly Rate

NON-LABOR EXPENDITURES (2) (cont.)

Operating Expenditures	2009-10 Requested Budget	Adopted Budget Amendments	Adjustments (3)	Net Departmental Expenditures to be Considered	Direct Assignment to Functional Division (4)						General Departmental Expenditures to be Considered
					Department Administration	Public Works / Engineering	Parks / Maintenance	Street Maintenance	Parks Programs	Building Maintenance	
Park Programs 58											
3107 Contract Engineering	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
3109 Contract Plan Reviewer	-	-	-	-	-	-	-	-	-	-	-
3110 Vehicle Repair & Maint	500	-	-	500	-	-	-	-	500	-	-
3111 Equipment Repair & Maint	500	-	-	500	-	-	-	-	500	-	-
3120 Building Security	-	-	-	-	-	-	-	-	-	-	-
3122 Facility Repair & Maint	2,000	-	-	2,000	-	-	-	-	2,000	-	-
3123 Catering Services	500	-	-	500	-	-	-	-	500	-	-
3124 Custodial Services	-	-	-	-	-	-	-	-	-	-	-
3125 HVAC Repair & Maint	-	-	-	-	-	-	-	-	-	-	-
3126 Electrical Repair & Maint	1,000	-	-	1,000	-	-	-	-	1,000	-	-
3127 Roof Repair & Maint	-	-	-	-	-	-	-	-	-	-	-
3130 Tree Maintenance	-	-	-	-	-	-	-	-	-	-	-
3131 Pesticides & Fertilizer	-	-	-	-	-	-	-	-	-	-	-
3132 Street Sweeping	-	-	-	-	-	-	-	-	-	-	-
3134 Contract Lndscp Maint.	-	-	-	-	-	-	-	-	-	-	-
3136 Traffic Signal Repair & Maint	-	-	-	-	-	-	-	-	-	-	-
3137 Street Light Repair & Maint	-	-	-	-	-	-	-	-	-	-	-
3150 Advertising/Publishing	18,000	-	-	18,000	-	-	-	-	18,000	-	-
3151 Training & Workshops	500	-	-	500	-	-	-	-	500	-	-
3161 Inspection & Testing	-	-	-	-	-	-	-	-	-	-	-
3165 Other Contract Services	-	-	-	-	-	-	-	-	-	-	-
3169 Disaster Preparedness	-	-	-	-	-	-	-	-	-	-	-
3173 Technical Services	-	-	-	-	-	-	-	-	-	-	-
3201 Office Supplies	100	-	-	100	-	-	-	-	100	-	-
3210 Safety Supplies & Matis	-	-	-	-	-	-	-	-	-	-	-
3230 Computer Software	-	-	-	-	-	-	-	-	-	-	-
3231 Computer Supplies	250	-	-	250	-	-	-	-	250	-	-
3240 Custodial Supplies	6,000	-	-	6,000	-	-	-	-	6,000	-	-
3242 Landscape Supplies	2,500	-	-	2,500	-	-	-	-	2,500	-	-
3244 Construction Matis	1,000	-	-	1,000	-	-	-	-	1,000	-	-
3251 Minor Tools & Equip	500	-	-	500	-	-	-	-	500	-	-
3252 Gas & Oil	-	-	-	-	-	-	-	-	-	-	-
3260 Other Supplies & Matis	-	-	-	-	-	-	-	-	-	-	-
3302 Membership/Dues	-	-	-	-	-	-	-	-	-	-	-
3303 Postage	-	-	-	-	-	-	-	-	-	-	-
3304 Utilities - Electricity	11,650	-	-	11,650	-	-	-	-	11,650	-	-
Utilities - Gas	3,100	-	-	3,100	-	-	-	-	3,100	-	-
Utilities - Water	2,850	-	-	2,850	-	-	-	-	2,850	-	-
Utilities - Sewer	2,250	-	-	2,250	-	-	-	-	2,250	-	-
3305 Communication	1,050	-	-	1,050	-	-	-	-	1,050	-	-
3306 Conferences	-	-	-	-	-	-	-	-	-	-	-
3314 Credit Card Merchant Fees	3,000	-	-	3,000	-	-	-	-	3,000	-	-
3401 Rent - Facilities	4,500	-	-	4,500	-	-	-	-	4,500	-	-
3403 Rent - Tools & Equipment	2,000	-	-	2,000	-	-	-	-	2,000	-	-
3510 Building Improvements	-	-	-	-	-	-	-	-	-	-	-
3511 Machinery & Equipment	-	-	-	-	-	-	-	-	-	-	-
3513 Computer Equipment	-	-	-	-	-	-	-	-	-	-	-

TOWN OF ATHERTON
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NON-LABOR EXPENDITURES (2) (cont.)

Operating Expenditures	2009-10 Requested Budget	Adopted Budget Amendments	Adjustments (3)	Net Departmental Expenditures to be Considered	Direct Assignment to Functional Division (4)						General Departmental Expenditures to be Considered
					Department Administration	Public Works / Engineering	Parks / Maintenance	Street Maintenance	Parks Programs	Building Maintenance	
Park Programs 58 (cont.)											
3514 Office Machines & Furn	\$ 500	\$ -	\$ -	\$ 500	\$ -	\$ -	\$ -	\$ -	\$ 500	\$ -	\$ -
3910 Administrative Services	-	-	-	-	-	-	-	-	-	-	-
3920 Computer Services Charge	-	-	-	-	-	-	-	-	-	-	-
3930 Equip Replace Charges	-	-	-	-	-	-	-	-	-	-	-
Supplemental GASB 45 Funding	17,404	-	-	17,404	-	-	-	-	17,404	-	-
Subtotal Non-Labor Expenditures	\$ 81,654	\$ -	\$ -	\$ 81,654	\$ -	\$ -	\$ -	\$ -	\$ 81,654	\$ -	\$ -

**TOWN OF ATHERTON
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NON-LABOR EXPENDITURES (2) (cont.)

Operating Expenditures	2009-10 Requested Budget	Adopted Budget Amendments	Adjustments (3)	Net Departmental Expenditures to be Considered	Direct Assignment to Functional Division (4)						General Departmental Expenditures to be Considered
					Department Administration	Public Works / Engineering	Parks / Maintenance	Street Maintenance	Parks Programs	Building Maintenance	
Building Maintenance 59											
3107 Contract Engineering	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
3109 Contract Plan Reviewer	-	-	-	-	-	-	-	-	-	-	-
3110 Vehicle Repair & Maint	-	-	-	-	-	-	-	-	-	-	-
3111 Equipment Repair & Maint	500	-	(500)	-	-	-	-	-	-	-	-
3120 Building Security	5,000	-	(5,000)	-	-	-	-	-	-	-	-
3122 Facility Repair & Maint	15,000	-	(15,000)	-	-	-	-	-	-	-	-
3123 Catering Services	-	-	-	-	-	-	-	-	-	-	-
3124 Custodial Services	11,000	-	(11,000)	-	-	-	-	-	-	-	-
3125 HVAC Repair & Maint	7,500	-	(7,500)	-	-	-	-	-	-	-	-
3126 Electrical Repair & Maint	8,500	-	(8,500)	-	-	-	-	-	-	-	-
3127 Roof Repair & Maint	5,000	-	(5,000)	-	-	-	-	-	-	-	-
3130 Tree Maintenance	-	-	-	-	-	-	-	-	-	-	-
3131 Pesticides & Fertilizer	1,500	-	(1,500)	-	-	-	-	-	-	-	-
3132 Street Sweeping	-	-	-	-	-	-	-	-	-	-	-
3134 Contract Lndscp Maint.	-	-	-	-	-	-	-	-	-	-	-
3136 Traffic Signal Repair & Maint	-	-	-	-	-	-	-	-	-	-	-
3137 Street Light Repair & Maint	-	-	-	-	-	-	-	-	-	-	-
3150 Advertising/Publishing	-	-	-	-	-	-	-	-	-	-	-
3151 Training & Workshops	-	-	-	-	-	-	-	-	-	-	-
3161 Inspection & Testing	2,500	-	(2,500)	-	-	-	-	-	-	-	-
3165 Other Contract Services	500	-	(500)	-	-	-	-	-	-	-	-
3169 Disaster Preparedness	8,500	-	(8,500)	-	-	-	-	-	-	-	-
3173 Technical Services	-	-	-	-	-	-	-	-	-	-	-
3201 Office Supplies	-	-	-	-	-	-	-	-	-	-	-
3210 Safety Supplies & Matls	100	-	(100)	-	-	-	-	-	-	-	-
3230 Computer Software	-	-	-	-	-	-	-	-	-	-	-
3231 Computer Supplies	-	-	-	-	-	-	-	-	-	-	-
3240 Custodial Supplies	3,500	-	(3,500)	-	-	-	-	-	-	-	-
3242 Landscape Supplies	250	-	(250)	-	-	-	-	-	-	-	-
3244 Construction Matls	2,500	-	(2,500)	-	-	-	-	-	-	-	-
3251 Minor Tools & Equip	100	-	(100)	-	-	-	-	-	-	-	-
3252 Gas & Oil	-	-	-	-	-	-	-	-	-	-	-
3260 Other Supplies & Matls	-	-	-	-	-	-	-	-	-	-	-
3302 Membership/Dues	-	-	-	-	-	-	-	-	-	-	-
3303 Postage	-	-	-	-	-	-	-	-	-	-	-
3304 Utilities - Electricity	-	-	-	-	-	-	-	-	-	-	-
Utilities - Gas	-	-	-	-	-	-	-	-	-	-	-
Utilities - Water	-	-	-	-	-	-	-	-	-	-	-
Utilities - Sewer	1,350	-	(1,350)	-	-	-	-	-	-	-	-
3305 Communication	-	-	-	-	-	-	-	-	-	-	-
3306 Conferences	-	-	-	-	-	-	-	-	-	-	-
Credit Card Merchant Fees	-	-	-	-	-	-	-	-	-	-	-
3401 Rent - Facilities	-	-	-	-	-	-	-	-	-	-	-
3403 Rent - Tools & Equipment	-	-	-	-	-	-	-	-	-	-	-
3510 Building Improvements	-	-	-	-	-	-	-	-	-	-	-
3511 Machinery & Equipment	6,000	-	(6,000)	-	-	-	-	-	-	-	-
3513 Computer Equipment	-	-	-	-	-	-	-	-	-	-	-

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NON-LABOR EXPENDITURES (2) (cont.)

Operating Expenditures	2009-10 Requested Budget	Adopted Budget Amendments	Adjustments (3)	Net Departmental Expenditures to be Considered	Direct Assignment to Functional Division (4)						General Departmental Expenditures to be Considered
					Department Administration	Public Works / Engineering	Parks / Maintenance	Street Maintenance	Parks Programs	Building Maintenance	
Building Maintenance 59 (cont.)											
3514 Office Machines & Furn	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
3910 Administrative Services	-	-	-	-	-	-	-	-	-	-	-
3920 Computer Services Charge	-	-	-	-	-	-	-	-	-	-	-
3930 Equip Replace Charges	-	-	-	-	-	-	-	-	-	-	-
Subtotal Non-Labor Expenditures	\$ 79,300	\$ -	\$ (79,300)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -

Operating Expenditures	2009-10 Requested Budget	Adopted Budget Amendments	Adjustments (3)	Net Departmental Expenditures to be Considered	Direct Assignment to Functional Division						General Departmental Expenditures to be Considered
					Department Administration	Public Works / Engineering	Parks / Maintenance	Street Maintenance	Parks Programs	Building Maintenance	
Total Non-Labor Operating Expenditures	\$ 630,785	\$ -	\$ (79,300)	\$ 551,485	\$ -	\$ 76,397	\$ 63,150	\$ 330,284	\$ 81,654	\$ -	\$ -

Amortization for Periodic Expenditures	Periodic Cost	Amortization Period (Years)	Adjustments (3)	Net Departmental Expenditures to be Considered	Direct Assignment to Functional Division						General Departmental Expenditures to be Considered
					Department Administration	Public Works / Engineering	Parks / Maintenance	Street Maintenance	Parks Programs	Building Maintenance	
Town Hall	\$ 1,348,030	25	\$ (1,348,030)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Total Non-Labor Periodic Expenditures	\$ 1,348,030	n/a	\$ (1,348,030)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -

Operating and Periodic Expenditures	Net Departmental Operating Expenditures to be Considered	Net Departmental Amortized Periodic Expenditures to be Considered	Total Net Departmental Expenditures to be Considered	Direct Assignment to Functional Division						General Departmental Expenditures to be Considered
				Department Administration	Public Works / Engineering	Parks / Maintenance	Street Maintenance	Parks Programs	Building Maintenance	
Total Non-Labor Expenditures	\$ 551,485	\$ -	\$ 551,485	\$ -	\$ 76,397	\$ 63,150	\$ 330,284	\$ 81,654	\$ -	\$ -

**TOWN OF ATHERTON
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TOWNWIDE OVERHEAD COSTS

Allocated Indirect/Support Services	2009-10 Overhead Costs	Adopted Amendments	Adjustments (3)	Net Departmental Costs to be Considered	Direct Assignment to Functional Division						General Departmental Expenditures to be Considered
					Department Administration	Public Works / Engineering	Parks / Maintenance	Street Maintenance	Parks Programs	Building Maintenance	
<i>Public Works - Engineering</i>											
City Council	\$ 1,048	\$ -	\$ -	\$ 1,048	\$ -	\$ 1,048	\$ -	\$ -	\$ -	\$ -	\$ -
Administration	21,391	-	-	21,391	-	21,391	-	-	-	-	-
General Counsel	9,019	-	-	9,019	-	9,019	-	-	-	-	-
DPW Engineering Counsel	15,000	-	-	15,000	-	15,000	-	-	-	-	-
Finance	14,140	-	-	14,140	-	14,140	-	-	-	-	-
General Indirect Activities	22,542	-	-	22,542	-	22,542	-	-	-	-	-
Information Technology	792	-	-	792	-	792	-	-	-	-	-
Code Enforcement	21,084	-	-	21,084	-	21,084	-	-	-	-	-
Building Maintenance	13,343	-	-	13,343	-	13,343	-	-	-	-	-
Total Engineering Overhead	\$ 118,360	\$ -	\$ -	\$ 118,360	\$ -	\$ 118,360	\$ -	\$ -	\$ -	\$ -	\$ -

Allocated Indirect/Support Services	2009-10 Overhead Costs	Adopted Amendments	Adjustments (3)	Net Departmental Costs to be Considered	Direct Assignment to Functional Division						General Departmental Expenditures to be Considered
					Department Administration	Public Works / Engineering	Parks / Maintenance	Street Maintenance	Parks Programs	Building Maintenance	
<i>Public Works - Street Maintenance</i>											
City Council	\$ 3,632	\$ -	\$ -	\$ 3,632	\$ -	\$ -	\$ -	\$ 3,632	\$ -	\$ -	\$ -
Administration	74,170	-	-	74,170	-	-	-	74,170	-	-	-
General Counsel	31,272	-	-	31,272	-	-	-	31,272	-	-	-
Finance	49,028	-	-	49,028	-	-	-	49,028	-	-	-
General Indirect Activities	25,360	-	-	25,360	-	-	-	25,360	-	-	-
Information Technology	792	-	-	792	-	-	-	792	-	-	-
Building Maintenance	15,769	-	-	15,769	-	-	-	15,769	-	-	-
Total Street Maintenance Overhead	\$ 200,023	\$ -	\$ -	\$ 200,023	\$ -	\$ -	\$ -	\$ 200,023	\$ -	\$ -	\$ -

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TOWNWIDE OVERHEAD COSTS (cont.)

Allocated Indirect/Support Services	2009-10 Overhead Costs	Adopted Amendments	Adjustments (3)	Net Departmental Costs to be Considered	Direct Assignment to Functional Division						General Departmental Expenditures to be Considered
					Department Administration	Public Works / Engineering	Parks / Maintenance	Street Maintenance	Parks Programs	Building Maintenance	
<i>Public Works - Park Maintenance</i>											
City Council	\$ 1,411	\$ -	\$ -	\$ 1,411	\$ -	\$ -	\$ 1,411	\$ -	\$ -	\$ -	\$ -
Administration	28,803	-	-	28,803	-	-	28,803	-	-	-	-
General Counsel	12,144	-	-	12,144	-	-	12,144	-	-	-	-
Finance	19,039	-	-	19,039	-	-	19,039	-	-	-	-
General Indirect Activities	9,862	-	-	9,862	-	-	9,862	-	-	-	-
Information Technology	198	-	-	198	-	-	198	-	-	-	-
Total Park Maintenance Overhead	\$ 71,457	\$ -	\$ -	\$ 71,457	\$ -	\$ -	\$ 71,457	\$ -	\$ -	\$ -	\$ -

Allocated Indirect/Support Services	2009-10 Overhead Costs	Adopted Amendments	Adjustments (3)	Net Departmental Costs to be Considered	Direct Assignment to Functional Division						General Departmental Expenditures to be Considered
					Department Administration	Public Works / Engineering	Parks / Maintenance	Street Maintenance	Parks Programs	Building Maintenance	
<i>Public Works - Park Programs</i>											
City Council	\$ 1,561	\$ -	\$ -	\$ 1,561	\$ -	\$ -	\$ -	\$ -	\$ 1,561	\$ -	\$ -
Administration	31,865	-	-	31,865	-	-	-	-	31,865	-	-
General Counsel	13,435	-	-	13,435	-	-	-	-	13,435	-	-
Finance	21,063	-	-	21,063	-	-	-	-	21,063	-	-
General Indirect Activities	9,862	-	-	9,862	-	-	-	-	9,862	-	-
Information Technology	198	-	-	198	-	-	-	-	198	-	-
Building Maintenance	121,194	-	-	121,194	-	-	-	-	121,194	-	-
Total Park Programs Overhead	\$ 199,178	\$ -	\$ -	\$ 199,178	\$ -	\$ -	\$ -	\$ -	\$ 199,178	\$ -	\$ -

TOWN OF ATHERTON
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TOWNWIDE OVERHEAD COSTS (cont.)

Allocated Indirect/Support Services	2009-10 Overhead Costs	Adopted Amendments	Adjustments (3)	Net Departmental Costs to be Considered	Direct Assignment to Functional Division						General Departmental Expenditures to be Considered
					Department Administration	Public Works / Engineering	Parks / Maintenance	Street Maintenance	Parks Programs	Building Maintenance	
<i>Public Works - Building Maintenance</i>											
City Council	\$ 704	\$ -	\$ -	\$ 704	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 704	\$ -
Administration	19,133	-	-	19,133	-	-	-	-	-	19,133	-
General Counsel	7,971	-	-	7,971	-	-	-	-	-	7,971	-
Finance	12,816	-	-	12,816	-	-	-	-	-	12,816	-
General Indirect Activities	7,143	-	-	7,143	-	-	-	-	-	7,143	-
Total Building Maintenance Overhead	\$ 47,767	\$ -	\$ -	\$ 47,767	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 47,767	\$ -

Allocated Indirect/Support Services	2009-10 Overhead Costs	Adopted Amendments	Adjustments (3)	Net Departmental Costs to be Considered	Direct Assignment to Functional Division						General Departmental Expenditures to be Considered
					Department Administration	Public Works / Engineering	Parks / Maintenance	Street Maintenance	Parks Programs	Building Maintenance	
Total Townwide Overhead	\$ 636,786	\$ -	\$ -	\$ 636,786	\$ -	\$ 118,360	\$ 71,457	\$ 200,023	\$ 199,178	\$ 47,767	\$ -

**TOWN OF ATHERTON
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Derivation of the Fully-Burdened Hourly Rate**

ALLOCATION OF NON-LABOR EXPENDITURES TO FUNCTIONAL DIVISIONS OF THE DEPARTMENT

		Allocation to Functional Division					
Departmental Expenditures	Expenditures to Be Allocated	Department Administration	Public Works / Engineering	Parks / Maintenance	Street Maintenance	Parks Programs	Building Maintenance
Operating Expenditures	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Periodic Expenditures	-	-	-	-	-	-	-
Subtotal Departmental Expenditures	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Allocation Basis: Total FTEs		2.00	2.00	1.00	4.00	2.00	0.00

		Allocation to Functional Division					
Divisional Expenditures	Expenditures to Be Allocated	Department Administration	Public Works / Engineering	Parks / Maintenance	Street Maintenance	Parks Programs	Building Maintenance
Operating Expenditures	\$ 551,485	\$ -	\$ 76,397	\$ 63,150	\$ 330,284	\$ 81,654	\$ -
Periodic Expenditures	-	-	-	-	-	-	-
Subtotal Divisional Expenditures	\$ 551,485	\$ -	\$ 76,397	\$ 63,150	\$ 330,284	\$ 81,654	\$ -
Allocation Basis: Dept. Feedback							

		Allocation to Functional Division					
Allocated Non-Labor Expenditures	Total Non-Labor Expenditures to be Allocated	Department Administration	Public Works / Engineering	Parks / Maintenance	Street Maintenance	Parks Programs	Building Maintenance
Total Non-Labor Expense Allocation	\$ 551,485	\$ -	\$ 76,397	\$ 63,150	\$ 330,284	\$ 81,654	\$ -

**TOWN OF ATHERTON
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Derivation of the Fully-Burdened Hourly Rate**

ALLOCATION OF TOWNWIDE OVERHEAD COSTS TO FUNCTIONAL DIVISIONS OF THE DEPARTMENT

Departmental Expenditures	Expenditures to Be Allocated	Allocation to Functional Division					
		Department Administration	Public Works / Engineering	Parks / Maintenance	Street Maintenance	Parks Programs	Building Maintenance
Total Engineering Overhead	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Total Street Maintenance Overhead	-	-	-	-	-	-	-
Total Park Maintenance Overhead	-	-	-	-	-	-	-
Total Park Programs Overhead	-	-	-	-	-	-	-
Total Building Maintenance Overhead	-	-	-	-	-	-	-
Total Departmental Overhead Costs	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Allocation Basis: Total FTEs		2.00	2.00	1.00	4.00	2.00	0.00

Divisional Expenditures	Expenditures to Be Allocated	Allocation to Functional Division					
		Department Administration	Public Works / Engineering	Parks / Maintenance	Street Maintenance	Parks Programs	Building Maintenance
Total Engineering Overhead	\$ 118,360	\$ -	\$ 118,360	\$ -	\$ -	\$ -	\$ -
Total Street Maintenance Overhead	200,023	-	-	-	200,023	-	-
Total Park Maintenance Overhead	71,457	-	-	71,457	-	-	-
Total Park Programs Overhead	199,178	-	-	-	-	199,178	-
Total Building Maintenance Overhead	47,767	-	-	-	-	-	47,767
Total Divisional Overhead Costs	\$ 636,786	\$ -	\$ 118,360	\$ 71,457	\$ 200,023	\$ 199,178	\$ 47,767
Allocation Basis:							

Total Overhead Cost Allocation	Total Townwide Overhead Costs to be Allocated	Allocation to Functional Division					
		Department Administration	Public Works / Engineering	Parks / Maintenance	Street Maintenance	Parks Programs	Building Maintenance
Total Overhead Cost Allocation	\$ 636,786	\$ -	\$ 118,360	\$ 71,457	\$ 200,023	\$ 199,178	\$ 47,767

**TOWN OF ATHERTON
PUBLIC WORKS DEPARTMENT
User Fee Study
Derivation of the Fully-Burdened Hourly Rate**

ALLOCATION OF DEPARTMENT ADMINISTRATION COSTS TO OTHER FUNCTIONAL DIVISIONS OF THE DEPARTMENT

Cost Layer	Department Administration	Allocation to Functional Division				
		Public Works / Engineering	Parks / Maintenance	Street Maintenance	Parks Programs	Building Maintenance
Labor Costs	\$ 301,146	\$ 66,921	\$ 33,461	\$ 133,842	\$ 66,921	\$ -
Non-Labor Costs	-	-	-	-	-	-
Townwide Overhead	-	-	-	-	-	-
Total	\$ 301,146	\$ 66,921	\$ 33,461	\$ 133,842	\$ 66,921	\$ -
Allocation Basis: Total FTEs	2.00	2.00	1.00	4.00	2.00	0.00

**TOWN OF ATHERTON
PUBLIC WORKS DEPARTMENT
User Fee Study
Derivation of the Fully-Burdened Hourly Rate**

FULLY-BURDENED HOURLY RATE BY FUNCTIONAL DIVISION

Cost Layer	Public Works / Engineering		Parks / Maintenance		Street Maintenance		Parks Programs		Building Maintenance	
	Expenditure	Hourly Rate	Expenditure	Hourly Rate	Expenditure	Hourly Rate	Expenditure	Hourly Rate	Expenditure	Hourly Rate
Labor Costs	\$ 223,854	\$ 92.11	\$ 103,774	\$ 59.78	\$ 455,374	\$ 65.58	\$ 220,973	\$ 64.39	\$ -	
Departmental Non-Labor Costs	-	-	-	-	-	-	-	-	-	-
Divisional Non-Labor Costs	76,397	31.43	63,150	36.38	330,284	47.56	81,654	23.79	-	-
Department Admin	66,921	27.54	33,461	19.27	133,842	19.27	66,921	19.50	-	-
Townwide Overhead	118,360	48.70	71,457	41.16	200,023	28.81	199,178	58.04	47,767	
Total Division	\$ 485,532	\$ 199.77	\$ 271,841	\$ 156.59	\$ 1,119,524	\$ 161.22	\$ 568,726	\$ 165.71	\$ 47,767	
Rate Basis: Productive Hours (5)		2,430		1,736		6,944		3,432		0

CALCULATION OF FULLY-BURDENED HOURLY RATE FOR FACILITY RENTAL RELATED SERVICES

The fully-burdened hourly rate for individuals providing services linked to the rental of Town facilities may be calculated as follows:

$$\text{Fully-Burdened Hourly Rate} = (A + B + C)$$

- A = Individual Labor Rates of Staff Serving the Facility Rental Program
- B = Non-Labor Rate Components of the Parks Program Fully-Burdened Hourly Rate
- C = Hourly Cost of Facilities Maintenance (below)

Fully-Burdened Hourly Rate For Facility Rental Related Services by Staff Position

Position	Hourly Rate
Program Director	\$ 272.30
Facilities Maintenance Staff	\$ 255.83
Temporary Staff	\$ 220.12

Hourly Cost of Facilities Maintenance

Hourly Rate for Facilities Maintenance Staff Only (Labor and Non-Labor Costs)	\$ 157.58
Estimated Annual Hours Spent on Facilities Maintenance	2,140
Annual Cost of Facilities Maintenance	\$ 337,215
Cost of Facilities Maintenance per Hour of Staff Time for Facility Rental Program	\$ 98.26

**TOWN OF ATHERTON
PUBLIC WORKS DEPARTMENT
User Fee Study
Derivation of the Fully-Burdened Hourly Rate**

DEPARTMENTAL COMPOSITE OF THE FULLY-BURDENED HOURLY RATE

Cost Layer	Departmental Composite	
	Expenditure	Hourly Rate
Labor Costs	\$ 1,003,974	\$ 69.04
Departmental Non-Labor Costs	-	-
Divisional Non-Labor Costs	551,485	37.92
Department Admin	301,146	20.71
Townwide Overhead	636,786	43.79
Total Division	\$ 2,493,390	\$ 171.46
Rate Basis: Productive Hours		14,542

- (1) Labor Expenses and Statistics information based on salary and benefits information provided by Town Finance Department.
- (2) Non-Labor Expenditures information based on Fiscal Year 2009-10 Requested Budget.
- (3) Represents items not recoverable in fees or items accounted for via Townwide Cost Allocation section of this model.
- (4) Costs assigned based on budget name.
- (5) Public Works/Engineering fully-burdened hourly rate based on estimated direct hours.

EXHIBIT E-6

Fully-Burdened Composite Hourly Rates Police Department

TOWN OF ATHERTON
 User Fee Study
 Direct Labor Cost Detail

Department/Division	Name	Position	Salary	Benefits	Prof Svcs Cost	FTE	Annual Hours	Vac	Hol	Sick	Admin Leave	Productive Hours	Fully-Loaded Labor Rate
Police Department:													
Department Administration		POLICE LIEUTENANT				1.00							
Department Administration		POLICE CHIEF				1.00							
Department Administration		TRAINING MANAGER				0.75							
Divisional Composite						2.75							
Records/Communications Div Admin						0.10							
Divisional Composite						0.10							
Records/Communications - Dir Svc						0.90							
Records/Communications - Dir Svc						1.00							
Records/Communications - Dir Svc						1.00							
Records/Communications - Dir Svc						1.00							
Divisional Composite						3.90							
Patrol/Investigation Div Admin		POLICE SERGEANT				0.10							
Patrol/Investigation Div Admin		POLICE SERGEANT				0.10							
Patrol/Investigation Div Admin		POLICE SERGEANT				0.10							
Patrol/Investigation Div Admin		POLICE SERGEANT				0.10							
Patrol/Investigation Div Admin		POLICE SERGEANT				0.10							
Divisional Composite						0.50							
Patrol/Investigation Dir Svc						1.00							
Patrol/Investigation Dir Svc						1.00							
Patrol/Investigation Dir Svc						1.00							
Patrol/Investigation Dir Svc						1.00							
Patrol/Investigation Dir Svc						1.00							
Patrol/Investigation Dir Svc						1.00							
Patrol/Investigation Dir Svc						1.00							
Patrol/Investigation Dir Svc						1.00							
Patrol/Investigation Dir Svc						1.00							
Patrol/Investigation Dir Svc						1.00							
Patrol/Investigation Dir Svc						1.00							
Patrol/Investigation Dir Svc						0.25							
Patrol/Investigation Dir Svc						1.00							
Patrol/Investigation Dir Svc						1.00							
Patrol/Investigation Dir Svc						1.00							
Patrol/Investigation Dir Svc		POLICE SERGEANT				0.90							
Patrol/Investigation Dir Svc		POLICE SERGEANT				0.90							
Patrol/Investigation Dir Svc		POLICE SERGEANT				0.90							
Patrol/Investigation Dir Svc		POLICE SERGEANT				0.90							
Patrol/Investigation Dir Svc		POLICE SERGEANT				0.90							
Patrol/Investigation Dir Svc		POLICE SERGEANT				0.90							
Divisional Composite						19.75							
Police - Departmental Composite:			2,450,126.84	1,570,717.94		27.00	56,160	4,320	2,464	2,592	80	46,704	\$86.09

**TOWN OF ATHERTON
POLICE DEPARTMENT
User Fee Study
Derivation of the Fully-Burdened Hourly Rate**

LABOR EXPENDITURES AND STATISTICS (1)

Expenditure or Statistic	Police Department	Department Administration	Records / Communication Divisional Admin.	Records / Communication Direct Services	Patrol / Investigation Divisional Admin.	Patrol / Investigation Direct Services
FTE	27.00	2.75	0.10	3.90	0.50	19.75
Salary	\$ 2,450,127	\$ 343,419	\$ 8,234	\$ 286,966	\$ 52,510	\$ 1,758,998
Benefits	1,570,718	196,652	3,913	116,415	40,191	1,213,547
Total Labor Costs	\$ 4,020,845	\$ 540,071	\$ 12,147	\$ 403,380	\$ 92,702	\$ 2,972,545
Productive Hours	46,704	4,672	174	6,770	868	34,220
Labor Cost per Productive Hour	\$ 86.09	\$ 115.60	\$ 69.97	\$ 59.58	\$ 106.80	\$ 86.87

**TOWN OF ATHERTON
POLICE DEPARTMENT
User Fee Study
Derivation of the Fully-Burdened Hourly Rate**

NON-LABOR EXPENDITURES (2)

Operating Expenditures	2009-10 Requested Budget	Adopted Budget Amendments	Adjustments (3)	Net Departmental Expenditures to be Considered	Direct Assignment to Functional Division					General Departmental Expenditures to be Considered
					Department Administration	Records / Communication Divisional Admin.	Records / Communication Direct Services	Patrol / Investigation Divisional Admin.	Patrol / Investigation Direct Services	
Police Department										
Technical Services	\$ 57,905	\$ -	\$ (57,905)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Animal Control Services	50,951	-	(50,951)	-	-	-	-	-	-	-
3110 Equip Maint - Vehicles	35,000	-	-	35,000	3,146	-	-	787	31,067	-
3111 Equip Maint - Other	4,000	-	-	4,000	-	-	-	-	-	4,000
3122 Facility Repair & Maint	-	-	-	-	-	-	-	-	-	-
3124 Custodial Services	-	-	-	-	-	-	-	-	-	-
3151 Training & Workshops	6,300	-	-	6,300	-	-	-	-	-	6,300
3153 SMC Booking Fees	4,139	-	-	4,139	-	-	-	-	-	4,139
3154 Citation Processing	541	-	-	541	-	-	-	-	-	541
3165 Other Contract Services	57,197	-	(42,135)	15,062	-	-	-	-	-	15,062
Recruitment Cost	5,000	-	-	5,000	-	-	-	-	-	5,000
Printing - External Service	2,000	-	-	2,000	-	-	-	-	-	2,000
3201 Office Supplies	5,850	-	-	5,850	-	-	-	-	-	5,850
3202 Subscriptions	746	-	-	746	-	-	-	-	-	746
3210 Safety Supplies & Materials	6,000	-	-	6,000	-	-	-	-	-	6,000
3211 POST Training	20,000	-	-	20,000	-	-	-	-	-	20,000
3221 K-9 Expenses	22,269	-	-	22,269	2,002	-	-	500	19,767	-
3250 Vehicles Supplies	-	-	-	-	-	-	-	-	-	-
3252 Oil and Gasoline	61,800	-	-	61,800	5,555	-	-	1,389	54,856	-
3260 Other Supplies & Matls	31,000	-	-	31,000	2,618	-	-	654	25,851	1,877
3302 Memberships & Dues	2,101	-	-	2,101	-	-	-	-	-	2,101
3303 Postage	-	-	-	-	-	-	-	-	-	-
3304 Utilities - Electricity	21,000	-	-	21,000	-	-	-	-	-	21,000
Utilities - Gas	1,100	-	-	1,100	-	-	-	-	-	1,100
Utilities - Water	500	-	-	500	-	-	-	-	-	500
3305 Communication	40,622	-	-	40,622	-	-	-	-	-	40,622
3306 Conferences	5,815	-	-	5,815	-	-	-	-	-	5,815
3307 Mileage Reimbursement	300	-	-	300	-	-	-	-	-	300
3341 Disaster/Emergency	2,800	-	-	2,800	-	-	-	-	-	2,800
3350 Special Events & Awards	-	-	-	-	-	-	-	-	-	-
3401 Rent Facilities	8,590	-	-	8,590	-	-	-	-	-	8,590
3501 Non-Cap Off Mach & Furn	-	-	-	-	-	-	-	-	-	-
3503 Non-Cap Tools & Equip	-	-	-	-	-	-	-	-	-	-
3504 Misc. Capital Outlay (4)	14,286	-	(14,286)	-	-	-	-	-	-	-
3510 Building Improvements	-	-	-	-	-	-	-	-	-	-
3511 Mach & Equip	25,185	-	-	25,185	2,264	-	-	566	22,355	-
3512 Vehicles & Accessories	-	-	-	-	-	-	-	-	-	-
3513 Computer Equip	4,500	-	-	4,500	-	-	-	-	-	4,500
3514 Office Equip & Furniture	700	-	-	700	-	-	-	-	-	700
3910 Administrative Services	-	-	-	-	-	-	-	-	-	-
3920 Computer Svs Charge	-	-	-	-	-	-	-	-	-	-
3930 Trsfr to Equip Replace Fd	69,800	-	-	69,800	6,274	-	-	1,569	61,957	-
Supplemental GASB 45 Funding	244,307	-	-	244,307	-	-	-	-	-	244,307
Subtotal Non-Labor Expenditures	\$ 812,304	\$ -	\$ (165,277)	\$ 647,027	\$ 21,859	\$ -	\$ -	\$ 5,465	\$ 215,853	\$ 403,850
Allocation Basis: Sworn FTEs					2.00	0.00	0.00	0.50	19.75	

**TOWN OF ATHERTON
POLICE DEPARTMENT
User Fee Study
Derivation of the Fully-Burdened Hourly Rate**

NON-LABOR EXPENDITURES (2) (CONT.)

Operating Expenditures	2009-10 Requested Budget	Adopted Budget Amendments	Adjustments	Net Departmental Expenditures to be Considered	Direct Assignment to Functional Division					General Departmental Expenditures to be Considered
					Department Administration	Records / Communication Divisional Admin.	Records / Communication Direct Services	Patrol / Investigation Divisional Admin.	Patrol / Investigation Direct Services	
Total Non-Labor Operating Expendit.	\$ 812,304	\$ -	\$ (165,277)	\$ 647,027	\$ 21,859	\$ -	\$ -	\$ 5,465	\$ 215,853	\$ 403,850

Amortization for Periodic Expenditures	Periodic Cost	Amortization Period (Years)	Adjustments	Net Departmental Expenditures to be Considered	Direct Assignment to Functional Division					General Departmental Expenditures to be Considered
					Department Administration	Records / Communication Divisional Admin.	Records / Communication Direct Services	Patrol / Investigation Divisional Admin.	Patrol / Investigation Direct Services	
New City Hall Building Cost	\$ 6,731,180	25	\$ (6,731,180)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Dispatch Server	16,200	5	-	3,240	-	-	-	-	-	3,240
Total Non-Labor Periodic Expendit.	\$ 6,747,380	n/a	\$ (6,731,180)	\$ 3,240	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 3,240

Operating and Periodic Expenditures	Net Departmental Operating Expenditures to be Considered	Net Departmental Periodic Expenditures to be Considered	Total Net Departmental Expenditures to be Considered	Direct Assignment to Functional Division					General Departmental Expenditures to be Considered
				Department Administration	Records / Communication Divisional Admin.	Records / Communication Direct Services	Patrol / Investigation Divisional Admin.	Patrol / Investigation Direct Services	
Total Non-Labor Expenditures	\$ 647,027	\$ 3,240	\$ 650,267	\$ 21,859	\$ -	\$ -	\$ 5,465	\$ 215,853	\$ 407,090

**TOWN OF ATHERTON
POLICE DEPARTMENT
User Fee Study
Derivation of the Fully-Burdened Hourly Rate**

TOWNWIDE OVERHEAD COSTS

Allocated Indirect/Support Services	2009-10 Overhead Costs	Adopted Amendments	Adjustments	Net Departmental Costs to be Considered	Direct Assignment to Functional Division					General Departmental Expenditures to be Considered
					Department Administration	Records / Communication Divisional Admin.	Records / Communication Direct Services	Patrol / Investigation Divisional Admin.	Patrol / Investigation Direct Services	
<i>Police Department</i>										
City Council	\$ 25,069	\$ -	\$ -	\$ 25,069	\$ 2,553	\$ 93	\$ 3,621	\$ 464	\$ 18,338	\$ -
Administration	511,875	-	-	511,875	52,135	1,896	73,938	9,479	374,427	-
General Counsel	215,817	-	-	215,817	21,981	799	31,174	3,997	157,866	-
Finance	338,356	-	-	338,356	34,462	1,253	48,874	6,266	247,501	-
General Indirect Activities	203,231	-	-	203,231	20,699	753	29,356	3,764	148,660	-
Information Technology	15,850	-	-	15,850	1,614	59	2,289	294	11,594	-
Code Enforcement	5,129	-	-	5,129	522	19	741	95	3,752	-
Building Maintenance	83,699	-	-	83,699	8,525	310	12,090	1,550	61,224	-
Subtotal Overhead Expenditures	\$ 1,399,025	-	-	\$ 1,399,025	\$ 142,493	\$ 5,182	\$ 202,081	\$ 25,908	\$ 1,023,361	\$ -
Allocation Basis: FTEs					2.75	0.10	3.90	0.50	19.75	

Allocated Indirect/Support Services	2009-10 Overhead Costs	Adopted Amendments	Adjustments	Net Departmental Costs to be Considered	Direct Assignment to Functional Division					General Departmental Expenditures to be Considered
					Department Administration	Records / Communication Divisional Admin.	Records / Communication Direct Services	Patrol / Investigation Divisional Admin.	Patrol / Investigation Direct Services	
Total Townwide Overhead	\$ 1,399,025	\$ -	\$ -	\$ 1,399,025	\$ 142,493	\$ 5,182	\$ 202,081	\$ 25,908	\$ 1,023,361	\$ -

**TOWN OF ATHERTON
POLICE DEPARTMENT
User Fee Study
Derivation of the Fully-Burdened Hourly Rate**

ALLOCATION OF NON-LABOR EXPENDITURES TO FUNCTIONAL DIVISIONS OF THE DEPARTMENT

		Allocation to Functional Division				
Departmental Expenditures	Expenditures to Be Allocated	Department Administration	Records / Communication Divisional Admin.	Records / Communication Direct Services	Patrol / Investigation Divisional Admin.	Patrol / Investigation Direct Services
Operating Expenditures	\$ 403,850	\$ 41,133	\$ 1,496	\$ 58,334	\$ 7,479	\$ 295,409
Periodic Expenditures	3,240	330	12	468	60	2,370
Subtotal Departmental Expenditures	\$ 407,090	\$ 41,463	\$ 1,508	\$ 58,802	\$ 7,539	\$ 297,779
Allocation Basis: Total FTEs		2.75	0.10	3.90	0.50	19.75

		Allocation to Functional Division				
Divisional Expenditures	Expenditures to Be Allocated	Department Administration	Records / Communication Divisional Admin.	Records / Communication Direct Services	Patrol / Investigation Divisional Admin.	Patrol / Investigation Direct Services
Operating Expenditures	\$ 243,177	\$ 21,859	\$ -	\$ -	\$ 5,465	\$ 215,853
Periodic Expenditures	-	-	-	-	-	-
Subtotal Divisional Expenditures	\$ 243,177	\$ 21,859	\$ -	\$ -	\$ 5,465	\$ 215,853
Allocation Basis: Budget Name						

		Allocation to Functional Division				
Allocated Non-Labor Expenditures	Total Non-Labor Expenditures to be Allocated	Department Administration	Records / Communication Divisional Admin.	Records / Communication Direct Services	Patrol / Investigation Divisional Admin.	Patrol / Investigation Direct Services
Total Expense Allocation	\$ 650,267	\$ 63,322	\$ 1,508	\$ 58,802	\$ 13,004	\$ 513,632

**TOWN OF ATHERTON
POLICE DEPARTMENT
User Fee Study
Derivation of the Fully-Burdened Hourly Rate**

ALLOCATION OF TOWNWIDE OVERHEAD COSTS TO FUNCTIONAL DIVISIONS OF THE DEPARTMENT

Allocation to Functional Division						
Departmental Expenditures	Expenditures to Be Allocated	Department Administration	Records / Communication Divisional Admin.	Records / Communication Direct Services	Patrol / Investigation Divisional Admin.	Patrol / Investigation Direct Services
Total Townwide Overhead	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Total Departmental Overhead Costs	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Allocation Basis: Total FTEs		2.75	0.10	3.90	0.50	19.75

Allocation to Functional Division						
Divisional Expenditures	Expenditures to Be Allocated	Department Administration	Records / Communication Divisional Admin.	Records / Communication Direct Services	Patrol / Investigation Divisional Admin.	Patrol / Investigation Direct Services
Total Townwide Overhead	\$ 1,399,025	\$ 142,493	\$ 5,182	\$ 202,081	\$ 25,908	\$ 1,023,361
Total Divisional Overhead Costs	\$ 1,399,025	\$ 142,493	\$ 5,182	\$ 202,081	\$ 25,908	\$ 1,023,361
Allocation Basis: Total FTEs		2.75	0.10	3.90	0.50	19.75

Allocation to Functional Division						
Total Overhead Cost Allocation	Total Townwide Overhead Costs to be Allocated	Department Administration	Records / Communication Divisional Admin.	Records / Communication Direct Services	Patrol / Investigation Divisional Admin.	Patrol / Investigation Direct Services
Total Overhead Cost Allocation	\$ 1,399,025	\$ 142,493	\$ 5,182	\$ 202,081	\$ 25,908	\$ 1,023,361

**TOWN OF ATHERTON
POLICE DEPARTMENT
User Fee Study
Derivation of the Fully-Burdened Hourly Rate**

ALLOCATION OF DEPARTMENTAL ADMINISTRATION COSTS TO OTHER FUNCTIONAL DIVISIONS OF THE DEPARTMENT

Cost Layer	Department Administration	Allocation to Functional Division			
		Records / Communication Divisional Admin.	Records / Communication Direct Services	Patrol / Investigation Divisional Admin.	Patrol / Investigation Direct Services
Labor Costs	\$ 540,071	\$ 2,227	\$ 86,857	\$ 11,135	\$ 439,852
Non-Labor Costs	63,322	261	10,184	1,306	51,571
Townwide Overhead	142,493	588	22,916	2,938	116,051
Total	\$ 745,886	\$ 3,076	\$ 119,957	\$ 15,379	\$ 607,474
Allocation Basis: Total FTEs	2.75	0.10	3.90	0.50	19.75

**TOWN OF ATHERTON
POLICE DEPARTMENT
User Fee Study
Derivation of the Fully-Burdened Hourly Rate**

ALLOCATION OF DIVISIONAL ADMINISTRATION COSTS TO OTHER FUNCTIONAL DIVISIONS OF THE DEPARTMENT

Cost Layer	Allocation to Functional Division			
	Records / Communication Divisional Admin.	Patrol / Investigation Divisional Admin.	Records / Communication Direct Services	Patrol / Investigation Direct Services
Labor Costs	\$ 12,147	\$ 92,702	\$ 12,147	\$ 92,702
Non-Labor Costs	1,508	13,004	1,508	13,004
Department Admin	3,076	15,379	3,076	15,379
Townwide Overhead	5,182	25,908	5,182	25,908
Total	\$ 21,912	\$ 146,992	\$ 21,912	\$ 146,992
Allocation Basis:				

**TOWN OF ATHERTON
POLICE DEPARTMENT
User Fee Study
Derivation of the Fully-Burdened Hourly Rate**

FULLY-BURDENED HOURLY RATE BY FUNCTIONAL DIVISION

Cost Layer	Records / Communication Direct Services		Patrol / Investigation Direct Services	
	Expenditure	Hourly Rate	Expenditure	Hourly Rate
Labor Costs	\$ 403,380	\$ 59.58	\$ 2,972,545	\$ 86.87
Departmental Non-Labor Costs	58,802	8.69	297,779	8.70
Divisional Non-Labor Costs	-	-	215,853	6.31
Department Admin	119,957	17.72	607,474	17.75
Divisional Admin	21,912	3.24	146,992	4.30
Townwide Overhead	202,081	29.85	1,023,361	29.91
Total Division	\$ 806,133	\$ 119.07	\$ 5,264,004	\$ 153.83
Rate Basis: Productive Hours		6,770		34,220

DEPARTMENTAL COMPOSITE OF THE FULLY-BURDENED HOURLY RATE

Cost Layer	Departmental Composite	
	Expenditure	Hourly Rate
Labor Costs	\$ 3,375,925	\$ 82.36
Departmental Non-Labor Costs	356,580	8.70
Divisional Non-Labor Costs	215,853	5.27
Department Admin	727,431	17.75
Divisional Admin	168,905	4.12
Townwide Overhead	1,225,442	29.90
Total Division	\$ 6,070,137	\$ 148.09
Rate Basis: Productive Hours		40,990

- (1) Labor Expenses and Statistics information based on salary and benefits information provided by Town Finance Department.
- (2) Non-Labor Expenditures information based on Fiscal Year 2009-10 Requested Budget.
- (3) Represents items not recoverable in fees.
- (4) New police dog to replace Zar (offset by revenue donation)

EXHIBIT F-1

Activity Costs of Service Administrative Activities

TOWN OF ATHERTON
 ADMINISTRATION DEPARTMENT
 User Fee Study
 Estimation of Average Cost of Providing Activities and Services

Activity	Estimated Average Labor Time Per Unit (hours)		Division/Person Responsible for Providing Service	Average Cost of Service	Current Fee	Current Cost Recovery Assuming New Fully-Burdened Hourly Rate
	Finance	Admin				
Fully-Burdened Hourly Rate	\$ 165.65	\$ 128.53				
ADMINISTRATIVE SERVICES DEPARTMENT FEES						
Photocopying and/or Printing - Base Time for Request						
a. Base Fee	0.08		Administration	\$ 10.71	\$0.10 per page	n/a -- new structure
b. Per Page Fee				\$0.10 per page	\$0.10	100%
Returned Checks (NSF)	0.75		Finance	\$124 plus bank fees	\$20	16%
Tape Duplication - Per Tape	0.50		Administration	\$ 64.27	\$10	16%
Notarize - Per Signature	0.25		Administration	\$ 32.13	\$10	31%
Reviewing and Approving Special Event Application (1)	1.00		Administration	\$ 217.89	\$75	34%
Municipal Code Books	No Response Required		Administration	Free via website or see Photocopying and Printing charge	\$100	varies
General Plan	No Response Required		Administration	Free via website or see Photocopying and Printing charge	\$40	varies
Supplying Copy of Zoning Ordinance	No Response Required		Administration	Free via website or see Photocopying and Printing charge	\$15	varies
Certified Copies - Per Copy	0.25		Administration	\$ 32.13	\$1	3%
Budget	No Response Required		Administration	Free via website or see Photocopying and Printing charge	\$15	varies
Subdivision Ordinance	No Response Required		Administration	Free via website or see Photocopying and Printing charge	\$5	varies

TOWN OF ATHERTON
ADMINISTRATION DEPARTMENT
User Fee Study
Estimation of Average Cost of Providing Activities and Services

Activity	Estimated Average Labor Time Per Unit (hours)		Division/Person Responsible for Providing Service	Average Cost of Service	Current Fee	Current Cost Recovery Assuming New Fully-Burdened Hourly Rate
	Finance	Admin				
Fully-Burdened Hourly Rate	\$ 165.65	\$ 128.53				
POTENTIAL NEW ADMINISTRATIVE SERVICES DEPARTMENT FEES						
Providing List of All Businesses in Atherton	0.42		Finance	\$ 69.02	\$0	0%
Stop-payment Check & Lost Check Replacement	0.75		Finance	\$124 plus bank fees	\$0	0%
Installing and Removing Banners (2)	2.50		Administration + Public Works	\$ 386.71	\$0	0%
Business License Processing Fee	n/a		Finance	n/a	\$25	n/a
Processing Duplicate Business License Fee	n/a		Finance	n/a	\$25	n/a
Digital Transmission of Files	0.25		Administration	\$ 32.13	\$0	0%

- (1) Includes time spent by other departments reviewing and approving special event application.
(2) Estimated time assumes two hours of Public Work staff time, plus half-hour of Administration Department staff time

EXHIBIT F-2

**Activity Costs of Service
Building Activities**

TOWN OF ATHERTON
BUILDING DEPARTMENT
User Fee Study
Estimation of 79% of Average Cost of Providing Activities and Services

Fully-Burdened Hourly Rate:

Building Division \$165.20

Activity	Estimated Minimum Labor Time Per Unit (hours) (1)	Estimated Maximum Labor Time Per Unit (hours) (2)	Estimated Average/Weighted Average Labor Time Per Unit (hours) (3)	Minimum Average Cost of Service	Maximum Average Cost of Service	Average Cost of Service	Current Minimum Fee	Current Maximum Fee	Average Fee or Current Fee	Current Cost Recovery Assuming New Fully-Burdened Hourly Rate Compared to Minimum Fee	Current Cost Recovery Assuming New Fully-Burdened Hourly Rate Compared to Maximum Fee	Current Cost Recovery Assuming New Fully-Burdened Hourly Rate Compared to Average Fee
Single Family Residence - New Residential Construction - Habitable Valuation												
A. \$1.00 to \$500												
Time Associated with Inspection	1.00	1.00	1.00	\$ 165	\$ 165	\$ 165	\$24	\$24	\$24	14%	14%	14%
Time Associated with Plan Check	1.50	5.00	2.38	\$ 248	\$ 826	\$ 392	\$15	\$15	\$15	6%	2%	4%
B. \$501 to \$2,000												
Time Associated with Inspection	1.00	1.00	1.00	\$ 165	\$ 165	\$ 165	\$24	\$69	\$46	14%	42%	28%
Time Associated with Plan Check	1.50	5.00	2.38	\$ 248	\$ 826	\$ 392	\$16	\$45	\$30	6%	5%	8%
C. \$2,001 to \$25,000												
Time Associated with Inspection	2.50	2.50	2.50	\$ 413	\$ 413	\$ 413	\$69	\$391	\$230	17%	95%	56%
Time Associated with Plan Check	1.50	7.00	2.88	\$ 248	\$ 1,156	\$ 475	\$45	\$254	\$150	18%	22%	32%
D. \$25,001 to \$50,000												
Time Associated with Inspection	3.50	8.00	4.63	\$ 578	\$ 1,322	\$ 764	\$391	\$644	\$518	68%	49%	68%
Time Associated with Plan Check	2.50	8.00	3.88	\$ 413	\$ 1,322	\$ 640	\$254	\$418	\$336	62%	32%	53%
E. \$50,001 to \$100,000												
Time Associated with Inspection (4)	5.00	10.00	6.25	\$ 826	\$ 1,652	\$ 1,033	\$644	\$994	\$819	78%	60%	79%
Time Associated with Plan Check	3.50	14.00	6.13	\$ 578	\$ 2,313	\$ 1,012	\$418	\$646	\$532	72%	28%	53%
F. \$100,001 to \$500,000												
Time Associated with Inspection	20.00	30.00	22.50	\$ 3,304	\$ 4,956	\$ 3,717	\$994	\$3,234	\$2,114	30%	65%	57%
Time Associated with Plan Check	4.50	16.00	7.38	\$ 743	\$ 2,643	\$ 1,218	\$646	\$2,102	\$1,374	87%	80%	113%
G. \$500,001 to \$1,000,000												
Time Associated with Inspection	28.00	78.00	40.50	\$ 4,626	\$ 12,886	\$ 6,691	\$3,234	\$5,609	\$4,421	70%	44%	66%
Time Associated with Plan Check	8.50	28.00	13.38	\$ 1,404	\$ 4,626	\$ 2,210	\$2,102	\$3,646	\$2,874	150%	79%	130%
H. \$1,000,001 and up												
Time Associated with Inspection	36.00	86.00	48.50	\$ 5,947	\$ 14,207	\$ 8,012	\$5,609	\$5,608.75 for 1st \$1M plus \$3.65 each	varies	94%	varies	varies
Time Associated with Plan Check	16.50	41.00	22.63	\$ 2,726	\$ 6,773	\$ 3,738	\$3,646	\$3,645.69 for 1st \$1M plus \$2.37 each	varies	134%	varies	varies

TOWN OF ATHERTON
BUILDING DEPARTMENT
User Fee Study
Estimation of 79% of Average Cost of Providing Activities and Services

Fully-Burdened Hourly Rate:

Building Division \$165.20

Activity	Estimated Minimum Labor Time Per Unit (hours) (1)	Estimated Maximum Labor Time Per Unit (hours) (2)	Estimated Average/Weighted Average Labor Time Per Unit (hours) (3)	Minimum Average Cost of Service	Maximum Average Cost of Service	Estimated Average Cost of Service	Current Minimum Fee	Current Maximum Fee	Average Fee or Current Fee	Current Cost Recovery Assuming New Fully-Burdened Hourly Rate Compared to Minimum Fee	Current Cost Recovery Assuming New Fully-Burdened Hourly Rate Compared to Maximum Fee	Current Cost Recovery Assuming New Fully-Burdened Hourly Rate Compared to Average Fee
Single Family Residence - New Residential Construction - Non-Habitable Valuation												
I. \$1.00 to \$500												
Time Associated with Inspection	1.00	1.00	1.00	\$ 165	\$ 165	\$ 165	\$24	\$24	\$24	14%	14%	14%
Time Associated with Plan Check	1.00	4.50	1.88	\$ 165	\$ 743	\$ 310	\$15	\$15	\$15	9%	2%	5%
J. \$501 to \$2,000												
Time Associated with Inspection	1.00	1.00	1.00	\$ 165	\$ 165	\$ 165	\$24	\$69	\$46	14%	42%	28%
Time Associated with Plan Check	1.00	4.50	1.88	\$ 165	\$ 743	\$ 310	\$16	\$45	\$30	9%	6%	10%
K. \$2,001 to \$25,000												
Time Associated with Inspection	2.00	3.50	2.38	\$ 330	\$ 578	\$ 392	\$69	\$391	\$230	21%	68%	59%
Time Associated with Plan Check	1.00	6.00	2.25	\$ 165	\$ 991	\$ 372	\$45	\$254	\$150	27%	26%	40%
L. \$25,001 to \$50,000												
Time Associated with Inspection	4.00	8.00	5.00	\$ 661	\$ 1,322	\$ 826	\$391	\$644	\$518	59%	49%	63%
Time Associated with Plan Check	1.50	7.00	2.88	\$ 248	\$ 1,156	\$ 475	\$254	\$418	\$336	103%	36%	71%
M. \$50,001 to \$100,000												
Time Associated with Inspection (4)	6.00	14.00	8.00	\$ 991	\$ 2,313	\$ 1,322	\$644	\$994	\$819	65%	43%	62%
Time Associated with Plan Check	1.50	9.00	3.38	\$ 248	\$ 1,487	\$ 558	\$418	\$646	\$532	169%	43%	95%
N. \$100,001 to \$500,000												
Time Associated with Inspection	9.00	16.00	10.75	\$ 1,487	\$ 2,643	\$ 1,776	\$994	\$3,234	\$2,114	67%	122%	119%
Time Associated with Plan Check	2.50	11.00	4.63	\$ 413	\$ 1,817	\$ 764	\$646	\$2,102	\$1,374	156%	116%	180%
O. \$500,001 to \$1,000,000												
Time Associated with Inspection	11.00	21.00	13.50	\$ 1,817	\$ 3,469	\$ 2,230	\$3,234	\$5,609	\$4,421	178%	162%	198%
Time Associated with Plan Check	3.50	14.00	6.13	\$ 578	\$ 2,313	\$ 1,012	\$2,102	\$3,646	\$2,874	364%	158%	284%
P. \$1,000,001 and up												
Time Associated with Inspection	20.00	30.00	22.50	\$ 3,304	\$ 4,956	\$ 3,717	\$5,609	\$5,608.75 for 1st \$1M plus \$3.65 each	varies	170%	varies	varies
Time Associated with Plan Check	4.50	24.00	9.38	\$ 743	\$ 3,965	\$ 1,549	\$3,646	\$3,645.69 for 1st \$1M plus \$2.37 each	varies	490%	varies	varies

TOWN OF ATHERTON
BUILDING DEPARTMENT
User Fee Study
Estimation of 79% of Average Cost of Providing Activities and Services

Fully-Burdened Hourly Rate:

Building Division \$165.20

Activity	Estimated Minimum Labor Time Per Unit (hours) (1)	Estimated Maximum Labor Time Per Unit (hours) (2)	Estimated Average/Weighted Average Labor Time Per Unit (hours) (3)	Minimum Average Cost of Service	Maximum Average Cost of Service	Estimated Average Cost of Service	Current Minimum Fee	Current Maximum Fee	Average Fee or Current Fee	Current Cost Recovery Assuming New Fully-Burdened Hourly Rate Compared to Minimum Fee	Current Cost Recovery Assuming New Fully-Burdened Hourly Rate Compared to Maximum Fee	Current Cost Recovery Assuming New Fully-Burdened Hourly Rate Compared to Average Fee
Single Family Residence - Remodeling Residential Construction - Habitable Valuation												
Q. \$1.00 to \$500												
Time Associated with Inspection	1.00	1.00	1.00	\$ 165	\$ 165	\$ 165	\$24	\$24	\$24	14%	14%	14%
Time Associated with Plan Check	1.00	5.00	2.00	\$ 165	\$ 826	\$ 330	\$15	\$15	\$15	9%	2%	5%
R. \$501 to \$2,000												
Time Associated with Inspection	1.00	1.00	1.00	\$ 165	\$ 165	\$ 165	\$24	\$69	\$46	14%	42%	28%
Time Associated with Plan Check	1.00	5.50	2.13	\$ 165	\$ 909	\$ 351	\$16	\$45	\$30	9%	5%	9%
S. \$2,001 to \$25,000												
Time Associated with Inspection	2.50	2.50	2.50	\$ 413	\$ 413	\$ 413	\$69	\$391	\$230	17%	95%	56%
Time Associated with Plan Check	1.50	7.00	2.88	\$ 248	\$ 1,156	\$ 475	\$45	\$254	\$150	18%	22%	32%
T. \$25,001 to \$50,000												
Time Associated with Inspection	4.00	10.00	5.50	\$ 661	\$ 1,652	\$ 909	\$391	\$644	\$518	59%	39%	57%
Time Associated with Plan Check	1.50	8.00	3.13	\$ 248	\$ 1,322	\$ 516	\$254	\$418	\$336	103%	32%	65%
U. \$50,001 to \$100,000												
Time Associated with Inspection	6.00	12.00	7.50	\$ 991	\$ 1,982	\$ 1,239	\$644	\$994	\$819	65%	50%	66%
Time Associated with Plan Check	2.50	10.00	4.38	\$ 413	\$ 1,652	\$ 723	\$418	\$646	\$532	101%	39%	74%
V. \$100,001 to \$500,000												
Time Associated with Inspection	17.00	42.00	23.25	\$ 2,808	\$ 6,938	\$ 3,841	\$994	\$3,234	\$2,114	35%	47%	55%
Time Associated with Plan Check	6.50	24.00	10.88	\$ 1,074	\$ 3,965	\$ 1,797	\$646	\$2,102	\$1,374	60%	53%	76%
W. \$500,001 to \$1,000,000												
Time Associated with Inspection	21.00	53.00	29.00	\$ 3,469	\$ 8,756	\$ 4,791	\$3,234	\$5,609	\$4,421	93%	64%	92%
Time Associated with Plan Check	8.50	28.00	13.38	\$ 1,404	\$ 4,626	\$ 2,210	\$2,102	\$3,646	\$2,874	150%	79%	130%
X. \$1,000,001 and up												
Time Associated with Inspection	26.00	67.00	36.25	\$ 4,295	\$ 11,069	\$ 5,989	\$5,609	\$5,608.75 for 1st \$1M plus \$3.65 each	varies	131%	varies	varies
Time Associated with Plan Check	12.50	36.00	18.38	\$ 2,065	\$ 5,947	\$ 3,036	\$3,646	\$3,645.69 for 1st \$1M plus \$2.37 each	varies	177%	varies	varies

TOWN OF ATHERTON
BUILDING DEPARTMENT
User Fee Study
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Fully-Burdened Hourly Rate:

Building Division \$165.20

Activity	Estimated Minimum Labor Time Per Unit (hours) (1)	Estimated Maximum Labor Time Per Unit (hours) (2)	Estimated Average/Weighted Average Labor Time Per Unit (hours) (3)	Minimum Average Cost of Service	Maximum Average Cost of Service	Estimated Average Cost of Service	Current Minimum Fee	Current Maximum Fee	Average Fee or Current Fee	Current Cost Recovery Assuming New Fully-Burdened Hourly Rate Compared to Minimum Fee	Current Cost Recovery Assuming New Fully-Burdened Hourly Rate Compared to Maximum Fee	Current Cost Recovery Assuming New Fully-Burdened Hourly Rate Compared to Average Fee
Single Family Residence - Remodeling Residential Construction - Non-Habitable Valuation												
Y. \$1.00 to \$500												
Time Associated with Inspection	1.00	1.00	1.00	\$ 165	\$ 165	\$ 165	\$24	\$24	\$24	14%	14%	14%
Time Associated with Plan Check	1.00	5.00	2.00	\$ 165	\$ 826	\$ 330	\$15	\$15	\$15	9%	2%	5%
Z. \$501 to \$2,000												
Time Associated with Inspection	1.00	1.00	1.00	\$ 165	\$ 165	\$ 165	\$24	\$69	\$46	14%	42%	28%
Time Associated with Plan Check	1.00	5.00	2.00	\$ 165	\$ 826	\$ 330	\$16	\$45	\$30	9%	5%	9%
AA. \$2,001 to \$25,000												
Time Associated with Inspection	2.00	3.00	2.25	\$ 330	\$ 496	\$ 372	\$69	\$391	\$230	21%	79%	62%
Time Associated with Plan Check	1.00	6.00	2.25	\$ 165	\$ 991	\$ 372	\$45	\$254	\$150	27%	26%	40%
AB. \$25,001 to \$50,000												
Time Associated with Inspection	3.50	4.00	3.63	\$ 578	\$ 661	\$ 599	\$391	\$644	\$518	68%	97%	86%
Time Associated with Plan Check	1.50	8.00	3.13	\$ 248	\$ 1,322	\$ 516	\$254	\$418	\$336	103%	32%	65%
AC. \$50,001 to \$100,000												
Time Associated with Inspection	5.50	7.00	5.88	\$ 909	\$ 1,156	\$ 971	\$644	\$994	\$819	71%	86%	84%
Time Associated with Plan Check	1.50	10.00	3.63	\$ 248	\$ 1,652	\$ 599	\$418	\$646	\$532	169%	39%	89%
AD. \$100,001 to \$500,000												
Time Associated with Inspection	9.00	16.00	10.75	\$ 1,487	\$ 2,643	\$ 1,776	\$994	\$3,234	\$2,114	67%	122%	119%
Time Associated with Plan Check	4.50	16.00	7.38	\$ 743	\$ 2,643	\$ 1,218	\$646	\$2,102	\$1,374	87%	80%	113%
AE. \$500,001 to \$1,000,000												
Time Associated with Inspection	11.00	21.00	13.50	\$ 1,817	\$ 3,469	\$ 2,230	\$3,234	\$5,609	\$4,421	178%	162%	198%
Time Associated with Plan Check	4.50	24.00	9.38	\$ 743	\$ 3,965	\$ 1,549	\$2,102	\$3,646	\$2,874	283%	92%	186%
AF. \$1,000,001 and up												
Time Associated with Inspection	n/a	n/a		n/a	n/a	n/a	\$5,609	\$5,608.75 for 1st \$1M plus \$3.65 each	varies	n/a	varies	varies
Time Associated with Plan Check	n/a	n/a		n/a	n/a	n/a	\$3,646	\$3,645.69 for 1st \$1M plus \$2.37 each	varies	n/a	varies	varies

TOWN OF ATHERTON
BUILDING DEPARTMENT
User Fee Study
Estimation of 79% of Average Cost of Providing Activities and Services

Fully-Burdened Hourly Rate:

Building Division \$165.20

Activity	Estimated Minimum Labor Time Per Unit (hours) (1)	Estimated Maximum Labor Time Per Unit (hours) (2)	Estimated Average/Weighted Average Labor Time Per Unit (hours) (3)	Minimum Average Cost of Service	Maximum Average Cost of Service	Estimated Average Cost of Service	Current Minimum Fee	Current Maximum Fee	Average Fee or Current Fee	Current Cost Recovery Assuming New Fully-Burdened Hourly Rate Compared to Minimum Fee	Current Cost Recovery Assuming New Fully-Burdened Hourly Rate Compared to Maximum Fee	Current Cost Recovery Assuming New Fully-Burdened Hourly Rate Compared to Average Fee
Single Family Residence - Composite of All Construction Types												
A. \$1.00 to \$500												
Time Associated with Inspection	1.00	1.00	1.00	\$ 165	\$ 165	\$ 165	\$24	\$24	\$24	14%	14%	14%
Time Associated with Plan Check	1.13	4.88	2.06	\$ 186	\$ 805	\$ 341	\$15	\$15	\$15	8%	2%	4%
B. \$501 to \$2,000												
Time Associated with Inspection	1.00	1.00	1.00	\$ 165	\$ 165	\$ 165	\$24	\$69	\$46	14%	42%	28%
Time Associated with Plan Check	1.13	5.00	2.09	\$ 186	\$ 826	\$ 346	\$16	\$45	\$30	8%	5%	9%
C. \$2,001 to \$25,000												
Time Associated with Inspection	2.25	2.88	2.41	\$ 372	\$ 475	\$ 398	\$69	\$391	\$230	19%	82%	58%
Time Associated with Plan Check	1.25	6.50	2.56	\$ 207	\$ 1,074	\$ 423	\$45	\$254	\$150	22%	24%	35%
D. \$25,001 to \$50,000												
Time Associated with Inspection	3.75	7.50	4.69	\$ 620	\$ 1,239	\$ 774	\$391	\$644	\$518	63%	52%	67%
Time Associated with Plan Check	1.75	7.75	3.25	\$ 289	\$ 1,280	\$ 537	\$254	\$418	\$336	88%	33%	63%
E. \$50,001 to \$100,000												
Time Associated with Inspection	5.63	10.75	6.91	\$ 929	\$ 1,776	\$ 1,141	\$644	\$994	\$819	69%	56%	72%
Time Associated with Plan Check	2.25	10.75	4.38	\$ 372	\$ 1,776	\$ 723	\$418	\$646	\$532	113%	36%	74%
F. \$100,001 to \$500,000												
Time Associated with Inspection	13.75	26.00	16.81	\$ 2,272	\$ 4,295	\$ 2,777	\$994	\$3,234	\$2,114	44%	75%	76%
Time Associated with Plan Check	4.50	16.75	7.56	\$ 743	\$ 2,767	\$ 1,249	\$646	\$2,102	\$1,374	87%	76%	110%
G. \$500,001 to \$1,000,000												
Time Associated with Inspection	17.75	43.25	24.13	\$ 2,932	\$ 7,145	\$ 3,986	\$3,234	\$5,609	\$4,421	110%	78%	111%
Time Associated with Plan Check	6.25	23.50	10.56	\$ 1,033	\$ 3,882	\$ 1,745	\$2,102	\$3,646	\$2,874	204%	94%	165%
H. \$1,000,001 and up												
Time Associated with Inspection	27.33	61.00	35.75	\$ 4,516	\$ 10,077	\$ 5,906	\$5,609	\$5,608.75 for 1st \$1M plus \$3.65 each	varies	124%	varies	varies
Time Associated with Plan Check	11.17	33.67	16.79	\$ 1,845	\$ 5,562	\$ 2,774	\$3,646	\$3,645.69 for 1st \$1M plus \$2.37 each	varies	198%	varies	varies

TOWN OF ATHERTON
BUILDING DEPARTMENT
User Fee Study
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Fully-Burdened Hourly Rate:

Building Division \$165.20

Activity	Estimated Minimum Labor Time Per Unit (hours) (1)	Estimated Maximum Labor Time Per Unit (hours) (2)	Estimated Average/Weighted Average Labor Time Per Unit (hours) (3)	Minimum Average Cost of Service	Maximum Average Cost of Service	Average Cost of Service	Current Minimum Fee	Current Maximum Fee	Average Fee or Current Fee	Current Cost Recovery Assuming New Fully-Burdened Hourly Rate Compared to Minimum Fee	Current Cost Recovery Assuming New Fully-Burdened Hourly Rate Compared to Maximum Fee	Current Cost Recovery Assuming New Fully-Burdened Hourly Rate Compared to Average Fee
Permitted Value of Construction												
New Habitable Construction	n/a	n/a	n/a	n/a	n/a	n/a	\$350 per square foot	\$350 per square foot	\$350 per square foot	n/a	n/a	n/a
Remodeled Habitable Construction	n/a	n/a	n/a	n/a	n/a	n/a	\$350 per square foot	\$350 per square foot	\$350 per square foot	n/a	n/a	n/a
New or Remodeled Non-Habitable Construction	n/a	n/a	n/a	n/a	n/a	n/a	\$250 per square foot	\$250 per square foot	\$250 per square foot	n/a	n/a	n/a
Other Building Fees												
Plumbing (Per Unit)	1.50	3.50	2.00	\$ 248	\$ 578	\$ 330	\$100	\$100	\$100	40%	17%	30%
Electrical (Per Unit)	1.50	3.50	2.00	\$ 248	\$ 578	\$ 330	\$100	\$100	\$100	40%	17%	30%
Mechanical (Per Unit)	1.50	3.50	2.00	\$ 248	\$ 578	\$ 330	\$100	\$100	\$100	40%	17%	30%
Demolition	2.50	6.00	3.38	\$ 413	\$ 991	\$ 558	\$200	\$200	\$200	48%	20%	36%
Landscape Screening	1.50	2.50	1.75	\$ 248	\$ 413	\$ 289	\$250	\$250	\$250	101%	61%	86%
Landscape Screening Plan Review	1.00	2.00	1.25	\$ 165	\$ 330	\$ 207	\$0	\$0	\$0	0%	0%	0%
Water Well	2.50	7.00	3.63	\$ 413	\$ 1,156	\$ 599	\$500	\$500	\$500	121%	43%	83%
Solar	2.00	8.00	3.50	\$ 330	\$ 1,322	\$ 578	\$250	\$250	\$250	76%	19%	43%
Heritage Tree Removal, First Tree			1.00	n/a	n/a	\$ 165	\$100	\$100	\$100	n/a	n/a	61%
Heritage Tree Removal (Additional Tree)			0.25	n/a	n/a	\$ 41	\$50	\$50	\$50	n/a	n/a	121%
Consultation Inspection	0.50	1.00	0.63	\$ 83	\$ 165	\$ 103	\$0	\$0	\$0	0%	0%	0%
Revision Fee				\$165 per hour	\$165 per hour	\$165 per hour	\$54 per hour	\$54 per hour	\$54 per hour	33%	33%	33%

TOWN OF ATHERTON
BUILDING DEPARTMENT
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Fully-Burdened Hourly Rate:

Building Division \$165.20

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Processing Address Change	No Time Estimates Provided			\$165 per hour or consultant costs	\$165 per hour or consultant costs	\$165 per hour or consultant costs	\$250	\$250	\$250	varies	varies	varies
Permit Search			0.17	n/a	n/a	\$ 28	\$20	\$20	\$20	n/a	n/a	73%
Processing Landscape Screening Deposit			1.00	n/a	n/a	\$ 165	\$0	\$0	\$0	n/a	n/a	0%
Processing Temporary Occupancy Deposit			1.00	n/a	n/a	\$ 165	\$0	\$0	\$0	n/a	n/a	0%
Processing Recycling Deposit			1.00	n/a	n/a	\$ 165	\$0	\$0	\$0	n/a	n/a	0%
Processing Utility Deposit			1.00	n/a	n/a	\$ 165	\$0	\$0	\$0	n/a	n/a	0%
Processing Road Deposit (Bond)			1.00	n/a	n/a	\$ 165	\$0	\$0	\$0	n/a	n/a	0%
Supplying After Hours Construction Permits (Building Dept Time Only)			0.25	n/a	n/a	\$ 41	See Police Dept schedule	See Police Dept schedule	See Police Dept schedule	Added to Police cost	Added to Police cost	Added to Police cost
Reviewing and Approving Special Events Application (Building Dept Time Only)			0.08	n/a	n/a	\$ 14	See Admin Dept schedule	See Admin Dept schedule	See Admin Dept schedule	Added to Admin cost	Added to Admin cost	Added to Admin cost
Grading and Drainage (Building Dept Time Only)	1.00	2.00	1.25	\$ 165	\$ 330	\$ 207	See Public Works Dept schedule	See Public Works Dept schedule	See Public Works Dept schedule	Add to Public Works cost	Add to Public Works cost	Add to Public Works cost
Pre-submittal Meetings	0.50	1.00	0.63	\$ 83	\$ 165	\$ 103	\$0	\$0	\$0	0%	0%	0%
Pre-construction meetings	1.00	2.00	1.25	\$ 165	\$ 330	\$ 207	\$0	\$0	\$0	0%	0%	0%
Arborist Services - Site Visits Not Related to Development Review			1.00	n/a	n/a	\$ 165	\$0	\$0	\$0	n/a	n/a	0%
Recycling Refund Review of Compliance	0.50	1.00	0.63	\$ 83	\$ 165	\$ 103	\$0	\$0	\$0	0%	0%	0%
Complaint Inspection/Investigation	1.00	2.00	1.25	\$ 165	\$ 330	\$ 207	\$0	\$0	\$0	0%	0%	0%

TOWN OF ATHERTON
BUILDING DEPARTMENT
User Fee Study
Estimation of 79% of Average Cost of Providing Activities and Services

Fully-Burdened Hourly Rate:

Building Division \$165.20

Activity	Estimated Minimum Labor Time Per Unit (hours) (1)	Estimated Maximum Labor Time Per Unit (hours) (2)	Estimated Average/Weighted Average Labor Time Per Unit (hours) (3)	Minimum Average Cost of Service	Maximum Average Cost of Service	Average Cost of Service	Current Minimum Fee	Current Maximum Fee	Average Fee or Current Fee	Current Cost Recovery Assuming New Fully-Burdened Hourly Rate Compared to Minimum Fee	Current Cost Recovery Assuming New Fully-Burdened Hourly Rate Compared to Maximum Fee	Current Cost Recovery Assuming New Fully-Burdened Hourly Rate Compared to Average Fee
Code Interpretations	1.00	4.00	1.75	\$ 165	\$ 661	\$ 289	\$0	\$0	\$0	0%	0%	0%
Issuing Tree Permits			0.50	n/a	n/a	\$ 83	\$0	\$0	\$0	n/a	n/a	0%
COP & Tree Protection Plan Review	0.50	1.00	0.63	\$ 83	\$ 165	\$ 103	\$0	\$0	\$0	0%	0%	0%
Planning Commission Tree Removal review, Staff Report, Meeting	4.00	8.00	5.00	\$ 661	\$ 1,322	\$ 826	\$0	\$0	\$0	0%	0%	0%
Tree Committee	2.00	5.00	2.75	\$ 330	\$ 826	\$ 454	\$0	\$0	\$0	0%	0%	0%
EPC	5.00	8.00	5.75	\$ 826	\$ 1,322	\$ 950	\$0	\$0	\$0	0%	0%	0%
Excavation Permit			3.00	n/a	n/a	\$ 496	\$1,000	\$1,000	\$1,000	n/a	n/a	202%
SMIP Fee												
SMIP - Residential (California Department of Conservation Mandated Fee)	n/a	n/a	n/a	n/a	n/a	n/a	Valuation Amount X 0.0001	Valuation Amount X 0.0001	Valuation Amount X 0.0001	n/a	n/a	n/a
SMIP - Commercial (California Department of Conservation Mandated Fee)	n/a	n/a	n/a	n/a	n/a	n/a	Valuation Amount X 0.00021	Valuation Amount X 0.00021	Valuation Amount X 0.00021	n/a	n/a	n/a

TOWN OF ATHERTON
BUILDING DEPARTMENT
User Fee Study
Estimation of 79% of Average Cost of Providing Activities and Services

Fully-Burdened Hourly Rate:

Building Division \$165.20

Activity	Estimated Minimum Labor Time Per Unit (hours) (1)	Estimated Maximum Labor Time Per Unit (hours) (2)	Estimated Average/Weighted Average Labor Time Per Unit (hours) (3)	Minimum Average Cost of Service	Maximum Average Cost of Service	Average Cost of Service	Current Minimum Fee	Current Maximum Fee	Average Fee or Current Fee	Current Cost Recovery Assuming New Fully-Burdened Hourly Rate Compared to Minimum Fee	Current Cost Recovery Assuming New Fully-Burdened Hourly Rate Compared to Maximum Fee	Current Cost Recovery Assuming New Fully-Burdened Hourly Rate Compared to Average Fee
Building Standards Administration Special Revolving Fund (Senate Bill No. 1473 State Mandated)												
Permit Valuation												
\$1-25,000	n/a	n/a	n/a	n/a	n/a	n/a	\$1	\$1	\$1	n/a	n/a	n/a
\$25,001-50,000	n/a	n/a	n/a	n/a	n/a	n/a	\$2	\$2	\$2	n/a	n/a	n/a
\$50,001-75,000	n/a	n/a	n/a	n/a	n/a	n/a	\$3	\$3	\$3	n/a	n/a	n/a
\$75,001-100,000	n/a	n/a	n/a	n/a	n/a	n/a	\$4	\$4	\$4	n/a	n/a	n/a
Every \$25,000 or fraction thereof above \$100,000	n/a	n/a	n/a	n/a	n/a	n/a	Add \$1	Add \$1	Add \$1	n/a	n/a	n/a

- (1) Estimated minimum labor time for time associated with plan check includes between 30 minutes and 1 hour of administrative time spent by the permit technician.
- (2) Estimated maximum labor time for time associated with plan check includes 4 hours of administrative time spent by the permit technician.
- (3) This average is weighted to favor the Estimated Minimum Labor Time as 75% of the average, with the remaining 25% of the weighted average accounted to the Estimated Maximum Labor Time.
- (4) Time estimate escalation based on comparable habitation-type, remodeling construction, percentage increase from the \$25,001 to \$50,000 tier to the \$50,001 to \$100,000 tier.

TOWN OF ATHERTON
BUILDING DEPARTMENT
User Fee Study
Estimation of 100% of Average Cost of Providing Activities and Services

Fully-Burdened Hourly Rate:

Building Division \$208.91

Activity	Estimated Minimum Labor Time Per Unit (hours) (1)	Estimated Maximum Labor Time Per Unit (hours) (2)	Estimated Average/Weighted Average Labor Time Per Unit (hours) (3)	Minimum Average Cost of Service	Maximum Average Cost of Service	Average Cost of Service	Current Minimum Fee	Current Maximum Fee	Average Fee or Current Fee	Current Cost Recovery Assuming New Fully-Burdened Hourly Rate Compared to Minimum Fee	Current Cost Recovery Assuming New Fully-Burdened Hourly Rate Compared to Maximum Fee	Current Cost Recovery Assuming New Fully-Burdened Hourly Rate Compared to Average Fee
Single Family Residence - New Residential Construction - Habitable Valuation												
A. \$1.00 to \$500												
Time Associated with Inspection	1.00	1.00	1.00	\$ 209	\$ 209	\$ 209	\$24	\$24	\$24	11%	11%	11%
Time Associated with Plan Check	1.50	5.00	2.38	\$ 313	\$ 1,045	\$ 496	\$15	\$15	\$15	5%	1%	3%
B. \$501 to \$2,000												
Time Associated with Inspection	1.00	1.00	1.00	\$ 209	\$ 209	\$ 209	\$24	\$69	\$46	11%	33%	22%
Time Associated with Plan Check	1.50	5.00	2.38	\$ 313	\$ 1,045	\$ 496	\$16	\$45	\$30	5%	4%	6%
C. \$2,001 to \$25,000												
Time Associated with Inspection	2.50	2.50	2.50	\$ 522	\$ 522	\$ 522	\$69	\$391	\$230	13%	75%	44%
Time Associated with Plan Check	1.50	7.00	2.88	\$ 313	\$ 1,462	\$ 601	\$45	\$254	\$150	14%	17%	25%
D. \$25,001 to \$50,000												
Time Associated with Inspection	3.50	8.00	4.63	\$ 731	\$ 1,671	\$ 966	\$391	\$644	\$518	54%	39%	54%
Time Associated with Plan Check	2.50	8.00	3.88	\$ 522	\$ 1,671	\$ 810	\$254	\$418	\$336	49%	25%	42%
E. \$50,001 to \$100,000												
Time Associated with Inspection (4)	5.00	10.00	6.25	\$ 1,045	\$ 2,089	\$ 1,306	\$644	\$994	\$819	62%	48%	63%
Time Associated with Plan Check	3.50	14.00	6.13	\$ 731	\$ 2,925	\$ 1,280	\$418	\$646	\$532	57%	22%	42%
F. \$100,001 to \$500,000												
Time Associated with Inspection	20.00	30.00	22.50	\$ 4,178	\$ 6,267	\$ 4,700	\$994	\$3,234	\$2,114	24%	52%	45%
Time Associated with Plan Check	4.50	16.00	7.38	\$ 940	\$ 3,343	\$ 1,541	\$646	\$2,102	\$1,374	69%	63%	89%
G. \$500,001 to \$1,000,000												
Time Associated with Inspection	28.00	78.00	40.50	\$ 5,849	\$ 16,295	\$ 8,461	\$3,234	\$5,609	\$4,421	55%	34%	52%
Time Associated with Plan Check	8.50	28.00	13.38	\$ 1,776	\$ 5,849	\$ 2,794	\$2,102	\$3,646	\$2,874	118%	62%	103%
H. \$1,000,001 and up												
Time Associated with Inspection	36.00	86.00	48.50	\$ 7,521	\$ 17,966	\$ 10,132	\$5,609	\$5,608.75 for 1st \$1M plus \$3.65 each	varies	75%	varies	varies
Time Associated with Plan Check	16.50	41.00	22.63	\$ 3,447	\$ 8,565	\$ 4,727	\$3,646	\$3,645.69 for 1st \$1M plus \$2.37 each	varies	106%	varies	varies

TOWN OF ATHERTON
BUILDING DEPARTMENT
User Fee Study
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Fully-Burdened Hourly Rate:

Building Division \$208.91

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Single Family Residence - New Residential Construction - Non-Habitable Valuation												
I. \$1.00 to \$500												
Time Associated with Inspection	1.00	1.00	1.00	\$ 209	\$ 209	\$ 209	\$24	\$24	\$24	11%	11%	11%
Time Associated with Plan Check	1.00	4.50	1.88	\$ 209	\$ 940	\$ 392	\$15	\$15	\$15	7%	2%	4%
J. \$501 to \$2,000												
Time Associated with Inspection	1.00	1.00	1.00	\$ 209	\$ 209	\$ 209	\$24	\$69	\$46	11%	33%	22%
Time Associated with Plan Check	1.00	4.50	1.88	\$ 209	\$ 940	\$ 392	\$16	\$45	\$30	8%	5%	8%
K. \$2,001 to \$25,000												
Time Associated with Inspection	2.00	3.50	2.38	\$ 418	\$ 731	\$ 496	\$69	\$391	\$230	17%	54%	46%
Time Associated with Plan Check	1.00	6.00	2.25	\$ 209	\$ 1,253	\$ 470	\$45	\$254	\$150	22%	20%	32%
L. \$25,001 to \$50,000												
Time Associated with Inspection	4.00	8.00	5.00	\$ 836	\$ 1,671	\$ 1,045	\$391	\$644	\$518	47%	39%	50%
Time Associated with Plan Check	1.50	7.00	2.88	\$ 313	\$ 1,462	\$ 601	\$254	\$418	\$336	81%	29%	56%
M. \$50,001 to \$100,000												
Time Associated with Inspection (4)	6.00	14.00	8.00	\$ 1,253	\$ 2,925	\$ 1,671	\$644	\$994	\$819	51%	34%	49%
Time Associated with Plan Check	1.50	9.00	3.38	\$ 313	\$ 1,880	\$ 705	\$418	\$646	\$532	134%	34%	75%
N. \$100,001 to \$500,000												
Time Associated with Inspection	9.00	16.00	10.75	\$ 1,880	\$ 3,343	\$ 2,246	\$994	\$3,234	\$2,114	53%	97%	94%
Time Associated with Plan Check	2.50	11.00	4.63	\$ 522	\$ 2,298	\$ 966	\$646	\$2,102	\$1,374	124%	91%	142%
O. \$500,001 to \$1,000,000												
Time Associated with Inspection	11.00	21.00	13.50	\$ 2,298	\$ 4,387	\$ 2,820	\$3,234	\$5,609	\$4,421	141%	128%	157%
Time Associated with Plan Check	3.50	14.00	6.13	\$ 731	\$ 2,925	\$ 1,280	\$2,102	\$3,646	\$2,874	287%	125%	225%
P. \$1,000,001 and up												
Time Associated with Inspection	20.00	30.00	22.50	\$ 4,178	\$ 6,267	\$ 4,700	\$5,609	\$5,608.75 for 1st \$1M plus \$3.65 each	varies	134%	varies	varies
Time Associated with Plan Check	4.50	24.00	9.38	\$ 940	\$ 5,014	\$ 1,959	\$3,646	\$3,645.69 for 1st \$1M plus \$2.37 each	varies	388%	varies	varies

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Single Family Residence - Remodeling Residential Construction - Habitable Valuation												
Q. \$1.00 to \$500												
Time Associated with Inspection	1.00	1.00	1.00	\$ 209	\$ 209	\$ 209	\$24	\$24	\$24	11%	11%	11%
Time Associated with Plan Check	1.00	5.00	2.00	\$ 209	\$ 1,045	\$ 418	\$15	\$15	\$15	7%	1%	4%
R. \$501 to \$2,000												
Time Associated with Inspection	1.00	1.00	1.00	\$ 209	\$ 209	\$ 209	\$24	\$69	\$46	11%	33%	22%
Time Associated with Plan Check	1.00	5.50	2.13	\$ 209	\$ 1,149	\$ 444	\$16	\$45	\$30	8%	4%	7%
S. \$2,001 to \$25,000												
Time Associated with Inspection	2.50	2.50	2.50	\$ 522	\$ 522	\$ 522	\$69	\$391	\$230	13%	75%	44%
Time Associated with Plan Check	1.50	7.00	2.88	\$ 313	\$ 1,462	\$ 601	\$45	\$254	\$150	14%	17%	25%
T. \$25,001 to \$50,000												
Time Associated with Inspection	4.00	10.00	5.50	\$ 836	\$ 2,089	\$ 1,149	\$391	\$644	\$518	47%	31%	45%
Time Associated with Plan Check	1.50	8.00	3.13	\$ 313	\$ 1,671	\$ 653	\$254	\$418	\$336	81%	25%	52%
U. \$50,001 to \$100,000												
Time Associated with Inspection	6.00	12.00	7.50	\$ 1,253	\$ 2,507	\$ 1,567	\$644	\$994	\$819	51%	40%	52%
Time Associated with Plan Check	2.50	10.00	4.38	\$ 522	\$ 2,089	\$ 914	\$418	\$646	\$532	80%	31%	58%
V. \$100,001 to \$500,000												
Time Associated with Inspection	17.00	42.00	23.25	\$ 3,551	\$ 8,774	\$ 4,857	\$994	\$3,234	\$2,114	28%	37%	44%
Time Associated with Plan Check	6.50	24.00	10.88	\$ 1,358	\$ 5,014	\$ 2,272	\$646	\$2,102	\$1,374	48%	42%	60%
W. \$500,001 to \$1,000,000												
Time Associated with Inspection	21.00	53.00	29.00	\$ 4,387	\$ 11,072	\$ 6,058	\$3,234	\$5,609	\$4,421	74%	51%	73%
Time Associated with Plan Check	8.50	28.00	13.38	\$ 1,776	\$ 5,849	\$ 2,794	\$2,102	\$3,646	\$2,874	118%	62%	103%
X. \$1,000,001 and up												
Time Associated with Inspection	26.00	67.00	36.25	\$ 5,432	\$ 13,997	\$ 7,573	\$5,609	\$5,608.75 for 1st \$1M plus \$3.65 each	varies	103%	varies	varies
Time Associated with Plan Check	12.50	36.00	18.38	\$ 2,611	\$ 7,521	\$ 3,839	\$3,646	\$3,645.69 for 1st \$1M plus \$2.37 each	varies	140%	varies	varies

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Single Family Residence - Remodeling Residential Construction - Non-Habitable Valuation												
Y. \$1.00 to \$500												
Time Associated with Inspection	1.00	1.00	1.00	\$ 209	\$ 209	\$ 209	\$24	\$24	\$24	11%	11%	11%
Time Associated with Plan Check	1.00	5.00	2.00	\$ 209	\$ 1,045	\$ 418	\$15	\$15	\$15	7%	1%	4%
Z. \$501 to \$2,000												
Time Associated with Inspection	1.00	1.00	1.00	\$ 209	\$ 209	\$ 209	\$24	\$69	\$46	11%	33%	22%
Time Associated with Plan Check	1.00	5.00	2.00	\$ 209	\$ 1,045	\$ 418	\$16	\$45	\$30	8%	4%	7%
AA. \$2,001 to \$25,000												
Time Associated with Inspection	2.00	3.00	2.25	\$ 418	\$ 627	\$ 470	\$69	\$391	\$230	17%	62%	49%
Time Associated with Plan Check	1.00	6.00	2.25	\$ 209	\$ 1,253	\$ 470	\$45	\$254	\$150	22%	20%	32%
AB. \$25,001 to \$50,000												
Time Associated with Inspection	3.50	4.00	3.63	\$ 731	\$ 836	\$ 757	\$391	\$644	\$518	54%	77%	68%
Time Associated with Plan Check	1.50	8.00	3.13	\$ 313	\$ 1,671	\$ 653	\$254	\$418	\$336	81%	25%	52%
AC. \$50,001 to \$100,000												
Time Associated with Inspection	5.50	7.00	5.88	\$ 1,149	\$ 1,462	\$ 1,227	\$644	\$994	\$819	56%	68%	67%
Time Associated with Plan Check	1.50	10.00	3.63	\$ 313	\$ 2,089	\$ 757	\$418	\$646	\$532	134%	31%	70%
AD. \$100,001 to \$500,000												
Time Associated with Inspection	9.00	16.00	10.75	\$ 1,880	\$ 3,343	\$ 2,246	\$994	\$3,234	\$2,114	53%	97%	94%
Time Associated with Plan Check	4.50	16.00	7.38	\$ 940	\$ 3,343	\$ 1,541	\$646	\$2,102	\$1,374	69%	63%	89%
AE. \$500,001 to \$1,000,000												
Time Associated with Inspection	11.00	21.00	13.50	\$ 2,298	\$ 4,387	\$ 2,820	\$3,234	\$5,609	\$4,421	141%	128%	157%
Time Associated with Plan Check	4.50	24.00	9.38	\$ 940	\$ 5,014	\$ 1,959	\$2,102	\$3,646	\$2,874	224%	73%	147%
AF. \$1,000,001 and up												
Time Associated with Inspection	n/a	n/a		n/a	n/a	n/a	\$5,609	\$5,608.75 for 1st \$1M plus \$3.65 each	varies	n/a	varies	varies
Time Associated with Plan Check	n/a	n/a		n/a	n/a	n/a	\$3,646	\$3,645.69 for 1st \$1M plus \$2.37 each	varies	n/a	varies	varies

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Single Family Residence - Composite of All Construction Types												
A. \$1.00 to \$500												
Time Associated with Inspection	1.00	1.00	1.00	\$ 209	\$ 209	\$ 209	\$24	\$24	\$24	11%	11%	11%
Time Associated with Plan Check	1.13	4.88	2.06	\$ 235	\$ 1,018	\$ 431	\$15	\$15	\$15	6%	1%	4%
B. \$501 to \$2,000												
Time Associated with Inspection	1.00	1.00	1.00	\$ 209	\$ 209	\$ 209	\$24	\$69	\$46	11%	33%	22%
Time Associated with Plan Check	1.13	5.00	2.09	\$ 235	\$ 1,045	\$ 437	\$16	\$45	\$30	7%	4%	7%
C. \$2,001 to \$25,000												
Time Associated with Inspection	2.25	2.88	2.41	\$ 470	\$ 601	\$ 503	\$69	\$391	\$230	15%	65%	46%
Time Associated with Plan Check	1.25	6.50	2.56	\$ 261	\$ 1,358	\$ 535	\$45	\$254	\$150	17%	19%	28%
D. \$25,001 to \$50,000												
Time Associated with Inspection	3.75	7.50	4.69	\$ 783	\$ 1,567	\$ 979	\$391	\$644	\$518	50%	41%	53%
Time Associated with Plan Check	1.75	7.75	3.25	\$ 366	\$ 1,619	\$ 679	\$254	\$418	\$336	70%	26%	50%
E. \$50,001 to \$100,000												
Time Associated with Inspection	5.63	10.75	6.91	\$ 1,175	\$ 2,246	\$ 1,443	\$644	\$994	\$819	55%	44%	57%
Time Associated with Plan Check	2.25	10.75	4.38	\$ 470	\$ 2,246	\$ 914	\$418	\$646	\$532	89%	29%	58%
F. \$100,001 to \$500,000												
Time Associated with Inspection	13.75	26.00	16.81	\$ 2,873	\$ 5,432	\$ 3,512	\$994	\$3,234	\$2,114	35%	60%	60%
Time Associated with Plan Check	4.50	16.75	7.56	\$ 940	\$ 3,499	\$ 1,580	\$646	\$2,102	\$1,374	69%	60%	87%
G. \$500,001 to \$1,000,000												
Time Associated with Inspection	17.75	43.25	24.13	\$ 3,708	\$ 9,035	\$ 5,040	\$3,234	\$5,609	\$4,421	87%	62%	88%
Time Associated with Plan Check	6.25	23.50	10.56	\$ 1,306	\$ 4,909	\$ 2,207	\$2,102	\$3,646	\$2,874	161%	74%	130%
H. \$1,000,001 and up												
Time Associated with Inspection	27.33	61.00	35.75	\$ 5,710	\$ 12,744	\$ 7,469	\$5,609	\$5,608.75 for 1st \$1M plus \$3.65 each	varies	98%	varies	varies
Time Associated with Plan Check	11.17	33.67	16.79	\$ 2,333	\$ 7,033	\$ 3,508	\$3,646	\$3,645.69 for 1st \$1M plus \$2.37 each	varies	156%	varies	varies

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Permitted Value of Construction												
New Habitable Construction	n/a	n/a	n/a	n/a	n/a	n/a	\$350 per square foot	\$350 per square foot	\$350 per square foot	n/a	n/a	n/a
Remodeled Habitable Construction	n/a	n/a	n/a	n/a	n/a	n/a	\$350 per square foot	\$350 per square foot	\$350 per square foot	n/a	n/a	n/a
New or Remodeled Non-Habitable Construction	n/a	n/a	n/a	n/a	n/a	n/a	\$250 per square foot	\$250 per square foot	\$250 per square foot	n/a	n/a	n/a
Other Building Fees												
Plumbing (Per Unit)	1.50	3.50	2.00	\$ 313	\$ 731	\$ 418	\$100	\$100	\$100	32%	14%	24%
Electrical (Per Unit)	1.50	3.50	2.00	\$ 313	\$ 731	\$ 418	\$100	\$100	\$100	32%	14%	24%
Mechanical (Per Unit)	1.50	3.50	2.00	\$ 313	\$ 731	\$ 418	\$100	\$100	\$100	32%	14%	24%
Demolition	2.50	6.00	3.38	\$ 522	\$ 1,253	\$ 705	\$200	\$200	\$200	38%	16%	28%
Landscape Screening	1.50	2.50	1.75	\$ 313	\$ 522	\$ 366	\$250	\$250	\$250	80%	48%	68%
Landscape Screening Plan Review	1.00	2.00	1.25	\$ 209	\$ 418	\$ 261	\$0	\$0	\$0	0%	0%	0%
Water Well	2.50	7.00	3.63	\$ 522	\$ 1,462	\$ 757	\$500	\$500	\$500	96%	34%	66%
Solar	2.00	8.00	3.50	\$ 418	\$ 1,671	\$ 731	\$250	\$250	\$250	60%	15%	34%
Heritage Tree Removal, First Tree			1.00	n/a	n/a	\$ 209	\$100	\$100	\$100	n/a	n/a	48%
Heritage Tree Removal (Additional Tree)			0.25	n/a	n/a	\$ 52	\$50	\$50	\$50	n/a	n/a	96%
Consultation Inspection	0.50	1.00	0.63	\$ 104	\$ 209	\$ 131	\$0	\$0	\$0	0%	0%	0%
Revision Fee				\$209 per hour	\$209 per hour	\$209 per hour	\$54 per hour	\$54 per hour	\$54 per hour	26%	26%	26%

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Processing Address Change	No Time Estimates Provided			\$209 per hour or consultant costs	\$209 per hour or consultant costs	\$209 per hour or consultant costs	\$250	\$250	\$250	varies	varies	varies
Permit Search			0.17	n/a	n/a	\$ 35	\$20	\$20	\$20	n/a	n/a	57%
Processing Landscape Screening Deposit			1.00	n/a	n/a	\$ 209	\$0	\$0	\$0	n/a	n/a	0%
Processing Temporary Occupancy Deposit			1.00	n/a	n/a	\$ 209	\$0	\$0	\$0	n/a	n/a	0%
Processing Recycling Deposit			1.00	n/a	n/a	\$ 209	\$0	\$0	\$0	n/a	n/a	0%
Processing Utility Deposit			1.00	n/a	n/a	\$ 209	\$0	\$0	\$0	n/a	n/a	0%
Processing Road Deposit (Bond)			1.00	n/a	n/a	\$ 209	\$0	\$0	\$0	n/a	n/a	0%
Supplying After Hours Construction Permits (Building Dept Time Only)			0.25	n/a	n/a	\$ 52	See Police Dept schedule	See Police Dept schedule	See Police Dept schedule	Added to Police cost	Added to Police cost	Added to Police cost
Reviewing and Approving Special Events Application (Building Dept Time Only)			0.08	n/a	n/a	\$ 17	See Admin Dept schedule	See Admin Dept schedule	See Admin Dept schedule	Added to Admin cost	Added to Admin cost	Added to Admin cost
Grading and Drainage (Building Dept Time Only)	1.00	2.00	1.25	\$ 209	\$ 418	\$ 261	See Public Works Dept schedule	See Public Works Dept schedule	See Public Works Dept schedule	Add to Public Works cost	Add to Public Works cost	Add to Public Works cost
Pre-submittal Meetings	0.50	1.00	0.63	\$ 104	\$ 209	\$ 131	\$0	\$0	\$0	0%	0%	0%
Pre-construction meetings	1.00	2.00	1.25	\$ 209	\$ 418	\$ 261	\$0	\$0	\$0	0%	0%	0%
Arborist Services - Site Visits Not Related to Development Review			1.00	n/a	n/a	\$ 209	\$0	\$0	\$0	n/a	n/a	0%
Recycling Refund Review of Compliance	0.50	1.00	0.63	\$ 104	\$ 209	\$ 131	\$0	\$0	\$0	0%	0%	0%
Complaint Inspection/Investigation	1.00	2.00	1.25	\$ 209	\$ 418	\$ 261	\$0	\$0	\$0	0%	0%	0%

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Code Interpretations	1.00	4.00	1.75	\$ 209	\$ 836	\$ 366	\$0	\$0	\$0	0%	0%	0%
Issuing Tree Permits			0.50	n/a	n/a	\$ 104	\$0	\$0	\$0	n/a	n/a	0%
COP & Tree Protection Plan Review	0.50	1.00	0.63	\$ 104	\$ 209	\$ 131	\$0	\$0	\$0	0%	0%	0%
Planning Commission Tree Removal review, Staff Report, Meeting	4.00	8.00	5.00	\$ 836	\$ 1,671	\$ 1,045	\$0	\$0	\$0	0%	0%	0%
Tree Committee	2.00	5.00	2.75	\$ 418	\$ 1,045	\$ 575	\$0	\$0	\$0	0%	0%	0%
EPC	5.00	8.00	5.75	\$ 1,045	\$ 1,671	\$ 1,201	\$0	\$0	\$0	0%	0%	0%
Excavation Permit			3.00	n/a	n/a	\$ 627	\$1,000	\$1,000	\$1,000	n/a	n/a	160%
SMIP Fee												
SMIP - Residential (California Department of Conservation Mandated Fee)	n/a	n/a	n/a	n/a	n/a	n/a	Valuation Amount X 0.0001	Valuation Amount X 0.0001	Valuation Amount X 0.0001	n/a	n/a	n/a
SMIP - Commercial (California Department of Conservation Mandated Fee)	n/a	n/a	n/a	n/a	n/a	n/a	Valuation Amount X 0.00021	Valuation Amount X 0.00021	Valuation Amount X 0.00021	n/a	n/a	n/a

TOWN OF ATHERTON
BUILDING DEPARTMENT
User Fee Study
Estimation of 100% of Average Cost of Providing Activities and Services

Fully-Burdened Hourly Rate:

Building Division \$208.91

Activity	Estimated Minimum Labor Time Per Unit (hours) (1)	Estimated Maximum Labor Time Per Unit (hours) (2)	Estimated Average/Weighted Average Labor Time Per Unit (hours) (3)	Minimum Average Cost of Service	Maximum Average Cost of Service	Average Cost of Service	Current Minimum Fee	Current Maximum Fee	Average Fee or Current Fee	Current Cost Recovery Assuming New Fully-Burdened Hourly Rate Compared to Minimum Fee	Current Cost Recovery Assuming New Fully-Burdened Hourly Rate Compared to Maximum Fee	Current Cost Recovery Assuming New Fully-Burdened Hourly Rate Compared to Average Fee
Building Standards Administration Special Revolving Fund (Senate Bill No. 1473 State Mandated)												
Permit Valuation												
\$1-25,000	n/a	n/a	n/a	n/a	n/a	n/a	\$1	\$1	\$1	n/a	n/a	n/a
\$25,001-50,000	n/a	n/a	n/a	n/a	n/a	n/a	\$2	\$2	\$2	n/a	n/a	n/a
\$50,001-75,000	n/a	n/a	n/a	n/a	n/a	n/a	\$3	\$3	\$3	n/a	n/a	n/a
\$75,001-100,000	n/a	n/a	n/a	n/a	n/a	n/a	\$4	\$4	\$4	n/a	n/a	n/a
Every \$25,000 or fraction thereof above \$100,000	n/a	n/a	n/a	n/a	n/a	n/a	Add \$1	Add \$1	Add \$1	n/a	n/a	n/a

(1) Estimated minimum labor time for time associated with plan check includes between 30 minutes and 1 hour of administrative time spent by the permit technician.

(2) Estimated maximum labor time for time associated with plan check includes 4 hours of administrative time spent by the permit technician.

(3) This average is weighted to favor the Estimated Minimum Labor Time as 75% of the average, with the remaining 25% of the weighted average accounted to the Estimated Maximum Labor Time.

(4) Time estimate escalation based on comparable habitation-type, remodeling construction, percentage increase from the \$25,001 to \$50,000 tier to the \$50,001 to \$100,000 tier.

EXHIBIT F-3

Activity Costs of Service Planning Activities

TOWN OF ATHERTON
PLANNING DEPARTMENT
User Fee Study
Estimation of Average Cost of Providing Activities and Services

Activity	Estimated Minimum Planning Labor Time Per Unit (hours)	Estimated Building Labor Time Per Unit (hours)	Minimum Cost of Service	Current Fee	Current Cost Recovery Percentage
Fully-Burdened Hourly Rate	\$163.22	\$165.20			
PLANNING DEPARTMENT FEES					
Conditional Use Permit	10.00	2.00	\$ 1,962.56	Billed Per Hour with \$1,500 Minimum Plus \$2,000 Deposit	May Be Less Than 100%
Variance	12.00	2.00	\$ 2,289.00	Billed Per Hour with \$1,500 Minimum Plus \$2,000 Deposit	May Be Less Than 100%
Heritage Tree Removal Permit	10.00	4.00	\$ 2,292.97	Billed Per Hour with \$1,500 Minimum Plus \$2,000 Deposit	May Be Less Than 100%
Exception Review	10.00	2.00	\$ 1,962.56	Billed Per Hour with \$1,500 Minimum Plus \$1,000 Deposit	May Be Less Than 100%
Excessive Height	10.00	2.00	\$ 1,962.56	Billed Per Hour with \$1,500 Minimum Plus \$2,000 Deposit	May Be Less Than 100%
Lot Line Redesignation	12.00	2.00	\$ 2,289.00	Billed Per Hour with \$1,500 Minimum Plus \$1,000 Deposit	May Be Less Than 100%
Lot Line Adjustment	8.00	2.00	\$ 1,636.13	Billed Per Hour with \$2,500 Minimum Plus \$1,000 Deposit	May Be Greater Than 100%
Tentative Parcel Map	12.00	2.00	\$ 2,289.00	Billed Per Hour with \$5,000 Minimum Plus \$2,500 Deposit	May Be Greater Than 100%
Final Parcel Map	6.00	2.00	\$ 1,309.70	Billed Per Hour with \$5,000 Minimum Plus \$2,500 Deposit	May Be Greater Than 100%
Appeal	8.00	2.00	\$ 1,636.13	\$750	May Be Less Than 100%
School Master Plan	6.00	2.00	\$ 1,309.70	\$750	May Be Less Than 100%

TOWN OF ATHERTON
PLANNING DEPARTMENT
User Fee Study
Estimation of Average Cost of Providing Activities and Services

Activity	Estimated Minimum Planning Labor Time Per Unit (hours)	Estimated Building Labor Time Per Unit (hours)	Minimum Cost of Service	Current Fee	Current Cost Recovery Percentage
Initial Review / Negative Declaration	20.00	2.00	\$ 3,594.72	Billed Per Hour with \$2,500 Minimum Plus \$1,000 Deposit	May Be Less Than 100%
Zoning Ordinance Amendment	20.00	2.00	\$ 3,594.72	Billed Per Hour with \$5,000 Minimum Plus \$2,500 Deposit	May Be Less Than 100%
General Plan Amendment	20.00	2.00	\$ 3,594.72	Billed Per Hour with \$5,000 Minimum Plus \$2,500 Deposit	May Be Less Than 100%
Zoning Review for Home Occupation Business	0.50	0.00	\$ 81.61	\$100	82%
Reviewing and Approving Special Events Application	0.25	0.00	\$ 40.80	See Admin Dept Schedule	
Pre-Application Review	1.00	0.00	\$ 163.22	\$0	0%
Street Easement Vacation				\$1,000	Varies
Proposed Fees					
Zoning Compliance Review of Building Permits	8.00		\$ 1,305.73		
Initial Review (2 reviews for fee price, then hourly)					
a. Fence	0.50	0.50	\$ 164.21	\$0	0%
b. Accessory Structures (includes pools)	1.00	1.00	\$ 328.42	\$0	0%
c. Accessory Buildings	3.00	1.00	\$ 654.85	\$0	0%
d. Additions	4.00	1.00	\$ 818.07	\$0	0%
e. New Construction	7.00	1.00	\$ 1,307.71	\$0	0%
Revisions to Previously Approved Plans			\$163 per hour	\$0	0%
Historical Artifact Assessment	10.00	2.00	\$ 1,962.56	\$0	

EXHIBIT F-4

Activity Costs of Service Parks Activities

TOWN OF ATHERTON
PARKS PROGRAM DIVISION OF PUBLIC WORKS DEPARTMENT
User Fee Study
Estimation of Average Cost of Providing Activities and Services

Fully-Burdened Rate - Facilities Only	Program Director			Facility Maintenance Staff			Temporary Staff			Minimum Average Cost of Service	Maximum Average Cost of Service	Average Cost of Service	Current Fee	Current Cost Recovery Assuming New Fully-Burdened Hourly Rate Compared to Minimum Fee	Current Cost Recovery Assuming New Fully-Burdened Hourly Rate Compared to Maximum Fee	Current Cost Recovery Assuming New Fully-Burdened Hourly Rate Compared to Average Fee
	Estimated Minimum Labor Time Per Unit (hours)	Estimated Maximum Labor Time Per Unit (hours)	Estimated Average Labor Time Per Unit (hours)	Estimated Minimum Labor Time Per Unit (hours)	Estimated Maximum Labor Time Per Unit (hours)	Estimated Average Labor Time Per Unit (hours)	Estimated Minimum Labor Time Per Unit (hours)	Estimated Maximum Labor Time Per Unit (hours)	Estimated Average Labor Time Per Unit (hours)							
	\$272.30			\$255.83			\$121.87									
Activity	Estimated Minimum Labor Time Per Unit (hours)	Estimated Maximum Labor Time Per Unit (hours)	Estimated Average Labor Time Per Unit (hours)	Estimated Minimum Labor Time Per Unit (hours)	Estimated Maximum Labor Time Per Unit (hours)	Estimated Average Labor Time Per Unit (hours)	Estimated Minimum Labor Time Per Unit (hours)	Estimated Maximum Labor Time Per Unit (hours)	Estimated Average Labor Time Per Unit (hours)	Minimum Average Cost of Service	Maximum Average Cost of Service	Average Cost of Service	Current Fee	Current Cost Recovery Assuming New Fully-Burdened Hourly Rate Compared to Minimum Fee	Current Cost Recovery Assuming New Fully-Burdened Hourly Rate Compared to Maximum Fee	Current Cost Recovery Assuming New Fully-Burdened Hourly Rate Compared to Average Fee
PARKS PROGRAM FEES																
Weddings/Receptions or Social Functions																
A. If Only One Building is Being Rented																
1. Time Spent by Staff on Any Pre-Wedding/Function Preparation																
1 - 100 Guests	1.00	3.00	2.00	1.00	2.00	2.00	1.00	2.00	2.00	\$ 650.00	\$ 1,572.29	\$ 1,299.99				
101 - 200 Guests	1.00	3.00	2.00	1.00	2.00	2.00	1.00	2.00	2.00	\$ 650.00	\$ 1,572.29	\$ 1,299.99				
2. Time Spent By Staff for Wedding/Function Setup.																
1 - 100 Guests	1.00	2.00	1.00	1.00	2.00	2.00	1.00	2.00	2.00	\$ 650.00	\$ 1,299.99	\$ 1,027.70				
101 - 200 Guests	1.00	2.00	1.00	1.00	3.00	3.00	2.00	3.00	3.00	\$ 771.86	\$ 1,677.69	\$ 1,405.40				
3. Time Spent by Staff on Wedding/Function Clean-Up/Teardown.																
1 - 100 Guests	0.08	0.25	0.17	1.00	2.00	2.00	1.00	2.00	2.00	\$ 400.39	\$ 823.47	\$ 800.78				
101 - 200 Guests	0.08	0.25	0.17	1.00	3.00	3.00	2.00	3.00	3.00	\$ 522.26	\$ 1,201.17	\$ 1,178.48				
Totals																
1 - 100 Guests	2.08	5.25	3.17	3.00	6.00	6.00	3.00	6.00	6.00	\$ 1,700.38	\$ 3,695.76	\$ 3,128.47	\$1,500 Resident, \$1,750 Non-Resident	88% Resident, 103% Non-Resident	41% Resident, 47% Non-Resident	48% Resident, 56% Non-Resident
101 - 200 Guests	2.08	5.25	3.17	3.00	8.00	8.00	5.00	8.00	8.00	\$ 1,944.12	\$ 4,451.15	\$ 3,883.87	\$1,750 Resident, \$2,000 Non-Resident	90% Resident, 103% Non-Resident	39% Resident, 45% Non-Resident	45% Resident, 51% Non-Resident

TOWN OF ATHERTON
PARKS PROGRAM DIVISION OF PUBLIC WORKS DEPARTMENT
User Fee Study
Estimation of Average Cost of Providing Activities and Services

Fully-Burdened Rate - Facilities Only	Program Director			Facility Maintenance Staff			Temporary Staff			Minimum Average Cost of Service	Maximum Average Cost of Service	Average Cost of Service	Current Fee	Current Cost Recovery Assuming New Fully-Burdened Hourly Rate Compared to Minimum Fee	Current Cost Recovery Assuming New Fully-Burdened Hourly Rate Compared to Maximum Fee	Current Cost Recovery Assuming New Fully-Burdened Hourly Rate Compared to Average Fee
	Estimated Minimum Labor Time Per Unit (hours)	Estimated Maximum Labor Time Per Unit (hours)	Estimated Average Labor Time Per Unit (hours)	Estimated Minimum Labor Time Per Unit (hours)	Estimated Maximum Labor Time Per Unit (hours)	Estimated Average Labor Time Per Unit (hours)	Estimated Minimum Labor Time Per Unit (hours)	Estimated Maximum Labor Time Per Unit (hours)	Estimated Average Labor Time Per Unit (hours)							
	\$272.30			\$255.83			\$121.87									
Activity																
PARKS PROGRAM FEES																
Weddings/Receptions or Social Functions																
B. If Two Buildings are Being Rented																
1. Time Spent by Staff on Any Pre-Wedding/Function Preparation																
1 - 100 Guests	1.00	3.00	2.00	1.00	3.00	3.00	1.00	2.00	2.00	\$ 650.00	\$ 1,828.12	\$ 1,555.83				
101 - 200 Guests	1.00	3.00	2.00	2.00	4.00	4.00	1.00	2.00	2.00	\$ 905.83	\$ 2,083.96	\$ 1,811.66				
2. Time Spent By Staff for Wedding/Function Setup.																
1 - 100 Guests	1.00	2.00	1.00	1.00	2.00	2.00	1.00	2.00	2.00	\$ 650.00	\$ 1,299.99	\$ 1,027.70				
101 - 200 Guests	1.00	2.00	1.00	1.00	3.00	3.00	2.00	3.00	3.00	\$ 771.86	\$ 1,677.69	\$ 1,405.40				
3. Time Spent by Staff on Wedding/Function Clean-Up/Teardown.																
1 - 100 Guests	0.17	0.17	0.17	1.00	2.00	2.00	1.00	2.00	2.00	\$ 423.08	\$ 800.78	\$ 800.78				
101 - 200 Guests	0.17	0.17	0.17	1.00	3.00	3.00	2.00	3.00	3.00	\$ 544.95	\$ 1,178.48	\$ 1,178.48				
Totals																
1 - 100 Guests	2.17	5.17	3.17	3.00	7.00	7.00	3.00	6.00	6.00	\$ 1,723.08	\$ 3,928.90	\$ 3,384.30	\$3,000 Resident, \$3,500 Non-Resident	174% Resident, 203% Non-Resident	76% Resident, 89% Non-Resident	89% Resident, 103% Non-Resident
101 - 200 Guests	2.17	5.17	3.17	4.00	10.00	10.00	5.00	8.00	8.00	\$ 2,222.64	\$ 4,940.13	\$ 4,395.54	\$3,500 Resident, \$4,000 Non-Resident	157% Resident, 180% Non-Resident	71% Resident, 81% Non-Resident	80% Resident, 91% Non-Resident

TOWN OF ATHERTON
PARKS PROGRAM DIVISION OF PUBLIC WORKS DEPARTMENT
User Fee Study
Estimation of Average Cost of Providing Activities and Services

Fully-Burdened Rate - Facilities Only	Program Director			Facility Maintenance Staff			Temporary Staff							Current Cost Recovery Assuming New Fully-Burdened Hourly Rate Compared to Minimum Fee	Current Cost Recovery Assuming New Fully-Burdened Hourly Rate Compared to Maximum Fee	Current Cost Recovery Assuming New Fully-Burdened Hourly Rate Compared to Average Fee
	Estimated Minimum Labor Time Per Unit (hours)	Estimated Maximum Labor Time Per Unit (hours)	Estimated Average Labor Time Per Unit (hours)	Estimated Minimum Labor Time Per Unit (hours)	Estimated Maximum Labor Time Per Unit (hours)	Estimated Average Labor Time Per Unit (hours)	Estimated Minimum Labor Time Per Unit (hours)	Estimated Maximum Labor Time Per Unit (hours)	Estimated Average Labor Time Per Unit (hours)	Minimum Average Cost of Service	Maximum Average Cost of Service	Average Cost of Service	Current Fee			
	\$272.30			\$255.83			\$121.87									
Activity	Estimated Minimum Labor Time Per Unit (hours)	Estimated Maximum Labor Time Per Unit (hours)	Estimated Average Labor Time Per Unit (hours)	Estimated Minimum Labor Time Per Unit (hours)	Estimated Maximum Labor Time Per Unit (hours)	Estimated Average Labor Time Per Unit (hours)	Estimated Minimum Labor Time Per Unit (hours)	Estimated Maximum Labor Time Per Unit (hours)	Estimated Average Labor Time Per Unit (hours)	Minimum Average Cost of Service	Maximum Average Cost of Service	Average Cost of Service	Current Fee	Current Cost Recovery Assuming New Fully-Burdened Hourly Rate Compared to Minimum Fee	Current Cost Recovery Assuming New Fully-Burdened Hourly Rate Compared to Maximum Fee	Current Cost Recovery Assuming New Fully-Burdened Hourly Rate Compared to Average Fee
PARKS PROGRAM FEES																
Meetings																
1. Time Spent by Staff on Any Pre-Event/Meeting Preparation																
The Main House																
Half Day	0.33	0.67	0.50	1.00	2.00	2.00	1.00	2.00	2.00	\$ 468.47	\$ 936.93	\$ 891.55				
Full Day/Evening and Weekends	0.33	0.67	0.50	1.00	2.00	2.00	1.00	2.00	2.00	\$ 468.47	\$ 936.93	\$ 891.55				
Carriage House																
Half Day	0.33	0.67	0.50	1.00	2.00	2.00	1.00	2.00	2.00	\$ 468.47	\$ 936.93	\$ 891.55				
Full Day/Evening and Weekends	0.33	0.67	0.50	1.00	2.00	2.00	1.00	2.00	2.00	\$ 468.47	\$ 936.93	\$ 891.55				
Jennings Pavilion																
1 - 100 Guests																
Half Day	0.33	1.00	0.50	1.00	2.00	2.00	1.00	2.00	2.00	\$ 468.47	\$ 1,027.70	\$ 891.55				
Full Day/Evening and Weekends	0.33	1.00	0.50	1.00	2.00	2.00	1.00	2.00	2.00	\$ 468.47	\$ 1,027.70	\$ 891.55				
101 - 200 Guests																
Half Day	0.33	1.00	0.50	2.00	3.00	3.00	1.00	2.00	2.00	\$ 724.30	\$ 1,283.53	\$ 1,147.38				
Full Day/Evening and Weekends	0.33	1.00	0.50	2.00	3.00	3.00	1.00	2.00	2.00	\$ 724.30	\$ 1,283.53	\$ 1,147.38				

TOWN OF ATHERTON
PARKS PROGRAM DIVISION OF PUBLIC WORKS DEPARTMENT
User Fee Study
Estimation of Average Cost of Providing Activities and Services

Fully-Burdened Rate - Facilities Only	Program Director			Facility Maintenance Staff			Temporary Staff			Minimum Average Cost of Service	Maximum Average Cost of Service	Average Cost of Service	Current Fee	Current Cost Recovery Assuming New Fully-Burdened Hourly Rate Compared to Minimum Fee	Current Cost Recovery Assuming New Fully-Burdened Hourly Rate Compared to Maximum Fee	Current Cost Recovery Assuming New Fully-Burdened Hourly Rate Compared to Average Fee
	Estimated Minimum Labor Time Per Unit (hours)	Estimated Maximum Labor Time Per Unit (hours)	Estimated Average Labor Time Per Unit (hours)	Estimated Minimum Labor Time Per Unit (hours)	Estimated Maximum Labor Time Per Unit (hours)	Estimated Average Labor Time Per Unit (hours)	Estimated Minimum Labor Time Per Unit (hours)	Estimated Maximum Labor Time Per Unit (hours)	Estimated Average Labor Time Per Unit (hours)							
	\$272.30			\$255.83			\$121.87									
Activity	Estimated Minimum Labor Time Per Unit (hours)	Estimated Maximum Labor Time Per Unit (hours)	Estimated Average Labor Time Per Unit (hours)	Estimated Minimum Labor Time Per Unit (hours)	Estimated Maximum Labor Time Per Unit (hours)	Estimated Average Labor Time Per Unit (hours)	Estimated Minimum Labor Time Per Unit (hours)	Estimated Maximum Labor Time Per Unit (hours)	Estimated Average Labor Time Per Unit (hours)	Minimum Average Cost of Service	Maximum Average Cost of Service	Average Cost of Service	Current Fee	Current Cost Recovery Assuming New Fully-Burdened Hourly Rate Compared to Minimum Fee	Current Cost Recovery Assuming New Fully-Burdened Hourly Rate Compared to Maximum Fee	Current Cost Recovery Assuming New Fully-Burdened Hourly Rate Compared to Average Fee
PARKS PROGRAM FEES																
Meetings																
2. Time Spent By Staff for Event/Meeting Setup.																
The Main House																
Half Day	0.17	0.50	0.33	1.00	2.00	2.00	1.00	2.00	2.00	\$ 423.08	\$ 891.55	\$ 846.17				
Full Day/Evening and Weekends	0.17	0.50	0.33	1.00	2.00	2.00	1.00	2.00	2.00	\$ 423.08	\$ 891.55	\$ 846.17				
Carriage House																
Half Day	0.17	0.50	0.33	1.00	2.00	2.00	1.00	2.00	2.00	\$ 423.08	\$ 891.55	\$ 846.17				
Full Day/Evening and Weekends	0.17	0.50	0.33	1.00	2.00	2.00	1.00	2.00	2.00	\$ 423.08	\$ 891.55	\$ 846.17				
Jennings Pavilion																
1 - 100 Guests																
Half Day	0.33	0.67	0.50	1.00	2.00	2.00	1.00	2.00	2.00	\$ 468.47	\$ 936.93	\$ 891.55				
Full Day/Evening and Weekends	0.33	0.67	0.50	1.00	2.00	2.00	1.00	2.00	2.00	\$ 468.47	\$ 936.93	\$ 891.55				
101 - 200 Guests																
Half Day	0.33	0.67	0.50	2.00	3.00	3.00	2.00	3.00	3.00	\$ 846.17	\$ 1,314.63	\$ 1,269.25				
Full Day/Evening and Weekends	0.33	0.67	0.50	2.00	3.00	3.00	2.00	3.00	3.00	\$ 846.17	\$ 1,314.63	\$ 1,269.25				

TOWN OF ATHERTON
 PARKS PROGRAM DIVISION OF PUBLIC WORKS DEPARTMENT
 User Fee Study
 Estimation of Average Cost of Providing Activities and Services

Fully-Burdened Rate - Facilities Only	Program Director			Facility Maintenance Staff			Temporary Staff			Minimum Average Cost of Service	Maximum Average Cost of Service	Average Cost of Service	Current Fee	Current Cost Recovery Assuming New Fully-Burdened Hourly Rate Compared to Minimum Fee	Current Cost Recovery Assuming New Fully-Burdened Hourly Rate Compared to Maximum Fee	Current Cost Recovery Assuming New Fully-Burdened Hourly Rate Compared to Average Fee
	Estimated Minimum Labor Time Per Unit (hours)	Estimated Maximum Labor Time Per Unit (hours)	Estimated Average Labor Time Per Unit (hours)	Estimated Minimum Labor Time Per Unit (hours)	Estimated Maximum Labor Time Per Unit (hours)	Estimated Average Labor Time Per Unit (hours)	Estimated Minimum Labor Time Per Unit (hours)	Estimated Maximum Labor Time Per Unit (hours)	Estimated Average Labor Time Per Unit (hours)							
	\$272.30			\$255.83			\$121.87									
Activity	Estimated Minimum Labor Time Per Unit (hours)	Estimated Maximum Labor Time Per Unit (hours)	Estimated Average Labor Time Per Unit (hours)	Estimated Minimum Labor Time Per Unit (hours)	Estimated Maximum Labor Time Per Unit (hours)	Estimated Average Labor Time Per Unit (hours)	Estimated Minimum Labor Time Per Unit (hours)	Estimated Maximum Labor Time Per Unit (hours)	Estimated Average Labor Time Per Unit (hours)	Minimum Average Cost of Service	Maximum Average Cost of Service	Average Cost of Service	Current Fee	Current Cost Recovery Assuming New Fully-Burdened Hourly Rate Compared to Minimum Fee	Current Cost Recovery Assuming New Fully-Burdened Hourly Rate Compared to Maximum Fee	Current Cost Recovery Assuming New Fully-Burdened Hourly Rate Compared to Average Fee
PARKS PROGRAM FEES																
Meetings																
3. Time Spent by Staff on Event Clean-Up/Teardown.																
The Main House																
Half Day	0.00	0.00	0.00	1.00	2.00	2.00	1.00	2.00	2.00	\$ 377.70	\$ 755.40	\$ 755.40				
Full Day/Evening and Weekends	0.00	0.00	0.00	1.00	2.00	2.00	1.00	2.00	2.00	\$ 377.70	\$ 755.40	\$ 755.40				
Carriage House																
Half Day	0.00	0.00	0.00	1.00	2.00	2.00	1.00	2.00	2.00	\$ 377.70	\$ 755.40	\$ 755.40				
Full Day/Evening and Weekends	0.00	0.00	0.00	1.00	2.00	2.00	1.00	2.00	2.00	\$ 377.70	\$ 755.40	\$ 755.40				
Jennings Pavilion																
1 - 100 Guests																
Half Day	0.00	0.00	0.00	1.00	2.00	2.00	1.00	2.00	2.00	\$ 377.70	\$ 755.40	\$ 755.40				
Full Day/Evening and Weekends	0.00	0.00	0.00	1.00	2.00	2.00	1.00	2.00	2.00	\$ 377.70	\$ 755.40	\$ 755.40				
101 - 200 Guests																
Half Day	0.00	0.00	0.00	2.00	3.00	3.00	2.00	3.00	3.00	\$ 755.40	\$ 1,133.10	\$ 1,133.10				
Full Day/Evening and Weekends	0.00	0.00	0.00	2.00	3.00	3.00	2.00	3.00	3.00	\$ 755.40	\$ 1,133.10	\$ 1,133.10				

TOWN OF ATHERTON
PARKS PROGRAM DIVISION OF PUBLIC WORKS DEPARTMENT
User Fee Study
Estimation of Average Cost of Providing Activities and Services

Fully-Burdened Rate - Facilities Only	Program Director			Facility Maintenance Staff			Temporary Staff			Minimum Average Cost of Service	Maximum Average Cost of Service	Average Cost of Service	Current Fee	Current Cost Recovery Assuming New Fully-Burdened Hourly Rate Compared to Minimum Fee	Current Cost Recovery Assuming New Fully-Burdened Hourly Rate Compared to Maximum Fee	Current Cost Recovery Assuming New Fully-Burdened Hourly Rate Compared to Average Fee
	Estimated Minimum Labor Time Per Unit (hours)	Estimated Maximum Labor Time Per Unit (hours)	Estimated Average Labor Time Per Unit (hours)	Estimated Minimum Labor Time Per Unit (hours)	Estimated Maximum Labor Time Per Unit (hours)	Estimated Average Labor Time Per Unit (hours)	Estimated Minimum Labor Time Per Unit (hours)	Estimated Maximum Labor Time Per Unit (hours)	Estimated Average Labor Time Per Unit (hours)							
	\$272.30			\$255.83			\$121.87									
Activity	Estimated Minimum Labor Time Per Unit (hours)	Estimated Maximum Labor Time Per Unit (hours)	Estimated Average Labor Time Per Unit (hours)	Estimated Minimum Labor Time Per Unit (hours)	Estimated Maximum Labor Time Per Unit (hours)	Estimated Average Labor Time Per Unit (hours)	Estimated Minimum Labor Time Per Unit (hours)	Estimated Maximum Labor Time Per Unit (hours)	Estimated Average Labor Time Per Unit (hours)	Minimum Average Cost of Service	Maximum Average Cost of Service	Average Cost of Service	Current Fee	Current Cost Recovery Assuming New Fully-Burdened Hourly Rate Compared to Minimum Fee	Current Cost Recovery Assuming New Fully-Burdened Hourly Rate Compared to Maximum Fee	Current Cost Recovery Assuming New Fully-Burdened Hourly Rate Compared to Average Fee
PARKS PROGRAM FEES																
Meetings																
Totals																
The Main House																
Half Day	0.50	1.17	0.83	3.00	6.00	6.00	3.00	6.00	6.00	\$ 1,269.25	\$ 2,583.88	\$ 2,493.11	\$200	16%	8%	8%
Full Day/Evening and Weekends	0.50	1.17	0.83	3.00	6.00	6.00	3.00	6.00	6.00	\$ 1,269.25	\$ 2,583.88	\$ 2,493.11	\$300 + \$25/hr.	varies	varies	varies
Carriage House																
Half Day	0.50	1.17	0.83	3.00	6.00	6.00	3.00	6.00	6.00	\$ 1,269.25	\$ 2,583.88	\$ 2,493.11	\$200	16%	8%	8%
Full Day/Evening and Weekends	0.50	1.17	0.83	3.00	6.00	6.00	3.00	6.00	6.00	\$ 1,269.25	\$ 2,583.88	\$ 2,493.11	\$250 + \$25/hr.	varies	varies	varies
Jennings Pavilion																
1 - 100 Guests																
Half Day	0.67	1.67	1.00	3.00	6.00	6.00	3.00	6.00	6.00	\$ 1,314.63	\$ 2,720.03	\$ 2,538.50	\$300	23%	11%	12%
Full Day/Evening and Weekends	0.67	1.67	1.00	3.00	6.00	6.00	3.00	6.00	6.00	\$ 1,314.63	\$ 2,720.03	\$ 2,538.50	\$400 + \$25/hr.	varies	varies	varies
101 - 200 Guests																
Half Day	0.67	1.67	1.00	6.00	9.00	9.00	5.00	8.00	8.00	\$ 2,325.86	\$ 3,731.26	\$ 3,549.73	\$400	17%	11%	11%
Full Day/Evening and Weekends	0.67	1.67	1.00	6.00	9.00	9.00	5.00	8.00	8.00	\$ 2,325.86	\$ 3,731.26	\$ 3,549.73	\$500 + \$50/hr.	varies	varies	varies

TOWN OF ATHERTON
 PARKS PROGRAM DIVISION OF PUBLIC WORKS DEPARTMENT
 User Fee Study
 Estimation of Average Cost of Providing Activities and Services

Fully-Burdened Rate - Facilities Only	Program Director			Facility Maintenance Staff			Temporary Staff									
	\$272.30			\$255.83			\$121.87									
Activity	Estimated Minimum Labor Time Per Unit (hours)	Estimated Maximum Labor Time Per Unit (hours)	Estimated Average Labor Time Per Unit (hours)	Estimated Minimum Labor Time Per Unit (hours)	Estimated Maximum Labor Time Per Unit (hours)	Estimated Average Labor Time Per Unit (hours)	Estimated Minimum Labor Time Per Unit (hours)	Estimated Maximum Labor Time Per Unit (hours)	Estimated Average Labor Time Per Unit (hours)	Minimum Average Cost of Service	Maximum Average Cost of Service	Average Cost of Service	Current Fee	Current Cost Recovery Assuming New Fully-Burdened Hourly Rate Compared to Minimum Fee	Current Cost Recovery Assuming New Fully-Burdened Hourly Rate Compared to Maximum Fee	Current Cost Recovery Assuming New Fully-Burdened Hourly Rate Compared to Average Fee
PARKS PROGRAM FEES																
Other																
1. Day Use Permit Processing and Monitoring	0.00	0.00	0.00	0.00	0.00	0.00	1.00	1.00	1.00	\$122 per hour	\$122 per hour	\$122 per hour	\$25 per day	varies	varies	varies

EXHIBIT F-5

Activity Costs of Service Public Works Activities

TOWN OF ATHERTON
PUBLIC WORKS DEPARTMENT
User Fee Study
Estimation of Average Cost of Providing Activities and Services

Activity	Engineering Staff			Minimum Average Cost of Service	Maximum Average Cost of Service	Average Cost of Service	Current Fee	Current Cost Recovery Assuming New Fully-Burdened Hourly Rate
	Estimated Minimum Labor Time Per Unit (hours)	Estimated Maximum Labor Time Per Unit (hours)	Estimated Average Labor Time Per Unit (hours)					
Fully-Burdened Hourly Rate	\$199.77							
PUBLIC WORKS DEPARTMENT FEES								
1. Encroachment Permits								
Driveway Connection to Street - Asphalt/Pavers:								
Without Driveway Culvert								
i. Application	1.00	2.00	1.50	\$ 199.77	\$ 399.55	\$ 299.66		
ii. Plan Check	0.50	4.00	2.00	\$ 99.89	\$ 799.10	\$ 399.55		
iii. Inspection	2.50	4.50	3.00	\$ 499.44	\$ 898.99	\$ 599.32		
Subtotal - Standard Inspection:	4.00	10.50	6.50	\$ 799.10	\$ 2,097.63	\$ 1,298.53	\$550	42%
iv. Additional Plan Check	0.50	4.00	2.00	\$ 99.89	\$ 799.10	\$ 399.55		
v. Additional Inspection	1.00	1.00	1.00	\$ 199.77	\$ 199.77	\$ 199.77		
With Driveway Culvert								
i. Application	1.00	2.00	1.50	\$ 199.77	\$ 399.55	\$ 299.66		
ii. Plan Check	1.00	4.00	2.50	\$ 199.77	\$ 799.10	\$ 499.44		
iii. Inspection	3.50	5.50	4.00	\$ 699.21	\$ 1,098.76	\$ 799.10		
Total:	5.50	11.50	8.00	\$ 1,098.76	\$ 2,297.41	\$ 1,598.20	\$750	47%
iv. Additional Plan Check	1.00	4.00	2.50	\$ 199.77	\$ 799.10	\$ 499.44		
v. Additional Inspection	1.00	1.00	1.00	\$ 199.77	\$ 199.77	\$ 199.77		

TOWN OF ATHERTON
PUBLIC WORKS DEPARTMENT
User Fee Study
Estimation of Average Cost of Providing Activities and Services

Activity	Engineering Staff			Minimum Average Cost of Service	Maximum Average Cost of Service	Average Cost of Service	Current Fee	Current Cost Recovery Assuming New Fully-Burdened Hourly Rate
	Estimated Minimum Labor Time Per Unit (hours)	Estimated Maximum Labor Time Per Unit (hours)	Estimated Average Labor Time Per Unit (hours)					
Fully-Burdened Hourly Rate	\$199.77							
PUBLIC WORKS DEPARTMENT FEES								
Driveway Connection to Street - Concrete:								
Without Driveway Culvert								
i. Application	1.00	2.00	1.50	\$ 199.77	\$ 399.55	\$ 299.66		
ii. Plan Check	1.00	4.00	2.50	\$ 199.77	\$ 799.10	\$ 499.44		
iii. Inspection	3.00	5.00	4.00	\$ 599.32	\$ 998.87	\$ 799.10		
Subtotal - Standard Inspection:	5.00	11.00	8.00	\$ 998.87	\$ 2,197.52	\$ 1,598.20	\$550	34%
iv. Additional Plan Check	1.00	4.00	2.50	\$ 199.77	\$ 799.10	\$ 499.44		
v. Additional Inspection	1.00	1.00	1.00	\$ 199.77	\$ 199.77	\$ 199.77		
With Driveway Culvert								
i. Application	1.00	2.00	1.50	\$ 199.77	\$ 399.55	\$ 299.66		
ii. Plan Check	1.00	4.00	2.50	\$ 199.77	\$ 799.10	\$ 499.44		
iii. Inspection	4.00	6.00	5.00	\$ 799.10	\$ 1,198.65	\$ 998.87		
Subtotal - Standard Inspection:	6.00	12.00	9.00	\$ 1,198.65	\$ 2,397.30	\$ 1,797.97	\$750	42%
iv. Additional Plan Check	1.00	4.00	2.50	\$ 199.77	\$ 799.10	\$ 499.44		
v. Additional Inspection	1.00	1.00	1.00	\$ 199.77	\$ 199.77	\$ 199.77		

TOWN OF ATHERTON
PUBLIC WORKS DEPARTMENT
User Fee Study
Estimation of Average Cost of Providing Activities and Services

Activity	Engineering Staff			Minimum Average Cost of Service	Maximum Average Cost of Service	Average Cost of Service	Current Fee	Current Cost Recovery Assuming New Fully-Burdened Hourly Rate
	Estimated Minimum Labor Time Per Unit (hours)	Estimated Maximum Labor Time Per Unit (hours)	Estimated Average Labor Time Per Unit (hours)					
Fully-Burdened Hourly Rate	\$199.77							
PUBLIC WORKS DEPARTMENT FEES								
ROW Landscaping, Fence, Etc.								
i. Application	1.00	2.00	1.50	\$ 199.77	\$ 399.55	\$ 299.66		
ii. Plan Check	0.50	1.50	1.00	\$ 99.89	\$ 299.66	\$ 199.77		
iii. Inspection	1.00	3.00	2.00	\$ 199.77	\$ 599.32	\$ 399.55		
Total:	2.50	6.50	4.50	\$ 499.44	\$ 1,298.53	\$ 898.99	\$550	61%
iv. Additional Plan Check	0.50	1.50	1.00	\$ 99.89	\$ 299.66	\$ 199.77		
v. Additional Inspection	1.00	1.00	1.00	\$ 199.77	\$ 199.77	\$ 199.77		
Connection to Storm Drain or Atherton Channel								
a. Open Cut in Pavement								
i. Application (Per Application)	1.00	2.00	1.50	\$ 199.77	\$ 399.55	\$ 299.66		
ii. Plan Check (Per Application)	2.00	4.00	3.00	\$ 399.55	\$ 799.10	\$ 599.32		
Subtotal Per Application:	3.00	6.00	4.50	\$ 599.32	\$ 1,198.65	\$ 898.99		
iii. Inspection (Per Linear Foot) - Note: Assumes 6 hours for 25 linear feet			0.24	n/a	n/a	\$ 47.95		
Subtotal Per Inspection:			0.24	n/a	n/a	\$ 47.95		
Total:				\$599 plus \$48 per LF	\$1,199 plus \$48 per LF	\$899 plus \$48 per LF	\$550 + Utility Lateral Fee where in the street	
iv. Additional Plan Check	2.00	4.00	3.00	\$ 399.55	\$ 799.10	\$ 599.32		
v. Additional Inspection (Per Linear Foot)	0.05	0.05	0.05	\$ 9.59	\$ 9.59	\$ 9.59		

TOWN OF ATHERTON
PUBLIC WORKS DEPARTMENT
User Fee Study
Estimation of Average Cost of Providing Activities and Services

Activity	Engineering Staff			Minimum Average Cost of Service	Maximum Average Cost of Service	Average Cost of Service	Current Fee	Current Cost Recovery Assuming New Fully-Burdened Hourly Rate
	Estimated Minimum Labor Time Per Unit (hours)	Estimated Maximum Labor Time Per Unit (hours)	Estimated Average Labor Time Per Unit (hours)					
Fully-Burdened Hourly Rate	\$199.77							
PUBLIC WORKS DEPARTMENT FEES								
Connection to Storm Drain or Atherton Channel, cont...								
b. Open Cut Outside Pavement								
i. Application (Per Application)	1.00	2.00	1.50	\$ 199.77	\$ 399.55	\$ 299.66		
ii. Plan Check (Per Application)	2.00	4.00	3.00	\$ 399.55	\$ 799.10	\$ 599.32		
Subtotal Per Application:	3.00	6.00	4.50	\$ 599.32	\$ 1,198.65	\$ 898.99		
iii. Inspection (Per Linear Foot) - Note: Assumes 3.5 hours for 25 linear feet			0.14			\$ 27.97		
Subtotal Per Inspection:			0.14	n/a	n/a	\$ 27.97		
Total:				\$599 plus \$28 per LF	\$1,199 plus \$28 per LF	\$899 plus \$28 per LF	\$550	
iv. Additional Plan Check	2.00	4.00	3.00	\$ 399.55	\$ 799.10	\$ 599.32		
v. Additional Inspection (Per Linear Foot)	0.04	0.04	0.04	\$ 6.99	\$ 6.99	\$ 6.99		

TOWN OF ATHERTON
PUBLIC WORKS DEPARTMENT
User Fee Study
Estimation of Average Cost of Providing Activities and Services

Activity	Engineering Staff			Minimum Average Cost of Service	Maximum Average Cost of Service	Average Cost of Service	Current Fee	Current Cost Recovery Assuming New Fully-Burdened Hourly Rate
	Estimated Minimum Labor Time Per Unit (hours)	Estimated Maximum Labor Time Per Unit (hours)	Estimated Average Labor Time Per Unit (hours)					
Fully-Burdened Hourly Rate	\$199.77							
PUBLIC WORKS DEPARTMENT FEES								
Connection to Storm Drain or Atherton Channel, cont...								
c. Bored Pit								
i. Application (Per Application)	1.00	2.00	1.50	\$ 199.77	\$ 399.55	\$ 299.66	\$550 + Utility Lateral Fee where in the street	Flat Fee, plus per pit fee
ii. Plan Check (Per Application)	2.00	4.00	3.00	\$ 399.55	\$ 799.10	\$ 599.32		
Subtotal Per Application:	3.00	6.00	4.50	\$ 599.32	\$ 1,198.65	\$ 898.99		
iii. Inspections (Per pit)								
a. In Pavement			6.00	n/a	n/a	\$ 1,198.65		Flat Fee, plus per pit fee
b. Outside Pavement			3.50	n/a	n/a	\$ 699.21		Flat Fee, plus per pit fee
iv. Additional Plan Check	2.00	4.00	3.00	\$ 399.55	\$ 799.10	\$ 599.32		
v. Additional Inspection (Per pit)								
a. In Pavement			1.20	n/a	n/a	\$ 239.73		
b. Outside Pavement			0.88	n/a	n/a	\$ 174.80		

TOWN OF ATHERTON
PUBLIC WORKS DEPARTMENT
User Fee Study
Estimation of Average Cost of Providing Activities and Services

Activity	Engineering Staff			Minimum Average Cost of Service	Maximum Average Cost of Service	Average Cost of Service	Current Fee	Current Cost Recovery Assuming New Fully-Burdened Hourly Rate
	Estimated Minimum Labor Time Per Unit (hours)	Estimated Maximum Labor Time Per Unit (hours)	Estimated Average Labor Time Per Unit (hours)					
Fully-Burdened Hourly Rate	\$199.77							
PUBLIC WORKS DEPARTMENT FEES								
Utility Connect/Disconnect:								
a. Open Cut in Pavement								
i. Application (Per Application)	1.00	2.00	1.50	\$ 199.77	\$ 399.55	\$ 299.66		
ii. Plan Check (Per Application)	1.00	3.00	2.00	\$ 199.77	\$ 599.32	\$ 399.55		
Subtotal Per Application:	2.00	5.00	3.50	\$ 399.55	\$ 998.87	\$ 699.21		
iii. Inspection (Per Linear Foot) - Note: Assumes 4.5 hours for 25 linear feet			0.18	n/a	n/a	\$ 35.96		
Subtotal Per Inspection:			0.18	n/a	n/a	\$ 35.96		
Total:				\$400 plus \$36 per LF	\$999 plus \$36 per LF	\$699 plus \$36 per LF	\$10/Ln. Ft. \$550 min.	
iv. Additional Plan Check	1.00	3.00	2.00	\$ 199.77	\$ 599.32	\$ 399.55		
v. Additional Inspection (Per Linear Foot)	0.03	0.03	0.03	\$ 5.14	\$ 5.14	\$ 5.14		
b. Open Cut Outside Pavement								
i. Application (Per Application)	1.00	2.00	1.50	\$ 199.77	\$ 399.55	\$ 299.66		
ii. Plan Check (Per Application)	1.00	3.00	2.00	\$ 199.77	\$ 599.32	\$ 399.55		
Subtotal Per Application:	2.00	5.00	3.50	\$ 399.55	\$ 998.87	\$ 699.21		
iii. Inspection (Per Linear Foot) - Note: Assumes 3 hours for 25 linear feet			0.12	n/a	n/a	\$ 23.97		
Subtotal Per Inspection:			0.12	n/a	n/a	\$ 23.97		
Total:				\$400 plus \$24 per LF	\$999 plus \$24 per LF	\$699 plus \$24 per LF	\$10/Ln. Ft. \$550 min.	
iv. Additional Plan Check	1.00	3.00	2.00	\$ 199.77	\$ 599.32	\$ 399.55		
v. Additional Inspection (Per Linear Foot)	0.02	0.02	0.02	\$ 4.00	\$ 4.00	\$ 4.00		

TOWN OF ATHERTON
PUBLIC WORKS DEPARTMENT
User Fee Study
Estimation of Average Cost of Providing Activities and Services

Activity	Engineering Staff			Minimum Average Cost of Service	Maximum Average Cost of Service	Average Cost of Service	Current Fee	Current Cost Recovery Assuming New Fully-Burdened Hourly Rate
	Estimated Minimum Labor Time Per Unit (hours)	Estimated Maximum Labor Time Per Unit (hours)	Estimated Average Labor Time Per Unit (hours)					
Fully-Burdened Hourly Rate	\$199.77							
PUBLIC WORKS DEPARTMENT FEES								
Utility Connect/Disconnect, cont...:								
c. Bored Pit/Trench								
i. Application (Per Application)	1.00	2.00	1.50	\$ 199.77	\$ 399.55	\$ 299.66		
ii. Plan Check (Per Application)	1.00	3.00	2.00	\$ 199.77	\$ 599.32	\$ 399.55		
Subtotal Per Application:			3.50	n/a	n/a	\$ 699.21	\$550	Flat Fee, plus per pit fee
iii. Inspections (per pit)								
1. In-Pavement								
b. Bored Pit			4.50	n/a	n/a	\$ 898.99		Flat Fee, plus per pit fee
2. Outside Pavement								
b. Bored Pit			2.50	n/a	n/a	\$ 499.44		Flat Fee, plus per pit fee
iv. Additional Plan Check	1.00	3.00	2.00	\$ 199.77	\$ 599.32	\$ 399.55		
v. Additional Inspection (Per pit)								
a. In Pavement			0.64	n/a	n/a	\$ 128.43		
b. Outside Pavement			0.42	n/a	n/a	\$ 83.24		

TOWN OF ATHERTON
PUBLIC WORKS DEPARTMENT
User Fee Study
Estimation of Average Cost of Providing Activities and Services

Activity	Engineering Staff			Minimum Average Cost of Service	Maximum Average Cost of Service	Average Cost of Service	Current Fee	Current Cost Recovery Assuming New Fully-Burdened Hourly Rate
	Estimated Minimum Labor Time Per Unit (hours)	Estimated Maximum Labor Time Per Unit (hours)	Estimated Average Labor Time Per Unit (hours)					
Fully-Burdened Hourly Rate	\$199.77							
PUBLIC WORKS DEPARTMENT FEES								
Utility Main:								
a. Open Cut in Pavement								
i. Application (Per Application)	1.00	2.00	1.50	\$ 199.77	\$ 399.55	\$ 299.66		
ii. Plan Check (Per Application)	2.00	8.00	5.00	\$ 399.55	\$ 1,598.20	\$ 998.87		
Subtotal Per Application:	3.00	10.00	6.50	\$ 599.32	\$ 1,997.75	\$ 1,298.53		
iii. Inspection (Per Linear Foot)	0.08	0.32	0.20	\$ 15.98	\$ 63.93	\$ 39.95		
Subtotal Per Inspection:	0.08	0.32	0.20	\$ 15.98	\$ 63.93	\$ 39.95		
Total:				\$599 plus \$16 per LF	\$1,998 plus \$64 per LF	\$1,299 plus \$40 per LF	3% of Value, plus \$10/Ln. Ft. \$550 min.	
iv. Additional Plan Check	2.00	8.00	5.00	\$ 399.55	\$ 1,598.20	\$ 998.87		
v. Additional Inspection (Per Linear Foot)	0.03	0.03	0.03	\$ 5.71	\$ 5.71	\$ 5.71		
b. Open Cut Outside Pavement								
i. Application (Per Application)	1.00	2.00	1.50	\$ 199.77	\$ 399.55	\$ 299.66		
ii. Plan Check (Per Application)	2.00	8.00	5.00	\$ 399.55	\$ 1,598.20	\$ 998.87		
Subtotal Per Application:	3.00	10.00	6.50	\$ 599.32	\$ 1,997.75	\$ 1,298.53		
iii. Inspection (Per Linear Foot)	0.05	0.21	0.13	\$ 10.66	\$ 42.62	\$ 26.64		
Subtotal Per Inspection:	0.05	0.21	0.13	\$ 10.66	\$ 42.62	\$ 26.64		
Total:				\$599 plus \$11 per LF	\$1,998 plus \$43 per LF	\$1,299 plus \$27 per LF	3% of Value, plus \$10/Ln. Ft. \$550 min.	
iv. Additional Plan Check	2.00	8.00	5.00	\$ 399.55	\$ 1,598.20	\$ 998.87		
v. Additional Inspection (Per Linear Foot)	0.02	0.02	0.02	\$ 4.44	\$ 4.44	\$ 4.44		

TOWN OF ATHERTON
PUBLIC WORKS DEPARTMENT
User Fee Study
Estimation of Average Cost of Providing Activities and Services

Activity	Engineering Staff			Minimum Average Cost of Service	Maximum Average Cost of Service	Average Cost of Service	Current Fee	Current Cost Recovery Assuming New Fully-Burdened Hourly Rate
	Estimated Minimum Labor Time Per Unit (hours)	Estimated Maximum Labor Time Per Unit (hours)	Estimated Average Labor Time Per Unit (hours)					
Fully-Burdened Hourly Rate	\$199.77							
PUBLIC WORKS DEPARTMENT FEES								
Utility Main, cont...:								
c. Bored - Pit in Pavement								
i. Application (Per Application)	1.00	2.00	1.50	\$ 199.77	\$ 399.55	\$ 299.66		
ii. Plan Check (Per Application)	2.00	8.00	5.00	\$ 399.55	\$ 1,598.20	\$ 998.87		
iii. Inspection (Per Pit)	2.00	8.00	5.00	\$ 399.55	\$ 1,598.20	\$ 998.87		
Total:	5.00	18.00	11.50	\$ 998.87	\$ 3,595.94	\$ 2,297.41	3% of Value, plus \$1,000 per pit	
iv. Additional Plan Check	2.00	8.00	5.00	\$ 399.55	\$ 1,598.20	\$ 998.87		
v. Additional Inspection (Per pit)			0.71	n/a	n/a	\$ 142.70		
d. Bored - Pit Outside Pavement								
i. Application (Per Application)	1.00	2.00	1.50	\$ 199.77	\$ 399.55	\$ 299.66		
ii. Plan Check (Per Application)	2.00	8.00	5.00	\$ 399.55	\$ 1,598.20	\$ 998.87		
iii. Inspection (Time Per Pit)	2.00	6.00	3.00	\$ 399.55	\$ 1,198.65	\$ 599.32		
Total:	5.00	16.00	9.50	\$ 998.87	\$ 3,196.39	\$ 1,897.86	3% of Value, plus \$1,000 per pit	
iv. Additional Plan Check	2.00	8.00	5.00	\$ 399.55	\$ 1,598.20	\$ 998.87		
v. Additional Inspection (Per pit)			0.50	n/a	n/a	\$ 99.89		
Telecommunication Installation Permit			0.50	n/a	n/a	\$ 99.89	\$0	0%

TOWN OF ATHERTON
PUBLIC WORKS DEPARTMENT
User Fee Study
Estimation of Average Cost of Providing Activities and Services

Activity	Engineering Staff			Minimum Average Cost of Service	Maximum Average Cost of Service	Average Cost of Service	Current Fee	Current Cost Recovery Assuming New Fully-Burdened Hourly Rate
	Estimated Minimum Labor Time Per Unit (hours)	Estimated Maximum Labor Time Per Unit (hours)	Estimated Average Labor Time Per Unit (hours)					
Fully-Burdened Hourly Rate	\$199.77							
PUBLIC WORKS DEPARTMENT FEES								
2. Property Improvement Permits and Reviews								
Grading and Drainage	bill hourly	bill hourly	bill hourly	\$200 per hr	\$200 per hr	\$200 per hr	\$2,000	varies
Detention System Annual Report Filing			0.60	n/a	n/a	\$ 119.86	\$0	0%
Detention System Annual Report - Submittals Out of Compliance	1.00	2.00	1.50	\$ 199.77	\$ 399.55	\$ 299.66	\$0	0%
3. Other								
Reviewing and Approving Special Events Application (Public Works Dept Time Only)			0.08	n/a	n/a	\$ 16.65	See Admin Dept. Fee Schedule	n/a
Installing and Removing Banners (1)			2.00	n/a	n/a	\$ 322.44	\$0	0%
Stop Work Order	n/a	n/a	n/a	n/a	n/a	n/a	50% of permit	n/a

(1) Public Works Street Maintenance Division hourly rate of \$161 applied to this service cost.

EXHIBIT F-6

Activity Costs of Service Police Activities

TOWN OF ATHERTON
POLICE DEPARTMENT
User Fee Study
Estimation of Average Cost of Providing Activities and Services

Divisional Fully-Burdened Hourly Rate:

Records/Communications	\$	119.07
Patrol/Investigations	\$	153.83

Activity	Estimated Minimum Labor Time Per Unit (minutes)	Estimated Maximum Labor Time Per Unit (minutes)	Estimated Average Labor Time Per Unit (minutes)	Division/Person Responsible for Providing Service	Minimum Average Cost of Service	Maximum Average Cost of Service	Average Cost of Service	Current Fee	Current Cost Recovery Assuming New Fully-Burdened Hourly Rate
POLICE DEPARTMENT FEES									
1. Processing Request For, and Supplying Copy of, Police Report									
a. Without Photos or Tape Copies			10.00	Records/Communications	n/a	n/a	\$ 20	\$20	101%
b. With Photos or Tape Copies	60.00	480.00	270.00	Records/Communications	\$ 119	\$ 953	\$ 536	\$20	bill hourly
2. Processing Vehicle Releases			30.00	Records/Communications	n/a	n/a	\$ 60	\$40	67%
3. Alarm Registration			30.00	Records/Communications	n/a	n/a	\$ 60	\$25	42%
4. Processing Request for, and Supplying, Alarm Alert Signs			30.00	Records/Communications	n/a	n/a	\$ 60	\$30	50%
5. Processing Request for Garage Sale/Estate Sale Permits			10.00	Records/Communications	n/a	n/a	\$ 20	\$25	126%
6. Processing Fingerprints	15.00	30.00	22.50	Patrol/Investigations	\$ 38	\$ 77	\$ 58	\$15	26%
7. Processing Solicitor Permit (Valid for six months; business license required)	20.00	30.00	25.00	Records/Communications	\$ 40	\$ 60	\$ 50	\$25	50%
8. Supplying After Hours Emergency Construction Permits (Police Dept Time Only) (1)			30.00	Police Chief	n/a	n/a	\$ 150	\$350	233%
9. Special Service Request - Per Event - Only Administrative Time Associated with Processing Request			10.00	Records/Communications	n/a	n/a	\$ 20	\$50	252%
10. Processing Request for, and Supplying, Clearance Letter			10.00	Records/Communications	n/a	n/a	\$ 20	\$0	0%
11. Reviewing and Approving Special Events Application (Police Dept Time Only)			5.00	Police Chief	n/a	n/a	\$ 18	See Admin Dept.	n/a
12. Microfilmed Reports	480.00	4,800.00	2,640.00	Records/Communications	\$ 953	\$ 9,525	\$ 5,239	\$0	bill hourly

(1) Average cost of service estimate includes cost of building department time. Assumes fifteen minutes of building department time at \$209 per hour.

EXHIBIT G-1

Market Comparison of Fees Administrative Fees

TOWN OF ATHERTON
Administration Fees Comparison
Administration Fees

Service	Atherton Current Fee	Hillsborough	Woodside	Portola Valley	Menlo Park	Redwood City	Los Altos Hills
Photocopying (per page)	\$0.10	\$1+\$0.20 Each	\$0.15		\$0.10 (8 ½ x 11 Sheet); \$0.20 (11 x 17 Sheet)		\$0.25 (8 ½ x 11 Sheet); \$2.00 (11 x 17 Sheet)
Returned Checks (NSF)	\$20	\$25 For the 1st \$35 Ea Thereafter + Damages			\$15		\$25 For First Check; \$35 Subsequent
Tape Duplication (per tape)	\$10	\$50 For Police Tapes			Actual		
Notary Fee (per signature)	\$10						
Special Event Application	\$75	\$500 For Fundraising Event Application					
Municipal Code Books	\$100		\$0.15/Page		\$250/Assembled		\$215 + Overhead
General Plan	\$40		\$0.15/Page				\$225
Zoning Ordinance	\$15						\$10
Computer Generated Reports	\$20	\$50	\$0.15/Page				\$40 for CAFR
Certified Copies	\$1						
Photographs (each)	\$10						
Budget or Published Program of Services	\$15	\$50	\$0.15/Page		\$15 (Bound, Mailed)		\$40
Subdivision Ordinance	\$5						\$10
Microfilm (per sheet)	\$2						\$0.75 (Copy)
Town Maps							
14 x 31	\$5						
41 x 91	\$35						\$30 For Public Works Maps
Town Map	\$100						\$30 For Public Works Maps
Record Search (per hour or fraction)	\$20						100% of Staff Time + Overhead of 40%

TOWN OF ATHERTON
Administration Fees Comparison
Administration Fees

Service	Atherton Current Fee	Hillsborough	Woodside	Portola Valley	Menlo Park	Redwood City	Los Altos Hills
Stop-payment Check Fee	\$25						
Lost Check Replacement Fee	\$0						
Business License Processing		.5% of Permit Value - \$20 MIN	\$120-\$250 (Based on Business Type)		\$20 - Original; \$10 - Renewal	\$37 + Unit Fee (Max \$3,030)	\$100-\$270 (Based on Business Type)
Processing Duplicate Business License					\$2		\$50

EXHIBIT G-2

Market Comparison of Fees Building Fees

TOWN OF ATHERTON
Building Permit Fee Comparison

Service	Atherton Current Fee	Hillsborough	Woodside	Portola Valley	Menlo Park	Redwood City	Los Altos Hills
Building Permits: \$1.00 to \$500.00							
a. Permit Fee	\$24	130	\$0.65/sqft - New Const.; See Valuation Table for Remodel Permits	\$24	\$75	\$21	\$140 Plus 0.7% of the Valuation
b. Plan Review Fee	65% of Permit Fee		75% of Permit Fee	65% of Permit Fee	75% of Permit Fee	70% of Permit Fee	65% of Permit Fee
\$501.00 to \$2,000.00							
a. Permit Fee	\$23.50 For the 1st \$500, Plus \$3.05 For Each Add'l \$100	\$130 1st \$4,000+\$14.30 Each Add'l \$1,000 or Fraction to \$25,000	\$0.65/Sqft - New Const.; See Valuation Table for Remodel Permits	\$23.50 For the 1st \$500, Plus \$3.05 For Each Add'l \$100	\$75	\$21 For the 1st \$500+\$2.75 For Each Add'l \$100 or Fraction	\$140 Plus 0.7% of the Valuation
b. Plan Review Fee	65% of Permit Fee	65% of Permit Fee	75% of Permit Fee	65% of Permit Fee	75% of Permit Fee	70% of Permit Fee	65% of Permit Fee
\$2,001.00 to \$25,000.00							
a. Permit Fee	\$69.25 For the 1st \$2,000 Plus \$14.00 For Each Add'l \$1,000	\$130 1st \$4,000+\$14.30 Each Add'l \$1,000 or Fraction to \$25,000	\$0.65/Sqft - New Const.; See Valuation Table for Remodel Permits	\$69.25 For the 1st \$500, Plus \$14.00 For Each Add'l \$1,000	\$75 For the 1st \$2,000+\$14 Each Add'l \$1,000 or Fraction	\$62.25 For the 1st \$2,000+\$12.50 For Each Add'l \$1,000 or Fraction	\$140 Plus 0.7% of the Valuation
b. Plan Review Fee	65% of Permit Fee	65% of Permit Fee	75% of Permit Fee	65% of Permit Fee	75% of Permit Fee	70% of Permit Fee	65% of Permit Fee
\$25,001.00 to \$50,000.00							
a. Permit Fee	\$391.25 For the 1st \$25,000, Plus \$10.10 For Each Add'l \$1,000	\$430.30 1st \$25,000+\$10.21 Each Add'l \$1,000 or Fraction to \$50,000	\$0.65/Sqft - New Const.; See Valuation Table for Remodel Permits	\$391.25 For the 1st \$500, Plus \$10.10 For Each Add'l \$1,000	\$397 For the 1st \$25,000+\$10.10 For Each Add'l \$1,000 or Fraction	\$349.75 For the 1st \$25,000+\$9 For Each Add'l \$1,000 or Fraction	\$140 Plus 0.7% of the Valuation
b. Plan Review Fee	65% of Permit Fee	65% of Permit Fee	75% of Permit Fee	65% of Permit Fee	75% of Permit Fee	70% of Permit Fee	65% of Permit Fee

TOWN OF ATHERTON
Building Permit Fee Comparison

Service	Atherton Current Fee	Hillsborough	Woodside	Portola Valley	Menlo Park	Redwood City	Los Altos Hills
\$50,001.00 to \$100,000.00							
a. Permit Fee	\$643.75 For the 1st \$50,000, Plus \$7.00 For Each Add'l \$1,000	\$685.55 1st \$50,000+\$7.35 Each Add'l \$1,000 or Fraction to \$100,000	\$0.65/Sqft - New Const.; See Valuation Table for Remodel Permits	\$643.75 For the 1st \$500, Plus \$7.00 For Each Add'l \$1,000	\$649.50 For the 1st \$50,000+\$7 For Each Add'l \$1,000 or Fraction	\$574.75 For the 1st \$50,000+\$6.25 For Each Add'l \$1,000 or Fraction	\$140 Plus 0.7% of the Valuation
b. Plan Review Fee	65% of Permit Fee	65% of Permit Fee	75% of Permit Fee	65% of Permit Fee	75% of Permit Fee	70% of Permit Fee	65% of Permit Fee
\$100,001.00 to \$500,000.00							
a. Permit Fee	\$993.75 For the 1st \$100,000, Plus \$5.60 For Each Add'l \$1,000	\$1,053.05 1st \$100,000+\$5.90 Each Add'l \$1,000 or Fraction to \$500,000	\$0.65/Sqft - New Const.; See Valuation Table for Remodel Permits	\$993.75 For the 1st \$500, Plus \$5.60 For Each Add'l \$1,000	\$649.50 For the 1st \$50,000+\$7 For Each Add'l \$1,000 or Fraction	\$887.25 For the 1st \$100,000+\$5 For Each Add'l \$1,000 or Fraction	\$140 Plus 0.7% of the Valuation
b. Plan Review Fee	65% of Permit Fee	65% of Permit Fee	75% of Permit Fee	65% of Permit Fee	75% of Permit Fee	70% of Permit Fee	65% of Permit Fee
\$500,001.00 to \$1,000,000.00							
a. Permit Fee	\$3,233.75 For the 1st \$500,000, Plus \$4.75 For Each Add'l \$1,000	\$3,413.05 1st \$500,000+\$5.00 Each Add'l \$1,000 or Fraction to \$1,000,000	\$0.65/Sqft - New Const.; See Valuation Table for Remodel Permits	\$3,233.75 For the 1st \$500, Plus \$4.75 For Each Add'l \$1,000	\$3,238.50 For the 1st \$500,000+\$4.75 For Each Add'l \$1,000 or Fraction	\$2,887.25 For the 1st \$500,000+\$4.25 For Each Add'l \$1,000 or Fraction	\$140 Plus 0.7% of the Valuation
b. Plan Review Fee	65% of Permit Fee	65% of Permit Fee	75% of Permit Fee	65% of Permit Fee	75% of Permit Fee	70% of Permit Fee	65% of Permit Fee

TOWN OF ATHERTON
Building Permit Fee Comparison

Service	Atherton Current Fee	Hillsborough	Woodside	Portola Valley	Menlo Park	Redwood City	Los Altos Hills
\$1,000,001.00 and up a. Permit Fee	\$5,608.75 For the 1st \$1M, Plus \$3.65 For Each Add'l \$1,000	\$5,913.05 1st \$1,000,000+\$3.75 Each Add'l \$1,000 or Fraction	\$0.65/Sqft - New Const.; See Valuation Table for Remodel Permits	\$5,608.75 For the 1st \$500, Plus \$3.65 For Each Add'l \$1,000	\$5,614.50 For the 1st \$500,000+\$3.15 For Each Add'l \$1,000 or Fraction	\$5,012.25 For the 1st \$1,000,000+\$2.75 For Each Add'l \$1,000 or Fraction	\$140 Plus 0.7% of the Valuation
b. Plan Review Fee	65% of Permit Fee	65% of Permit Fee	75% of Permit Fee	65% of Permit Fee	75% of Permit Fee	70% of Permit Fee	65% of Permit Fee

TOWN OF ATHERTON
Building Fees Comparison
Building, Electrical, Mechanical, and Plumbing Fees

Town of Woodside
Building Permit Valuation Schedule

Valuation (up to \$2,000)	Permit Fee	Plan Check Fee
\$1,000	\$33	\$25
\$1,100	\$36	\$27
\$1,200	\$39	\$29
\$1,300	\$41	\$31
\$1,400	\$44	\$33
\$1,500	\$47	\$35
\$1,600	\$50	\$37
\$1,700	\$53	\$40
\$1,800	\$56	\$42
\$1,900	\$59	\$44
\$2,000	\$70	\$52

Valuation (\$2,000 to \$100,000)	Permit Fee	Plan Check Fee
\$3,000	\$84	\$63
\$4,000	\$98	\$73
\$5,000	\$112	\$84
\$6,000	\$126	\$94
\$7,000	\$140	\$105
\$8,000	\$154	\$115
\$9,000	\$168	\$126
\$10,000	\$182	\$136
\$11,000	\$196	\$147
\$12,000	\$210	\$157
\$13,000	\$224	\$168
\$14,000	\$238	\$178
\$15,000	\$252	\$189
\$16,000	\$266	\$199
\$17,000	\$280	\$210
\$18,000	\$294	\$220
\$19,000	\$308	\$231
\$20,000	\$322	\$241
\$21,000	\$336	\$252
\$22,000	\$350	\$262
\$23,000	\$364	\$273
\$24,000	\$378	\$283
\$25,000	\$392	\$294

Valuation (\$2,000 to \$100,000)	Permit Fee	Plan Check Fee
\$26,000	\$404	\$303
\$27,000	\$416	\$312
\$28,000	\$428	\$321
\$29,000	\$440	\$330
\$30,000	\$452	\$339
\$31,000	\$464	\$348
\$32,000	\$476	\$357
\$33,000	\$488	\$366
\$34,000	\$500	\$375
\$35,000	\$512	\$384
\$36,000	\$524	\$393
\$37,000	\$536	\$402
\$38,000	\$548	\$411
\$39,000	\$560	\$420
\$40,000	\$572	\$429
\$41,000	\$584	\$438
\$42,000	\$596	\$447
\$43,000	\$608	\$456
\$44,000	\$620	\$465
\$45,000	\$632	\$474
\$46,000	\$644	\$483
\$47,000	\$656	\$492
\$48,000	\$668	\$501
\$49,000	\$680	\$510
\$50,000	\$692	\$519
\$51,000	\$704	\$528
\$52,000	\$714	\$535
\$53,000	\$724	\$543
\$54,000	\$734	\$550
\$55,000	\$744	\$558
\$56,000	\$754	\$565
\$57,000	\$764	\$573
\$58,000	\$774	\$580
\$59,000	\$784	\$588
\$60,000	\$794	\$595
\$61,000	\$804	\$603
\$62,000	\$814	\$610
\$63,000	\$824	\$618

Valuation (\$2,000 to \$100,000)	Permit Fee	Plan Check Fee
\$64,000	\$834	\$625
\$65,000	\$844	\$633
\$66,000	\$854	\$640
\$67,000	\$864	\$648
\$68,000	\$874	\$655
\$69,000	\$884	\$663
\$70,000	\$894	\$670
\$71,000	\$902	\$676
\$72,000	\$910	\$682
\$73,000	\$918	\$688
\$74,000	\$926	\$694
\$75,000	\$934	\$700
\$76,000	\$942	\$706
\$77,000	\$950	\$712
\$78,000	\$958	\$718
\$79,000	\$966	\$724
\$80,000	\$974	\$730
\$81,000	\$980	\$735
\$82,000	\$986	\$739
\$83,000	\$992	\$744
\$84,000	\$998	\$748
\$85,000	\$1,004	\$753
\$86,000	\$1,010	\$757
\$87,000	\$1,016	\$762
\$88,000	\$1,022	\$766
\$89,000	\$1,028	\$771
\$90,000	\$1,034	\$775
\$91,000	\$1,040	\$780
\$92,000	\$1,046	\$784
\$93,000	\$1,052	\$789
\$94,000	\$1,058	\$793
\$95,000	\$1,064	\$798
\$96,000	\$1,070	\$802
\$97,000	\$1,076	\$807
\$98,000	\$1,084	\$813
\$99,000	\$1,088	\$816
\$100,000	\$1,094	\$820

\$100,001 and up		
\$1,094 1st \$100,000+\$5 Each Add'l \$1,000 Over \$100,000		

TOWN OF ATHERTON

Building Permit Fee Comparison - Dollar Per Square Foot Valuation Multiplier

Building Fees

Service	Atherton Current Fee	Hillsborough	Redwood City	Los Altos Hills	Burlingame	Millbrae	Foster City	San Bruno	San Carlos
Square Footage Dollar Multiplier for Building Permit Fees:									
New Residential / Addition	\$350	\$250	See Below for Fees	\$155	\$260	Based on Contract Value	Based on Contract Value or \$250 If Contract Amount Is Too Low	\$185 For SFR; \$165 For Multi-Family	\$179
Interior Remodel	\$350	\$175		\$155	\$260	Based on Contract Value	Based on Contract Value or \$250 If Contract Amount Is Too Low		\$90
Garages / Accessory	\$250	\$125	See Below for Various Garage Fees	\$55	\$70	Based on Contract Value	Based on Contract Value or \$250 If Contract Amount Is Too Low	See Below for Various Garage Fees	\$37
Decks			\$27			Based on Contract Value	Based on Contract Value or \$250 If Contract Amount Is Too Low	\$35	\$30
Commercial Shell		Commercial Construction Not Permitted	See Below for Amt. and Then Deduct 20% for Shell Bldg.			Based on Contract Value or \$310 If Contract Amount Is Too Low	Based on Contract Value or \$250 If Contract Amount Is Too Low	See Below for Various Commercial Fees	\$43
Tenant Improvement						Based on Contract Value or \$310 If Contract Amount Is Too Low	Based on Contract Value or \$250 If Contract Amount Is Too Low		\$43

TOWN OF ATHERTON

Building Permit Fee Comparison - Dollar Per Square Foot Valuation Multiplier

Building Fees

Service	Atherton Current Fee	Hillsborough	Redwood City	Los Altos Hills	Burlingame	Millbrae	Foster City	San Bruno	San Carlos
Square Footage Dollar Multiplier for Building Permit Fees:									
Assembly:								\$195 - \$275	
Residential:								\$165 - \$210	
Institutional:								\$210 - \$400	
Commercial and Industrial:								\$90 - \$210	
Apartment Houses:			\$105 - \$140					\$74 - \$127	
Auditoriums:								\$74 - \$107	
Banks:			\$133 - \$188					\$107 - \$152	
Churches:			\$90 - \$127					\$73 - \$102	
Convalescent Hospitals:								\$96 - \$143	
Dwellings:			\$121 - \$123					\$21 - \$112	
Dwellings/Residential: Deck, Covered Patio, Porch			\$27					\$17 - \$35	
Hospitals:								\$128 - \$162	
Hotels and Motels:			\$95 - \$129					\$77 - \$104	
Industrial Plants:			\$39 - \$73						
Medical Offices:			\$110 - \$152					\$89 - \$122	
Offices:			\$87 - \$136					\$70 - \$109	
Private Garages:			\$22 - \$35					\$17 - \$28	
Public Buildings:								\$94 - \$126	
Public Garages:			\$35 - \$63					\$29 - \$50	
Restaurants:			\$109 - \$124					\$88 - \$100	

TOWN OF ATHERTON

Building Permit Fee Comparison - Dollar Per Square Foot Valuation Multiplier

Building Fees

Service	Atherton Current Fee	Hillsborough	Redwood City	Los Altos Hills	Burlingame	Millbrae	Foster City	San Bruno	San Carlos
Square Footage Dollar Multiplier for Building Permit Fees: Service Stations: Stores: Warehouses: Air Conditioning:			\$35 - \$89 \$61 - \$105 \$35 - \$63 \$4 - \$6					\$29 - \$51	

TOWN OF ATHERTON

Comparison of Charges for Fee Related Activities and Services - Fees for Trade Services

Building Fees

Service	Atherton Current Fee	Belmont	Burlingame	Foster City	Menlo Park	San Bruno	San Carlos
Electrical Permit Fees:	\$100						
Residential: New Single Family		\$95 Plus \$.08 Per Sqft	\$37 Plus \$.09 Per Sqft	Based on Per Unit Fee Schedule	\$50 Plus \$.055 Per Sqft	\$50 Plus \$.12 Per Sqft	\$85, Plus \$.08 / Sqft (Minimum \$85)
Residential: Addition & Remodel		Based on Per Unit Fee Schedule		Based on Per Unit Fee Schedule	Based on Per Unit Fee Schedule	Based on Per Unit Fee Schedule	\$85, Plus \$.08 / Sqft (Minimum \$85)
Residential: New Multiple Family		\$95 Plus \$.08 Per Sqft		Based on Per Unit Fee Schedule	\$50 Plus \$.055 Per Sqft	\$50 Plus \$.12 Per Sqft	\$85, Plus \$.08 / Sqft (Minimum \$85)
Commercial: New Shell Building				Based on Per Unit Fee Schedule			\$85, Plus \$.08 / Sqft (Minimum \$85)
Commercial: Addition, Remodel, Tenant Improvement							\$85, Plus \$.08 / Sqft (Minimum \$85)
Commercial: Complex Tenant Improvements (Car Washes, Dry Cleaners, Laundries, Labs, R&D, Biotech, Restaurants, Spray Booths, Hazardous Areas)				Based on Per Unit Fee Schedule			\$250 Plus \$.12 / Sqft (Minimum \$250)
Swimming Pool, Spa, or Hot Tub		\$95 Plus \$262	\$37 Plus \$74 to \$98	\$50.10, Plus \$6.90 Per \$1,000 of Value	\$50 Plus \$40	\$50 Plus \$95	\$85
Temporary Power Pole		\$95 Plus \$87	\$37 Plus \$49	\$50.10 Plus \$34.10		\$50 Plus \$40	\$85
Main Electrical Service		\$95 Plus \$95			\$50 Plus \$20 to \$40		\$128
New or Replacement Circuit for HVAC or Other							\$49
New or Replacement Sub-Panel				\$50.10 Plus \$25.00			\$85
Miscellaneous Electrical Permit		\$95 Plus \$27		\$50.10 Plus \$17.10	\$50 Plus \$15	\$50 Plus \$50	\$85
PV Solar Fee	\$250		\$37 Plus \$318 to \$416		\$50 Plus \$30, Plus Work Done	\$50 Plus \$260 For Up to 3 kW Output, Plus \$60 For Each Additional kW	\$170

TOWN OF ATHERTON

Comparison of Charges for Fee Related Activities and Services - Fees for Trade Services

Building Fees

Service	Atherton Current Fee	Belmont	Burlingame	Foster City	Menlo Park	San Bruno	San Carlos
Plumbing Permit Fees:	\$100						
Residential: New SFR, Addition, and Remodel			\$38 Plus \$.09 Per Sqft	Based on Per Unit Fee Schedule			\$85, Plus \$.08 / Sqft (Minimum \$85)
Residential, New Multiple (2,409 sq. ft. +)			\$38 Plus \$.09 Per Sqft	Based on Per Unit Fee Schedule			\$85, Plus \$.08 / Sqft (Minimum \$85)
Commercial: New Shell Building			\$98 Per Hour	Based on Per Unit Fee Schedule			\$85, Plus \$.08 / Sqft (Minimum \$85)
Commercial: Addition, Remodel, Tenant Improvement			\$98 Per Hour	Based on Per Unit Fee Schedule			\$85, Plus \$.08 / Sqft (Minimum \$85)
Commercial: Complex Tenant Improvements (Car Washes, Dry Cleaners, Laundries, Labs, R&D, Biotech, Restaurants, Spray Booths, Hazardous Areas)			\$98 Per Hour	Based on Per Unit Fee Schedule			\$250 Plus \$.12 / Sqft (Minimum \$250)
Miscellaneous Plumbing Permit		\$95 Plus \$14	\$38 Plus \$33	Based on Per Unit Fee Schedule	\$50 Per Hour		\$85
Swimming Pools, Spas, or Hot Tubs		\$95 Plus \$44 to \$133	\$38 Plus \$147 to \$196		\$50 Plus \$40 to \$50		\$85
Water Heater Replacement		\$95 Plus \$87	\$38 Plus \$49	\$45 Plus \$16	\$50 Plus \$8	\$50 Plus \$20	\$82
Gas Piping System Extension for New FAU or HVAC			\$98 Per Hour				\$49
Mechanical Permit Fees:	\$100						
Residential: New SFR, Addition, New Multiple Family			\$37 Plus \$.09 Per Sqft	Based on Per Unit Fee Schedule			\$85, Plus \$.08 / Sqft (Minimum \$85)
Residential: Kitchen & Bath Remodel				Based on Per Unit Fee Schedule			\$49
Commercial: New Shell Building				Based on Per Unit Fee Schedule			\$85, Plus \$.08 / Sqft (Minimum \$85)
Commercial: Addition, Remodel, Tenant Improvement				Based on Per Unit Fee Schedule			\$85, Plus \$.08 / Sqft (Minimum \$85)
Commercial: Complex Tenant Improvements (Car Washes, Dry Cleaners, Laundries, Labs, R&D, Biotech, Restaurants, Spray Booths, Hazardous Areas)				Based on Per Unit Fee Schedule			\$250 Plus \$.12 / Sqft (Minimum \$250)

TOWN OF ATHERTON

Comparison of Charges for Fee Related Activities and Services - Fees for Trade Services

Building Fees

Service	Atherton Current Fee	Belmont	Burlingame	Foster City	Menlo Park	San Bruno	San Carlos
New FAU or HVAC Installations		Furnaces = \$95 Plus \$23 to \$95; Vents = \$95 Plus \$11 to \$16; Boiler or Compressor = \$95 Plus \$40 to \$134	New Residential = \$37 Plus \$0.09 Per Sqft; Furnaces = \$37 Plus \$49; Vents = \$37 Plus \$16 to \$25; Boiler or Compressor = \$37 Plus \$49; AC = \$37 Plus \$49	Furnaces = \$54 Plus \$34 to \$41; Vents = \$54 Plus \$16; Boilers = \$54 Plus \$33 to \$211; AC = \$54 Plus \$24 to \$41	Furnaces = \$50 Plus \$12 to \$15; Vents = \$50 Plus \$5 to \$10; Boiler or Compressor = \$50 Plus \$12 to \$60	Furnaces = \$50 Plus \$50; Vents = \$50 Plus \$50; Boiler or Compressor = \$50 Plus \$50 to \$95	\$171
Replacement FAU or HVAC		Furnaces = \$95 Plus \$23 to \$95; Vents = \$95 Plus \$11 to \$16; Boiler or Compressor = \$95 Plus \$40 to \$134	Furnaces = \$37 Plus \$49; Vents = \$37 Plus \$16 to \$25; Boiler or Compressor = \$37 Plus \$49; AC = \$37 Plus \$49	Furnaces = \$54 Plus \$34 to \$41; Vents = \$54 Plus \$16; Boilers = \$54 Plus \$33 to \$211; AC = \$54 Plus \$24 to \$41	Furnaces = \$50 Plus \$12 to \$15; Vents = \$50 Plus \$5 to \$10; Boiler or Compressor = \$50 Plus \$12 to \$60	Furnaces = \$50 Plus \$50; Vents = \$50 Plus \$50; Boiler or Compressor = \$50 Plus \$50 to \$95	\$129
Miscellaneous Mechanical		\$95 Plus \$16	\$37 Plus \$25	\$54 Plus \$24	\$50 Plus \$15	\$50 Plus \$50	\$85

EXHIBIT G-3

***Market Comparison of Fees
Planning Fees***

TOWN OF ATHERTON
Planning Fees Comparison
Planning Fees

Service	Atherton Current Fee	Hillsborough	Woodside	Portola Valley	Menlo Park	Redwood City	Los Altos Hills
Conditional Use Permit	Actual Cost, \$1,500 Minimum + \$2,000 Deposit		New - \$1790; Amendment - \$850; Renewal - \$265	Standard - \$420 + \$7,500 Deposit; PUD - \$900+ \$7,500 Deposit; Amendment - \$140+ \$3,500 Deposit	Billed Hourly	\$2,630 - Requiring Pub Hearing; \$400 - Without Pub Hearing	Application - \$1,285, Appeal - \$445, Amendment/Renewal - \$445
Variance	Actual Cost, \$1,500 Minimum + \$2,000 Deposit	\$3,259	New - \$1,900; Add'l Structure - \$1,420; Other - \$750; Add'l Variance, Same Proj - \$420	\$890 + \$3,500 (+ Env. Health) Deposit	Billed Hourly + \$850 Deposit	\$600	Major - \$1,490, Minor - \$720, Fence - \$310
Heritage Tree Removal Permit	Actual Cost, \$1,500 Minimum + \$2,000 Deposit	\$729		\$70	Up to 3 Pmts/Application (Each Tree) - \$125, 4th and Subsequent Pmts/Application (Each Tree) - \$75 + Arborist		
Exception Review	Actual Cost, \$1,500 Minimum + \$1,000 Deposit		Maximum Residence Size - \$900, Setbacks - \$840			\$1,000 Fee Deposit for Sign Exceptions	\$2,345
Excessive Height	Actual Cost, \$1,500 Minimum + \$2,000 Deposit						
Lot Line Redesignation	Actual Cost, \$1,500 Minimum + \$1,000 Deposit						
Lot Line Adjustment	Actual Cost, \$2,500 Minimum + \$1,000 Deposit	\$1,934	\$1,080	\$620 Filing Fee, \$2,500 Deposit (+ Env. Health)	\$200	\$5,000 Initial Deposit	\$1,130.00 Per Resulting Number of Lots

TOWN OF ATHERTON
Planning Fees Comparison
Planning Fees

Service	Atherton Current Fee	Hillsborough	Woodside	Portola Valley	Menlo Park	Redwood City	Los Altos Hills
Subdivision	Actual Cost, \$5,000 Minimum + \$2,500 Deposit	\$16,446+\$158/Lot	2 Lot - \$3,300 + \$2,400 Deposit; 3 Lot - \$3,600 + \$3,000 Deposit; 4 Lot - \$3,900 + \$3,600 Deposit; Prelim. & Ten. Map - \$6,060 + \$6,000 Deposit + \$300 ea. Lot on Ten. Map; Final Map Filing - \$1,350 + 1,800 Deposit; Plan Check - \$300 + \$1,200 Deposit; Inspect. Fee Prior to Start of Work - 6% Deposit of Est. Improvement Costs; Planning Conformance/Inspect. - \$1,200; Revision to Approved Map - \$820 + \$885 Deposit; Extension of Time to File Map - \$240; Extension of Time to Complete Improvements - \$510	\$980-\$1070 Depending on Type of Map	Billed Hourly + Deposit: Minor - \$770, Major - \$1,650	Tentative Subdivision Map - \$5,000 Initial Deposit; Tentative Parcel Map - \$2,500 Initial Deposit	Tentative map - \$1,490 Per Resulting Number of Lots; Time Extension - \$295; Appeal - \$445; Amendment - \$785; Final Map - \$1,130; Final Map Certificate of Correction - \$745
Appeal	Actual Cost, \$750 Minimum + \$1,000 Deposit	\$1,304 With ½ Refund If Upheld	\$400	\$890 + \$1,500 Deposit	Appeal Staff Decision - \$15; Resid. Appeal Planning Commission Decision on Other's Project - \$110; Owner Occ. Appeal Planning Commission Decision on Owner- Occupied House - \$110; All Other - \$250 Deposit, Fee - Hourly Billing Rate	\$270	\$445
School Master Plan	Actual Cost, \$750 Minimum + \$1,000 Deposit	Actual Costs + \$1,000 Deposit					

TOWN OF ATHERTON
Planning Fees Comparison
Planning Fees

Service	Atherton Current Fee	Hillsborough	Woodside	Portola Valley	Menlo Park	Redwood City	Los Altos Hills
Initial Review / Negative Declaration	Actual Cost, \$2,500 Minimum + \$1,000 Deposit	Town Cost	\$980	Environmental Initial Assessment - \$50; Negative Declaration - \$50	Consultant Cost + \$1,250 Deposit	\$5,000 Initial Deposit	Initial Study - \$1,850; Negative Declaration - \$540
Zoning Ordinance Amendment	Actual Cost, \$5,000 Minimum + \$2,500 Deposit	Actual Costs + \$1,000 Deposit	\$2,340 + \$1,200 Deposit	\$400	Billed Hourly + \$2,000 Deposit	\$5,000 Initial Deposit	
General Plan Amendment	Actual Cost, \$5,000 Minimum + \$2,500 Deposit	Town Cost	\$2,340 + \$1,200 Deposit	\$190	\$4,000 Deposit	\$5,000 Initial Deposit	\$1,130
Zoning Review for Home Occupation Business	\$100				City Staff Time Plus 25% Billing & Administration Charge		
Address Change	\$250	Quarterly Approval-House Exists = \$500; Quarterly Approval, Lot is Vacant = \$350; Accelerated, Addition to Above = \$400; Appeal Fee - \$300	\$300		\$25		\$180
Street Easement Vacation	\$1,000		\$630 Fee + \$900 Deposit	\$110		Actual Cost + \$1,000 Deposit	

EXHIBIT G-4

Market Comparison of Fees Parks Fees

TOWN OF ATHERTON
Parks and Recreation Fees Comparison
Parks and Recreation Fees

Service	Atherton Current Fee	Palo Alto	Woodside	Portola Valley	Menlo Park	Redwood City	Los Altos Hills Hidden Villa (Private)
Meetings Facility for approximately 1 - 75 people: Resident	\$200(1/2 Day); \$300+\$25/Hr (Full Day/Weekend)	\$236 (1/2 Day) Without Patio; \$308 (1/2 Day) With Patio; \$88 (1/2 Day) for Kitchen	Independence Hall \$300 (1/2 Day); \$100 Cleaning Deposit	\$300 (1/2 Day), \$250 Deposit	\$244 (1/2 Day) Weekend; \$180 (1/2 Day) Weekday + \$250 Security, Damage, and Cleaning Deposit	\$200 (1/2 Day); \$100 Cleaning Deposit	\$600 Per 8 Hour Day Use (50 People Max - Dana Center); \$700 Per 8 Hour Day Use (35 People Max - Duveneck House)
Non-Resident	\$200(1/2 Day); \$300+\$25/Hr (Full Day/Weekend)	\$356 (1/2 Day) Without Patio; \$464 (1/2 Day) With Patio \$132 (1/2 Day) for Kitchen	For Residents Only	\$380 (1/2 Day), \$250 Deposit	\$328 (1/2 Day) Weekend; \$244 (1/2 Day) Weekday + \$250 Security, Damage, and Cleaning Deposit	\$300 (1/2 Day); \$100 Cleaning Deposit	\$600 Per 8 Hour Day Use
Facility for approximately 1 - 100 people: Resident	\$300(1/2 Day); \$400+\$25/Hr (Full Day/Weekend)	\$280 (1/2 Day) Without Patio; \$308 (1/2 Day) With Patio \$88 (1/2 Day) for Kitchen	Independence Hall \$600 (1/2 Day); \$100 Cleaning Deposit	\$300 (1/2 Day), \$250 Deposit	\$300 (1/2 Day) Weekend; \$224 (1/2 Day) Weekday + \$250 Security, Damage, and Cleaning Deposit	\$300 (1/2 Day); \$100 Cleaning Deposit	No Facilities to Accommodate Guest Size
Non-Resident	\$300(1/2 Day); \$400+\$25/Hr (Full Day/Weekend)	\$420 (1/2 Day) Without Patio; \$464 (1/2 Day) With Patio \$132 (1/2 Day) for Kitchen	For Residents Only	\$380 (1/2 Day), \$250 Deposit	\$404 (1/2 Day) Weekend; \$304 (1/2 Day) Weekday + \$250 Security, Damage, and Cleaning Deposit	\$460 (1/2 Day); \$200 Cleaning Deposit	No Facilities to Accommodate Guest Size
Facility for approximately 101 - 200 people: Resident	\$400(1/2 Day); \$500+\$50/Hr (Full Day/Weekend)	\$280 (1/2 Day) Without Patio; \$308 (1/2 Day) With Patio \$88 (1/2 Day) for Kitchen	Independence Hall \$900 (1/2 Day); \$100 Cleaning Deposit	\$1,200 (Full Day), \$500 Deposit	\$624 (1/2 Day) Weekend; \$452 (1/2 Day) Weekday + \$250 Security, Damage, and Cleaning Deposit	\$400 (1/2 Day); \$300 Cleaning Deposit	No Facilities to Accommodate Guest Size
Non-Resident	\$400(1/2 Day); \$500+\$50/Hr (Full Day/Weekend)	\$420 (1/2 Day) Without Patio; \$464 (1/2 Day) With Patio \$132 (1/2 Day) for Kitchen	For Residents Only	\$1,500(Full Day), \$500 Deposit	\$844 (1/2 Day) Weekend; \$612 (1/2 Day) Weekday + \$250 Security, Damage, and Cleaning Deposit	\$600 (1/2 Day); \$300 Cleaning Deposit	No Facilities to Accommodate Guest Size

TOWN OF ATHERTON
Parks and Recreation Fees Comparison
Parks and Recreation Fees

Service	Atherton Current Fee	Brisbane	Palo Alto	San Mateo County History Museum	Hillsborough Racquet Club (Private)	Los Altos Hills Hidden Villa (Private)
Weddings: Facility for approximately 1 - 100 people: Resident	\$1,500 Per Building + \$250 Security and Damage Deposit	\$126 Per Hour + \$500 Refundable Deposit	5 Hour Exclusive Use Fee = \$1,001 Plus \$196 Per Hour For Each Additional Hour Individual Room/Use Rates Ballroom - \$103/Hr; Outdoor Patio - \$64/Hr; Kitchen - \$22/Hr; Facility Attendant - \$21/Hr (\$26/Hr Holiday, Overtime); \$1,000 Refundable Deposit	Entire Courthouse - \$3,495 (6-8 Hr); First Floor Rotunda (Ceremony) - \$1,995 (6-8 Hr); Courtroom A - \$1,995 (6-8 Hr); Kitchen - \$385 (6-8 Hr); Janitorial Service - \$350; Furniture Moving - \$220; Dinner Table Rental - \$10/Ea; Security Svc - \$35/Guard/Hour (4 Hr Min); \$500-\$1,000 Refundable Security Deposit	\$3,500+\$500 Refundable Deposit, Wedding Ceremony \$300 for Extra Hour	\$1,250 Per Event, \$2,500 For Evening Use (Dana Center); \$4,000 Weekend Special Events, \$2,000 For Use of Lawn Area In Conjunction with Dana Center (Duvneck House)
Non-Resident	\$1,750 Per Building + \$250 Security and Damage Deposit	\$251 Per Hour + \$500 Refundable Deposit	5 Hour Exclusive Use Fee = \$1,502 Plus \$294 Per Hour For Each Additional Hour Individual Room/Use Rates Ballroom - \$155/Hr; Outdoor Patio - \$96/Hr; Kitchen - \$33/Hr; Facility Attendant - \$21/Hr (\$26/Hr Holiday, Overtime); \$1,000 Refundable Deposit	Entire Courthouse - \$3,495 (6-8 Hr); First Floor Rotunda (Ceremony) - \$1,995 (6-8 Hr); Courtroom A - \$1,995 (6-8 Hr); Kitchen - \$385 (6-8 Hr); Janitorial Service - \$350; Furniture Moving - \$220; Dinner Table Rental - \$10/Ea; Security Svc - \$35/Guard/Hour (4 Hr Min); \$500-\$1,000 Refundable Security Deposit	\$3,500+\$500 Refundable Deposit, Wedding Ceremony \$300 For Extra Hour	\$1,250 Per Event, \$2,500 For Evening Use (Dana Center); \$4,000 Weekend Special Events, \$2,000 For Use of Lawn Area in Conjunction with Dana Center (Duvneck House)

TOWN OF ATHERTON
Parks and Recreation Fees Comparison
Parks and Recreation Fees

Service	Atherton Current Fee	Brisbane	Palo Alto	San Mateo County History Museum	Hillsborough Racquet Club (Private)	Los Altos Hills Hidden Villa (Private)
Weddings: Facility for approximately 200 people: Resident	\$1,750 Per Building + \$250 Security and Damage Deposit	\$126 Per Hour + \$500 Refundable Deposit	5 Hour Exclusive Use Fee = \$1,001 Plus \$196 Per Hour for Each Additional Hour Individual Room/Use Rates Ballroom - \$103/Hr; Outdoor Patio - \$64/Hr; Kitchen - \$22/Hr; Facility Attendant - \$21/Hr (\$26/Hr Holiday, Overtime); \$1,000 Refundable Deposit	Entire Courthouse - \$3,495 (6-8 Hr); First Floor Rotunda (Ceremony) - \$1,995 (6-8 Hr); Dining Rooms for 200 - \$2,985 (Courtroom A & Atkinson Meeting Room)(6-8 Hr); Kitchen - \$385 (6-8 Hr); Janitorial Service - \$350; Furniture Moving - \$220; Dinner Table Rental - \$10/Ea; Security Svc - \$35/Guard/Hour (4 Hr Min); \$500-\$1,000 Refundable Security Deposit	\$4,000+\$500 Refundable Deposit, Wedding Ceremony \$300 for Extra Hour	No Facilities to Accommodate Guest Size
Non-Resident	\$2,000 Per Building + \$250 Security and Damage Deposit	\$251 Per Hour + \$500 Refundable Deposit	5 Hour Exclusive Use Fee = \$1,502 Plus \$294 Per Hour for Each Additional Hour Individual Room/Use Rates Ballroom - \$155/Hr; Outdoor Patio - \$96/Hr; Kitchen - \$33/Hr; Facility Attendant - \$21/Hr (\$26/Hr Holiday, Overtime); \$1,000 Refundable Deposit	Entire Courthouse - \$3,495 (6-8 Hr); First Floor Rotunda (Ceremony) - \$1,995 (6-8 Hr); Dining Rooms for 200 - \$2,985 (Courtroom A & Atkinson Meeting Room)(6-8 Hr); Kitchen - \$385 (6-8 Hr); Janitorial Service - \$350; Furniture Moving - \$220; Dinner Table Rental - \$10/Ea; Security Svc - \$35/Guard/Hour (4 Hr Min); \$500-\$1,000 Refundable Security Deposit	\$4,000+\$500 Refundable Deposit, Wedding Ceremony \$300 for Extra Hour	No Facilities to Accommodate Guest Size

EXHIBIT G-5

Market Comparison of Fees Public Works Fees

TOWN OF ATHERTON
Public Works Fees Comparison
Public Works Fees

Service	Atherton Current Fee	Hillsborough	Woodside	Portola Valley	Menlo Park	Redwood City	Los Altos Hills
Encroachment Permits		A. Application - \$25, B. Inspection (Based on Cost of Improvement) - Actual- 120 MIN (i) Less Than \$5000 - 3% of Cost of Improvement (ii) \$5,001-\$10,000 - \$150 +2% of Cost Over \$5,000 (iii) More Than \$10,000 - \$250 +1.5% of Cost Over \$10,000, C. Revocable Encroachment Permit - \$1,200	\$60, \$300 Deposit (+\$500 Bond)	\$180, \$300/\$1,000 Deposit	<u>Minor Encroachments - \$400</u> (Non-Dev. Curb, Gutter, Sidewalk, Driveway; One Lateral Street Opening; Routine Maintenance by Utility Co.; Street Tree Planting), <u>Major Encroachments - \$700 + 3% Cost of Engineers' Estimate</u> (Requiring Extended Traffic Impact, Mult. Intersections, or Other Disturbances e.g. Utility Mains, Street Widening and Major Undergrounding)	Actual - \$800 Min Deposit, (Engineering Services Provided on "Actual Cost" Basis. Actual Cost is the Direct Salary Charged for the Personnel Providing the Services, Plus 120% Thereof for Fringe Benefits and Overhead Expense. Refund of Balance Will Be Made After Project Completion; Additional Charges May Also Apply.)	Application - \$560; Trenching Fee - \$16/Linear Foot of Standard Trench or \$400, Whichever Is Greater; Fence, Wall, Irrigation, Driveway Cuts - \$16/Linear Foot of Easement Precluded From Public Use or \$595, Whichever Is Smaller
a. Driveway Connection to Street: Without Driveway Culvert	\$550						
With Driveway Culvert	\$750						
b. ROW Landscaping, Fence, Etc.	\$550						
c. Connection to Storm Drain or Atherton Channel							
Open Cut in Pavement	\$550 + Utility Lateral Fee Where In the Street						
Open Cut Outside Pavement	\$550						
Bored Pit	\$550 + Utility Lateral Fee Where In the Street						

TOWN OF ATHERTON
Public Works Fees Comparison
Public Works Fees

Service	Atherton Current Fee	Hillsborough	Woodside	Portola Valley	Menlo Park	Redwood City	Los Altos Hills
d. Utility Lateral: Open Cut in Pavement Open Cut Outside Pavement Bored Pit/Trench e. Utility Main: Open Cut Bored - Pit in Pavement Bored - Pit Outside Pavement	\$10/Ln. Ft. \$550 Min. \$10/Ln. Ft. \$550 Min. \$550 3% of Value, Plus \$10/Ln. Ft. \$550 Min. 3% of Value, Plus \$1,000 Per Pit 3% of Value, Plus \$1,000 Per Pit						
Property Improvement Permits and Reviews a. Grading and Drainage	\$2,000	Application Fee - \$100; Plus Permit Fee (i) Less Than 500 Cubic Yds To Be Moved - \$1,054, (ii) 500- 1,499 Cubic Yds To Be Moved - \$1,226, (iii) Greater Than 1,500 Cubic Yds To Be Moved - \$3,337; For Projects Disturbing More Than One Acre (In Addition To Grading Plan Check and Inspection Fees) - \$774	\$300+\$1 Per CY In Excess of 100CY; \$600 Deposit	Permit - \$70, Plan Review - \$110	A. Up to \$207 For the 1st 1,000CY; B. 1,001- 10,000CY - \$226 For 1st 2,000, \$13 Each Add'l 1,000CY; C. 20,001- 200,000 - \$344 For 1st 20,000, \$99 Each Add'l 10,000CY; D. More Than 200,000CY: Add \$55.00 For Each Additional 10,000CY		

EXHIBIT G-6

Market Comparison of Fees Police Fees

TOWN OF ATHERTON
Police Fees Comparison
Police Fees

Service	Atherton Current Fee	Hillsborough	Woodside (by San Mateo Sheriff)	Portola Valley (by San Mateo Sheriff)	Menlo Park	Redwood City	Los Altos Hills (by Santa Clara Sheriff)
Police Report	\$20		\$0.10/Page	\$0.10/Page		\$10/8 Pages; \$1/Page Thereafter	1st 50 Pages Free; \$0.10/Page Thereafter
Vehicle Releases	\$40	\$40	\$35 Impound Fee; \$15 Repossessed Fee	\$35 Impound Fee; \$15 Repossessed Fee		\$75	\$189 30 Day Impounds; \$95 All Stored Vehicles
Alarm Alert Signs	\$30						
Garage Sale Permits	\$25						
Fingerprints	\$15	\$18	\$18	\$18		\$15/card	\$20
Solicitor Fees	\$25						
Real Estate Signs	\$25				\$20		
Permit to Carry Concealed Weapon ("CCW")	\$0	\$125				\$65 For Inkprints; \$50 For Livescan	
False Alarm Response	\$0	1st & 2nd Free; 3rd Through 5th \$100 Each; 6th and Above \$200 Each			\$95 For Standard Response; \$174 For High Risk Response	\$0 For 1st Three Responses; \$100 For Each Additional Response	
Alarm Reinstatement	\$0	\$200					
Alarm School	\$0	\$30					
Alarm Monitoring Fee	\$0	\$24 Per Month					
Citation Sign-Off	\$0				\$15		\$15



Town of Atherton

CITY COUNCIL STAFF REPORT

TO: HONORABLE MAYOR AND CITY COUNCIL

FROM: JEROME D. GRUBER, CITY MANAGER

DATE: FOR THE REGULAR MEETING OF NOVEMBER 18, 2009

SUBJECT: AUDIT COMMITTEE APPOINTMENT

RECOMMENDATION:

Appoint new member to the Audit Committee to complete term of Chairman Sam Goodman who resigned which expires April 30, 2010.

BACKGROUND:

City Council held a special meeting on Saturday, April 4, 2009 for Committee and Commission appointments. At the special meeting Council appointed Rose Hau, Jim Massey and Dr. Sam Goodman to the Audit Committee. Sam Goodman was elected Chair of the Audit Committee. Sam Goodman has informed Town staff that he is moving out of the Town of Atherton and resigned as Chairman of the Audit Committee.

DISCUSSION:

Interview candidates for the:

Audit Committee: Bill Widmer, Randy Lamb

I have attached a summary of the Audit Committee, the Audit Committee section of the Town Roster, and the applications received for your review.

ALTERNATIVES:

1. Set a future special meeting for Audit Committee interviews

2. Begin a new round of recruitment for a new Audit Committee member
3. Appoint applicant without interviews.

ATTACHMENTS:

- 1-Summary of Audit Committee
- 2-Applications

Prepared by:

Approved by:

Theresa DellaSanta
Deputy City Clerk

Jerome D. Gruber
City Manager

Audit Committee

- The Audit Committee shall have the following powers and duties:
- a. Act in an advisory capacity and make recommendations to the City Council upon request in all matters pertaining to the Town’s annual audit;
 - b. Provide oversight of the annual audit and present and explain the audit to the City Council with recommendations as to acceptance;
 - c. Advise City Council regarding appointment of outside auditors for annual audit;
 - d. Review proposed audit scope with outside auditors prior to commencement of annual audit.

The Audit Committee shall have the following composition and terms: Consists of five (5) members, including two (2) Council Members of the Finance Committee, and three (3) appointed members. The term of office for all appointed members shall end on April 30, 2008. Thereafter, one term shall be for two (2) years ending in April, 2010. The remaining terms shall be for four (4) years ending in April, 2012. Thereafter, the term of office shall be four (4) years. The committee meets as needed in the Conference Room of the Town Administrative Offices.

<u>Names/Address</u>	<u>Contact Information</u>	<u>First Appointed</u>	<u>Current Term Expires</u>
Kathy McKeithen <i>Vice Mayor</i> 11 Maple Leaf Way	Hm (650) 321-3633 Fax (650) 322-8111 kmckeithen@ci.atherton.ca.us		
Jerry Carlson <i>Mayor</i> 95 Mt. Vernon Lane	Hm (650) 321-1327 Cell (650) 743-1573 jcarlson@ci.atherton.ca.us		
Elizabeth Lewis (Alt.) <i>Council Member</i> 99 Alejandra Avenue	Cell (650) 533-8830 lizlew08@gmail.com		
Rose Hau 15 Isabella Ave	Hm (650) 325-6840 rhauaia@aol.com	04/15/09	04/30/12
Jim Massey 7 Lloyd Drive	Hm (650) 323-7812 Cell (650) 207-5120 jim@masters8.com	04/15/09	04/30/12
VACANT			04/30/10

TOWN OF ATHERTON

APPLICATION FOR APPOINTMENT TO COMMISSION OR COMMITTEE

Name: Randy Lamb

Address: 224 Park Lane, Atherton, Ca.

Home Telephone: 650-327-2648

Date: 9-29-09

Work Telephone: 650-326-1600

Are you registered to vote in the Town of Atherton? Yes X No

I am applying for a position on the (check one):

- | | |
|---|---|
| <input type="checkbox"/> Planning Commission | <input type="checkbox"/> Park and Recreation Commission |
| <input type="checkbox"/> General Plan Committee | <input type="checkbox"/> Arts Committee |
| <input checked="" type="checkbox"/> Other: <u>Audit Committee</u> | |

TO THE APPLICANT:

This application form is intended to provide you with information about the body on which you would like to serve. The completed application will also help the interviewing Council Members learn more about you. In responding to the questions here, please feel free to use separate sheets of paper to expand on your answers if you wish to do so.

1. Why do you want to serve on the body for which you are submitting your application? What particular skills, interest or experience would you bring to it if selected?

I run a small business and numerous partnerships and am acutely aware that financial accountability is crucial to any organization's success. The town is no different in its need for accountability, especially given the current circumstances within the financial sector. It is an asset to have a strong audit committee to act as an advisory entity to the city council.

2. Have you attended any meeting of the body on which you wish to serve?

Yes No

3. Have you reviewed the minutes of the past meetings of the body on which you wish to serve? (Minutes and past agendas of Town bodies are available for review at Town Hall during normal business hours.)

Yes No

4. Have you spoken with any current or former members of the body on which you wish to serve about service on that body?

Yes No

5. Do you believe that other time demands might interfere with your ability to devote the time necessary to serve if you are selected?

Yes No

6. Vacancies occur periodically on Town bodies. If you are not selected for the position for which you are applying, would you like to be considered for future vacancies occurring within one year of the date of this applications?

No Yes, for (check as many as you wish):

- Planning Commission
- Park and Recreation Commission
- General Plan Committee
- Arts Committee
- Other: _____

FOR YOUR INFORMATION:

The two-member screening committee of the Council will interview all applicants, if feasible. The Committee makes its recommendation of the person or persons to fill the existing vacancies to the full Council. The recommendation is not binding, although it is usually followed. Council Members may nominate others for appointment.

Council Members and Planning Commissioners must annually file a "Statement of Economic Interests", which is a public document and is forwarded to the Fair Political Practices Commission. All members of Town Commissions/Committees must be registered voters and reside in Atherton.

Service on Town bodies is without compensation. Application for reimbursement by the Town for expenses incurred in Town service may be made on forms available from the City Clerk. There is no assurance that expenses will be reimbursed.

Length of service on Town bodies is controlled by ordinance or resolution. Persons appointed may be reappointed within the restrictions of the ordinance. The fact that an individual is appointed does not necessarily mean the individual will be re-appointed. Copies of appropriate ordinances, (and statutes, if applicable) are available from the City Clerk.

Thank you for your interest in serving the Town of Atherton.

TOWN OF ATHERTON

APPLICATION FOR APPOINTMENT TO COMMISSION OR COMMITTEE

Date: 16 August 2009

Name: Wm. R. (Bill) Widmer

Address: 158 Glenwood Av, Atherton

Home Telephone: 650 853 8408 Work Telephone: 650 387 5578

E-mail address (optional): _____

Are you registered to vote in the Town of Atherton? Yes No

I am applying for a position on the (check one):

- Planning Commission
- Park and Recreation Commission
- General Plan Committee
- Arts Committee
- Audit Committee
- Other: Finance

TO THE APPLICANT:

This application form is intended to provide you with information about the body on which you would like to serve. The completed application will also help the interviewing Council Members learn more about you. In responding to the questions here, please feel free to use separate sheets of paper to expand on your answers if you wish to do so.

1. Why do you want to serve on the body for which you are submitting your application?
What particular skills, interest or experience would you bring to it if selected?

In certain times, it is necessary to have an outside view on business and spending. I have recently begun looking into the town's operating plan and have offered suggestions. I have created and managed P&L's for \$200m p.a. businesses. I have an MBA from Texas Christian University.

2. Have you attended any meeting of the body on which you wish to serve?

Yes No

But have attended other committees meetings

3. Have you reviewed the minutes of the past meetings of the body on which you wish to serve? (Minutes and past agendas of Town bodies are available for review on the Town website at www.ci.atherton.ca.us and at Town Hall during normal business hours.)

Yes No

4. Have you spoken with any current or former members of the body on which you wish to serve about service on that body?

Yes No

5. Do you believe that other time demands might interfere with your ability to devote the time necessary to serve if you are selected?

Yes No

6. Vacancies occur periodically on Town commissions and committees. If you are not selected for the position for which you are applying, would you like to be considered for future vacancies occurring within one year of the date of this application?

No Yes, for (check as many as you wish):

- Planning Commission
- Park and Recreation Commission
- General Plan Committee
- Audit Committee
- Arts Committee
- Other: _____

FOR YOUR INFORMATION:

The two-member screening committee of the City Council will interview all applicants, if feasible. The Committee makes its recommendation of the person or persons to fill the existing vacancies to the full Council. The recommendation is not binding, although it is usually followed. Council Members may nominate others for appointment.

Council Members and Planning Commissioners must annually file a "Statement of Economic Interests", which is a public document and is forwarded to the Fair Political Practices Commission. All members of Town Commissions/Committees must be registered voters and reside in Atherton.

Service on Town bodies is without compensation. Application for reimbursement by the Town for expenses incurred in Town service may be made on forms available from the City Clerk. There is no assurance that expenses will be reimbursed.

Length of service on Town bodies is controlled by ordinance or resolution. Persons appointed may be reappointed within the restrictions of the ordinance. The fact that an individual is appointed does not necessarily mean the individual will be re-appointed. Copies of appropriate ordinances, (and statutes, if applicable) are available from the City Clerk.

Thank you for your interest in serving the Town of Atherton.



ITEM NO. 22

Town of Atherton

CITY COUNCIL STAFF REPORT

TO: HONORABLE MAYOR AND CITY COUNCIL

FROM: JEROME D. GRUBER, CITY MANAGER

DATE: FOR THE REGULAR MEETING OF OCTOBER 21, 2009

SUBJECT: ARTS COMMITTEE APPOINTMENT

RECOMMENDATION:

Appoint Edwin Ullman to the Arts Committee for a term to expire April 30, 2012.

BACKGROUND:

City Council held a special meeting on Saturday, April 4, 2009 for Committee and Commission appointments. At the special meeting Council appointed Larry Colof to one of the 7 open vacancies to the 10 member Committee. The Arts Committee currently has 6 vacancies and would like to fill one by appointment of Edwin Ullman.

ALTERNATIVES:

1. Set a future special meeting for Audit Committee interviews
2. Begin a new round of recruitment for a new Audit Committee member
3. Appoint applicant without interviews.

ATTACHMENTS:

- 1-Summary of Arts Committee
- 2-Applications

Prepared by:

Approved by:

Theresa DellaSanta
Deputy City Clerk

Jerome D. Gruber
City Manager

ARTS Committee

- Authority: Resolution No. 09-09 adopted on February 18, 2009, and amended on April 15, 2009 governs the Committee; (Resolution No. 08-24 and Resolution No. 98-06 were rescinded).
- Membership: Up to ten members, each a resident of the Town, appointed by and serving at the pleasure of the City Council.
- Term of Office: Five (5) members shall be appointed to a four (4)-year term commencing in 2008 and ending on April 30, 2012. The remaining members’ terms shall be three (3) years commencing in 2008 and ending on April 30, 2011. Thereafter, each term of office shall be four (4) years.
- Duties: Act in an advisory capacity and make recommendations to the City Council upon request in matters regarding art awareness including, without limitation, the following goals and objectives:
- a. Fulfill the requirements of the Rita Corbett-Evans estate;
 - b. Develop a unique arts program specific to the needs of Atherton and the surrounding community;
 - c. Provide a base and focal point for arts programs in Atherton;
 - d. Include a multi-disciplinary range of artistic endeavors including fine, performing, and literary arts, as well as crafts.
- Appointment: The members of the Committee are appointed by the City Council.
- Compensation: The members of the Committee receive no compensation.
- Meetings: The Committee meets on the fourth Tuesday of each month, at 1:00 p.m., in the Holbrook-Palmer Park Garden Room (150 Watkins Avenue) unless a special meeting in compliance with the provisions of the Brown Act is called by the committee chair.

<u>Names/Address</u>	<u>Contact Information</u>	<u>First Appointed</u>	<u>Current Term Expires</u>
Jean S. Schaaf 29 Stockbridge Avenue	Hm (650) 363-1223 Fax (650) 364-5592 jasssprigll@earthlink.net	05/09/01	04/30/12
Samira Nawas-Plesman 46 Greenoaks Drive	Hm (650) 322-8883 Fax (650) 322-8889 snawasplesman@aol.com	07/18/01	04/30/12
Betty Ullman 135 Selby Lane	Hm (650) 369-8085 betzu@earthlink.net	10/21/04	04/30/12

Larry Calof
126 Stockbridge Ave

Hm (650) 366-7560
lcalof@earthlink.net

04/04/09

04/30/12

1 VACANT SEAT

04/30/12

5 VACANT SEATS

04/30/11

TOWN OF ATHERTON

APPLICATION FOR APPOINTMENT TO COMMISSION OR COMMITTEE

Date: Oct 20, 2009

Name: Edwin F. Ullman

Address: 135 Selby Lane Atherton

Home Telephone: 650 3698085 Work Telephone:

E-mail address (optional): tullman@earthlink.net

Are you registered to vote in the Town of Atherton? Yes No

I am applying for a position on the (check one):

- Planning Commission
- Park and Recreation Commission
- General Plan Committee
- Arts Committee
- Audit Committee
- Other: _____

TO THE APPLICANT:

This application form is intended to provide you with information about the body on which you would like to serve. The completed application will also help the interviewing Council Members learn more about you. In responding to the questions here, please feel free to use separate sheets of paper to expand on your answers if you wish to do so.

1. Why do you want to serve on the body for which you are submitting your application? What particular skills, interest or experience would you bring to it if selected?
Art collector. Aspiring artist, work in clay, wood, photography
Chair Art Committee, Syva Co.
Executive Committee, VP Research, Syva Co 30 Yrs.
For past 4 years have designed post cards, posters, and
floor plans for art show sponsored by The Atherton
Art Committee
2. Have you attended any meeting of the body on which you wish to serve?
 Yes No
3. Have you reviewed the minutes of the past meetings of the body on which you wish to serve? (Minutes and past agendas of Town bodies are available for review on the Town website at www.ci.atherton.ca.us and at Town Hall during normal business hours.)
 Yes No

Printed Name: Edwin F. Ullman Address: 135 Selby Lane, Atherton, CA 94501 Telephone: 650-369-8085 E-mail: tullman@earthlink.net

4. Have you spoken with any current or former members of the body on which you wish to serve about service on that body?

Yes () No

5. Do you believe that other time demands might interfere with your ability to devote the time necessary to serve if you are selected?

() Yes No

6. Vacancies occur periodically on Town commissions and committees. If you are not selected for the position for which you are applying, would you like to be considered for future vacancies occurring within one year of the date of this application?

No () Yes, for (check as many as you wish):

- () Planning Commission
- () Park and Recreation Commission
- () General Plan Committee
- () Audit Committee
- () Arts Committee
- () Other: _____

FOR YOUR INFORMATION:

The two-member screening committee of the City Council will interview all applicants, if feasible. The Committee makes its recommendation of the person or persons to fill the existing vacancies to the full Council. The recommendation is not binding, although it is usually followed. Council Members may nominate others for appointment.

Council Members and Planning Commissioners must annually file a "Statement of Economic Interests", which is a public document and is forwarded to the Fair Political Practices Commission. All members of Town Commissions/Committees must be registered voters and reside in Atherton.

Service on Town bodies is without compensation. Application for reimbursement by the Town for expenses incurred in Town service may be made on forms available from the City Clerk. There is no assurance that expenses will be reimbursed.

Length of service on Town bodies is controlled by ordinance or resolution. Persons appointed may be reappointed within the restrictions of the ordinance. The fact that an individual is appointed does not necessarily mean the individual will be re-appointed. Copies of appropriate ordinances, (and statutes, if applicable) are available from the City Clerk.

Thank you for your interest in serving the Town of Atherton.



Town of Atherton

Item No. 23

CITY COUNCIL STAFF REPORT

TO: HONORABLE MAYOR AND CITY COUNCIL

FROM: JEROME D. GRUBER, CITY MANAGER

DATE: FOR THE MEETING OF NOVEMBER 18, 2009

SUBJECT: APPROVAL OF "NEED FOR ADDITIONAL PUBLIC SERVICE SPACE" REPORT FROM THE BLUE RIBBON TASK FORCE

RECOMMENDATION:

Accept the Report from the Blue Ribbon Task Force on the Need for Additional Public Service Space, dated October 2009 and Provide Possible Future Direction or Potential Disbandment.

BACKGROUND:

Council approved a Blue Ribbon Task force at the May 21, 2008 Council meeting. The Blue Ribbon Task Force was created to solicit input and evaluate the feasibility of fundraising options for a new Town Center including economic feasibility and operational feasibility.

The Blue Ribbon Task Force held its first meeting on August 28, 2008 where they discussed the purpose of the Blue Ribbon Task Force and began evaluating the current facilities, financing options and public input. At the October 5, 2009 Blue Ribbon Task Force meeting, members approved the final report and voted to present the report to Council at its November 2009 meeting.

ANALYSIS:

The Blue Ribbon Task Force is requesting that Council accept the "Need for Additional Public Service Space" report dated October 5th and potentially give the Task Force further direction. Blue Ribbon Task Force member William Grindley will give the Council a Power Point presentation.

ALTERNATIVES:

1. Accept the Report from the Blue Ribbon Task Force on the Need for Additional Public Service Space, dated October 2009 and Provide Possible Future Direction
2. Accept the Report from the Blue Ribbon Task Force on the Need for Additional Public Service Space, dated October 2009 and Potential Disband the Blue Ribbon Task Force.



THE NEED FOR ADDITIONAL PUBLIC SERVICES SPACES

REPORT OF THE BLUE RIBBON TASK FORCE

TOWN OF ATHERTON
October 5, 2009

– Executive Summary –

The Blue Ribbon Task Force (BRTF) finds that, at present, Atherton has about 13,700 square feet of offices and facilities from which it serves the public. The last construction of a permanent facility was in 1965; and the interim has seen only prefabricated or 'temporary' facilities. For reasons of both residents' demand as well as state and federal laws, Atherton's public employment in the past 45 years has essentially doubled.

Today Atherton needs about 25,000 square feet of offices, conference rooms and specialty spaces – especially for its' police force and dispatch center. The estimated costs of new facilities would be approximately \$15M as of late 2008-early 2009.

BRTF makes twenty-two recommendations to Council. These are partitioned into three distinct segments. They relate to the arguments in this report found in Chapters II, III and IV that are for and against each issue that arose. They are:

Recommendations Concerning Chapter II – The Need And Community Support For A New Town Center

Recommendation On Issue 2.1 – Does The Present Out of Code Status Of Atherton's Public Facilities Spaces Risk Liability Suits? – The BRTF finds the present facilities do not meet several building and other codes, and recommends to Council that whatever is built be upgraded to be code conforming and considered high priority.

Recommendation On Issue 2.2 – Do Residents Really Want Additional Public Services And Police Department Spaces? – The BRTF finds that those residents who either attended its' public outreach programs in late 2008, or took the tour of the present facilities, support the need for additional facilities for public services and recommends to Council that the town build space for those functions.

Recommendation On Issue 2.3 – Does The Town Really Need 25,000 Square Feet Of Public Services Space? – The BRTF finds the estimates represented in Figure 1 acceptable, and recommends to Council that these provide the guidelines for space planners and architects' further work.

Recommendation On Issue 2.4 – Must The Town Expand Its' Present Spaces To Meet Local, State And Federal Demands And Mandates? – The BRTF finds that any and all facility improvements or expansion meet

current codes, and recommends that Council adopts that policy in guidelines for additional space.

Recommendation On Issue 2.5 – Does Atherton Need To Build More Office And Storage Space To Maintain Or Increase Productivity? – The BRTF finds productivity is probably negatively affected by its' present facilities and recommends to Council that additional space built that overcomes this impact.

Recommendation On Issue 2.6 – Is The Town Handicapped In Its' Employee Recruitment And Retention By Not Having Enough Or Code Conforming Space? – The BRTF finds the Town's present facilities may handicap recruitment and recommends Council support the construction of code-conforming facilities to resolve this issue.

Recommendations Concerning Chapter III – Potential Characteristics Of A New Town Center

Recommendation On Issue 3.1 – Should Atherton Have Newly Constructed Public Service Buildings, Or Remodel Those Presently Occupied? – The BRTF finds evidence convincing from two prior studies (G4 of 1995 and Edward Gee of 2006) that concluded building new facilities is most likely less expensive than trying to remodel present ones and recommends to Council that the town build new facilities and not attempt to remodel its' present non-code conforming and 'temporary' buildings.

Recommendation On Issue 3.2 – Should Atherton Preserve Its' 1920s Council Chambers Building? – The BRTF recommends to Council that the building presently used as the Town's Council Chambers be preserved for town use.

Recommendation On Issue 3.3 – Should The Proposed Town Center Be Located In Holbrook Palmer Park? – The BRTF finds that while a Holbrook Palmer park site was considered, the BRTF recommends to Council that a new Town Center occupy the area where Town facilities are presently located.

Recommendation on Issue 3.4 – Would Building A New Town Center Be Affected By The Possibility Of High Speed Rail? The BRTF finds that the uncertainty of High Speed Rail (HSR) should not stop the Town's efforts to build additional facilities and recommends to Council that it make every effort to coordinate its' own building program with current, best available knowledge on HSR's plans.

Recommendation on Issue 3.5 – Should The New Town Center Be A Single Building Or Pavilions? – The BRTF finds the increased entry-exit

control and potential energy savings favor a single building over a pavilion concept and recommends to Council that unless economic hardship favors constructing in stages, a single building would express the BRTF's preference.

Recommendation On Issue 3.6 – Should The Town Build Expansion Space In The Facilities? – The BRTF finds that expansion space, not to be construed as rental space, should be an integral part of planning for additional facilities and recommends that Council have the architects and planners for the town center consider such.

Recommendation On Issue 3.7 – Should Residents' Preferences For Planning And Architectural Features – As Gathered By BRTF In 2008-09 – Be Recommended To Council As Guidelines For Planning The Town Center? – The BRTF finds its' survey efforts fruitful and recommends to Council that Council should consider residents' suggestions as guidelines. This includes accepting the findings that the facilities should meet LEED Gold Standards, and that the town center's buildings should be of a style referred to as Spanish, Mission or Mediterranean architecture.

Recommendations Concerning Chapter IV – Financing Aspects Of A New Town Center

Recommendation On Financing Issue 4.1 – The BRTF finds there are several methods and sources of finance for a new town center, and recommends that Council appoint a finance committee to find and secure the optimal mix of those to insure adequate resources at a minimal cost to the city.

Recommendation On Financing Issue 4.2 – Should Atherton Use A Municipal Bond To Finance A Town Center? – The BRTF finds such a mode of finance should be investigated, as should all other possible means; and recommends that Council appoint a finance committee for a new town center to do so at the earliest possible date.

Recommendation On Financing Issue 4.3 – Should Atherton Use A Mortgage To Finance All Or Part Of A Town Center? – The BRTF finds such a mode of finance should be investigated, as should all other possible means; and recommends that Council appoint a finance committee for a new town center to do so at the earliest possible date.

Recommendation On Financing Issue 4.4 – Should The Town Have A Special Tax To Pay For The New Town Center? – The BRTF finds such a mode of finance should be investigated, as should all other possible means; and recommends that Council appoint a finance committee for a new town center to do so at the earliest possible date.

Recommendation On Financing Issue 4.5 – Could Atherton Use ‘Surplus’ Building Department Funds To Finance All Or Part Of A Town Center? – The BRTF finds that, as of early September 2009, it does not have information from Council on the ‘legitimacy’ and quantity of funds available through this potential source, and recommends to Council that it pass such information on to BRTF at the earliest possible time.

Recommendation On Financing Issue 4.6 – Could Atherton Use Library Donor City Funds To Help Finance A Town Center? – The BRTF finds that JPA and Atherton City Council rulings on this issue are confusing; but after consideration recommends to Council that Library Donor Funds not be used to finance the Town Center.

Recommendation On Financing Issue 4.7 – Could Atherton’s Public Service Facilities Include Rental Mailboxes To Offset Costs? – The BRTF finds that mailboxes could be a viable financial benefit with few substantial environmental or construction costs, and recommends to Council that it direct its’ architects and planners to include space for rental mailboxes in the designs.

Recommendation On Financing Issue 4.8 – Should The Town’s Facilities Have Commercial Rental Space To Offset Their Costs? – The BRTF finds that such space would have negative congestion impacts and recommends to Council that no expansion space that could be used for rental income be part of the new Town Center.

Recommendation On Financing Issue 4.9 – Could Atherton Use Public Works Fees As A Source Of Funds For The Town Center? – The BRTF finds that such fees may, like those of the Building Department, be a source of funds for a new town center and recommends to Council that this source be investigated and confirmed with auditors.

Recommendation On Financing Issue 4.10 – Should The Town Solicit Donations From Individuals, Foundations And Corporations For A Town Center? – The BRTF finds there are positive reasons to have a finance committee pursue private donors and recommends to Council that such action be taken at the earliest possible date.

BRTF respectfully submits this report to the Atherton Town Council and stands ready to assist in its’ recommendations for action.

Atherton, California
October 2009

– Introduction – How To Read This Report

After the Executive Summary and discussion of the formation and mission of the Blue Ribbon Task Force, the report follows the following format –

In Chapter I, the results of a BRTF study on the estimated space needs and their costs are presented. This analysis compares what floor space each department has, as well as needs in late 2008-early 2009. We also present the results of BRTF's efforts to garner public input into the physical characteristics of a new town center.

In Chapter II, six issues concerning the rationale for a new town center are stated; then arguments are given both for and against each issue. A 'For' argument generally means the rationale supports building a town center or some aspect of a town center; while an 'Against' argument articulates reasons for not building the facility or some other aspect of a town center. Chapter II does not draw conclusions, and recommendations are held until Chapter V.

Chapter III covers seven issues concerning specific physical aspect of a new town center; then arguments are given both for and against each issue. Recommendations are held until Chapter V.

Chapter IV starts by affirming that an optimal mix of financing should be pursued, then outlines nine ideas on both the possible modes and sources of financing a new town center that were brought into BRTF's deliberations. Each idea is presented, and cases For and Against the use of each of the financing ideas are presented. As in the prior chapters no conclusions are made. Recommendations are held until Chapter V. Chapter IV concludes with an estimate of what the several possible sources of funds might bring to financing a new town center.

Most importantly, Chapter V is BRTF's twenty-two recommendations to City Council about a new town center, the characteristics of that possible structure or structures, and some ideas about how to finance it. These ideas also hopefully will assist BRTF's fundraising committee once it is appointed. ¹

¹ The Blue Ribbon Task Force was to be composed of both a Design Committee and a Fundraising Committee. See: Staff Report by Public Works Director, Duncan Jones,

At the close of the report are appendices that document both the sources of much of the material used to formulate analyses and recommendations, as well as the personal observations and opinions of individual BRTF members.

Hopefully this report gives a transparent and clear statement of what was discovered in the course of over fifteen months of analyses and deliberations, and brings to Council the BRTF's best and most actionable recommendations.

called Discussion and Possible Appointment of a Blue Ribbon Task Force to Solicit Input And Evaluate The Feasibility Of a New Town Center, A Memorandum to Jerry Gruber, Town Manager, May 21, 2008. As of the close of October 2009, no Fundraising Committee had been appointed.

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**Arranged alphabetically (A to Z) or
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– Background –

The Mission, Members and Roles of the Blue Ribbon Task Force –

In 1995 Atherton's City Council commissioned an architectural firm to study the need for additional space.² This effort continued through 1999 when a public opinion survey found only about a third of Atherton's residents supported building or remodeling for additional space. At that time costs were expected to be around \$6M to renovate the police and administration building.³ The issue was moribund until Council members Alan Carlson and Charles Marsala revived interest in the project in 2005. After the Town's Facilities Committee met in early 2008, Council established a Blue Ribbon Task Force (BRTF) that first met in August 2008.⁴

To meet Council's criteria BRTF to review previous studies concerning a town center, and prepare a report that discusses the following

- a. New or renovated building
- b. Size
- c. Site orientation
- d. Cost
- e. Financing
- f. Impact on community
- g. Public support
- h. How ties in with other existing or potential facilities
- i. Issue of commercial space as potential expansion space

At the 21 May 2008 Council meeting, a motion carried four-to-zero to have BRTF charged with these duties as well as include economic feasibility and operational feasibility.⁵

² On 13 July 1995, G4 Architects Research & Planning, reported to City Council called, Police & Administration Building, Space Needs & Master Plan.

³ In May 1999 the Council received the Town Of Atherton Public Opinion Survey, by Godbe Research & Analysis Corporation; pg. 7.

⁴ Councilmember Jim Dobbie replaced Councilmember Jim Janz as the latter was not running for re-election and left the Council in late 2008.

⁵ See: Excerpt from the City Council Minutes of May 21, 2008; Item 18.

While accepting those duties, the Blue Ribbon Task Force abbreviated its' mission statement to read – **To Understand, Define And Inform Atherton Of Additional Space Needs For The Town's Public Services.**

Appointees represented both town-wide interests represented by two members of The Town Council, plus residents who are leaders in civic and neighborhood organizations. Those members and their interests were:⁶

Town Council And Town-wide Perspective

Councilman Jim Dobbie
Councilman Charles Marsala

Civil and Neighborhood Organization Leadership

Atherton Civic Interest League – John Davey
Friends Of The Library – Joan Sanders⁷
Central Atherton Residents Association – Patricia Haines
The Arts Committee – Betty Ullman

Technical And Professional Support

Space Needs, Planning And Architecture – William Grindley
Public Outreach And Worldwide Web Use – Ginny Nile

The two Council members provided leadership, participated in understanding what other, similar towns have done and kept the Task Force apprised of opportunities and challenges faced by the Town that related to the BRTF mission. Each of the resident, organizational leadership members acted as liaison to their organizations, informing them of progress, seeking their views on specific aspects of the effort as it unfolded, and bringing to the BRTF concise feedback from their respective organizations.

Between August 2008 and October 2009 the BRTF met twelve times.⁸ As part of its' mission to inform, BRTF prepared and presented a study

⁶ The Atherton Heritage Association was invited to join but declined. Several BRTF members also belong to other civic organizations such as Central Atherton Residents Associations, Friends of The Library and the ACIL.

⁷ Resigned from BRTF, May 23 2009; see Appendix A for resignation letter.

⁸ The Blue Ribbon Task Force first met on Thursday, 28 August 2008. The second meeting was on 11 September, the third on 6 October, the fourth on 6 November, the fifth on 6 January 2009, sixth on 10 February, seventh on 23 March, the eighth on 7 April, the ninth on 12 May, the tenth on 26 May, the eleventh on 28 September, the twelfth on 5 October. Agendas and Minutes to these meetings are in Appendix H.

of the present (2008-09) space needs and estimated costs for new facilities for the Town's public services.⁹ The general public was invited by postcard and advertisements in The Country Almanac to presentations that were held at Jennings Pavilion on 20 November and 9 December 2008. Approximately fifty-five non-BRTF, non-Council members attended the approximately one-hour sessions. Additionally, the full presentation of over 90 graphics was given to the Executive Council of the Atherton Civic Interest League and residents in the central Atherton area.¹⁰ At each meeting, and in an Almanac article and the Athertonian, residents were encouraged to 'Take the Tour' of existing facilities; a method found previously and early-on in the BRTF mission to be key to a better understanding of Town's space needs.¹¹

Subsequently, in February 2009 a building mass model was prepared and placed in the Town's administration building lobby for residents to 'design their own town center'. In both these preliminary outreach efforts, feedback was gained from questionnaires that addressed issues that were raised by the space and costs studies and architectural mass modeling exercises. In addition, in April 2009, a web site was developed devoted to educating residents on the activities of the BRTF. The site is called AthertonToday (<http://www.AthertonToday.com>).¹²

⁹ To prepare this study, each of Atherton's department directors, as well as several other professionals from each department (Police, Building, Planning, Public Works and General Administration) were interviewed several times. The interviews established the number of employees per department, each employee's space needs (including active and inactive storage) and the special characteristics of building-to-code for that department. No account for expansion space was built into the survey, as the *modus operandi* of late 2008 was staff reductions and consolidations for the foreseeable future. Department heads were given worksheets to compare their needs with their present staff sizes and each had at least one follow-up interview that reviewed their original estimates. These interviews referenced two prior space studies, the G4 Architects study of 1995, and the Edward Gee & Associates study of 2006, both of which found considerable need for more space at the Town's facilities. Over the course of the last three months of 2008, we also visited other and new town centers, while repeated, in-house interviews clarified space needs, as well as the uniqueness of several building challenges.

¹⁰ The ACIL presentation was given at Holbrook-Palmer on 15 January 2009; the presentation to CARA members on 10 February 2009 in the library.

¹¹ ". . . respondents who visited both the Police Department and Town Hall were the most supportive of the renewal proposal. . . . "Town Of Atherton Public Opinion Survey, Godbe Research & Analysis Corporation; May, 1999; pg. 2.

¹² This site provides information to Atherton residents on the project to expand the town Public Services space. It presents an immense amount of information in a "layered way". At a Glance <<http://sites.google.com/site/athertontoday/at-a-glance>> provides a brief overview of the issues and summarizes the plan of action. Take The Tour <<http://sites.google.com/site/athertontoday/take-the-tour>> provides

It is important to remember the BRTF mission is solely focused on space needs as they are in late-2008 and early 2009. BRTF's charter did not include understanding the efficiency or effectiveness of Atherton's government. While some residents question whether Atherton really needs more space for its' employees, other small, affluent, mid-Peninsula communities do not have the specific public safety issues of ten schools and a college within their boundaries; nor do most have to deal with the traffic issues of El Camino Real. Atherton has its' own police force, as does Hillsborough; while several other similar-sized towns; like Los Altos Hills or Portola Valley, contract those services from their respective counties.¹³

Some residents point out that while Atherton's 2007 population was roughly 7,300 and only increased slightly in the past four decades; the Town's public service employment has doubled. Others point out that additional staff positions have evolved due to state and federal mandates, a surge in construction activity and subsequent demands by residents for high quality permit and inspection services. In particular, Athertonians want their own police force, the largest single portion of both Atherton's space needs and budget¹⁴

a visual look at the current status of the areas. In Depth <<http://sites.google.com/site/athertontoday/in-depth>> reviews past studies, provides extensive background material, proposed detailed space allocation plans and cost estimate. Announcements <<http://sites.google.com/site/athertontoday/announcements>> will be updated with current information relevant to the project.

The web site encourages residents to "Take the Tour" either online via this web site or in person by visiting the town center. The site includes a feature to add Announcements as events evolve for which residents are encouraged to take action. The initial Announcement discussed the model of possible building structures which is in the post office and encourages residents to provide input on the overall building design, style and level of environmental impact.

¹³ Atherton's police rate of response to incidents per resident is twice that of Hillsborough. That is, Atherton has twice the number of incidents that result in police response as Hillsborough. In FY 2007-08 Atherton police either responded to or initiated 10,255 recorded activities; or 1.425 activities per resident (using 2000 Census data of 7,194 population). Hillsborough police had 0.725 activities per resident (10,615 population). See: Atherton PD–Colma PD– Hillsborough PD: Comparing Budgets, Staffing Levels & Structure, Calls for Service, Officer Initiated Activities, Arrests & Traffic Enforcement; prepared by Chief Glen Nielsen; 18 November 2008.

¹⁴ The Godbe Research, Police Services Survey: Conducted For The Town Of Atherton, September 2006 had several significant findings. First, Atherton's police get a 97% 'customer' satisfaction rating (pg 9). Over 70% of the 787 resident-respondents would like to "keep things as they are" with another 22% wishing to

BRTF accepts that there continues to be a need for the present level of all services provided. And while efficiencies may be enhanced, BRTF's mission did not include questioning whether a specific service should exist or whether it should be provided in another manner.

In April, May, September and October 2009 BRTF members came together to discuss drafts of the report to Council, present their organizations' points of view and concerns, and to set the course by which they would recommend to Council that specific actions be taken. This report and its' appendices are the result of those fifteen months of study and deliberations.

increase the police service budget (pg. 32). Only 10% thought the police were "too expensive" (pg. 11) while 89% of Atherton's residents would strongly oppose the Town reducing its budget by eliminating the Police Department (pg. 35). Given the sample size, responses and timeliness of this data, the Task Force concludes that there is considerable support for maintaining the Atherton Police force and upgrading their facilities.

– Chapter I – 2008-09 Public Services Space Needs, Costs And Residents' Preferences

Atherton's Town services are presently offered from approximately 13,700 square feet of space. They are housed in basically three separate facilities; the 1920s Council Chambers, the 1965 Administration and Police Department (as modified and supplemented), and the Permit Center's 'temporary' modular units now over a decade old. Neither of the first two facilities is code-compliant, while the modulars' roofs are literally falling in. All represent a threat to the general safety and welfare of visiting Town residents or guests as well a daily risk to the Town's employees and management.

As Figure 1 shows, late-2008 space needs are roughly 25,000 square feet, nearly double the present facilities' total. While this might seem out of proportion, in 1995 (prior to the >3,000 sq. ft. of modulars now used by the Building, Planning and Public Works Mgmt plus the plywood unit and the police garage) Group 4 Architects reported ". . . Atherton's Police Department and Administration space needs reveals that both facilities should be *expanded approximately three times their current size . . .*" [*emphasis by BRTF*].¹⁵ A decade later, in 2006, Edward Gee & Associates estimated Atherton needed about 20,000 sq. ft. of space, a $\pm 50\%$ increase over all then-presently available spaces (fixed and modular).¹⁶

The BRTF's present $\pm 25,000$ square foot estimate is only a quarter higher than the Gee report and about a fifth less than the G4 Architects report.¹⁷

¹⁵ G4 Architects Research & Planning; Police & Administration Building, Space Needs & Master Plan; July 1995

¹⁶ Preliminary Master Plan Study, Town Of Atherton Civic Center; Edward J. Gee & Associates, October 24, 2006.

¹⁷ Based on present use of the facilities, the G4 Architects' estimated space needs at about 30,000 square feet fourteen years ago.

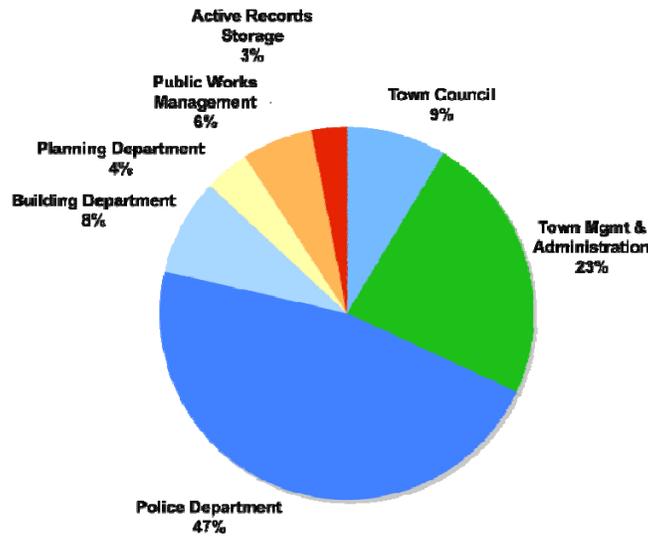
Figure 1¹⁸

Late 2008 Space & Cost Estimates For The Town Of Atherton's Public Services Spaces				
	Estimated 2008 Space Used (sq. ft)	Details Of Enclosed Space Needed (sq. ft)	2008 Space Needs by Dept (includes 22% for circulation)	Late 2008 Estimated Costs (includes equipment and utilities)
Town Council	966		2,196	\$878,400
Council Chambers		1,600		
Council Members Work Space		200		
Town Mgmt & Administration	1,250		5,934	\$1,652,800
Management		1,800		
Post Office		400		
Lobbies & Common Areas	1,700	2,664		
Police Department	6,900		11,834	\$4,733,600
Chief, Officers & Administration		1,250		
Patrol & Investigation		3,800		
Dispatch (w/EOC compliant areas)		1,650		
Commons Areas		3,000		
Building Department	1,200	1,750	2,135	\$854,000
Planning Department	650	800	976	\$390,400
Public Works Management	1,100	1,275	1,556	\$622,200
Active Records Storage		650	793	\$237,900
Subtotal-Enclosed Space	13,766	20,839		
		Enclosed Space Needs	25,424	(includes 22% for circulation)
		Total Space Needs - 2008-09	26,695	(includes 5% for expansion)
Construction Costs-Enclosed Space				\$9,837,765
Constructed Parking at \$50K per space			# spaces	
Secured Police Vehicles			18	\$900,000
Town Employees			25	\$1,250,000
Deconstruction, Above Ground Parking, & Landscaping				\$500,000
Estimated Subtotal of Construction Costs				\$12,487,765
		Total Costs	(includes 15% for A&E fees)	\$14,360,930

¹⁸ Costs calculations are based on office space at \$400/sq.ft: public spaces at \$350/sq.ft, and active storage at \$300/sq.ft. This estimate does not include the costs of seismically retrofitting or bringing up to code other aspects of the 1920's building now used as Council Chambers.

Figure 2 shows the present proportions of space use by the various Atherton town services.

Figure 2
Allocations of 13,700 Square Feet Of Presently-Used Enclosed Space Among Atherton’s Town Services



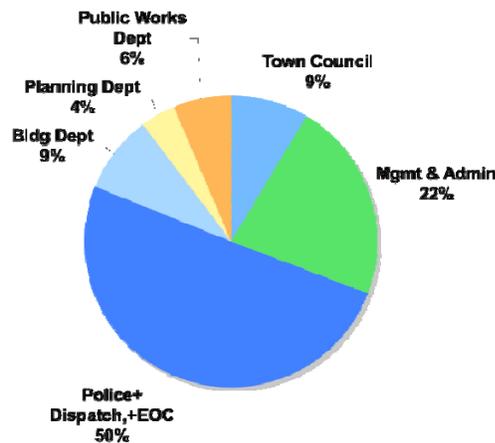
Using nine data points from five Peninsula firms in late-2008, construction cost estimates of building, total building, landscaping and professional services costs to build a Town Center would be in the order of \$15 million.¹⁹ This data is also backed by findings from the Town’s Building Department “The actual cost of new construction and remodel work has risen over the years and is now more realistically in the range of \$250.00 to \$350.00 per square foot.”²⁰

¹⁹ Sources: 1) Eric Lam, DPR-Good quality office space=\$300 - \$350/ sf: Auditorium-good quality=\$450/sf: EOC-certified auditorium-good quality= \$600-\$650/sf. 2) John Mattes, CSO, Atherton Police Department-Police facility=\$350/sf: City Hall Admin=\$300/ sq. ft: Basement Parking & Storage=\$100/. ft: Basement Jail=\$500/sf: 3) John Mullins, Hillsborough Town Hall Staff-Good quality office space=\$400-\$500/sf 4) J.D. Ahern and Craig Braachia; Herrero Construction Co.: Good quality office space=\$500-\$600/sf.: Parking in structure=\$60K per auto: LEED Supplements: Silver3- 7% Gold= 10-15%; Platinum= 15-25% 5) Tim Stitt and Bill Russell – Vance Brown Builders, Palo Alto: Good quality office space - \$400/sf.

²⁰ Source: memorandum; Building Inspection Fees; Michael A. Hood; prepared for the City Council meeting of May 9, 2000. Construction valuations are based on the

Figure 3 indicates that proportional allocations of estimated costs per department roughly maintain their status *vis a vis* present space uses. About half the costs would be for police and dispatch services, another third for Town administration and Council chambers; with the remaining fifth spread over the groups now in the Permit Center. ²¹

Figure 3
Departments' Shares Of ±\$10M
Of Enclosed Space Costs



“ . . . use of a standard factor of \$350 per square foot for habitable space”. See: City Council Fee Resolutions No. 07-17, adopted June 18, 2007. Also “Building costs range from \$350 to over \$500 per square foot.” see: page 54, Town of Atherton, Housing Element Update 2007-2014, April 29, 2009: Neal Martin & Associates. Building costs would have to increase only 1.5% per year for a decade to increase from \$350 to \$400 per square foot costs. Given that the GDP deflator rose 27.5% between January 1999 and January 2009; and construction at least kept pace with that, we might be actually underestimating. See: Gross Domestic Product: Implicit Price Deflator, U.S. Department of Commerce: Bureau of Economic Analysis at <http://research.stlouisfed.org/fred2/data/GDPDEF.txt>.

²¹ Estimated costs of individual departments vary because of each department’s specific requirements. For instance; finished, general office space is estimated at \$400/square foot; lobby and Council Chambers at \$350; and a 700 square foot Emergency Operations Center (EOC) as part of the Police Department at \$600/square foot. While most parking would be at grade level, concerns about handling prisoners and witnesses demand that police vehicles have secure, enclosed parking – whether above or below ground level.

Residents' Priorities Are to Build Additional Public Services Spaces – At both November and December, 2008 presentations by BRTF in Jennings Pavilion, residents were asked afterwards – or when they 'Took The Tour' – whether they better understood space needs, as well as how important they considered making changes to the Town's offices and meeting spaces.

RESIDENTS' RESPONSES TO ADDITIONAL SPACE NEEDS

	Have A Better Grasp Of Needs ?		What Importance Placed On Need ?				Perception Of Priority		
	Yes	No	Severe	Clearly Needed	Certain Areas Only	Not Needed	ASAP	Briefly Postpone	Not A Priority
Total	12	0	3	7	4	1	8	5	1
% of category	100%	0%	20%	47%	27%	7%	57%	36%	7%

Using over 90 graphics, each presentation detailed the status of space and what was needed, where overcrowding and a lack of public toilet facilities create not only unsightly but potentially dangerous situations, the full range of code violations, as well as what the final estimates of size and costs were.

As the above shows, resident-respondents considered the presentation or Tour of the Town's present facilities informative. About two out of every three resident-respondents not only considered that additional, code-conforming space was needed, but that it was a relatively high priority for the Town.²² Based on this small sample of Athertonians who are aware and engaged in the Town's future, there seems to be serious support for resolving the Town's need for additional space for its public services. And doing so within a reasonable timeframe.

²² In the May, 1999 Town Of Atherton Public Opinion Survey, Godbe Research & Analysis corporation found that visitors to the facilities were more supportive of improved facilities than those who had never visited. A decade ago however, only a third of residents supported increasing taxes for renovating the facilities while over two-thirds supported the concept of facilities paid for by both taxes and commercial space rentals.

Resident-Respondents Preferences On Architectural And Planning Aspects Of A Town Center – Between February and May, 2009 a model was placed in the Town’s Administration Building’s lobby so that residents could make choices about what they would like to have as features of a town center.²³ The results are shown in Figure 4.

Figure 4

**Choices Of Entry Side, Building Mass,
LEED Status & Architectural Style**

Alternatives	% of Responses
Entry Street Face of Complex	
Ashfield	18%
Station	73%
Fair Oaks	9%
Building Mass Type	
Single Bldg	50%
Pavilions	50%
Green' Bldg Preference	
Nothing shown for or against 'Green'	31%
LEED Silver	15%
LEED Gold	23%
LEED Platinum	22%
Architectural Preference	
Not Decided	15%
Neo-classical	8%
Spanish/Mission	54%
Contemporary	23%

On Entry Facades – Resident-respondents want the entry on Station (Dinkelspiel) Road.²⁴ If logistically possible in a design using the present site, traffic patterns would change little, since police parking and entry to the grade-level parking for police vehicles, and supplementary parking for employees is from Station Road.

Single Building Versus Pavilions – Resident-respondents were split evenly on whether a single building was preferable to a

²³ Since we did not seek out the addresses of the 21 resident-respondents, we do not know how many were from which Atherton neighborhoods.

²⁴ At the time of the survey, the idea of having the complex located in Holbrook-Palmer Park had not been either raised or vetted; therefore residents were not queried about this option.

series of pavilions each containing one or more of the Town's functions.²⁵

On Architectural Style – With an eye towards the 1920s Council Chambers – that once housed the entire Town staff – half the resident-respondents voted for a style of architecture variously known as Spanish, Mission or Mediterranean as their favorite. To many residents that style represents tradition and a reflection on not only the history of the region, but also a classic response to the climate of mid-California. Frederick Law Olmstead and H.H. Richardson selected that style for Leland Stanford's new university over 100 years ago for exactly those reasons; and many of the larger homes built in Atherton then and over the past decade have reflected that preference.

However, a not insignificant number of votes were cast for contemporary architectural solution. In the course of the BRTF study, Councilmen and members visited several recently built town center complexes that reflect thinking on current best practices in the design of general administration and police facilities.²⁶ These are all contemporary architecture. They vary in massing style; a single building style in Los Altos Hills and Orinda; versus a pavilion complex in Portola Valley that includes a library, Town Hall and community center. While a visible proportion of resident-respondents wanted to see what the architects suggested about architectural styles; enough were interested in contemporary solutions to keep that option 'on the table'.

How Green Is Good Enough? – Two thirds of the resident-respondents want the building or pavilions to earn Leadership in Energy and Environment (LEED) status.²⁷ This certification provides

²⁵ The model of the ground area surrounding the present facilities was accompanied by a series of 'one and two story boxes' that residents used to compile the various space needs in different architectural massing configurations. Each box stated its (scaled) square footage, and whether that specific box represented one or two stories of height. Residents then combined their choices to add up to ±25,000 square feet.

²⁶ During the final months of 2008, Council Members Dobbie and Marsala, and BRTF member Grindley visited – together or separately – the town centers and/or police facilities of Burlingame, Colma, Los Altos Hills, Orinda, Portola Valley and Redwood City to gain a better understanding to the functions and underlying processes driving their designs. These were guided tours by staff and directors of each complex. In the case of police facilities, BRTF member tours were arranged by Chief Glenn Nielsen and Officer John Mattes of the Atherton Police Force.

²⁷ LEED (Leadership in Energy and Environmental Design) is an ecology-oriented building certification program run under the auspices of the U.S. Green Building

independent, third-party verification that the building or buildings have lower operating costs, reduce landfill, conserve energy and water; their interiors are healthier and safer, and their operations reduce greenhouse gas emissions.

About half the resident-respondents want one of the two most energy efficient LEED categories, Gold or Platinum status. Conversely, about a third of residents either don't care about the ecological friendliness of the complex or do not wish to spend the extra construction monies to achieve that status – although the questionnaire clearly stated that construction costs would be recovered in 3-7 years depending on the LEED status sought. On balance however, there seems to be support for the Town to pursue one of the top two LEED certifications for the new facility.

Council (USGBC). LEED focuses on improving performance across five key areas of environmental and human health: energy efficiency, indoor environmental quality, materials selection, sustainable site development, and water savings. According to the AIA, the program's 69 LEED considerations can be reviewed in a two-hour meeting, and the owner can decide what level of LEED compliance is desirable. For more detail see:

http://searchdatacenter.techtarget.com/sDefinition/0,,sid80_gci1284408,00.html

– Chapter II –

Arguments For And Against A New Town Center

This chapter discusses why there may or may not be a need for more space to serve Atherton's residents and its' public employees; whether or not it should be new construction or remodeled existing buildings, and some aspects of its' potential location and design.

These first six issues focus on whether the town really needs to or wants to expand the spaces for public services. Each issue concerning the rationale for a new town center is stated as a question at the onset of each subset; then arguments are given both for and against the issue. A 'For' argument means the rationale supports building a town center or some aspect of a town center, while an 'Against' argument articulates reasons for not building at all, or some particular aspect of a town center.

Issue 2.1 – Does The Present Out of Code Status Of Atherton's Public Facilities Spaces Risk Liability Suits?

Issue 2.1–Argument For – The Present Lack Of Code Conformance Puts The Town At Risk Of Liability Suits – The Town's permanent buildings do not meet today's fire codes, energy savings or seismic safety codes. Even judged by local and State of California standards for residential construction, the Town's buildings do not meet code requirements similar to those dictated to residents.

The buildings do not meet the Federal requirements of the Occupational Safety and Health Administration (OSHA); nor those of the Federal Equal Opportunities Administration (EEOC); nor the specifics of the Americans With Disabilities Act (ADA). Bathrooms in the Administration building cannot accommodate disabled persons. Bathrooms in the Council Chambers do not meet ADA requirements. The single bathroom in the police facility serves both male and female police officers, suspects, witnesses, but also sick drug and alcohol abusers.

The police portion of the present Administration center does not meet the California Essential Facilities Code. As opposed to the early 1960s, today there are very specific rules governing how suspects, witnesses, victims and criminals are to be handled. Importantly also,

rules governing the collection, documentation and storage of evidence require specific kinds of spaces with building specifications to protect trial-directed evidence. Federal Department of Justice regulations require that public security computers, telecom, electrical and gas supplies be separate and dedicated to solely that function. Atherton has a make-do situation with its' computers and telecom equipment sitting in hallways, and its' shipping container-based evidence room is clearly not a long-term solution, if not presently illegal.

The Town shares an Emergency Operations Center (EOC) with several adjacent communities to respond to catastrophic events such as large-scale fires and earthquakes. While there is a set-aside in the Menlo Park Fire Protection District (MPFPD) facilities, even that space does not conform to standards that such facilities be able to withstand an 8.0 Richter scale earthquake. An EOC, while it can be integrated into other public services areas, must conform to both unique building regulations as well as be continually monitored while under construction.

In short, the entire set of buildings is hazardous (environmental, fire, earthquake and legally) to those who work in or visit them voluntarily or involuntarily. Research done a decade ago found that four of every five residents had visited the administrative center and three of every four the Police department.²⁸ The danger is to both residents and public servants. If not soon, then when do these buildings cause an injury or death and the Town faces one or more criminal or civil negligence lawsuits? The town's public service facilities must be upgraded.

Issue 2.1—Argument Against – The Town Does Not And Will Not Have Substantial Liability Risks Because Of Its' Buildings Being Out Of Code Conformance – At present the Town operates out of facilities that have not brought lawsuits against it because they are not code-conforming. No citizen, State or Federal agency has sued the Town because of ADA, EEOC, OSHA or other mandates; nor has the Town faced legal problems by not having an Emergency Operations Center. Nor has it faced legal issues because its' police facilities don't conform to CA's Essential Facilities Requirements. There is no precedence for the case that the Town faces litigation based on its' non-code conforming buildings and the

²⁸ Town Of Atherton Public Opinion Survey, Godbe Research & Analysis Corporation; May, 1999; pg. 2.

likelihood of that happening during this time of statewide fiscal difficulties is rather small.

Issue 2.2 – Do Residents Really Want Additional Public Services And Police Department Spaces?

Issue 2.2–Argument For – Surveyed Residents Want To Build Additional Public Services And Police Department Spaces – As Figure 5 implies, more than nine of every ten residents who came to the public hearings or filled out the BRTF’s survey believe that more and code-conforming space is a relatively high priority. Similarly, keeping police services within the mission of the Town is important. And since police services constitute about half the square footage needed and half the projected costs, the data supports building facilities for Atherton’s own police²⁹ While not conclusive, 2006 survey data from Godbe Research’s study of police services implies evidence of support for new or better facilities to house the police in that nearly 85% of residents would support increasing the police department’s budget.³⁰

After both November and December 2008 presentations by BRTF in Jennings Pavilion, residents were asked whether they better understood space needs, as well as how important they considered making changes to the Town’s offices and meeting spaces. Likewise if a resident ‘Took The Tour’ of the facilities – open to residents at any time – they were asked about their priorities for new facilities.

**Figure 5
RESIDENTS' RESPONSES TO ADDITIONAL SPACE NEEDS**

	After Visit Have A Better Grasp Of Needs?		What Importance Placed On Need?				Perception Of Priority		
	Yes	No	Severe	Clearly Needed	Certain Areas Only	Not Needed	ASAP	Briefly Postpone	Not A Priority
% of category	100%	0%	20%	47%	27%	7%	57%	36%	7%

²⁹ Police Services Survey (conducted For The Town Of Atherton) by Godbe Research, September 2006; page 35. Nearly 94% of resident-respondents would oppose reducing the Town’s overall budget by eliminating the Atherton Police Department.

³⁰ Police Services Survey, page 10.

Using over 90 graphics, each presentation detailed the status of space and what was needed, where overcrowding and a lack of public toilet facilities create not only unsightly but potentially dangerous situations, the full range of code violations, as well as what the final estimates of size and costs were.

As Figure 5 shows, two out of every three resident-respondents not only considered that additional, code-conforming space was needed, but that it was a relatively high priority for the Town.³¹ Based on this small sample of Athertonians who are aware and engaged in the Town's future, there seems to be serious support for resolving the Town's need for additional space for its' public services. And doing so within a reasonable timeframe.

Issue 2.2–Argument Against – There Is Little ‘Hard’ Evidence That Residents Want To Build Additional Public Services And Police Department Spaces – There has been no resident survey data collected on support for (or opposition to) a new town center for a decade. And what was found in 1999 neither supported any type of new town center, nor building anew since the only offer was remodeling the current facilities.³²

What was collected in the BRTF public outreach program may be biased, as it is based on comments of less than 100 residents who are aware of the issues facing Atherton's government and engaged in that discussion. So what we know today is that we don't know the level of support for any new or remodeled facility among the general Atherton population.

Issue 2.3 – Does The Town Really Need 25,000 Square Feet Of Public Services Space?

Issue 2.3–Argument For – The Town Needs The Full Complement Of Space Defined in Chapter I – The analysis of each

³¹ In the May, 1999 Town Of Atherton Public Opinion Survey, Godbe Research & Analysis Corporation found that visitors to the facilities were more supportive of improved facilities than those who had never visited. Over two-thirds supported the concept of facilities being paid for by both taxes and commercial space rentals.

³² The May, 1999 Town Of Atherton Public Opinion Survey, by Godbe Research & Analysis Corporation found only a third of Atherton's residents supported increasing taxes for renovating – not building new facilities.

department's needs was prepared during the last quarter of 2008, with the advantage of being able to interview and question department leadership and town management at least three times each over those three months. Each department's estimates were compared with the Gee Report of 2006 and then recalculated, discussed again and recalibrated to respond to items such as increased employees or missing items such as active file storage and secure parking.³³ This iterative process brought about revisions, i.e. both increases and decreases that differed from initial discussions. And while no estimate is completely accurate, those in Chapter I represent best and independent practices in an effort to bring an unbiased calculation to the BRTF.

Issue 2.3–Argument Against – If The Town Even Needs More Space, It Certainly Doesn't Need A 25,000 Square Foot Building – While the Town might need some more space, it has coped with incremental, even temporary additions for more than a decade that have served it well. Employees will almost always find reasons to 'need' more space; and if Atherton's employees' productivity has not been hindered by what we have at present, there is little reason to double that space.

It is inconceivable that the Chapter I estimate can be a quarter higher than a professional, paid-for estimate made only two years before. Only a few employees have been added to the payroll since then, and in a time of fiscal constraints, the Town's employment should be decreasing with the subsequent effect of decreasing space needs.

Issue 2.4 – Must The Town Upgrade Its' Present Spaces To Meet Local, State And Federal Demands And Mandates?

Issue 2.4–Argument For – More And Code-Conforming Space Is Needed Because The Town Must Meet Local, State And Federal Demands And Mandates – Several reasons have converged to increase the public employee-to-resident ratio. Athertonians have demanded more police protection, more and more efficient building permit, code enforcement and financial management services; as well as assurance of heritage tree protection. Public Works now has over 55

³³ Preliminary Master Plan Study, Town Of Atherton Civic Center; Edward J. Gee & Associates, October 24, 2006.

miles of roads and drainage to monitor and keep up to code. And, after seventy years 'in business', Atherton has collected a substantial volume of records. Although these are partially digitized, the remaining documents still require considerable space.

Atherton's public services staff now must interact with both neighboring cities as well as San Mateo County and the State government in ways not contemplated fifty years ago. Likewise, a generation ago the State of California mandated a city planning function, and San Mateo County recently had that function separated from Atherton's Building Department. Finally, mandates by the federal and state governments concerning safety and equal opportunity have required more filings and reports on housing, the environment, and labor issues. These have all combined to increase Town employment from roughly 27 in the mid-1960s to about 53 full-time equivalents (FTEs) today.³⁴

In the last four decades Atherton incrementally added spaces – an additional 1.75% square feet on average each year – partially to accommodate personnel increases. There is still a need to add considerably more. And while police and 24x7x365 dispatch services employees share (and will share) space by virtue of their shift work, there is a substantial need for additional space in each department of the Town's government.

Issue 2.4–Argument Against – The Town Does Not Need More Space To Meet Local, State And Federal Demands And Mandates – The Town's population has remained approximately the same, roughly 7,300, or about 2,600 households, since the last public services building was constructed in 1965. With the additions of modulars and other buildings outside the 1965 Administration and Police facility, today's public servants conduct their missions with competent professionalism.

Atherton's police department's space may seem crowded, but there is no reason that the space could not be used more wisely, or that modulars can't solve the space needs. Offices, case files, storage and even the break-and-briefing room seem disorganized and poorly

³⁴ Report & Recommended Determinations – Municipal Service Review and Sphere Of Influence Review for the Town of Atherton & Atherton Channel Drainage District. San Mateo Local Agency Formation Commission (LAFTCO); August 14, 2008; page 25.

kept.³⁵ A small modular was replaced in late 2008, yet no provision was made to have that be an even larger modular unit partially dedicated to some of the Federal or State-mandated specifications. And Atherton has access to a space in the Menlo Park Fire Prevention District's facilities for an Emergency Operations Center.

The Building Permit Center, located in several side-by-side modulars served the Town well during the building boom of the prior decade; and now that the demand for rapid processing of permit applications has diminished, there is no need to expand that facility. If more space is really needed for the Building Permit facility, and either the High Speed Rail project takes away access or nearby Atherton residents' succeed in having the modulars moved, new modulars could be built in the parking areas bounded by Dinkelspiel and Fair Oaks Avenue. And if the present units have reached the end of their effective lives, a complex of modulars could be located there.

The argument for larger Town Council Chambers is weak since few meetings ever reach the fifty-five-person capacity. With good planning larger meetings could be moved to Holbrook-Palmer's Jennings Pavilion. And Council members can continue to use temporarily vacant offices to do their pre-Council meeting reading and analyses. In early 2009, the Town received an engineering report that says the cost of making the Council Chambers seismically safe is approximately \$254,000.³⁶ Even twice that estimate to cover the costs of new lighting, as well as modern audio-visual systems would be a better use of Town funds than doubling the seating capacity in new Council Chambers.

Issue 2.5 – Does Atherton Need To Build More Office And Storage Space To Maintain Or Increase Productivity?

Issue 2.5–Argument For – Inadequate Square Footage and Storage Spaces Negatively Effects Productivity – The Town needs more office and storage space to conduct business in an

³⁵ Two of those who took the tour of the facilities commented on the disorganized nature of files on cabinets, food left on the break room table, equipment 'tossed' into corners of rooms, etc.

³⁶ The ASCE 31-03 Structural Evaluation Report For Atherton Council Chambers was submitted on 6 April 2009 and was prepared by the Crosby Group, 726 Main Street, Redwood City, CA 94603.

efficient and effective manner. This is both a matter of enough room as well as visual and acoustical privacy.

In 1978, a dozen years after their new headquarters was occupied, Atherton's police attached a lean-to for weapons' storage, and then rolled in a portable modular for detectives. Later the Department built a plywood structure for general storage, and later still a metal garage that also holds the legally critical evidence recording and storage functions. The plywood exterior storage facility needs considerable repair, and the detectives' transportable modular was recently replaced due to settling and age. Each of these units are separate, causing personnel to go outside-then-inside to gain the records or equipment they need, and certainly do not offer the security needed in cases with a violent suspect or suspects.

The Council Chambers, built in the 1920s, are rated to safely hold a total of fifty-five persons.³⁷ But during meetings of a controversial nature, attendees overflow.³⁸ Its' acoustical system is primitive, and residents, visitors, staff and Council must lean and squint to see visual presentations. There is virtually no storage space for the Chambers, and what is there is accessed through the Heritage Room. Council members have no space within the town's various buildings to work or prepare themselves for meetings with any privacy.

Building, Public Works and Planning employees housed in the 1997 modulares do not have adequate acoustical or visual privacy; making it impossible to conduct private conversations or calculations when others are standing within earshot. Many if not most, of Atherton's administrative, and managerial staff work in cubicles with partitions which do not reach the ceiling. Others can hear conversations between officers and others on sensitive budget issues, or the human resources officer on salaries or disciplinary actions. As well as being unproductive because of crowding, this condition could lead to legal issues from overheard conversations.

The Building and Planning Departments were divided when strongly suggested by a San Mateo County Grand Jury. The Building Department processes 800-1,000 permits per year while planning processes another 500. During the surge of residential building prior

³⁷ The metal inscription over the front parapet says "Town Hall" but the building was inadequate as offices by the 1950s and today houses only the Chambers and the Atherton Heritage Association rooms.

³⁸ Los Altos Hills, with a population about 1,000 larger than Atherton, has a council chamber facility that is registered to safely hold 120 persons.

to 2009, there was a demand for more staff to process permits; requiring more space, at present accommodated by desks in halls and shared spaces.³⁹ Both departments have inadequate document 'roll out' space or temporary storage for the multiple sets of plans that are required for comparative purposes before, during and after construction.

Every Town government department lacks active and inactive document storage space. Active storage is particularly inadequate. For example recent financial records in the Administrative Center's attic are not only subject to vermin and summer heat damage, but are stored next to the heating system. Active police case files – worked on by different shifts of officers – are piled on top of cabinets and in boxes due to lack of space. Police and dispatch records are kept in a plywood outbuilding, making it difficult to easily follow up on recent cases. Police telecom and computer equipment are in a hallway and subject to possible destruction by a violent detainee. Personnel and financial records are stored in a 9'x4' fireproof safe accessible only by passing through the Assistant Town Manager's office – making it inefficient for others to access. Inactive storage is a quarter of a mile away in the attic of the Holbrook Palmer Carriage House that has visible and olfactory evidence of vermin attacks. None of these storage situations leads to efficient or productive use of employee's time.

Issue 2.5–Argument Against – Square Footage And Storage Spaces Are Adequate And Do Not Negatively Effect Productivity – There are simple solutions to storage challenges – better kept desktops, file cabinets, offsite rental units and digitized records being the salient ones. While active records storage in the present Administrative Center's attic may pose a fire and safety issue, those may be the very records to digitize first since that complements the Town 's efforts at modernizing its' IT systems. While the Town has begun to digitize its' records, more needs to be done to offset spending to store written records.

Privacy is a temporary need. If staff needs to confer in private, the Town has ample ability to schedule such meetings in its' Administrative Center conference room, in Council Chambers or one of the rooms adjacent to the Chambers. Surely at any given time not a large

³⁹ While it might seem counterintuitive, permit issuance has actually held steady during the recent economic downturn due to increased requests for remodeling and additions.

percentage of any department's personnel need to meet among themselves, with other departments or the general public.

The claim that inadequate space negatively affects productivity is spurious. Atherton's police, the department claiming the greatest need for extra space, have operated in an effective manner for over three decades by making purpose-built additions as they become critical to their mission. Nearly 97% of the Town's residents are satisfied with the job Atherton's police are doing and 88% were impressed with the force's professionalism when called.⁴⁰ If the police are able to operate at such a high level of residents' satisfaction in their present facilities, can more productivity really be achieved with larger offices?

Issue 2.6 – Is The Town Handicapped In Its' Employee Recruitment And Retention By Not Having Enough Or Code Conforming Space?

Issue 2.6—Argument For – Recruiting and Retaining Public Service Employees Is Increasingly Difficult – Atherton's employees are crowded together in space half the size the facilities need to be. Not only are most spaces inadequate for today's needs, but also many are poorly lit and ventilated (e.g. the police break-cum equipment locker room), and some have open sewage and possibly asbestos issues. Some Town offices are 'fishbowls' or effectively corridors (creating privacy issues); most in the Permit Center lack the requisite space to spread out large drawings; some are larger or smaller than the relative rank of the employee should specify (which causes internal personnel issues); and some are simply shabby. There is no conference space in the Permit Center that can hold more than four people, while female police and dispatch officers must share a bathroom and locker space designed for a department of males less than a quarter its' present size.

Competent public servants are increasingly hard to find given the comparative remuneration schedules. Recruiting and retaining public employees has become harder as proportionately fewer are either educated in public administration, or interested in serving in a town they clearly cannot afford to live in. Given that poor quality spaces and overcrowding are especially visible in the Police and Dispatch

⁴⁰ Police Services Survey (Conducted For The Town Of Atherton) by Godbe Research, September 2006; pages 9 and 10.

areas, it is likely that this will lead to retention difficulties sooner than later.

Issue 2.6—Argument Against – Recruiting and Retaining Public Service Employees Is Relatively Easy – It is clear that Atherton will not lose its' ability to recruit and retain high quality professionals if it doesn't build a new facility. The Town has had no trouble in the past getting or keeping employees. In early 2009, the weak regional and national economy's has put both public and private sector jobs at risk; and California's budget crisis has added another layer of uncertainty for public sector employees. Atherton did not have trouble recruiting a new Assistant City Manager, Finance Director, City Clerk or sworn officers during the depths of the 2008-09 "Great Recession". Given that the Town recompenses competitively, presents employees or prospects with few of the dangers or stress associated with public service employment in big cities, Atherton actually may be in a relatively enviable position to recruit and retain professionals.

– Chapter III – Arguments For And Against Specific Physical Aspects Of A New Town Center

The following seven issues focus on specific physical aspects of a potential new town center.

Issue 3.1 – Should Atherton Have Newly Constructed Public Service Buildings, Or Remodel Those Presently Occupied?

Issue 3.1–Argument For – Atherton Should Probably Go Ahead And Build Entirely New Facilities – First, there is only one building that can be remodeled; the approximately 4,500 square foot, Administration and police building constructed in 1965. That structure represents less than one-fifth of the total space needed in late 2008. The remaining, existent spaces are modulars (sometimes referred to as trailers) plus plywood and steel outbuildings – either past their useful life or about to need replacement. If remodeling costs were to be only three-fourths per square foot of the costs of building anew, which is not generally the case, savings from remodeling that single building would represent only about 4% percent of the total costs of providing the space needed.

Second, the amount of space needed is nearly twice that of all the present multiple facilities combined. Trying to make additions and simultaneously remodel the present facilities would entail not only logistical challenges, but also substantial, extra on-site costs. Two prior studies by architectural firms have concluded that the costs of remodeling the present facilities, or any part thereof, would exceed the costs of building new facilities.⁴¹

Third, the Permit Center (Building, Public Works Management and Planning) is in what was intended in 1997 to be temporary modular buildings. Building permit staff had to be increased to meet resident and developers' demands for faster permit processing. For several rainy seasons, roofs on the modulars have had to be supplemented

⁴¹ The 1995 G4 Architects study, and the 2006 Edward Gee & Associates study concluded that the costs of remodeling the present facilities to meet the myriad of codes they don't meet would exceed the costs of starting anew.

with tarpaulins. These modulares are rapidly deteriorating and now at the end of their effective life span. Because they are both unsightly and negatively impact proximate property values, replacing them with new modulares is not acceptable to the Central Atherton Residents Association (CARA).

Fourth, part of the lands for the Permit Center and the Public Works operations center is presently encumbered by a CalTrain easement. If the High Speed Rail (HSR) Project becomes a reality, then not only would employee parking for those facilities be lost, but probably even more since HSR's eminent domain powers will take land for both construction and materials logistics, as well as a 'shoofly' set of tracks to keep CalTrain operating during HSR construction – whether an above or below ground solution is the outcome.

Fifth, the specific characteristics of many of the needed 'new' spaces; for example their sizes, dimensions, and security are different from those spaces now in use by the Town. Said another way, the existing spaces, utilities, information and telecom infrastructure do not lend themselves to cost-efficient remodeling to meet the specific characteristics now demanded of public services spaces.

Finally, the overriding rationale to build new facilities relates to the potential liabilities of not bringing the Town's public services spaces into conformance with the multiple infractions that the buildings now represent.

Issue 3.1–Argument Against – Atherton Does Not Need New Buildings, It Needs The Present Buildings Used More Effectively – First, we don't know the actual costs of remodeling versus building anew; the most recent survey of that issue – the G4 Architect's study – is more than a decade old. More study needs to be done on how to better organize and use the present spaces. An independent evaluation should prove or disprove the costs-effectiveness of building anew before any conclusion can be made.

Second, there is nothing inherently wrong with modular units. They are less costly per square foot and meet modern building codes. While their useful life may be less than a 'permanent' building, over the past forty years, we learned that Federal and State mandates have both increased the need for space and changed the nature of those spaces. Adding modulares to respond to Atherton's needs and government mandates has been a cost-effective and incrementally financed solution.

Third, and as previously stated, if the High Speed Rail system annexes the area where the Permit Center now encroaches on CalTrain's right-of-way, then modulars for that function – whether kept at the present square footage or increased to meet the stated need – can be located in the parking area bordered by Fair Oaks Avenue and Dinkelspiel Avenue.

Fourth, Atherton's only critical and popularly supported public service, its' police force, could take over the present Administrative Offices and remodel those to meet the needs for different sizes and shapes of rooms of 'new' functions mandated in the past forty years. The remaining employee-occupied functions (Finance, Management, Building, Planning, etc.) could go into a 'temporary modular complex – perhaps deferring the construction of 'permanent' buildings until such time as funding becomes available.

Fifth, Atherton does not really need a new facility for Council Chambers. To upgrade the 1920s building to seismic codes is a known fact; \$254,000. To upgrade to other safety codes might be even less, keeping costs below the approximately three quarters of a million dollar estimate to build anew.

Issue 3.2 – Should Atherton Preserve Its' 1920s Council Chambers Building?

Issue 3.2–Argument For – Atherton Should Preserve The 1920s Council Chambers Building – The 1920s Spanish (or Mission) style building on Ashfield Road, presently housing the Council Chambers and Heritage Room, is an architectural landmark, and a symbol for the Town and its' residents. Throughout the course of the BRTF's work and presentations, residents were anxious about its' future. While clearly supported by Central Atherton Residents Association, other anecdotal evidence supports its' preservation and upgrading to continue its' use as either a smaller-than-needed Council Chambers or some other function integral with the town's civic life.⁴²

Issue 3.2–Argument Against – The Council Chambers Building Is Unsafe, And Even If Made Safe, Is Inadequate For Any Known Purpose – A study of the need and costs of the Council

⁴² There were several BRTF discussions on having Atherton's Library take over the Council Chambers building for their own purposes.

Chambers conforming to seismic safety was completed in April 2009.⁴³ To solely make the building structurally safe would cost \$254,000. As with any remodeling project, costs almost always exceed estimates after walls are opened up, foundations are discovered to be less reliable than thought, roof structures are tested, etc. So the recent estimate is a starting point, not a hard fact. And the seismic estimate does not include bringing the building into conformance with electrical or plumbing standards, nor for lighting, heating and ventilation for auditoria. Nor does it deal with the need for ADA compliant bathrooms, nor the salient need for visual and auditory presentation systems that meet modern expectations. This is a building with big problems and it's going to cost considerably more than imagined to save it.

And if it is saved, what purpose does it fulfill? Its' spatial layout, lack of exterior lighting, heating, ventilation and acoustical challenges preclude subdividing it into office spaces. And the two anterooms, used by the Heritage Association, are too small to be large meeting rooms and too large to be offices. In an era of fiscal constraint, why keep and maintain public space that is either unsafe or without a purpose?

Issue 3.3 – Should The Proposed Town Center Be Located In Holbrook Palmer Park?

Issue 3.3–Argument For – Holbrook Palmer Is The Right Location – A Holbrook-Palmer Park location is intriguing both because of its' relatively less crowded and more bucolic setting (in keeping with the mission statement of Atherton to preserve its' rural nature), and because it would locate Town functions nearer Town-sponsored arts and cultural activities as well as sports fields.⁴⁴ Locating there would

⁴³ A report called ASCE 31-03 Structural Evaluation Report For Atherton Council Chambers was submitted on 6 April 2009 and was prepared by the Crosby Group, 726 Main Street, Redwood City, CA 94603. On 11 February 2009, Crosby Group submitted ASCE 31-03 Structural Evaluation Report For Atherton Library. Since parts of the Library were built about the same time as the Council Chambers, the findings are similar and the costs of bringing the Library to conformance with structural codes was estimated to be \$307,000. Again, no attempt has been made to estimate the costs of other, needed upgrades.

⁴⁴ A seven-year old survey found a high degree of satisfaction with functions held at Holbrook Palmer Park, with particularly deep support coming from residents who have lived in the town over 20 years. See: Memorandum from Linda Kelly, Assistant to the City Manager: Results Of Holbrook-Palmer Park Survey; Merrill Research and Associates April 5, 2002.

not require worrying about temporary offices during construction; relieve central Atherton (CARA) residents of round-the-clock vehicular traffic noise, better integrate Town functions – including Council meetings – held in the Jennings Pavilion and by-pass the inconvenience and cacophony to CARA residents of more than year of construction. Using a Holbrook-Palmer Park location could also *finesse* the challenge of dealing with the location impacts of High Speed Rail passing through the Town. As a side benefit, the Holbrook-Palmer location would allow the possibility of selling the present site of the Town’s public services. At current prices, the 1.6 acres could bring in about \$2-3M if zoned for one or two residences – monies that might be channeled to the new Town Center’s construction.

Issue 3.3–Argument Against – The Present Location Is The Correct Location – By putting the buildings at a Holbrook-Palmer Park location, Watkins Avenue would need to handle more traffic, more Town operations and functions would increase noise heard by residents of the Felton Gables neighborhood of Menlo Park and the Town’s center would be away from the 1920s Town Hall.⁴⁵ While subject to interpretation, this location may be in violation of the uses granted to the Town when the Park was given and will certainly decrease the amount of open space available to residents.⁴⁶

Locating the new facilities on the present site bordered by Ashfield Road, Fair Oaks and Station Road keeps a symbolic and historic attachment to the original center of Town government. If the chosen style of architectural solution complements the 1920s Town Hall, and the (upgraded) Atherton Library buildings are an integral part of the design solution, this ‘sense of place’ is enhanced.

Issue 3.4 – Would Building A New Town Center Be Affected By The Possibility Of High Speed Rail?

Issue 3.4– Argument For – Design Of The Complex Should Address Error! Reference source not found. – The likely reality of the California High Speed Rail (HSR) system is a very large ‘known unknown’. Atherton will lose some presently used parking space behind the existing Permit Center if the 4-5 track high-speed rail

⁴⁵ The metal inscription over the front parapet says “Town Hall” but the building today houses only the Council Chambers, two bathrooms and Heritage Rooms.

⁴⁶ Further research needs to be done to understand the desired uses in the estate of Olive H. Palmer.

embankment or below grade solution becomes reality. Likewise, the rail friction noise of nearly 200 daily CalTrain and California High Speed Rail (HSR) trains, a grade separation at Fair Oaks and Watkins Avenue, plus the visual detriment of catenary electrification will be a substantial design challenge.

While there is ample acreage at the Town's present government facilities to build on, planners will have to take a careful approach to both building and facilities massing. With HSR or CalTrain 'upgrades', the eventual planners and architects for the complex must be sensitive not to mass the buildings in such a manner as to 'loom' over adjacent residences, nor to use or locate communications towers that would devalue residences in the CARA neighborhood. They must 'look both ways' in the design process and assume that the will of California's voters in November 2008 will be carried out, and that CARA residents will have to 'live with' the complex a very long time.

Issue 3.4—Argument Against – Forget HSR's Needs; Atherton Must Follow Its' Own Rules In Designing The Town Center – Atherton can't wait years, or perhaps decades, to know whether HSR will even exist; or whether CalTrain will be grade-separated and electrified. And the town can't wait to find out if the solution or solutions are to be above or below ground. What we know, as spelled out in our General Plan, is that residents choose to live in a "scenic, rural, thickly wooded residential area with abundant open space".⁴⁷ Following that dictum, Atherton needs to move on with its' own plans; not those of a possible, but far from certain railroad imposition.

Issue 3.5 – Should The New Town Center Be A Single Building Or Pavilions?

Issue 3.5—Argument For – The Complex Should Be A Single Building – The single building complex has the merits of bringing employees under one roof. If there is a single entry for all functions other than police and dispatch, the single building can be designed for security control.

Conversely, a disadvantage of the pavilions concept to nearby residences is living with multiple versions of construction cacophony. Pavilions' exterior maintenance costs might be higher than a single

⁴⁷ Town Of Atherton, General Plan; Chapter LU1, Section 1.210; September 1990.

building since a pavilions scheme would infer more landscape and hardscape solutions to articulate the spaces between the buildings. And the energy costs of several pavilions may be greater than a single building, largely due to the increased external surface area.

Issue 3.5–Argument Against – The Complex Should Be Multiple Pavilions – One disadvantage of a single building would be it’s architectural bulk. Any single building of twice the entire capacity of all the present, permanent construction, plywood and modular solutions now employed, will appear very large compared with nearby residences. This will be true whether the building is one or two stories, or a mixture of those heights. The bulk issue would be even more pronounced if the site selected is the present location of the Town’s public services.

One of the advantages of the pavilions concept – multiple buildings of one or two stories linked by passageways – is that each pavilion could be financed and built as funds become available. While this would need to be guided by a master plan for whichever site, the Town could put priorities on what it wished to do sequentially. A second advantage of the pavilion concept is the resultant architectural mass, separated with open spaces (passageways, patios and gardens), keeps the ‘scale’ of the complex closer to that of the nearby residences.⁴⁸ Atherton’s stated preference for “residences tucked beneath the foliage of heritage trees” is likely to be better served with a series of separate pavilions than a single structure.

Issue 3.6 – Should The Town Build Expansion Space In The Facilities?

Issue 3.6–Argument For – The Facilities Should Include Expansion Space – Originally, no provision was made in the late 2008 space estimates for expansion. However, after deliberations, an additional 5% was elected as reasonable and is shown in Figure 1. If the past is indicative, residents are likely to demand more services, particularly for police services that represent about half the estimated

⁴⁸ The present Town’s services complex sits within a portion of the town zoned R1B, which is exemplified in the main by smaller-than-one-acre lots with one and two story homes generally smaller than those in the R1A zone.

additional space needed.⁴⁹ And the State and Federal governments are likely to impose mandates that require either more functions or responses to accommodate special needs as the ADA and EEOC have in the past.

Portola Valley thought it had enough expansion space when it left 1,000 square feet open on a second floor for storage. Prior to opening their new center in 2008 they had to partition the space for town offices.⁵⁰ Whereas in the past Atherton had extra space near its' present facilities to expand incrementally with temporary buildings, the proposed 25,000 square feet is likely to take nearly all the site bounded by Ashfield, Dinkelspiel and Fair Oaks. Therefore, expansion space should be part of the equation today to effectively use the part of the building – perhaps part of a second floor or basement – while that option is open.

Issue 3.6–Argument Against – No More Space Than Is Needed At Present Should Be Included In The Facilities – The case for additional space is weak, and the case for more than the Figure 1 estimate weaker. Any organization will find the rationale to justify using more than the space available, and city governments are not exempt from that attitude. Before any space is built, Atherton must have an independent assessment of its' government efficiency. From that study it should adopt space-planning standards on more rigorous criteria than what was stated as needed by department heads and town management.

Technology and outsourcing are changing storage space demands, and modern commercial enterprises are building less square footage, as administrative and sales employees are able to work from home, while teleconferencing is taking over the need to gather employees in meeting rooms. While there may be city functions today that demand face-to-face interaction by staff, technology adoption and outsourcing has been the hallmark approach to future needs. That trend should set the standard for Atherton's approach to its' space needs.

⁴⁹ If surveys are correct, Atherton's police are not likely to be separated from its town government. Over 70% of the resident-respondents in the Godbe Research report: Police Services Survey: Conducted For The Town Of Atherton, September 2006 would like to "keep things as they are" with another 22% wishing to increase the police service budget (pg. 32).

⁵⁰ Interview with Siegel & Strain Architects of Emeryville, California during visit to Portola Valley Civic Center, 3 October 2008.

Issue 3.7 – Should Residents’ Preferences For Planning And Architectural Features – As Gathered By BRTF In Early 2009 – Be Recommended To Council As Guidelines For Planning The Town Center?

Issue 3.7–Argument For – Residents’ 2009 Preferences Should Be The BRTF’s Recommendations To Council To Guide Planning The Town Center – As stated in Chapter I, BRTF built a model of the area surrounding the present town center and then sixteen different massing forms that would allow residents to choose where they thought the building or buildings should be located and whether they should be one or two floors. This was placed in the postal facility and a survey form set beside it for residents to record their preferences. Although the number of resident respondents to this effort at BRTF outreach was small, the BRTF did advertise the model in the spring edition of The Athertonian, and ‘pointed to’ the ability to ‘build your own’ in the web site ‘Atherton Today’.⁵¹

Without a costly survey of residents, which could provide spurious or misleading information on potential physical attributes, the DIY (Do It Yourself) model and the process of immediately soliciting answers ‘on-site’ seems as good a guide to knowing what residents want as the Task Force is going to get at this point. Portola Valley learned that, despite paying architects to present at more than a year of public hearings, residents weren’t really interested in the architecture of their new town center until the final architectural models were presented. Still, some residents claim to have never been informed and were critical of the chosen solution.

BRTF should make its’ recommendations on physical attributes to Council based on what it knows from residents as of today and let Council decide what to do next.

Issue 3.7–Argument Against – BRTF Should Not Use Its’ 2009 Data On Residents Preferences As Its’ Guidelines – The data base is too small to accurately represent any kind of guidance for planning such an important physical ‘event’ within the town.⁵² BRTF

⁵¹ <http://www.AthertonToday.com>

⁵² Only slightly more than a dozen residents filled in the survey of planning and architectural preferences after inspecting and using the model elements placed in the postal facility lobby of the administrative center.

doesn't know who filled in the forms and whether they considered the options constrictive.

If Council wants to know residents' preferences about the site, massing and architectural features of a new town center, they should commission a survey followed by *charettes* to gather ideas that can be passed on to the architects. BRTF should not use the data gathered from its' model-and-survey in its' recommendations to Council.

Chapter IV

Arguments For And Against Various Financing Options For Additional Space

It is no secret that public entities, including those with wealthy residents, are struggling to find operating or capital funds during the present economic difficulties. Atherton is not exempt from these challenges. BRTF, being established just as those difficulties became apparent, is well aware of the both the lack of reserves the Town has in 2009, as well as the shrunken household budgets and donor funds that otherwise might help build additional public services spaces.

As referred to in the Background section, BRTF was tasked with discussing financing for a town center. However, a Fundraising Committee was not established for this phase of BRTF's work. In the course of the BRTF's deliberations, three potential modes (bonds, mortgage and tax); five potential public sources, internal to the Town, and one private source were identified and discussed.

BRTF heard arguments for and against three ways to fund a new town center and concluded (Issue 4.1) that a finance committee needs to find an optimal mix of these. The potential modes and sources of funds that BRTF discussed to finance a town center are – ⁵³

Modes

- 4.2. A municipal bond or bonds as a mode
- 4.3. A mortgage taken against the facilities as a mode
- 4.4. A special tax to pay for the facilities as a mode

Sources

- 4.5. Fees generated by Atherton's Building Department
- 4.6. Atherton Library Donor Funds
- 4.7. Rental of mailboxes in the Contract Postal Facility
- 4.8. Rental of commercial office space
- 4.9. Public Works Department fees
- 4.10. Donations by individuals, foundations or corporations

Each financing mode or source option raised issues for and against its' use. This chapter limits itself to identifying the issue, then outlining the For and Against discussions that BRTF members made on them.

⁵³ There may be other 'internal' sources of fee-based funds from other departments of the government, but as of June 2009 these had not been discussed.

Recommendations to Council on financing are found later in Chapter IV.

Financing Issue 4.1 – What Is The Optimal Way To Finance A New Town Center?

For Financing Issue 4.1 – Careful Study Must Be Done On The Optimal Mix Of Methods And Sources For Financing – Since the onset of the present work, the Task Force has known that a committee to investigate the best methods of financing a possible new town center would be appointed after this phase of BRTF's work. While BRTF heard about the basic approaches of three modes and six sources, none of the BRTF's members are experts in public finance. Therefore no single mode or source was singled out as optimal, nor was any mixture of those found to be less costly for the city. Upon receipt of this report, Council should proceed to appoint a committee solely dedicated to both finding the right source or sources, and securing finance for the new town center.

Against Financing Issue 4.1 –No Study Need Be Done On Methods And Sources For Financing – No BRTF member came forward to argue that no work needs to be done on finding the optimal mix of financing as this task was established *a priori* in the Council's mandate to BRTF.

Financing Issue 4.2 – Should Atherton Use A Municipal Bond To Finance A Town Center?

For Using Financing Mode 4.2 – Atherton Should Use A Bond To Finance All Or Part Of Its' Town Center – Bonds are the classical method for financing capital improvements. Tax –free Government Obligation (GO) 'munis' could cost Atherton less than a mortgage, as bondholders are willing to accept lower interest rate in exchange for the security of the full faith and credit of the Town. However, Atherton should also investigate using either revenue bonds or assessment bonds that derive part of their repayment from income generated, if any, by functions at the town center.

A bond measure could be put on the ballot as early as 2010.⁵⁴ If structured correctly, many bonds passed in election years require only a simple majority to pass. This timing gives the Town about eighteen months to have a center designed and reviewed and engineering cost estimates prepared. During this time the Town could also increase its' public outreach program to garner support for the center.

Against Using Financing Source 4.2 – Don't Use Bonds To Finance The Town Center – The legal and finders fees and charges associated with a municipal bond are expensive, legally taxing and time consuming. 'Munis' come in many forms, including long-term fixed rate bonds, short-term notes, adjustable-rate securities (such as variable rate demand obligations, auction rate securities, and others), and zero-coupon bonds. Staff and consultants' time is spent to gain a rating agency's opinion; establishing whether a GO, revenue or assessment bond is the best fit, whether they should be fixed or variable rate bonds, etc. In short, the bond financing process is very costly.

Financing Issue 4.3 – Should Atherton Use A Mortgage To Finance All Or Part Of A Town Center?

For Using Financing Mode 4.3 – A Mortgage Should Be Used To Finance All or Part of A Town Center – Mortgage interest rates in mid-2009 are relatively cheap. Assuming there are no other funds, either its' own or state and federal funds, 30 year 5% mortgage on the entire estimated \$15M complex would be about \$966,000 per year (\$80,523/mo x 12) or about \$440 per Atherton household per year for thirty years. Because of Federal actions to re-start the economy during the 'Great Recession' this is a nearly unique rate. Given the likely rises in long term borrowing costs, 5 or 5.5% may not be seen again for some time. For example, if by 2011 the 30-year rates rise to 6.5%, annual borrowing costs per household on \$15M would be about \$520; and if to 7.5% annual borrowing costs per household would be \$570. These two higher-than-5% costs per household represent an annual cost-to-service increase of 18% and

⁵⁴ Atherton may also want to explore using Build America Bonds (BAB), a part of the Federal stimulus plan. However, this facility is due to expire in 2010.

30% respectively.⁵⁵ If Atherton wants public support, it should seek the lowest borrowing costs. That suggests moving quickly to 'lock in' historically low interest rates.

Against Using Financing Source 4.3 – Don't Use A Mortgage To Finance All or Part of A Town Center – While a mortgage might be forthcoming from commercial sources, it would have to be secured against the buildings financed. Although defaults on government debt are rare, even Orange County defaulted in December 1994. With California's mid-2009 budget crisis, it isn't clear whether commercial lending will be available for Atherton given its' projected 2009-10 budget shortfall, pending lawsuits and ±\$12M unfunded pension liability.

Financing Issue 4.4 – Should The Town Have A Special Tax To Pay For The New Town Center?

For Using Financing Mode 4.4 – Atherton Should Have A Special Tax To Pay For The New Town Center? – A special tax is the 'clean' way to go as it puts the issue before Athertonians in a clear choice. This tax could be a one-time tax, which assuming there is no other funds to finance the \$15M estimate, the tax would be about \$6,800 for each of the 2,200 households. Or it could be an assessment over several years, but approaching the challenge of financing the Center this way lets every resident understand the obligation.

Against Using Financing Mode 4.4 – The Council Would Be 'Committing Political Suicide' To Propose A Tax To Pay For The Center – If, during the economic boom in 1999 only a third of Athertonians were willing to pay for a new facility, no known logic suggests that during this 'Great Recession' residents would be willing to come up with \$6,800 per household. Every effort must be made to find existing public funds – whether our own or from State or Federal sources – and private contributions to fund the new facilities.

⁵⁵ While perhaps difficult to remember, 30 year fixed rates in late 2007 were around 6.4%. At 6.5% the annual borrowing costs on \$15M are \$1,137,700 or \$517 per year for each of Atherton's households. At 7.5% those annual costs are \$1.258M, or \$570 per household per year.

Financing Issue 4.5 – Could Atherton Use \$1.8M Of ‘Surplus’ Building Department Funds To Finance All Or Part Of A Town Center?

For Using Financing Source 4.5 – Atherton Should Use Its’ ‘Surplus’ Building Department Funds – In early 2000, by its’ Resolution No. 00-13, Town Council raised the valuation rate on construction permits. In theory, this act created a ‘surplus’ greater than the actual operating costs of the Building Department.⁵⁶ In December 2008, Council was told that the set aside from Resolution No. 00-13 had not been allocated to the Facilities construction Fund (Fund 406), and that the set aside, with interest accumulation, should have generated a net \$1.8M ‘surplus’.⁵⁷ The resolution adopted said the funds could be used to provide a “replacement of the building which is utilized by the Town’s Building Department.”⁵⁸

it is also possible that approximately \$1.2M of surplus created by the building permit fees over the 2001-2005 period could be put into Atherton’s New Facilities Fund (406 Account); complementing the \$1.8M already available.

Against Using Source 4.5 – Atherton Cannot Use Its’ ‘Surplus’ Building Department Funds – While Council may have had the best of intentions and used rulings up to late 2008 to make its’ decisions, in early 2009 they commissioned an audit to be done on whether these ‘surplus’ funds could be used. As of early October

⁵⁶ In 2000, Council agreed that permit fees were based on cost of construction and remodeling that were outdated. The Town raised Building Department permit fees from a “valuation basis from \$110.00 per square foot to \$250.00 per square foot . . . [will] raise the building permit fees an average of 71%.” While these fees “must be used for building permit related activities, part was to be used to fund a cost allocation plan to reimburse the Town’s administration for support services and a Inspection carry-over fund to pay for projects taking more than one year, and a “Permanent Building Fund to pay for the Building Department’s portion of a new, permanent structure.” Source: memorandum; Building Inspection Fees; Michael A. Hood; prepared for the City Council meeting of May 9, 2000.

⁵⁷ “To correct this discrepancy, staff is seeking City Council approval to transfer \$1,805,144 (\$1,600,000 plus \$205,144 interest income accrued at 3%) to the Facilities construction Fund (Fund 406).” See: Memorandum: Adoption of A Resolution Ratifying Funds Identified In Resolution No. 00-13 To Be Transferred From the General Fund To the Facilities Construction Fund For A Replacement Building For The Building Department; Louise Ho, Finance Officer for the meeting of December 17, 2008 (Item 15).

⁵⁸ See: Resolution No. 08-53 A Resolution of the City Council of the Town of Atherton Ratifying The Transfer of Funds Identified In Resolution 00-13 From The General Fund To A Designated Fund For Building Replacement; Adopted December 17, 2008

2009, the report by the audit firm, NBS, had not been received and ruled on by Council.

Likewise, the idea of using the approximately \$1.2M of surplus created by the building permit fees over the 2001-2005 has not received a ruling by NBS, nor approval by Council.

It would be premature for BRTF to recommend using these two Building Department 'surplus' funds in any way unless a positive ruling is made by NBS, received by and approved by Council.

Financing Issue 4.6 – Could Atherton Use Library Donor City Funds To Help Finance A Town Center?

For Using Financing Source 4.6 – Atherton Can Use Library Donor City Funds To Help Finance A Town Center – Atherton is a member of the Joint Powers Authority (JPA) that governs the use of library funds in San Mateo County. JPA is an outgrowth of the 1978 Proposition 13 "regarding the manner in which library services were set and funded."⁵⁹ Donor City Funds are the amount of property taxes collected that is greater than the costs to provide library services to a JPA member. Atherton is a Donor City in that the property tax it collects exceeds what it spends on its' library. JPA remits this excess to the Town and the Town deposits these monies in a Library Special Reserve Fund.⁶⁰ Atherton's deposits at the Fund in June 2007 were \$2,564,923, and by the close of June 2009 approximately \$4.0M.⁶¹

In September 2008, the Governing Board of JPA unanimously approved a motion that "Atherton should be allowed to use donor city funds for the purpose of acquiring existing lands and buildings to expand the library."⁶² This ruling was predicated on the outcome of examination by legal counsel of the proposal "to identify any conflicts

⁵⁹ Memorandum to San Mateo County Library JPA Governing Board: Re: Town of Atherton's Proposed Use of Donor City Library Funds; John A. Shupe; Shupe and Finelstein, Attorneys at Law, San Mateo County, CA. November 24, 2008.

⁶⁰ Martha Poyatos; Report & Recommended Determinations – Municipal Service Review and Sphere of Influence Review for the Town of Atherton & Atherton Channel Drainage District. Local Agency Formation Commission; August 14 2008; p. 14.

⁶¹ The 2009 surplus from JPA, originally budgeted as \$550,000 was actually \$775,000. The estimated 2010 surplus will supposedly be \$630,000.

⁶² Email memorandum from Anne Marie Despain to Charles Marsala; Wednesday September 17, 2008, 8:15am. Council member Marsala reported this in the minutes to the September 2008 Council meeting; item 31.

of interest with respect to the use of these funds” and “examination of the proposal to ensure that the project adheres to founding guidelines by the JPA Operations Committee”⁶³

Against Using Financing Source 4.6 – Atherton Has No Right To Use Library Donor City Funds To Help Finance A Town Center – In its’ review of the September JPA motion to authorize the expenditure of donor city funds by the Town to ‘purchase’ the Town Chambers, JPA’s commented legal counsel “I do not think that this provision (i.e. Article VI.D) could reasonably be stretched to include using those funds to acquire a building already owned by the Town.”⁶⁴ In January 2009 JPA’s Operations Committee recommended, “that the Governing Board accepts the JPA legal counsel report.”⁶⁵ A month later the JPA Governing Board moved to rescind counsel’s opinion.⁶⁶

Clearly Atherton cannot ‘buy’ a building it already owns with JPA funds, no matter how its’ good intentions for a town center. And without JPA Governing Board approval, the Town cannot dictate to the library what capital improvements it might make to its’ existing building, despite owning that building.⁶⁷ While JPA’s Article VI.D allows “facility remodeling or expansion” under the proviso of “library related activities” any attempt to use monies beyond that narrow scope is questionable.⁶⁸ While the library has a consulting engineer’s report on the costs of seismic retrofitting, no decision has been made about commissioning that work or any other type of remodeling or expansion.

⁶³ Email memorandum from Anne Marie Despain to Charles Marsala. While legal counsel did rule on the issue by September 2008 (See: John A. Shupe, November 24, 2008) no documentation was forthcoming from the JPA Operations Committee at that time.

⁶⁴ See: John A. Shupe, November 24, 2008; page 3 paragraph C2.

⁶⁵ See: Use Of Donor City Funds Update: Memo to JPA Governing Board: Attachment VI; From Martin Gomez, Director of Library Services, May 22, 2009 for meeting date June 1, 2009

⁶⁶ Minutes of the San Mateo County Library JPA Governing Board Meeting of February 2, 2009; item VI, Use of Donor City Funds.

⁶⁷ See: John A. Shupe, November 24, 2008; page 1, Facts And Assumptions.

⁶⁸ Recognizing the contradictory nature of the then-understanding of JPA’s funds, Atherton City Council passed a motion (3 Ayes and 2 Nays) “. . . to direct the City Manager and City Attorney to work with the San Mateo County Library Joint Powers Authority to determine explicitly use of library donor funds.” See: Minutes of the May 20th, 2009 meeting of the Town of Atherton City Council; page 15 of 19.

Financing Issue 4.7 – Could Atherton’s Public Service Facilities Include Rental Mailboxes To Offset Costs?

For Using Financing Source 4.7 – Rental Mailboxes Should Supplement The Income Of A Continued Contract Postal Facility

– Mail is posted from the present town center, which from anecdotal evidence, is viewed as benefit by many town residents. The Town earns income operating a US Contract Postal Facility in its’ lobby-reception area, offsetting a portion of operating expenses. The Facility provides an informal place where residents rendezvous, have ‘chance meetings’ and gain a sense that they are not isolated, but belong to a community. When Atherton finds itself in financial ‘straights’ with a likely property tax income shortfall and ±\$12M of unfunded pension liabilities; earning more monies from the Postal Facility by box rentals warrants inspection. While post box rentals would produce more direct income; it would also establish the possibility of income from business licenses and fees by Atherton-registered businesses. This total might represent an income of \$120,000 per year – a Net Present Value (NPV) of about \$885,000. ⁶⁹

Against Using Financing Source 4.7 – Mailboxes Create More Problems Than Financing Issues They Solve

– Steady resistance to the box rental idea from neighbors to the present town center has been based largely on the impact of ‘extra’ traffic on Ashfield Road. Atherton’s citizens mailing letters or packages like the convenience of not having to mail at either the Bohannon or Oak Grove post offices. If more businesses and private citizens receive their mail at a town center, they are more likely to visit daily to check their mail. Having businesses use the town center as a business address most probably layers on an entirely new level of traffic. More traffic, particularly if access to mail boxes is available after business hours, means more vehicle and pedestrian noise – further disturbing the quiet of the neighborhood. Whether or not it negatively impacts surrounding property values is a possibility too.

⁶⁹ The underlying assumption is there will be 50 mailboxes renting at \$15/mo; plus 50 business licenses at \$1K/per; plus sales tax revenue of \$100K/yr. All of these incomes are expected for no more than 80% of a 40-year life of the complex. 2009’s income from this feature would be \$120,600. The NPV, calculated at 5% over 40 years would equal \$844,800 (i.e. \$120,600 times the discount rate of 7.040 = \$844,800)

Financing Issue 4.8 – Should The Town’s Facilities Have Commercial Rental Space To Offset Their Costs?

For Using Financing Source 4.8 – The Facilities Should Have Income Generating Activities To Offset Their Costs – A decade ago analyzing the example of Menlo Park, an investigation was made on whether to build commercial space along with a new complex for public services.⁷⁰ After some debate and controversy, the idea was dropped. But the notion of earning income from a dual use complex returned and at last reading had broad public support.⁷¹ However such ideas continue to create opposition from Central Atherton Residents Association (CARA) residents.⁷²

The income potential from this source is significant. If the Town were to rent less than 8% of the complex – or 2,000 square feet for offices that later could be used for expansion – at \$4/ft per month and occupancy at 80% during 30 of the building’s 40-year life span, annual rents in 2009 would be \$230,400. If calculated with a discount factor of 5% over 40 years, the Net Present Value (NPV) in early 2009 of those rents is about \$1.6M. That NPV, if it can be borrowed against, is over 10% of the estimated costs of building a new town center.

Against Using Financing Source 4.8 – Income Generating Offices Create Negative Impacts On The Neighborhood – Nearby residents oppose the idea because professional or commercial offices in the town center would generate extra vehicle traffic and parking problems. If 2,000 square feet of rented space represented 15 offices

⁷⁰ The genesis of the idea may have been in Town Of Atherton Public Opinion Survey; Godbe Research & Analysis; May 1999. In the section on Alternative Funding (pg. 4) it says “One possibility would be to allow construction of a commercial building that would provide office space . . .”. Also, then-Councilmember Dianne M. Fisher led this idea, which advanced to having a developer propose to voluntarily cede use of space for the town’s administrative functions in return for his ability to rent out commercial space within a proposed complex of buildings. Source: March 2009 interview with Councilmember Charles Marsala.

⁷¹ The May 1999 Town Of Atherton Public Opinion Survey, by Godbe Research & Analysis Corporation noted (pg.4) that “. . . alternative funding plans like the construction of a second story above the current Town Hall building. Sixty percent (60%) of respondents supported this type of flexible approach . . .”

⁷² Again, in 2005 Law & Associates proposed building a mixed use, Town administrative center and senior citizen housing complex, at the present Town Center site. This approach would help Atherton meet State of California requirements for affordable housing. Source: Atherton Town Center: Senior Housing & New Town Facilities; Law & Associates, November 16, 2005.

with an equal number employee cars; and there was only one visitor per office per day (assuming only professional and not medical spaces) provision must be made for another ±\$300,000 to build 20-25 parking places and additional \$800,000 to build the office space. The neighborhood should expect at least 'new' 75 trips daily to-and-from the complex. Such movement would seriously encroach on the quality of life of the contiguous neighborhood.

Perhaps even more importantly however, renting office spaces in the town center would require a change in the Town's zoning code to allow commercial space to be constructed. While home occupancy, i.e. a businesses operated from a home, is allowed in the town, nowhere in Atherton is a commercial building permitted.⁷³ Opening up one part of town to commercial activity creates challenges for Atherton's zoning code that presently disallows traffic-generating activities or those that change the character of the surrounding district. Residents who want to operate temporary lodgings (e.g. B&Bs) or at-home health-related (e.g. psychologists, masseuses) and beauty-related services (e.g. skin care clinics) which generate vehicular traffic would then have ample legal grounds to challenge the Town's "discriminatory" zoning laws.

Financing Issue 4.9 – Could Atherton Use Public Works Fees As A Source Of Funds For The Town Center?

For Using Financing Source 4.9 – Public Works collects fees for the approval and inspection of residential utilities work. These fees could be construed to be, as in the case of the Building Department, solely for the use of the operations of the Public Works Department. Atherton needs to investigate whether it has inadvertently subsidized such past work. If true, the Town should raise these fees to meet both the direct costs of operating the Public Works Department and the administrative overhead to support that Department. Estimates of the net present value of the 'surplus' that

⁷³ Atherton Municipal Code as codified 1986; Title 17, Zoning, Chapter 17.48 (page 222), Home Occupations. As of mid-2009 a revised Zoning Code is nearly completed, but provisions for Home Occupations remain substantially unchanged.

might be created by the excess of fees above operating costs are in the range of \$750,000.⁷⁴

Against Using Financing Source 4.9 – This is another by attempt by Atherton to raise revenues through a very questionable means. While the Town’s accountants might justify raising fees, this will surely raise the attention of the San Mateo Grand Jury and perhaps even the courts. Any citizen can question these fees. What constitutes a excess over the operating costs? How accurate was the calculation of administrative overhead?

Once this ‘Pandora’s Box’ is opened it raises questions about the Town’s finance that will result in lost time in legal and quasi-legal proceedings. The Town commissioned the audit firm, NBS, to look into this subject; and as of September 2009, no ruling had been adopted by Town Council on either the legality nor the amount of monies that might be generated by this type of fee. Finally, the income estimates are so small that it is conceivable that this \$100-150,000 per year could be cut from the Public Works budget.

Financing Issue 4.10 – Should The Town Solicit Donations From Individuals, Foundations And Corporations For A Town Center?

For Using Financing Source 4.10 – Prominent, wealthy citizens may be willing to ‘step up to the plate’ and help underwrite the costs of building the new Town Center. Portola Valley was extraordinarily successful with this approach – raising about 85% – \$17M of the roughly \$20M construction costs for its’ new Town Center, Administration Building and Library.⁷⁵

However, by mid-2009 fundraising became extremely difficult as investment portfolios shrunk with little prospect of regaining their

⁷⁴ Computing the Net Present Value (NPV) of \$110,000 by a discount rate of 5% compounded over 40 years (multiplied by 7.040) brings the 2009 NPV to about \$775,000.

⁷⁵ Portola Valley initially had 30% of its population opposing a new Town Center; despite the old one sitting astride the San Andreas Fault line. But a few households came forward to design and manage a fundraising campaign. By securing several very large commitments from well-known residents, they parlayed the message about the Town’s needs into a process by which formal, material recognition is given in a number of ways to those who gave both large and small donations.

2007 positions in the near term. It would be unrealistic to assume that today Atherton's more affluent citizens would be able to step forward to underwrite over four-fifths the costs of a new Town Center. However, contacts made in prior efforts by the Council suggest that, even in these hard times, some of the costs might be forthcoming from private sources if spread over multiple years and donors are given material recognition.

Similarly, the fundraising should start as soon as possible, since delays in starting risk not being able to take advantage of some of the lowest construction costs in the past few years. Rising costs will mean the town will have to spend even more to bring its' facilities into conformance.

Against Using Financing Source 4.10 – No one is disinterested; neither individuals nor corporations. With private money comes private pressure. This wouldn't be just a matter of having one's name on a brick, bench or building. It could come in the form of requests that 'bend' the Town's regulations and perhaps even go so far as thwart the spirit if not the letter of the law. Although used by other cities, it's a slippery slope that could put our elected or appointed officials, and even the Town's employees, in compromised positions.

The Impacts Of Various Sources And Uses Of Funds –

Most Athertonians would consider the BRTF remiss if 'best efforts' were not made to understand ways to lighten their personal obligations in a new Town Center's debt servicing. Since the facilities would be there to serve all of Atherton, building and financing the complex should provide the greatest good to the most residents with the lowest negative financial impact on the town as a whole.

It is therefore incumbent on the BRTF to outline what might be available to 'lighten that load'. Not all of the funds whose advantages and disadvantages were discussed in this chapter can or will be used to help build the Town Center. Some may be considered illegal to use. It is however BRTF's responsibility to describe the impacts if none of those discussed in this chapter can be applied to finance the entire costs – versus what might be the impact if all could be used.

The Town needs to finance about \$15,000,000 through a bond, mortgage or taxes. Funding this entire amount at a rate of 5% over 30 years would cost the Town about \$966,000 per year of debt servicing, or about \$440 per household per year for 30 years.

Obviously, employing all the possible finance tools from both public and private sources lowers the costs to all Atherton residents.

Figure 6
Possible Sources Of Income For A New Town Center

Source No.	Description	Net Present Value
4.5	– Building Department Fees	±\$1,805,000
4.6	– Atherton Library Donor Funds	±\$4,000,000
4.7	– Mailbox Rentals	±\$845,000
4.8	– Commercial Space Rental	±\$1,600,000
4.9	– Public Works Fees	±\$775,000
4.10	– Donations @20% of Costs	±\$3,000,000

If, and only if, all of the ±\$13M from various public and private sources shown in Figure 6 could be used, it would eliminate more than three fourths of the debt obligation, lowering the impact per Atherton household to less than \$50 per year for thirty years.⁷⁶

As already said, not all and perhaps none of these sources are, or can be made available to finance the Town Center. BRTF has made choices which to recommend; and these and other recommendations are part of what is taken up in the succeeding chapter.

⁷⁶ If the Town took a mortgage on the remaining ±2,000,000 that could not be funded through the combination of these sources, the annual payments on a 30 year, 5% fixed rate mortgage would be ±\$129,000. Divided by Atherton's roughly 2,600 households, the annual obligation per household would be less than \$50. Assuming that all public works fees continue to be captured by the Town, per household impact would be even less.

Chapter V Recommendations From The BRTF

The following twenty-two recommendations are presented to the Town Council of the City of Atherton from the Blue Ribbon Task Force on the need “To Understand, Define And Inform Atherton Of Additional Space Needs For The Town’s Public Services”. They represent the conclusions and BRTF members’ votes after four meetings devoted to recommendations that were preceded by considerable discussion. This is not to say there was unanimity on any given recommendation, only that each “community of interest” was represented in these discussions and a majority decided the outcome.

The recommendations are organized around three categories posed as questions: whether there is need for and community support for a new Town Center, what the characteristics of that Center should be; and what are the best courses of action to finance the outcome.

Recommendations Concerning Chapter II – The Need And Community Support For A New Town Center

Recommendation On Issue 2.1 – Does The Present Out of Code Status Of Atherton’s Public Facilities Spaces Risk Liability Suits?

– The BRTF finds the present facilities do not meet several building and other codes, and recommends to Council that whatever is built be code conforming and considered high priority.⁷⁷

Recommendation On Issue 2.2 – Do Residents Really Want

Additional Public Services And Police Department Spaces? – The BRTF finds that those residents who either attended its’ public outreach programs in late 2008, or took the tour of the present facilities, support the need for additional facilities for public services and recommends to Council that the town build space for those functions.⁷⁸

⁷⁷ During the 12 May BRTF meeting, members voted for a recommendation that stated in part (see Recommendations 2.7 and 2.2 for other part) “Code conforming space is needed and it is a relatively high priority. ” See: Recommendations for Chapter IV, Minutes of the Blue Ribbon Task Force of May 12, 2009; page 4 of 5.

⁷⁸ During the 12 May BRTF meeting, members voted for a recommendation that stated in part (see Recommendation 2.7 for other part) “After several public meetings and opportunities for tours, the Blue Ribbon Task Force recommends a new Town Center. Code conforming space is needed and it is a relatively high priority.”

Recommendation On Issue 2.3 – Does The Town Really Need 25,000 Square Feet Of Public Services Space? – The BRTF finds the estimates represented in Figure 1 acceptable, and recommends to Council that these provide the guidelines for space planners and architects' further work. ⁷⁹

Recommendation On Issue 2.4 – Must The Town Expand Its' Present Spaces To Meet Local, State And Federal Demands And Mandates? – The BRTF finds that any and all facility improvements or expansion meet current codes, and recommends that Council adopts that policy in guidelines for additional space. ⁸⁰

Recommendation On Issue 2.5 – Does Atherton Need To Build More Office And Storage Space To Maintain Or Increase Productivity? -
– The BRTF finds productivity is probably negatively affected by its' present facilities and recommends to Council that additional space built that overcomes this impact. ⁸¹

Recommendation On Issue 2.6 – Is The Town Handicapped In Its' Employee Recruitment And Retention By Not Having Enough Or Code Conforming Space? – The BRTF finds the Town's present facilities may handicap recruitment and recommends Council support the construction of code-conforming facilities to resolve this issue. ⁸²

See: Recommendations for Chapter IV, Minutes of the Blue Ribbon Task Force of May 12, 2009; page 4 of 5.

⁷⁹ In the 8 September meeting, BRTF member Betty Ullman raised a question concerning the origin of the sum of individual department estimates. BRTF member Grindley returned to the original calculations and found there had been no recognition of the space needed for circulation. Figure 1 was recast. At that meeting, BRTF also voted to add 5% to the total enclosed space calculations. The Figure 1 in this edition of the report represents both changes suggested by work of the September BRTF meeting. Adopted 6-0-1 (one BRTF member was absent) in the September BRTF meeting.

⁸⁰ Adopted 6-0-1 (one BRTF member was absent) in the September BRTF meeting.

⁸¹ Adopted 6-0-1 (one BRTF member was absent) in the September BRTF meeting.

⁸² Adopted 5-0-1 (one BRTF member abstained and another was absent) in the September BRTF meeting.

Recommendations Concerning Chapter III – Potential Characteristics Of A New Town Center

Recommendation On Issue 3.1 – Should Atherton Have Newly Constructed Public Service Buildings, Or Remodel Those Presently Occupied? – The BRTF finds evidence convincing from two prior studies (G4 of 1995 and Edward Gee of 2006) that concluded building new facilities is likely less expensive than trying to remodel present ones and recommends to Council that the town build new facilities and not attempt to remodel its' present non-code conforming and 'temporary' buildings. ⁸³

Recommendation On Issue 3.2 – Should Atherton Preserve Its' 1920s Council Chambers Building? – The BRTF recommends to Council that the building presently used as the Town's Council Chambers be preserved for town use. ⁸⁴

Recommendation On Issue 3.3 – Should The Proposed Town Center Be Located In Holbrook Palmer Park? – The BRTF finds that while a Holbrook Palmer park site was considered, the BRTF recommends to Council that a new Town Center occupy the area where Town facilities are presently located. ⁸⁵

Recommendation on Issue 3.4 – Would Building A New Town Center Be Affected By The Possibility Of High Speed Rail? The BRTF finds that the uncertainty of High Speed Rail (HSR) should not stop the Town's efforts to build additional facilities and recommends to Council

⁸³ During the 12 May BRTF meeting, members voted for a recommendation that stated in part (see Recommendation 2.2 for other part) "And, in all probability, building new will be cheaper than trying to remodel and reuse of the present Administration Building, which is only one-fifth the size of the late 2008 space needs." See: Recommendations for Chapter IV; Minutes of the Blue Ribbon Task Force of May 12, 2009; page 4 of 5.

⁸⁴ The minutes of the 26 May 2009 meeting states a motion to add the point "The Town Counsel Chambers should be preserved and utilized for Atherton Town use" passed unanimously. See: Meeting Minutes-Blue Ribbon Task Force-May 26, 2009; page 2

⁸⁵ During the 12 May BRTF meeting, members voted for a recommendation that stated "Draft Recommendation 4.4 – Locate The Town Center In Present Site" and mention that Holbrook-Palmer Park was considered and thought not to be a viable option." See: Recommendations for Chapter IV; Minutes of the Blue Ribbon Task Force of May 12, 2009; page 4 of 5. (nb: minutes were not approved in 26 May meeting)

that it make every effort to coordinate its' own building program with current, best available knowledge on HSR's plans. ⁸⁶

Recommendation on Issue 3.5 – Should The New Town Center Be A Single Building Or Pavilions? – The BRTF finds the increased entry-exit control and potential energy savings favor a single building over a pavilion concept and recommends to Council that unless economic hardship favors constructing in stages, a single building would express the BRTF's preference. ⁸⁷

Recommendation On Issue 3.6 – Should The Town Build Expansion Space In The Facilities? – The BRTF finds that expansion space, not to be construed as rental space, should be an integral part of planning for additional facilities and recommends that Council have the architects and planners for the town center consider such. ⁸⁸

Recommendation On Issue 3.7 – Should Residents' Preferences For Planning And Architectural Features – As Gathered By BRTF In 2008-09 – Be Recommended To Council As Guidelines For Planning The Town Center? – The BRTF finds its' survey efforts fruitful and recommends to Council that Council should consider residents' suggestions as guidelines. ⁸⁹ This includes accepting the findings that the facilities should meet LEED Gold Standards, and that the town center's buildings should be of a style referred to as Spanish, Mission or Mediterranean architecture. ⁹⁰

⁸⁶ Adopted 6-0-1 (one BRTF member was absent) in the September BRTF meeting.

⁸⁷ During the 12 May BRTF meeting, members voted for a recommendation stating that "preference is for one building and should economic hardship disallow that, to look at Pavilions". See: Minutes of the Blue Ribbon Task Force of May 12, 2009; page 5 of 5.

⁸⁸ In the September 2009 meeting, BRTF voted to have the space estimates in Figure 1 amended to include a five percent increase for future expansion. Adopted 4-2 (one BRTF member was absent) in the September BRTF meeting.

⁸⁹ During the 12 May BRTF meeting, members voted for a recommendation that stated "Consider Residents' Suggestions About Planning And Architectural Aspects Of The Center" See: Recommendations for Chapter IV; Minutes of the Blue Ribbon Task Force of May 12, 2009; page 4 of 5.

⁹⁰ On a motion to accept as is Section 4.5.3 of the May 2009 draft stating "BRTF Recommends Building To LEED Gold Standards" passed 7-0. On a motion to accept as is Section 4.5.4 of the May 2009 draft stating "BRTF Recommends Building With A Spanish, Mission, or Mediterranean Style" passed 7-0.

Recommendations Concerning Chapter IV – Financing Aspects Of A New Town Center

Recommendation On Financing Issue 4.1 – The BRTF finds there are several methods and sources of finance for a new town center, and recommends that Council appoint a finance committee to find and secure the optimal mix of those to insure adequate resources at a minimal cost to the city.⁹¹

Recommendation On Financing Issue 4.2 – Should Atherton Use A Municipal Bond To Finance A Town Center? – The BRTF finds such a mode of finance should be investigated, as should all other possible means; and recommends that Council appoint a finance committee for a new town center to do so at the earliest possible date.⁹²

Recommendation On Financing Issue 4.3 – Should Atherton Use A Mortgage To Finance All Or Part Of A Town Center? – The BRTF finds such a mode of finance should be investigated, as should all other possible means; and recommends that Council appoint a finance committee for a new town center to do so at the earliest possible date.⁹³

Recommendation On Financing Issue 4.4 – Should The Town Have A Special Tax To Pay For The New Town Center? – The BRTF finds such a mode of finance should be investigated, as should all other possible means; and recommends that Council appoint a finance committee for a new town center to do so at the earliest possible date.⁹⁴

Recommendation On Financing Issue 4.5 – Could Atherton Use ‘Surplus’ Building Department Funds To Finance All Or Part Of A Town Center? – The BRTF finds that, as of early September 2009, it

⁹¹ Approved by BRTF during its September 2009 meeting 6-0-1 (one member was absent).

⁹² Approved by BRTF during its September 2009 meeting 6-0-1 (one member was absent).

⁹³ Approved by BRTF during its September 2009 meeting 6-0-1 (one member was absent).

⁹⁴ Approved by BRTF during its September 2009 meeting 5-1-1 (one member was absent).

does not have information from Council on the 'legitimacy' and quantity of funds available through this potential source, and recommends to Council that it pass such information on to BRTF at the earliest possible time. ⁹⁵

Recommendation On Financing Issue 4.6 – Could Atherton Use Library Donor City Funds To Help Finance A Town Center? – The BRTF finds that JPA and Atherton City Council rulings on this issue are confusing; but after consideration recommends to Council that Library Donor Funds not be used to finance the Town Center. ⁹⁶

Recommendation On Financing Issue 4.7 – Could Atherton's Public Service Facilities Include Rental Mailboxes To Offset Costs? – The BRTF finds that mailboxes could be a viable financial benefit with few substantial environmental or construction costs, and recommends to Council that it direct its' architects and planners to include space for rental mailboxes in the designs. ⁹⁷

Recommendation On Financing Issue 4.8 – Should The Town's Facilities Have Commercial Rental Space To Offset Their Costs? – The BRTF finds that such space would have negative congestion impacts and recommends to Council that no expansion space that could be used for rental income be part of the new Town Center. ⁹⁸

Recommendation On Financing Issue 4.0 – Could Atherton Use Public Works Fees As A Source Of Funds For The Town Center? – The BRTF finds that such fees may, like those of the Building Department, be a source of funds for a new town center and recommends to Council that this source be investigated and confirmed with auditors. ⁹⁹

⁹⁵ BRTF, during its September 2009 meeting, voted 6-0-1 (one member was absent) to table this item until there was further evidence for a decision.

⁹⁶ This was voted on and carried forward during the 12 May BRTF meeting. See: Minutes of the Blue Ribbon Task Force of May 12, 2009; item 9 page 3 of 5.

⁹⁷ Approved by BRTF during its September 2009 meeting 6-0-1 (one member was absent).

⁹⁸ Motion to not recommend this financing source be pursued passed 4-3." See: Meeting Minutes – Blue Ribbon Task Force – May 26, 2009; Original Draft 4.8 regarding "Expansion space"; page 1

⁹⁹ BRTF, during its September 2009 meeting, voted 6-0-1 (one member was absent) to continue this item until there was further evidence for a decision.

Recommendation On Financing Issue 4.10 – Should The Town Solicit Donations From Individuals, Foundations And Corporations For A Town Center? – The BRTF finds there are positive reasons to have a finance committee pursue private donors and recommends to Council that such action be taken at the earliest possible date.¹⁰⁰

¹⁰⁰ Approved by BRTF during its September 2009 meeting 6-0-1 (one member was absent).



Town of Atherton

CITY COUNCIL STAFF REPORT

**TO: HONORABLE MAYOR AND CITY COUNCIL
JERRY GRUBER, CITY MANAGER**

FROM: DUNCAN L. JONES, PUBLIC WORKS DIRECTOR

DATE: FOR THE MEETING OF NOVEMBER 18, 2009

SUBJECT: DRAINAGE CRITERIA UPDATE

RECOMMENDATION:

Staff recommends that the City Council receive this information and give any further direction to staff.

INTRODUCTION:

Recently residents have raised questions concerning the stormwater management requirements of the Town of Atherton for construction projects involving 5,000 square feet or more of impermeable surface area. Some have commented on the relationship between these stormwater management standards and the pollution reduction requirements of the National Pollution Discharge Elimination System ("NPDES") and the Municipal Restional Stormwater Permit ("MRP") issued by the San Francisco Regional Water Quality Control Board as part of the NPDES.

Council requested that staff update the Council on the Town's requirements, and their relationship to both the current and recently issued MRP. The MRP Final Tentative Order R2-2009-XXXX NPDES Permit No. CAS612008 was released by local Water Quality Control Board on September 24, 2009 and became final at the board's October 14, 2009 meeting as Order Number R2-2009-0074.

SUMMARY:

Atherton Criteria

The primary goal of the Town of Atherton Drainage Criteria is to reduce the potential for flooding of properties downstream of a development site, including neighboring properties. This is accomplished by reducing the intensity of storm runoff by spreading it over a longer period of time. This is called detention and can be accomplished by any effective method, including rain gardens. The most prevalent system in Atherton is underground tanks, either because residents want to maximize their usable yard area or because their architects have not explored other design options with them.

The goal of the Town's detention criteria is for each property, when it constructs or replaces over 5,000 square feet of impermeable area, to mimic the runoff as though the property had never been developed. In this way, each property reverses the damage done by previous development of that property.

A secondary goal of the Drainage Criteria is to reduce the potential for damage to the property itself from on-site runoff and upstream flows. This is accomplished by analyzing these flows and designing the site to be protected from them. Federal Emergency Management Agency (FEMA) flood protection methodologies were adopted to accomplish this goal for the Town.

Provision C.3

Both of these goals are different from and in addition to the requirements of Provision C.3 of the Municipal Regional Permit (MRP). Provision C.3 is intended to reduce pollution from runoff, not the intensity of runoff. It is an anti-pollution law, not a flood control measure. The existing Provision C.3 states that a detached single family home site, so long as it incorporates source control and design measures, "would be in substantial compliance with Provision C.3". One such design measure is hydromodification, including detention. So while detached single family sites are technically excluded from providing treatment measures (as defined in Provision C.3), they must still provide source control (don't spill pollutants into the storm drain system) and site design measures (Best Management Practices (BMPs)). What this means is that detached single family home sites were not and are not completely exempt from Provision C.3.

The Regional Water Quality Control Board passed a new and stricter Provision C.3 at its October 2009 meeting. The goal of the new C.3 permit is to "*mimic a site's predevelopment hydrology by minimizing disturbed areas and impervious cover and then infiltrating, storing, detaining, evapotranspiring, and/or biotreating stormwater runoff close to its source*". By December 2012, the Town of Atherton Drainage Criteria will require modification to include the requirements of the new Provision C.3 to reduce pollution from detached single family home sites constructing or replacing 2500 square feet or more of impervious area. Both the Town's Grading, Erosion and Sediment Control ordinance (Chapter 8.54 of the Municipal Code) and the Drainage Criteria will need to be updated to incorporate the lower threshold of the new Provision C.3.

Maintenance Agreement

The Atherton Drainage Criteria requirement for a maintenance agreement is simply a method to assure that the detention systems required by the Atherton regulations continue to operate in the future. The maintenance agreement required by the Town uses the same format as is required by Provision C.3 for other treatment measures. This provides a uniformity of format between Atherton and other jurisdictions, and between detached single family home projects and other projects that are "Regulated Projects" under Provision C.3, such as commercial and school projects. The reporting requirement is also modeled after Provision C.3 to allow the Town to monitor the continued effectiveness of the site design measures.

Annual reporting is required because, if the systems are maintained annually just before the rainy season, the maintenance is simple and inexpensive to perform and the system continues to function as designed. If maintenance is neglected, it becomes more difficult and expensive to perform, e.g., on an emergency basis during a heavy rainstorm, and undesirable consequences may occur, either on the property or affecting neighbors.

The Town's ultimate goal is to assure that undesirable consequences do not happen to any of the Town's residents or our neighbors downstream.

BACKGROUND:

In August of 2006, the City Council authorized BKF Engineers to review the Town's Drainage Criteria for private development and address specific concerns of the Town. Concerns had been raised by residents and Council members that there were no consistent drainage criteria governing the development of private property, and that property damage was sometimes caused, to neighboring properties as well as to the developed property, by developments that did not adequately address the consequences of the construction and drainage modifications being implemented. BKF completed their scope of work and compiled detailed Drainage Criteria. This Drainage Criteria, after their approval by the City Council, regulate the design of drainage systems for private development within the Town of Atherton and the Atherton Channel Drainage District.

BKF held public meetings and made presentations to the City Council of their findings and the concept for the proposed Drainage Criteria. BKF and staff, including CSG (the consultant who performs the grading and drainage plan reviews for development projects), reviewed in detail the Drainage Criteria and fine tuned each paragraph.

Meanwhile, in July of 2007, the City Council adopted an ordinance amending Chapter 17 regulating basements. The Drainage Criteria being proposed contained specific provisions related to basements. The basement ordinance effective date was delayed to go into effect at the same time as the Drainage Criteria.

In September of 2007 the Drainage Criteria was submitted to Council for approval. Council requested the criteria be footnoted with the source of the requirements contained in the criteria. The criteria were revised to contain a comment line after each provision giving these

references. Many of the current criteria are based on existing criteria for storage of stormwater to avoid flooding in the Atherton Channel and Redwood Creek. Other criteria were developed in order to comply with the MRP and with the State Water Resources Control Board (SWRCB) General Construction Permit (GCP), as well as with FEMA standards for flood protection. Additional new requirements were developed based on the various concerns of the Town that resulted in this study being undertaken. These criteria are the minimum practical applications to assure each concern is addressed and does not cause a problem for the property owner or their neighbors in the future.

Section 8.54 of the Municipal Code regulates storm water. In October 2007 council adopted an ordinance adding section 8.54.050 to adopt the Drainage Criteria. This ordinance section allows the Drainage Criteria to be modified in the future and adopted by City Council resolution.

When the criteria were adopted by Council, the MRP Final Tentative Order Provision C.3 (Provision C.3) was set to start at a threshold for detached single family homes of 10,000 square feet or permeable area and decrease to 5,000 square feet in four years. Instead, the new MRP final order has reduced the threshold to at 2,500 square feet with an implementation deadline of December 2012.

ANALYSIS:

The threshold for a grading and drainage permit has been 5,000 square feet of impervious area (there are other thresholds, but that is the one that is operative for this issue) since 1996. That threshold was incorporated into the Drainage Criteria in 2007 because the ordinance thresholds would not need to change, and because the proposed C.3 permit was proposed to ultimately have a 5,000 square foot threshold.

Detention

The Town Drainage Criteria codified the criteria for detention, although it had been practiced under the ordinance for more than 10 years. The detention requirement is designed to protect downstream property owners, both in Atherton and in other jurisdictions between Atherton and the Bay, from flooding caused by the large quantity of impervious area built and being increased in Atherton.

The Drainage Criteria states that it is for the purpose of "reducing peak flows to downstream creeks and channels". The rationale for this requirement is that, over many decades Athertonians have constructed homes with large roof areas (including the house, garage, and other accessory structures), driveways, patios, walkways and other impervious areas where rainfall runs off very quickly into Redwood Creek and the Atherton Channel. These large impervious areas increased the speed with which the rainfall ran off and caused flooding downstream in Menlo Park, Redwood City and unincorporated San Mateo County. Years ago the Town agreed with these other jurisdictions to work to reduce the incidence of flooding by requiring all new construction to restore their runoff to the condition that would have existed if the original construction had not been built, i.e., the site in its natural state. In this way the

rapid stage-up of the Atherton Channel and Redwood Creek that caused this flooding could be reduced. If everyone who rebuilt a home simply replaced the impermeable areas they had, the downstream flooding would continue unabated. The goal of the criteria is to improve the situation, so the criteria do not give credit for existing impervious area.

The Drainage Criteria require new properties to hold back the runoff from their properties during storms and let it out later, from 48 up to 96 hours after the storm (more than 96 hours can cause mosquitoes to breed), or allow it to soak into the ground (if the soil will allow it to soak in fast enough, and if it won't impact trees or someone else's property when it does soak in). It was always intended that the Atherton criteria go beyond the pollution provisions of Provision C.3 to accomplish a specific Town goal. The potential for downstream flooding will be reduced with each home that is rebuilt with detention, but will be completely addressed only if every home is rebuilt. The detention systems need to be sustainable over the years, i.e., continue to work, hence the Maintenance Agreement. Each home is being required to do no more than limit the runoff from its own parcel..

Provision C.3

The current Provision C.3.c.i under Order Number R2-2003-0023 passed in 2003 states: "Construction of one single-family home, which is not part of a larger common plan of development, with the incorporation of appropriate pollutant source control and design measures, and using landscaping to appropriately treat runoff from roof and house-associated impervious surfaces (e.g., runoff from roofs, patios, driveways, sidewalks, and similar surfaces), would be in substantial compliance with Provision C.3". This is not the same as being "exempt."

The current Provision C-3.c.ii states: "Projects consisting of one single family home not part of a larger common plan of development are excluded from the Group 2 Project definition, and therefore excluded from the requirement to implement appropriate stormwater treatment measures". This exempts single family homes from providing *treatment* measures, but not from *source control* and *design* measures.

Both source control and design measures are currently required by the Atherton criteria. Provision C.3.j provides guidance regarding site design measures as follows:

j. Site Design Measures Guidance and Standards Development:

i. The Dischargers shall review their local design standards and guidance for opportunities to make revisions that would result in reduced impacts to water quality and beneficial uses of waters. In this event, the Dischargers shall make any such revisions and implement the updated standards and guidance, as necessary.

Areas of site design that may be appropriate to address include the following, which are offered as examples:

1. Minimize land disturbance;

2. *Minimize impervious surfaces (e.g., roadway width, driveway area, and parking lot area), especially directly connected impervious areas;*
3. *Minimum-impact street design standards for new development and redevelopment, including typical specifications (e.g., neo-traditional street design standards and/or street standards recently revised in other cities, including Portland, Oregon, and Vancouver, British Columbia);*
4. *Minimum-impact parking lot design standards, including parking space maximization within a given area, use of landscaping as a stormwater drainage feature, use of pervious pavements, and parking maxima;*
5. *Clustering of structures and pavement;*
6. *Typical specifications or “acceptable design” guidelines for lot-level design measures, including:*
 - *Disconnected roof downspouts to splash blocks or “bubble-ups;”*
 - *Alternate driveway standards (e.g., wheelways, unit pavers, or other pervious pavements); and,*
 - *Microdetention, including landscape detention and use of cisterns (may also be considered treatment measures);*
7. *Preservation of high-quality open space;*
8. *Maintenance and/or restoration of riparian areas and wetlands as project amenities, including establishing vegetated buffer zones to reduce runoff into waterways, allow for stream channel change as a stream’s contributing watershed urbanizes, and otherwise mitigate the effects of urban runoff on waters and beneficial uses of waters (may also be considered treatment measures); and,*
9. *Incorporation of supplemental controls to minimize changes in the volume, flow rate, timing, and duration of runoff, for a given precipitation event or events. These changes include cumulative hydromodification caused by site development. Measures may include landscape-based measures or other features to reduce the velocity of, detain, and/or infiltrate stormwater runoff (may also be considered treatment measures).*

These guidelines were used to a large extent to develop the Town’s criteria, especially paragraphs 6 and 9 that relate directly to detention and hydromodification.

The pages of the proposed Provision C.3 that apply to detached single family homes (not part of a larger development plan) are the first two pages, Provisions C.3.a.(6) and (7), and the last two pages, Provision C.3.i. These new provision are incorporate all of the site design

measures required in the current Provision C.3 language. Other C.3 provisions state that single family homes are not “Regulated Projects”, but the new C.3.a.(6) and (7) apply to projects “not regulated” and C.3.i requires detached single family home projects to have site design measures, as follows:

C.3.i. Required Site Design Measures for Small Projects and detached Single-family Home Projects

i. Task Description – *The Permittees shall require all development projects, which create and/or replace > 2500 ft² to < 10,000 ft² of impervious surface, and detached single-family home projects, which create and/or replace 2,500 square feet or more of impervious surface, to install one or more of the following site design measures:*

- *Direct roof runoff into cisterns or rain barrels for reuse.*
- *Direct roof runoff onto vegetated areas.*
- *Direct runoff from sidewalks, walkways, and/or patios onto vegetated areas.*
- *Direct runoff from driveways and/or uncovered parking lots onto vegetated areas.*
- *Construct sidewalks, walkways, and/or patios with permeable surfaces.*
- *Construct bike lanes, driveways, and/or uncovered parking lots with permeable surfaces.*

When the Town’s Drainage Criteria were adopted, C.3.i was going to have a threshold of 5,000 square feet. This confirmed that the Muni Code and Drainage Criteria thresholds were appropriate to coordinate with the future permit. The C.3.i threshold has now dropped to 2,500 square feet. This means that our criteria and ordinance will need to be revised to include this new threshold as well as the requirements of C.3.i, which goes into effect in December 2012 (until then, the existing C.3 provisions continue to apply).

This amendment is necessary in order for the Town to adequately review plans and issue permits to assure compliance with C.3.i. However C.3.i does not require that the Town’s threshold for detention systems to drop to 2500 square feet, because the new site design measures no longer include detention. It only requires that the provisions of C.3.i, as set forth above, be applied to projects of 2500 square feet or more of impermeable area.

Maintenance Requirement

The current Provision C.3.e states:

e. Operation and Maintenance of Treatment Measures:

All treatment measures must be adequately operated and maintained by complying with the process described below. Beginning July 1, 2004, each Discharger shall implement a treatment measures operation and maintenance (O&M) verification program (O&M Program), which shall include the following:

i. Compiling a list of properties (public and private) and responsible operators for, at a minimum, all treatment measures implemented from the date of adoption of this Order.

Information on the location of all stormwater treatment measures shall be sent to the local vector control district. In addition, the Dischargers shall inspect a subset of prioritized treatment measures for appropriate O&M, on an annual basis, with appropriate follow-up and correction.

ii. Verification and access assurance shall at a minimum include: Where a private entity is responsible for O&M, the entity's signed statement accepting responsibility for maintenance until the responsibility is legally transferred to another entity; and access permission for representatives of the Discharger, local vector control district, and Regional Board staff strictly for the purpose of O&M verification for the specific stormwater treatment system to the extent allowable by law; and, for all entities, either:

...

4. Any other legally enforceable agreement or mechanism that assigns responsibility for the maintenance of post-construction treatment measures.

These provisions were adopted into the Atherton Design Criteria because the detention systems required were equivalent to treatment measures, requiring a similar level of maintenance to remain sustainable. Provision C.3.i continues to require other site design measures. It still seemed appropriate that the requirements for "Regulated Projects" to maintain these systems should be applied to detention systems and the proposed C.3.i treatment systems. Thus the adopted criteria incorporated the essence of C.3.h – operation and maintenance – maintenance agreement and annual inspection for life of project. The agreement we use was developed by the San Mateo Countywide Water Pollution Prevention Program (SMCWPPP <http://www.flowstobay.org/>), which came from one developed by a bay area wide association, the Bay Area Stormwater Management Agencies Association (BASMAA <http://www.basmaa.org/>). The agreement essentially requires owners of these systems to do what is needed for the systems to continue to function.

Specific Issues Raised by Residents

The relationship of the Atherton requirements to the NPDES MRP Section C.3 requirements.

1. Size of storm – a 25 year storm event could occur multiple times in one year, and then not again for years. It is a standard event for stormwater systems design; the Atherton standards are designed to deal with drainage problems as well as pollution problems..

2. Recovery time – C.3 says within 5 days = 120 hours; Town criteria is 96 hours, which is within 5 days. Mosquito abatement recommends less than 96 hours to avoid coming close to 120 hours gestation period.
3. Threshold – the C.3 threshold is currently 10,000 square feet, the new MRP was to be 5,000 square feet (now reduced to 2500 square feet), and the Town criteria was also set at 5,000 square feet
4. Inclusion of single family homes in the Atherton program – No program to reduce peak storm flows in Atherton will be effective if it does not include single family homes. . The current Provision C.3 does not exclude single family homes, it only excludes them from the requirement to provide “treatment measures”. It still provides that “Construction of one single-family home, which is not part of a larger common plan of development, with the incorporation of appropriate pollutant source control and design measures, and using landscaping to appropriately treat runoff from roof and house-associated impervious surfaces (e.g., runoff from roofs, patios, driveways, sidewalks, and similar surfaces), would be in substantial compliance with Provision C.3” Therefore, although excluded from treatment measures, site design measures are still required. Detention is listed as one of the site design measures that can be used to comply with Provision C.3. This provision continues to be required in the new C.3.a.(6).

Maintenance Agreement

1. Whereas recitals 2 and 4 – Provision C.3 requires the Town to provide minimum verification on treatment and detention measures that are required for Regulated Projects by Provision C.3, it therefore was logical to require the same verification for those required by the Drainage Criteria (and those installed under Provision C.3.c.i for detached single family homes). This recital can be revised to add “or the Town’s Drainage Criteria” after “NPDES permit” in both recitals.
2. Whereas recital 5 asks the property owner to recognize that what is done on their property can impact the health, safety and welfare of others, and that the measures installed are to mitigate these impacts.
3. Sections 2, 13 and 15 require recording and transfer of the responsibility to subsequent owners. This is designed to make sure the new owners know they are supposed to maintain the system and file the reports. Some of the alternative documents do not apply to residential properties, but may be needed for commercial properties or larger developments.
4. Section 3 only requires the system to be maintained in working order.
5. Section 4 only requires removal of sediment that will clog the system and cause it to cease to function.
6. Section 5 only requires the owner to have the system inspected each year to assure it is working. The inspection should be done before the rainy season starts to assure the property is inspected. The penalty of perjury merely means that the owner should not lie about doing the inspection or the results of the inspection, i.e., filing a false report.
7. Section 6 only requires the system to be changed if it is not working.
8. Section 7 grants permission for inspection only at reasonable times and in a reasonable manner. This means that inspectors will try to make an appointment or

knock on the door and advise the resident of the purpose of the inspection if unable to make an appointment. Inspectors will not show up in resident's yards unannounced. The new MRP requires twenty percent (20%) of systems to be inspected, so each property will be inspected once every five (5) years.

9. Section 8 only becomes operational if the property owner fails and refuses to maintain the system. There would be adequate notice to the property owner and a hearing at the City Council before the Town did anything (except in cases of emergency), as with other nuisance abatement actions.
10. Section 10 is a standard indemnity clause to protect the Town. If the system is not properly maintained and causes damage to a neighboring property, the Town will likely to be brought into the proceedings. If this happens, the Town should be indemnified and defended, unless we did something wrong, which is also provided for in Section 10.
11. Section 12 would only become operative in the event of a problem property that failed to adequately maintain their system.
12. We also received suggested edits to the Maintenance Agreement from an attorney for a specific property. We are reviewing these with the City Attorney..

Other Comments

1. Detention pond and water gardens – the Town's Drainage Criteria does not specify the type of detention system, and water gardens are allowed, however, such designs have rarely been submitted. It is possible that, with the new C.3.i criteria, water gardens may become one of the means more frequently used to meet the new requirements. Detention ponds are also allowed. Sacred Heart built a detention pond for the new science building. A resident in Lindenwood proposed to raise the berm on their on-site fish pond to make it into a wet detention pond. These can not only be viable detention systems, they are also more environmentally friendly and, if done correctly, can be an asset to the site landscaping.
2. Restriction on impermeable area – Atherton does not limit impermeable area on a parcel, as long as the site provides an adequate detention system to mitigate the increased runoff speed caused by the presence of impermeable areas on site. This provides the site architect with maximum choice in their design.
3. Design of systems in clay soils – Early systems were designed for percolation, but the soils engineers did not always evaluate if they would work. The Drainage Criteria now require the applicant to prove that the design actually works in the soil at the site of the detention system. If it does not work, alternative means of recovering the detention system capacity must be designed. As a practical matter, most applicants design a backup pumping system instead of hiring a soils firm to test for percolation. This is beneficial because percolation based system can clog with sediment if not properly maintained.
4. Heritage trees – the Drainage Criteria require the applicant to demonstrate that no trees or buildings, on the site or on neighboring properties, will be impacted either by the excavation or by the surface or subsurface outflow from the detention system. The project arborist is required to sign off on the grading and drainage plans and the Town arborist reviews the plans and the arborist's sign off.

5. Maintaining “miniature public works projects” – On-site detention systems have been characterized as undesirable "miniature public works projects" by some commentators. Atherton properties are large for single-family homes. There are many things on these large properties that are similar to public facilities, such as sewer pipes and pump stations, other utilities (water, gas, electricity, etc.), roadways (driveways) and parking, drainage and subdrainage pipes and pumps, irrigation wells and pipes, etc., not to mention the complex systems inside the house, that the property owner must maintain. All of these require maintenance, usually by hired professionals. Retention systems are one more example, necessitated by the construction of large residential projects that are in many ways on a scale with the commercial projects that are “Regulated Projects” under Provision C.3.

ALTERNATIVES

Alternative Detention Systems

Most of the project being submitted for grading and drainage include underground tanks to comply with the Town’s Drainage Criteria. However, the Town’s criteria do not require this type of system. Any of the many types of detention systems described in the various handbooks available to all architects and engineers will be able to meet the criteria. With the new C.3.i requirements, these types of detention systems will likely become more prevalent. Alternative designs possibilities will be presented at the Council meeting.

Townwide Drainage System

There has been discussion of a Townwide alternative to individual sites detaining their own runoff. This is possible by creating one or more detention basins to detain the runoff in the two major systems, the Atherton Channel tributary and the Redwood Creek tributary. The cost of this Townwide system has not yet been estimated, but a fairly large amount of land would be required. The south meadow at Holbrook-Palmer Park could be one such site, but is not large enough or situated geographically to handle the entire Town. More sites would be needed that would require the purchase of properties, possibly by condemnation if voluntary sales were not forthcoming, i.e., purchase of a house that was already for sale.

However, this Townwide solution would normally be designed only to handle and cure the historical runoff from existing large impermeable areas. It would not be designed to handle increases in impermeable area when a property is reconstructed.

Many properties would be able to reduce their impermeable area by using permeable paving for driveways and patios, and larger roof areas could be offset by reductions in other impermeable areas on the site. If a Townwide system were constructed, the criteria could be changed to require no increase in runoff from individual sites. This is the current requirement of many other jurisdictions and of the MRP for commercial and development sites.

If the Town elected to solve the flooding problem by a Town-wide drainage project, individual single family homes would not be exempt from complying with the provisions of

C.3.i. The state requirements refer to individual homes when requiring Best Management Practices (BMPs) to reduce water pollution. Each construction site must implement BMPs, for both during construction and permanently. These criteria cannot be met by any other means than on the individual sites. In the Bay Area these BMPs are designed to protect and clean the Bay. The previous criteria for large scale projects is working, but not well enough and needed to be stricter. For that reason, it now applies to smaller single family detached houses.

FISCAL IMPACT:

There is no fiscal impact unless a Townwide drainage system is considered. A funding mechanism for a Townwide system would need to be created, such as a special assessment district or a special parcel tax. Long term maintenance costs for the system would also need to be considered.

Prepared By:

Approved:

/s/ Duncan L. Jones

Duncan L. Jones, P.E.
Public Works Director

Jerome D. Gruber
City Manager

Attachments: Provision C.3 (current)
Provision C.3 (new)
Maintenance Agreement form

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN FRANCISCO BAY REGION
SAN MATEO COUNTYWIDE NPDES MUNICIPAL STORMWATER PERMIT
AMENDMENT**

**ORDER NO. R2-2003-0023
AMENDING ORDER No. 99-059
NPDES PERMIT No. CAS0029921**

FOR THE CITY/COUNTY ASSOCIATION OF GOVERNMENTS (C/CAG) OF SAN MATEO COUNTY, SAN MATEO COUNTY, TOWN OF ATHERTON, CITY OF BELMONT, CITY OF BRISBANE, CITY OF BURLINGAME, TOWN OF COLMA, CITY OF DALY CITY, CITY OF EAST PALO ALTO, CITY OF FOSTER CITY, CITY OF HALF MOON BAY, TOWN OF HILLSBOROUGH, CITY OF MENLO PARK, CITY OF MILLBRAE, CITY OF PACIFICA, TOWN OF PORTOLA VALLEY, CITY OF REDWOOD CITY, CITY OF SAN BRUNO, CITY OF SAN CARLOS, CITY OF SAN MATEO, CITY OF SOUTH SAN FRANCISCO, AND THE TOWN OF WOODSIDE, WHICH HAVE JOINED TOGETHER TO FORM THE SAN MATEO COUNTYWIDE STORMWATER POLLUTION PREVENTION PROGRAM

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**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN FRANCISCO BAY REGION**

**ORDER – R2-2003-0023
NPDES PERMIT NO. CAS0029921**

AMENDMENT REVISING PROVISION C.3 OF ORDER NO. 99-059 FOR:

CITY/COUNTY ASSOCIATION OF GOVERNMENTS (C/CAG) OF SAN MATEO COUNTY, SAN MATEO COUNTY, TOWN OF ATHERTON, CITY OF BELMONT, CITY OF BRISBANE, CITY OF BURLINGAME, TOWN OF COLMA, CITY OF DALY CITY, CITY OF EAST PALO ALTO, CITY OF FOSTER CITY, CITY OF HALF MOON BAY, TOWN OF HILLSBOROUGH, CITY OF MENLO PARK, CITY OF MILLBRAE, CITY OF PACIFICA, TOWN OF PORTOLA VALLEY, CITY OF REDWOOD CITY, CITY OF SAN BRUNO, CITY OF SAN CARLOS, CITY OF SAN MATEO, CITY OF SOUTH SAN FRANCISCO, AND THE TOWN OF WOODSIDE, which have joined together to form the SAN MATEO COUNTYWIDE STORMWATER POLLUTION PREVENTION PROGRAM.

The California Regional Water Quality Control Board, San Francisco Bay Region (hereinafter referred to as the Regional Board) finds that:

FINDINGS

Finding 1: Incorporation of Fact Sheet

1. The Fact Sheet for the San Mateo Countywide Stormwater Pollution Prevention Program NPDES Permit Amendment includes cited references and additional explanatory information in support of the requirements of this Amendment. This information, including any supplements thereto, and any future response to comments on the Revised Tentative Order, is hereby incorporated by reference.

Findings 2-3: Existing Permit

2. The Regional Board adopted Order No. 99-059 on July 21, 1999, reissuing waste discharge requirements under the National Pollutant Discharge Elimination System (NPDES) permit for the City and County Association of San Mateo County, San Mateo County, and the twenty cities and towns in the County, as named above; hereinafter referred to collectively as the Dischargers and individually as the Discharger.
3. Order No. 99-059 recognizes the San Mateo Countywide Stormwater Pollution Prevention Program's (hereinafter STOPPP) Stormwater Management Plan (Management Plan) as the Dischargers' comprehensive control program and requires implementation of the Management Plan, which describes a framework for management of stormwater discharges. The 1999 Management Plan describes the Program's goals and objectives and contains Performance Standards, which represent the baseline level of effort required of each of the Dischargers. The Management Plan contains Performance Standards for five different stormwater management components, including new development and significant redevelopment activities.

Finding 4: Basis for Reopening the Permit for Amendment

4. This Order amends existing Order No. 99-059 for Waste Discharge Requirements, NPDES Permit No. CAS0029921 (the “Existing Permit”), to require additional treatment controls to limit stormwater pollutant discharges associated with certain new development and significant redevelopment projects. Pursuant to applicable state and federal law, including without limitation Water Code § 13263 and 40 CFR § 123.25(a), the Board may modify the Existing Permit to require additional and more stringent controls during the term of the Existing Permit. Provision C.13 of Order No. 99-059 anticipated that amendments, revisions and modifications to the Management Plan and Existing Permit would be necessary from time to time, and provided direction that changes requiring major revisions of the Management Plan shall be brought before the Regional Board as permit amendments. This Order is consistent with Provision C.13 of Order No. 99-059.

The additional treatment controls are appropriate to impose now to better reflect, and be consistent with, the current level of protection being instituted elsewhere in the Region, State and country to satisfy the Clean Water Act’s requirement to control discharges of pollutants to the maximum extent practicable. For instance, other states and regions require that stormwater treatment measures are sized to treat an optimal volume or flow rate of stormwater runoff based on local precipitation, that the treatment measures be adequately maintained, and that the damaging effects of increased runoff peak flows and durations also be addressed, in addition to runoff pollutant impacts.

Finding 5: Applicable Federal, State and Regional Regulations

5. This action to modify an NPDES permit is exempt from the provisions of the California Environmental Quality Act (Division 13 of the Public Resources Code, Chapter 3, Section 21100, et. seq.) in accordance with Section 13389 of the California Water Code.

Findings 6-18: Nature of Discharges and Sources of Pollutants

6. Urban Development Increases Pollutant Load, Volume, and Velocity of Runoff: During urban development two important changes occur. First, natural vegetated pervious ground cover is converted to impervious surfaces such as paved highways, streets, rooftops, and parking lots. Natural vegetated soil can both absorb rainwater and remove pollutants providing a very effective natural purification process. Because pavement and concrete can neither absorb water nor remove pollutants, the natural purification characteristics of the land are lost. Secondly, urban development creates new pollution sources as human population density increases and brings with it proportionately higher levels of car emissions, car maintenance wastes, municipal sewage, pesticides, household hazardous wastes, pet wastes, trash, etc., which can be washed into the municipal separate storm sewer system. As a result of these two changes, the runoff leaving the developed urban area is significantly greater in volume, velocity and pollutant load than the pre-development runoff from the same area.
7. Certain pollutants present in stormwater and/or urban runoff may be derived from extraneous sources that the Dischargers have limited or no direct jurisdiction over. Examples of such pollutants and their respective sources are: PAHs which are products of internal combustion engine operation and other sources; heavy metals, such as copper from brake pad wear and zinc from tire wear; dioxins as products of combustion; mercury resulting from atmospheric deposition; and natural-occurring minerals from local geology. All of these pollutants, and

others, may be deposited on paved surfaces and roof-tops as fine airborne particles, thus yielding stormwater runoff pollution that is unrelated to the particular activity or use associated with a given new or redevelopment project. However, Dischargers can implement treatment control measures, or require developers to implement treatment control measures, to reduce entry of these pollutants into stormwater and their discharge to receiving waters.

8. Retail gasoline outlets (RGOs), commonly referred to as “gas stations,” are hot spots for pollutants of concern in stormwater and have been widely documented as such. The most common pollutants of concern in stormwater runoff from RGOs are heavy metals, petroleum hydrocarbons (such as Polycyclic Aromatic Hydrocarbons (PAHs)), and oil and grease.¹ RGOs fall within the new development and significant redevelopment projects subject to Provision C.3 of this Order, when they meet the impervious surface thresholds within that Provision. Pursuant to Provision C.3, as with any other project meeting the thresholds of that Provision, RGOs are required to incorporate appropriate source controls and design measures, and to appropriately treat stormwater runoff prior to discharge to the storm drain or local water. As with any commercial and/or industrial activity within the Dischargers’ jurisdictions that has the potential to discharge pollutants in stormwater runoff, RGOs may also be subject to regulation under other sections of the Existing Permit and incorporated Management Plan, including the Illicit Discharge Control and Industrial and Commercial Discharge Control sections.
9. The pollutants found in urban runoff can have damaging effects on both human health and aquatic ecosystems. In addition, the increased flows and volumes of stormwater discharged from new impervious surfaces resulting from new development and redevelopment can significantly impact beneficial uses of aquatic ecosystems due to physical modifications of watercourses, such as bank erosion and widening of channels.
10. **Water Quality Degradation Increases with Percent Imperviousness:** The increased volume and velocity of runoff from developed urban areas can greatly accelerate the erosion of downstream natural channels. A number of studies have demonstrated a direct correlation between the degree of imperviousness of an area and the degradation of beneficial uses of downstream receiving waters. Significant declines in the biological integrity and physical habitat of streams and other receiving waters have been found to occur with as little as a 10% conversion from natural to impervious surfaces. Typical medium-density single-family home projects range between 25 to 60% impervious. Even at very low densities, such as 1-2 housing units per acre, standard subdivision designs can exceed the 10% imperviousness threshold that, as noted above, is theorized to be the threshold for degradation of streams and other waters with increasing imperviousness.² Studies on the impacts of imperviousness on beneficial uses of waters include “Urbanization of aquatic systems: Degradation thresholds, stormwater detection, and the limits of mitigation,” Derek B. Booth and C. Rhett Jackson, *Journal of the American Water Resources Association* 33(5), Oct. 1997, pp. 1077-1089;

¹ *Retail Gasoline Outlets: New Development Design Standards for Mitigation of Stormwater Impacts* – California Water Quality Control Board, Los Angeles Region, and California Water Quality Control Board, San Diego Region, Technical Report, prepared by Radulescu, Swamikannu, and Hammer, 2001.

² A discussion of imperviousness based on type of development and time of construction is provided in Heaney, J.B., Pitt, R, and Field, R. **Innovative Urban Wet-Weather Flow Management Systems**, 1999. USEPA Doc. No. EPA/600/R-99/029 (Chapter 2).

“Urbanization and Stream Quality Impairment,” Richard D. Klein, *Water Resources Bulletin* 15(4), Aug. 1979, pp. 948-963; “Stream channel enlargement due to urbanization,” Thomas R. Hammer, *Water Resources Research* 8(6), Dec. 1972, pp. 1530- 1540; and, summaries of work on the impacts of imperviousness, including “The Importance of Imperviousness,” in *Watershed Protection Techniques* 1(3), Fall 1994, pp. 100-111, and “Impervious surface coverage: The emergence of a key environmental indicator,” Chester L. Arnold et al., *Journal of the American Planning Association* 62(2), Spring 1996, pp. 243-259.

- 11.** The Dischargers have encouraged developers to minimize increases in impervious surfaces through a number of techniques such as those described in the Bay Area Stormwater Management Agencies Association’s (BASMAA’s) “Start at the Source Design Guidance Manual for Stormwater Quality Protection,” 1999 edition (Start at the Source). One of the techniques recommended by Start at the Source is to use permeable pavements to infiltrate stormwater while still providing a stable load-bearing surface. For purposes of this Order, STOPPP may submit guidelines for use of these techniques for minimizing increases in impervious surfaces described in Start at the Source, implementation of which will provide that such areas will not count toward the creation or replacement of impervious surfaces, or may be modeled differently for the purposes of sizing post-construction stormwater treatment controls, for approval by the Executive Officer.
- 12.** Because land use planning is where urban development begins, it is the phase in which the greatest and most cost-effective opportunities to protect water quality in new and redevelopment exist. When a Discharger incorporates policies and principles designed to safeguard water resources into its General Plan and development project approval processes, it has taken a far-reaching step towards the preservation of local water resources for future generations.
- 13.** The revised Provision C.3 is written with the assumption that the Dischargers are responsible for considering potential stormwater impacts when making planning and land use decisions. The goal of these requirements is to address pollutant discharges and changes in runoff flows from new development and significant redevelopment projects, through implementation of post-construction and treatment measures, source control, and site design measures, to the maximum extent practicable. Neither Provision C.3 nor any of its requirements are intended to restrict or control local land use decision-making authority.
- 14.** For the purposes of this Order, the term “Redevelopment” is defined as a project on a previously developed site that results in the addition or replacement of impervious surfaces, and the term “brownfield site” means real property, the expansion, redevelopment, or reuse of which may be complicated by the presence or potential presence of a hazardous substance, pollutant, or contaminant.
- 15.** Opportunities to address stormwater pollution and hydrograph modification can be limited by current local design standards and guidance. For example, such standards and guidance may reduce or prohibit opportunities to minimize impervious surfaces, minimize directly connected impervious area, provide for small-scale detention, and implement other management measures. Revision of current standards and guidance can result in a significantly increased ability for project designers to minimize project impacts and can also enhance local property values, neighborhood character, and overall quality of life. Further,

revision of standards and guidance can allow implementation of site design measures in projects to meet or help meet the numeric sizing criteria in Provision C.3.d and/or the hydrograph modification limitation in Provision C.3.f.

- 16.** Certain control measures implemented or required by the Dischargers for urban runoff management may create a habitat for vectors (e.g., mosquitoes and rodents) if not properly designed or maintained. Close collaboration and cooperative effort between Dischargers, local vector control agencies, Regional Board staff, and the State Department of Health Services is necessary to minimize potential nuisances and public health impacts resulting from vector breeding.
- 17.** Provision C.3.f requires the Dischargers to prepare a Hydrograph Modification Management Plan (HMP), for approval by the Regional Board, to manage impacts from changes to the volume and velocity of stormwater runoff from new development and significant redevelopment projects, where these changes can cause excessive erosion damage to downstream watercourses. Transit village type developments within $\frac{1}{4}$ to within $\frac{1}{2}$ mile of transit stations and/or intermodal facilities, and projects within “Redevelopment Project Areas” (as defined by Health and Safety Code Section 33000, et. seq.) that redevelop an existing brownfield site or create housing units affordable to persons of low or moderate income as defined by Health and Safety Code Section 50093, are excepted from the requirements of C.3.f. and the HMP. Significant change in impervious surface or significant change in stormwater runoff volume or timing is unlikely in these redevelopment circumstances, because the development would be within a largely paved catchment, and on a site that is largely paved or otherwise impervious.

Similarly, as specified in Provision C.3.g.v, an exemption without the requirement for alternate, equivalent offsite treatment is allowed for the following redevelopment projects after impracticability of including onsite treatment measures is established, where such projects are built as redevelopment projects as defined in Finding 14, and it is clearly demonstrated that cost of participation in alternate, equivalent offsite treatment through a regional treatment or other equivalent water quality benefit project fund will unduly burden the project: creation of housing units affordable to persons of low or moderate income as defined by Health and Safety Code Section 50093, brownfield sites, and/or transit village type developments within $\frac{1}{4}$ mile of transit stations and/or intermodal facilities. Not only is significant change in impervious surface or significant change in stormwater runoff volume or timing unlikely in these redevelopment circumstances, but these development projects are also likely to provide reduced water quality impacts and/or other environmental benefits in their own right.

- 18.** The Regional Board recognized, in its “Policy on the Use of Constructed Wetlands for Urban Runoff Pollution Control” (Resolution No. 94-102), that urban runoff treatment wetlands that are constructed and operated pursuant to that Resolution and are constructed outside of a creek or other receiving water, are stormwater treatment systems and, as such, are not waters of the United States subject to regulation pursuant to Sections 401 or 404 of the federal Clean Water Act. Regional Board staff is working with the California Department of Fish and Game (CDFG) and the U.S. Fish and Wildlife Service (USFWS) to identify how maintenance for stormwater treatment controls required under permits such as this Permit can be

appropriately streamlined, given CDFG and USFWS requirements, and particularly those that address special status species. The Dischargers are expected to work diligently and in good faith with the appropriate agencies to obtain any approvals necessary to complete maintenance activities for stormwater treatment and runoff controls. If the Dischargers have done so, where necessary and maintenance approvals are not granted, the Dischargers shall be deemed by the Regional Board to be in compliance with Provision C.3.e of this Order.

Findings 19 - 20: Notification to Dischargers and Interested Public Parties

19. The Dischargers and interested agencies and persons have been notified of the Regional Board's intent to modify waste discharge requirements for the existing discharge and have been provided opportunities for public meetings and the opportunity to submit their written views and recommendations. The following is a brief summary of public meetings and comment periods on versions of the Tentative Order:

Public Meetings and Outreach Events:

The Dischargers and Regional Board staff together conducted an outreach workshop on the Tentative Order and the updated new development and redevelopment requirements. This workshop was held on March 29, 2002, and was attended by Discharger staff and other interested parties. The Executive Officer and Regional Board staff also met with the San Mateo County City Managers' Association on May 17, 2002, to advise them of the updated new development and redevelopment requirements. Regional Board staff also met on dates including April 23, May 22, and October 30, 2002, with representatives of the Coastal Region Vector Control Agencies, which includes San Mateo County. On September 12, 2002, the Assistant Executive Officer spoke to City/County Association of Governments of San Mateo County representatives and elective officials at their regular monthly meeting, about the status of the updated new development and redevelopment requirements and addressed questions raised by the officials.

Other public outreach activities also have included:

- On March 8, 2001, the Association of Bay Area Governments (ABAG) hosted a seminar for elected officials, municipal planning directors and public works directors, and other public on upcoming regulatory approaches to controlling stormwater pollution from new and redevelopment projects;
- On January 10, 2002, ABAG, the Regional Board, BASMAA, BCDC, and the City of Oakland hosted a seminar for local and regional government officials, city managers, county administrators, municipal planning directors and public works directors, and other public on stormwater pollution control measures and successful redevelopment strategies to ensure clean runoff from development projects;
- On March 21, 2002, the Executive Officer spoke to ABAG's Executive Board, which included elected officials from San Mateo County, about the status of updated regulations for stormwater control measures for new and redevelopment projects; and
- On June 5, 2002, the Regional Board's South Bay Watershed Management Division Chief spoke to ABAG's Regional Planning Committee, which included elected officials from San Mateo County, about the status of updated regulations for stormwater control

measures for new and redevelopment projects, and addressed questions raised by officials at the March 21, 2002, presentation to ABAG's Executive Board.

- On December 18, 2002, and January 22, 2003, the Regional Board heard testimony from the Dischargers and interested public on the Revised Tentative Order.
- On January 17 and 31, and February 7 and 14, 2003, Regional Board staff conducted public meetings on the Revised Tentative Order.

Review and Comment Periods:

- June 13, 2002 – July 26, 2002: Administrative Draft circulated to the Dischargers for comments.
- August 22, 2002 – October 9, 2002: Tentative Order circulated to the Dischargers, the general public and interested parties for comments.
- December 20, 2002 – January 10, 2003: Comment period reopened by the Regional Board to allow additional submittals relative to projected cost of the amendment of Order No. 99-059 to both the Dischargers and the development community.

20. The Regional Board, through public testimony in public meetings and in written form, has received and considered all comments pertaining to the amendment of Order No. 99-059.

Finding 21: Renumbering of Existing Provisions within Order No. 99-059

21. Provision C.3 of Order No. 99-059 stipulates Stormwater Management Plan requirements. Upon adoption of this Order, Provision C.3 will address New Development and Redevelopment Performance Standards, and existing provisions C.3 – C.17 will be renumbered C.4 – C.18 in the Existing Permit.

IT IS HEREBY ORDERED that the Dischargers, in order to meet the provisions contained in Division 7 of the California Water Code and regulations adopted hereunder and the provisions of the Clean Water Act as amended and regulations and guidelines adopted hereunder, shall comply with the following:

Provision C.3. New Development and Redevelopment Performance Standards

The Dischargers will continue to implement the new development and redevelopment Performance Standards contained in the Management Plan and improve them to achieve the control of stormwater pollutants to the maximum extent practicable in accordance with the following sections:

a. New Development and Redevelopment Performance Standard Implementation:

The Dischargers shall continue to implement and improve, as necessary and appropriate, the Performance Standards for new development and redevelopment controls detailed on Pages

B-ND-1 through B-ND-4 of the July 1999 Management Plan. In addition, the Dischargers shall implement the following Performance Standards:

- i. Each Discharger shall ensure access to treatment measures to San Mateo Mosquito and Vector Control District staff; and
- ii. Each Discharger shall provide educational materials to municipal staff, developers, contractors, construction site operators, and owner/builders, early in the planning process and as appropriate.

b. Development Project Approval Process:

The Dischargers shall modify their project review processes as needed to incorporate the requirements of Provision C.3. Each Discharger shall include conditions of approval in permits for applicable projects, as defined in Provision C.3.c, to ensure that stormwater pollutant discharges are reduced by incorporation of treatment measures and other appropriate source control and site design measures, and increases in runoff flows are managed in accordance with Provision C.3.f, to the maximum extent practicable. Such conditions shall, at a minimum, address the following goals:

- i. Require a project proponent to implement site design/landscape characteristics where feasible which maximize infiltration (where appropriate), provide retention or detention, slow runoff, and minimize impervious land coverage, so that post-development pollutant loads from a site have been reduced to the maximum extent practicable; and
- ii. For new and redevelopment projects that discharge directly (not mixed with runoff from other developed sites) to water bodies listed as impaired by a pollutant(s) pursuant to Clean Water Act Section 303(d), ensure that post-project runoff does not exceed pre-project levels for such pollutant(s), through implementation of the control measures addressed in this provision, to the maximum extent practicable, in conformance with Provision C.1.

Modification of project review processes shall be completed by **February 15, 2005**.

c. Applicable Projects – New and Redevelopment Project Categories:

New development and significant redevelopment projects that are subject to Provision C.3. are grouped into two categories based on project size. While all projects regardless of size should consider incorporating appropriate source control and site design measures that minimize stormwater pollutant discharges to the maximum extent practicable, new and redevelopment projects that do not fall into Group 1 or Group 2 are not subject to the requirements of Provision C.3. Provision C.3. shall also not apply to projects for which a privately sponsored development application has been deemed complete by a Discharger or, with respect to public projects, for which funding has been committed and for which construction is scheduled by **February 15, 2005**.

i. Group 1 Projects:

Dischargers shall require Group 1 Projects to implement appropriate source control and site design measures and to design and implement stormwater treatment measures, to reduce the discharge of stormwater pollutants to the maximum extent practicable. Implementation of

this requirement shall begin **February 15, 2005**. Group 1 Projects consist of all public and private projects in the following categories:

1. *Commercial, industrial, or residential developments that create one acre (43,560 square feet) or more of impervious surface, including roof area, streets and sidewalks.* This category includes any development of any type on public or private land, which falls under the planning and building authority of the Dischargers, where one acre or more of new impervious surface, collectively over the entire project site, will be created. Construction of one single-family home, which is not part of a larger common plan of development, with the incorporation of appropriate pollutant source control and design measures, and using landscaping to appropriately treat runoff from roof and house-associated impervious surfaces (e.g., runoff from roofs, patios, driveways, sidewalks, and similar surfaces), would be in substantial compliance with Provision C.3.
2. *Streets, roads, highways, and freeways that are under the Dischargers' jurisdiction and that create one acre (43,560 square feet) or more of new impervious surface.* This category includes any newly constructed paved surface used primarily for the transportation of automobiles, trucks, motorcycles, and other motorized vehicles. Excluded from this category are sidewalks, bicycle lanes, trails, bridge accessories, guardrails, and landscape features.
3. *Significant Redevelopment projects.* This category is defined as a project on a previously developed site that results in addition or replacement, which combined total 43,560 ft² or more of impervious surface on such an already developed site ("Significant Redevelopment"). Where a Significant Redevelopment project results in an increase of, or replacement of, more than fifty percent of the impervious surface of a previously existing development, and the existing development was not subject to stormwater treatment measures, the entire project must be included in the treatment measure design. Conversely, where a Significant Redevelopment project results in an increase of, or replacement of, less than fifty percent of the impervious surface of a previously existing development, and the existing development was not subject to stormwater treatment measures, only that affected portion must be included in treatment measure design. Excluded from this category are interior remodels and routine maintenance or repair. Excluded routine maintenance and repair include roof or exterior surface replacement, pavement resurfacing, repaving and road pavement structural section rehabilitation within the existing footprint, and any other reconstruction work within a public street or road right-of-way where both sides of that right-of-way are developed.

ii. Group 2 Projects:

The Group 2 Project definition is in all ways the same as the Group 1 Project definition above, except that the size threshold of impervious area for new and Significant Redevelopment projects is reduced from one acre (43,560 ft²) of impervious surface to 10,000 square feet. Dischargers shall require Group 2 Projects to implement appropriate source control and site design measures and to design and implement appropriate stormwater treatment measures, to reduce stormwater pollution to the maximum extent practicable. Projects consisting of one single family home not part of a larger common plan of development are excluded from the Group 2 Project definition, and therefore excluded from

the requirement to implement appropriate stormwater treatment measures. Implementation of this requirement shall begin by **August 15, 2006**, at which time the definition of Group 1 Project is changed to include all Group 2 Projects.

iii. Proposal for Alternative Group 2 Project Definition: The Program and/or any Discharger may propose, for approval by the Regional Board, an Alternative Group 2 Project definition, with the goal that any such alternative definition aim to ensure that the maximum created impervious surface area is treated for the minimum number of projects subject to Discharger review. Any such proposal shall contain supporting information about the Dischargers' development patterns, and sizes and numbers of proposed projects for several years, that demonstrates that the proposed definition would be substantially as effective as the Group 2 Project definition in Provision C.3.c.ii. Proposals may include differentiating projects subject to the Alternative Group 2 Project definition by land use, by focusing solely on the techniques recommended by Start at the Source for documented low pollutant loading land uses, and/or by optimum use of landscape areas required by Dischargers under existing codes as treatment measures. Proposals may be submitted anytime, with the understanding that the Group 2 Project definition, as described in Provision C.3.c.ii will be upheld as the default in the absence of an approved Alternative Group 2 Project definition.

d. Numeric Sizing Criteria For Pollutant Removal Treatment Systems:

All Dischargers shall require that treatment measures be constructed for applicable projects, as defined in Provision C.3.c, that incorporate, at a minimum, the following hydraulic sizing design criteria to treat stormwater runoff. As appropriate for each criterion, the Dischargers shall use or appropriately analyze local rainfall data to be used for that criterion.

- i. Volume Hydraulic Design Basis:** Treatment measures whose primary mode of action depends on volume capacity, such as detention/retention units or infiltration structures, shall be designed to treat stormwater runoff equal to:
1. The maximized stormwater capture volume for the area, based on historical rainfall records, determined using the formula and volume capture coefficients set forth in *Urban Runoff Quality Management, WEF Manual of Practice No. 23/ ASCE Manual of Practice No. 87, (1998)*, pages 175-178 (e.g., approximately the 85th percentile 24-hour storm runoff event); or
 2. The volume of annual runoff required to achieve 80 percent or more capture, determined in accordance with the methodology set forth in Appendix D of the *California Stormwater Best Management Practices Handbook, (1993)*, using local rainfall data.
- ii. Flow Hydraulic Design Basis:** Treatment measures whose primary mode of action depends on flow capacity, such as swales, sand filters, or wetlands, shall be sized to treat:
1. 10% of the 50-year peak flow rate; or
 2. the flow of runoff produced by a rain event equal to at least two times the 85th percentile hourly rainfall intensity for the applicable area, based on historical records of hourly rainfall depths; or
 3. the flow of runoff resulting from a rain event equal to at least 0.2 inches per hour intensity.

e. Operation and Maintenance of Treatment Measures:

All treatment measures must be adequately operated and maintained by complying with the process described below. Beginning July 1, 2004, each Discharger shall implement a treatment measures operation and maintenance (O&M) verification program (O&M Program), which shall include the following:

- i.** Compiling a list of properties (public and private) and responsible operators for, at a minimum, all treatment measures implemented from the date of adoption of this Order. Information on the location of all stormwater treatment measures shall be sent to the local vector control district. In addition, the Dischargers shall inspect a subset of prioritized treatment measures for appropriate O&M, on an annual basis, with appropriate follow-up and correction.
- ii. Verification and access assurance shall at a minimum include:** Where a private entity is responsible for O&M, the entity's signed statement accepting responsibility for maintenance until the responsibility is legally transferred to another entity; and access permission for representatives of the Discharger, local vector control district, and Regional Board staff strictly for the purpose of O&M verification for the specific stormwater treatment system to the extent allowable by law; and, for all entities, either:
 1. A signed statement from the public entity assuming post-construction responsibility for treatment measure maintenance and that the treatment measure meets all local agency design standards; or
 2. Written conditions in the sales or lease agreement requiring the buyer or lessee to assume responsibility for O&M consistent with this provision, which conditions, in the case of purchase and sale agreements, shall be written to survive beyond the close of escrow; or
 3. Written text in project conditions, covenants and restrictions (CCRs) for residential properties assigning O&M responsibilities to the home owners association for O&M of the treatment measures; or
 4. Any other legally enforceable agreement or mechanism that assigns responsibility for the maintenance of post-construction treatment measures.
- iii. O&M Reporting:** The Dischargers shall report on their O&M Program in each Annual Report, starting with the Annual Report to be submitted **September, 2005**. The Annual Report shall contain: a description of the organizational structure of the Discharger's O&M Program; an evaluation of that O&M Program's effectiveness; summary of any planned improvements to the O&M Program; and a list or summary of treatment measures that have been inspected that year with inspection results.
- iv.** The program shall submit by **June 1, 2004**, a vector control plan for Executive Officer approval, after consultation with the appropriate vector control agencies. The plan shall include design guidance for treatment measures to prevent the production of vectors, particularly mosquitoes, and provide guidance on including vector abatement concerns in O&M and verification inspection activities.
- v.** The Dischargers are expected to work diligently and in good faith with the appropriate state and federal agencies to obtain any approvals necessary to complete maintenance activities for

stormwater treatment measures. If the Dischargers have done so, and maintenance approvals are not granted, where necessary, the Dischargers shall be deemed by the Regional Board to be in compliance with this Provision.

f. Limitation on Increase of Peak Stormwater Runoff Discharge Rates:

- i.** The Dischargers shall manage increases in peak runoff flow and increased runoff volume, for all Group 1 Projects, where such increased flow and/or volume is likely to cause increased erosion of creek beds and banks, silt pollutant generation, or other waterbody impacts to beneficial uses due to increased erosive force. Such management shall be through implementation of a Hydrograph Modification Management Plan (HMP). The HMP, once approved by the Regional Board, shall be implemented so that post-project runoff shall not exceed estimated pre-project rates and/or durations, where the increased stormwater discharge rates and/or durations will result in increased potential for erosion or other significant adverse impacts to beneficial uses, attributable to changes in the amount and timing of runoff. The term duration in this Provision is defined as the period that flows are above a threshold that causes significant sediment transport and may cause excessive erosion damage to creeks and streams.
- ii.** Provision C.3.f.i does not apply to new development and significant redevelopment projects where the project discharges stormwater runoff into creeks or storm drains where the potential for erosion or other impacts to beneficial uses, is minimal. Such situations may include discharges into creeks that are concrete-lined or significantly hardened (e.g., with rip-rap, sackrete, etc.) downstream to their outfall in San Francisco Bay or the Pacific Ocean, underground storm drains discharging to the Bay or Ocean, and construction of infill projects in highly developed watersheds, where the potential for single-project and/or cumulative impacts is minimal. Guidelines for identification of such situations shall be included as a part of the HMP. However, plans to restore a creek reach may re-introduce the applicability of HMP controls, and would need to be addressed in the HMP.
- iii.** The HMP may identify conditions under which some increases in runoff may not have a potential for increased erosion or other impacts to beneficial uses. Reduced controls or no controls on peak stormwater runoff discharge rates and/or durations may be appropriate in those cases, subject to the conditions in the HMP. In the absence of information demonstrating that changes in post-development runoff discharge rates and durations will not result in increased potential for erosion or other adverse impacts to beneficial uses, the HMP requirements shall apply.
- iv.** The HMP proposal, at a minimum, shall include:

 - 1.** A review of pertinent literature;
 - 2.** A protocol to evaluate potential hydrograph change impacts to downstream watercourses from proposed projects;
 - 3.** An identification of the rainfall event below which these standards and management requirements apply, or range of rainfall events to which these requirements apply;
 - 4.** A description of how the Dischargers will incorporate these requirements into their local approval processes, or the equivalent; and,

5. Guidance on management practices and measures to address identified impacts.

The Dischargers may prioritize which individual watersheds the HMP would initially apply to, if it is demonstrated in the HMP that such prioritization is appropriate.

The Dischargers may work appropriately with the Santa Clara Valley Urban Runoff Pollution Prevention Program and other Bay Area storm water programs as part of completing these requirements. For example, the Dischargers may wish to expand on the literature review being completed by the Santa Clara Valley Urban Runoff Program under its Permit, rather than authoring their own literature review from scratch. While such cooperation is encouraged, it shall not be grounds for delaying compliance beyond the schedule set forth herein.

- v. The identified maximum rainfall event or rainfall event range may be different for specific watersheds, streams, or stream reaches. Individual Dischargers may utilize the protocol to determine a site- or area-specific rainfall event or event range standard.
- vi. The HMP's evaluation protocols, management measures, and other information may include the following:
 - 1. Evaluation of the cumulative impacts of urbanization of a watershed on stormwater discharge and stream morphology in the watershed;
 - 2. Evaluation of stream form and condition, including slope, discharge, vegetation, underlying geology, and other information, as appropriate;
 - 3. Implementation of measures to minimize impervious surfaces and directly connected impervious area in new development and redevelopment projects;
 - 4. Implementation of measures including stormwater detention, retention, and infiltration;
 - 5. Implementation of land use planning measures (e.g., stream buffers and stream restoration activities, including restoration-in-advance of floodplains, revegetation, use of less-impacting facilities at the point(s) of discharge, etc.) to allow expected changes in stream channel cross sections, stream vegetation, and discharge rates, velocities, and/or durations without adverse impacts to stream beneficial uses;
 - 6. A mechanism for pre- vs. post-project assessment to determine the effectiveness of the HMP and to allow amendment of the HMP, as appropriate; and,
 - 7. Other measures, as appropriate.
- vii. **Equivalent limitation of peak flow impacts:** The Dischargers may develop an equivalent limitation protocol, as part of the HMP, to address impacts from changes in the volumes, velocities, and/or durations of peak flows through measures other than control of those volumes and/or durations. The protocol may allow increases in peak flow and/or durations, subject to the implementation of specified design, source control, and/or treatment measures and land planning practices that take into account expected stream change (e.g., increases in the cross-sectional area of stream channel) resulting from changes in discharge rates and/or durations, while maintaining or improving beneficial uses of waters.
- viii. The Dischargers as a group shall complete the HMP according to the schedule below. All required documents shall be submitted for approval by the Executive Officer, based on the

criteria set forth in this Order, except the HMP, which shall be submitted for approval by the Regional Board. Development and implementation status shall be reported in the Dischargers' Annual Reports, which shall also provide a summary of projects incorporating measures to address this Provision and the measures used.

1. **February 15, 2004:** Submit a detailed workplan and schedule for completion of the literature review, development of a protocol to identify an appropriate limiting storm, development of guidance materials, and other required information;
2. **February 15, 2004:** Submit literature review;
3. **November 15, 2004:** Submit a draft HMP, including the analysis that identifies the appropriate limiting storm and the identified limiting storm event(s) or event range(s);
4. **May 15, 2005:** Submit the HMP for Regional Board approval; and,
5. Upon approval by the Regional Board, implement the approved HMP, which shall include the requirements of this Provision. Prior to approval of the HMP by the Regional Board, the early implementation of measures likely to be included in the HMP shall be encouraged by the Dischargers.

g. Alternative Compliance Based on Impracticability and Requiring Compensatory Mitigation:

- i. The Dischargers may establish a program under which a project proponent may request alternative compliance with the requirement in Provision C.3.c to install treatment measures onsite for a given project, upon an appropriate showing of impracticability, and with provision to treat offsite an equivalent surface area, pollutant loading or quantity of stormwater runoff, or provide other equivalent water quality benefit, such as stream restoration or other activities that limit or mitigate impacts from excessive erosion or sedimentation. The offsite location of this equivalent stormwater treatment, or water quality benefit, shall be where no other requirement in Provision C.3.c. for treatment exists, and within the same stormwater runoff drainage basin and treating runoff discharging to the same receiving water, where feasible. Under this Provision, enhancements of existing mitigation projects are acceptable. The Dischargers should specifically define the basis for impracticability or infeasibility, which may include situations where onsite treatment is technically feasible, but excessively costly, as determined by set criteria.
- ii. **Regional Solutions:** The alternative compliance program may allow a project proponent to participate in a regional or watershed-based stormwater treatment facility, without a showing of impracticability on the individual project site, if the regional or watershed-based stormwater treatment facility discharges into the same receiving water, where feasible.
- iii. The Program is encouraged to propose a model alternative compliance program on behalf of the Dischargers, for approval by the Regional Board, and for potential adoption and implementation by the Dischargers.
- iv. The alternative compliance program proposal should state the criteria for granting alternatives from the requirement to install treatment measures onsite; criteria for determining impracticability or infeasibility; and criteria for use of regional or watershed-based stormwater treatment facilities. The proposal should also describe how the project

sponsor will provide equivalent water quality benefits or credit to an alternative project or to a regional or watershed-based treatment facility and tracking mechanisms to support the reporting requirements set forth in Provision C.3.g.v below.

- v. An exemption without the requirement for alternate, equivalent offsite treatment is allowed for the following redevelopment projects after impracticability of including onsite treatment measures is established, where such projects are built as redevelopment projects as defined in Finding 14, and it is clearly demonstrated that cost of participation in alternate, equivalent offsite treatment through a regional treatment or other equivalent water quality benefit project fund will unduly burden the project: creation of housing units affordable to persons of low or moderate income as defined by Health and Safety Code Section 50093, brownfield sites, and/or transit village type developments within ¼ mile of transit stations and/or intermodal facilities.
- vi. Reporting: Each year, as part of its Annual Report, each Discharger shall provide a list of the alternative projects and exemptions it granted. For each project and exemption, the following information shall be provided:
 1. Name and location of the project for which the alternative project or exemption was granted;
 2. Project type (e.g., restaurant, residence, shopping center) and size;
 3. Area or percent of impervious surface in the project's final design;
 4. Reason for granting the alternative project or exemption, including, for those projects granted an exemption without the requirement for alternate, equivalent offsite treatment, a demonstration that cost of such equivalent offsite treatment unduly burdened the project;
 5. Terms of the alternative project or exemption; and,
 6. The offsite stormwater treatment project receiving the benefit, and the date of completion of the project.
- vii. Interim Alternative Compliance Program: In the event that an alternative compliance program has not been proposed by the Program and/or a Discharger, approved by the Regional Board, or implemented by a particular Discharger by the date of implementation of Group 1 Projects, provision for an interim alternative to the requirement to install treatment measures onsite may be granted by a Discharger. An interim alternative compliance project may be granted if the project proponent (1) demonstrates onsite impracticability due to extreme limitations of space for treatment and lack of below grade surface treatment options, and (2) presents sufficient assurance of providing equivalent offsite stormwater pollutant and/or volume treatment at another location within the drainage basin, for which construction of stormwater treatment measures is not otherwise required, discharging into the same receiving water, where feasible. The Discharger shall be responsible for assuring that equivalent offsite treatment has occurred for any use of this interim alternative compliance program, within six months of project construction, and shall report the basis of onsite impracticability and the nature of equivalent offsite treatment for each project in its Annual Report. Any equivalent offsite treatment that does not include construction of stormwater

treatment measures must be approved by the Executive Officer based on the criteria set forth in this Order. This interim alternative compliance clause will be void when the Regional Board approves the alternative compliance program described in Provision C.3.g.i-vi, above.

h. Alternative Certification of Adherence to Design Criteria for Stormwater Treatment Measures:

In lieu of conducting detailed review to verify the adequacy of measures required pursuant to Provisions C.3.d, a Discharger may elect to accept a signed certification from a Civil Engineer or a Licensed Architect or Landscape Architect registered in the State of California, or another Discharger that has overlapping jurisdictional project permitting authority, that the plan meets the criteria established herein. The Discharger should verify that each certifying person has been trained on treatment measures design for water quality not more than three years prior to the signature date, and that each certifying person understands the groundwater protection principles applicable to the project site (see Provision C.3.i, Limitations on Use of Infiltration Treatment Measures). Training conducted by an organization with stormwater treatment measure design expertise (e.g., a university, American Society of Civil Engineers, American Society of Landscape Architects, American Public Works Association, or the California Water Environment Association) may be considered qualifying.

i. Limitations on Use of Infiltration Treatment Measures - Infiltration and Groundwater Protection:

In order to protect groundwater from pollutants that may be present in urban runoff, treatment measures that function primarily as infiltration devices (such as infiltration basins and infiltration trenches not deeper than their maximum width) shall meet, at a minimum, the following conditions:

- i.** Pollution prevention and source control measures shall be implemented at a level appropriate to protect groundwater quality at sites where infiltration devices are to be used;
- ii.** Use of infiltration devices shall not cause or contribute to degradation of groundwater water quality objectives;
- iii.** Infiltration devices shall be adequately maintained to maximize pollutant removal capabilities;
- iv.** The vertical distance from the base of any infiltration device to the seasonal high groundwater mark shall be at least 10 feet. Note that some locations within the Dischargers' jurisdiction are characterized by highly porous soils and/or a high groundwater table; in these areas, treatment measures approvals should be subject to a higher level of analysis (e.g., considering the potential for pollutants such as on-site chemical use, the level of pretreatment to be achieved, and similar factors);
- v.** Unless stormwater is first treated by a means other than infiltration, infiltration devices shall not be recommended as treatment measures for areas of industrial or light industrial activity; areas subject to high vehicular traffic (25,000 or greater average daily traffic on main roadway or 15,000 or more average daily traffic on any intersecting roadway); automotive repair shops; car washes; fleet storage areas (bus, truck, etc.); nurseries; and other high threat to water quality land uses and activities as designated by each Discharger; and,

- vi. Infiltration devices shall be located a minimum of 100 feet horizontally from any known water supply wells.

j. Site Design Measures Guidance and Standards Development:

- i. The Dischargers shall review their local design standards and guidance for opportunities to make revisions that would result in reduced impacts to water quality and beneficial uses of waters. In this event, the Dischargers shall make any such revisions and implement the updated standards and guidance, as necessary.

Areas of site design that may be appropriate to address include the following, which are offered as examples:

1. Minimize land disturbance;
2. Minimize impervious surfaces (e.g., roadway width, driveway area, and parking lot area), especially directly connected impervious areas;
3. Minimum-impact street design standards for new development and redevelopment, including typical specifications (e.g., neo-traditional street design standards and/or street standards recently revised in other cities, including Portland, Oregon, and Vancouver, British Columbia);
4. Minimum-impact parking lot design standards, including parking space maximization within a given area, use of landscaping as a stormwater drainage feature, use of pervious pavements, and parking maxima;
5. Clustering of structures and pavement;
6. Typical specifications or “acceptable design” guidelines for lot-level design measures, including:
 - Disconnected roof downspouts to splash blocks or “bubble-ups;”
 - Alternate driveway standards (e.g., wheelways, unit pavers, or other pervious pavements); and,
 - Microdetention, including landscape detention and use of cisterns (may also be considered treatment measures);
7. Preservation of high-quality open space;
8. Maintenance and/or restoration of riparian areas and wetlands as project amenities, including establishing vegetated buffer zones to reduce runoff into waterways, allow for stream channel change as a stream’s contributing watershed urbanizes, and otherwise mitigate the effects of urban runoff on waters and beneficial uses of waters (may also be considered treatment measures); and,
9. Incorporation of supplemental controls to minimize changes in the volume, flow rate, timing, and duration of runoff, for a given precipitation event or events. These changes include cumulative hydromodification caused by site development. Measures may include landscape-based measures or other features to reduce the velocity of, detain, and/or infiltrate stormwater runoff (may also be considered treatment measures).

- ii. The standards and guidance review shall be completed according to the schedule below. A summary of review, revision, and implementation status shall be submitted for acceptance by the Executive Officer and reported in the Dischargers' Annual Reports, beginning with the Annual Report due September 15, 2005.
 - 1. No later than **August 15, 2003**: The Dischargers shall submit a detailed workplan and schedule for completion of the review of standards and guidelines, any proposed revisions thereto and any implementation of revised standards and guidance;
 - 2. No later than **November 15, 2004**: The Dischargers shall submit a draft review and analysis of local standards and guidance, opportunities for revision, and any proposed revised standards and guidance; and,
 - 3. No later than **November 15, 2005**: The Dischargers shall incorporate any revised standards and guidance into their local approval processes and shall fully implement the revised standards and guidance.

k. Source Control Measures Guidance Development:

The Dischargers shall, as part of their continuous improvement process, submit enhanced new development and significant redevelopment Performance Standards that summarize source control requirements for such projects to limit pollutant generation, discharge, and runoff, to the maximum extent practicable.

Examples of source control measures may include the following, which are offered as examples:

- i. Indoor mat/equipment wash racks for restaurants, or covered outdoor wash racks plumbed to the sanitary sewer;
- ii. Covered trash and food compactor enclosures with a sanitary sewer connection for dumpster drips and designed such that run-on to trash enclosure areas is avoided;
- iii. Sanitary sewer drains for swimming pools;
- iv. Sanitary drained outdoor covered wash areas for vehicles, equipment, and accessories;
- v. Sanitary sewer drain connections to take fire sprinkler test water;
- vi. Storm drain system stenciling;
- vii. Landscaping that minimizes irrigation and runoff, promotes surface infiltration where appropriate, minimizes the use of pesticides and fertilizers, and where feasible removes pollutants from stormwater runoff; and,
- viii. Appropriate covers, drains, and storage precautions for outdoor material storage areas, loading docks, repair/maintenance bays, and fueling areas.

A model enhanced new development and significant redevelopment source control Performance Standard and proposed workplan for its implementation shall be submitted by **August 15, 2004**. Implementation shall begin no later than **February 15, 2005**, and the status shall thereafter be reported in the Dischargers' Annual Reports, beginning with the Annual Report due **September 15, 2005**, which shall also provide appropriate detail on projects reflecting the application of the enhanced Performance Standards consistent with Provision C.3.b, above.

I. Update General Plans:

If necessary (and only to the extent which is necessary) in order to be able to require implementation of the measures required by Provision C.3 for applicable development projects, at the next scheduled update/revision of its General Plan, each Discharger shall confirm that it has incorporated water quality and watershed protection principles and policies into its General Plan or equivalent plan. These principles and policies shall be designed to protect natural water bodies, reduce impervious land coverage, slow runoff, and where feasible, maximize opportunities for infiltration of rainwater into soil. Such water quality and watershed protection principles and policies may include the following, which are offered as examples:

- i.** Minimize the amount of impervious surfaces and directly connected impervious surfaces in areas of new development and redevelopment and where feasible maximize on-site infiltration of runoff;
- ii.** Implement pollution prevention methods supplemented by pollutant source controls and treatment. Use small collection strategies located at, or as close as possible to, the source (i.e., the point where water initially meets the ground) to minimize the transport of urban runoff and pollutants offsite and into a municipal separate storm sewer system;
- iii.** Preserve, and where possible, create or restore areas that provide important water quality benefits, such as riparian corridors, wetlands, and buffer zones. Encourage land acquisition and/or conservation easement acquisition of such areas;
- iv.** Limit disturbances of natural water bodies and natural drainage systems caused by development including roads, highways, and bridges;
- v.** Prior to making land use decisions, utilize methods available to estimate increases in pollutant loads and flows resulting from projected future development. Require incorporation of structural and non-structural treatment measures to mitigate the projected increases in pollutant loads and flows;
- vi.** Avoid development of areas that are particularly susceptible to erosion and sediment loss; or establish development guidance that identifies these areas and protects them from erosion and sediment loss; and,
- vii.** Reduce pollutants associated with vehicles and increased traffic resulting from development.

If amendments of General Plans are determined to be legally necessary to allow for implementation of any aspect of Provision C.3, such amendments shall occur by the implementation date of the corresponding component of the Provision. If legally necessary General Plan amendments cannot occur by the implementation date because of CEQA requirements or other constraints imposed by the laws applicable to amending General Plans, the Dischargers shall report this to the Executive Officer as soon as possible, and no later than in the Annual Report due more than six months in advance of the implementation date. Should changes to implementation dates to enable a Discharger to comply with CEQA and General Plan legal requirements be necessary, the Dischargers shall recommend a new implementation date for approval by the Regional Board.

m. Water Quality Review Processes:

When Dischargers conduct environmental review of projects in their jurisdictions, the Dischargers shall evaluate water quality effects and identify appropriate mitigation measures. This requirement shall be implemented by **May 15, 2004**. Questions that evaluate increased pollutants and flows from the proposed project include the following, which are offered as examples:

- i. Would the proposed project result in an increase in pollutant discharges to receiving waters? Consider water quality parameters such as temperature, dissolved oxygen, turbidity and other typical stormwater pollutants (e.g., heavy metals, pathogens, petroleum derivatives, synthetic organics, sediment, nutrients, oxygen-demanding substances, and trash).
- ii. Would the proposed project result in significant alteration of receiving water quality during or following construction?
- iii. Would the proposed project result in increased impervious surfaces and associated increased runoff?
- iv. Would the proposed project create a significant adverse environmental impact to drainage patterns due to changes in runoff flow rates or volumes?
- v. Would the proposed project result in increased erosion in its watershed?
- vi. Is the project tributary to an already impaired water body, as listed on the Clean Water Act Section 303(d) list? If so, will it result in an increase in any pollutant for which the water body is already impaired?
- vii. Would the proposed project have a potentially significant environmental impact on surface water quality, to marine, fresh, or wetland waters?
- viii. Would the proposed project have a potentially significant adverse impact on ground water quality?
- ix. Will the proposed project cause or contribute to an exceedance of applicable surface or groundwater receiving water quality objectives or degradation of beneficial uses?
- x. Will the project impact aquatic, wetland, or riparian habitat?

n. Reporting:

The Dischargers shall demonstrate compliance with the requirements of Provision C.3 by providing in their Annual Reports the information described in Table 1, beginning with the dates shown in Table 1 and continuing thereafter. In addition, the following information shall be collected for annual report submittal, beginning upon the date of adoption of this Order, unless otherwise specified below.

- i. For all new development and Significant Redevelopment projects which meet the Group 1 or Group 2 definitions in Provision C.3.c, collect and report the name or other identifier, type of project (using the categories in Provision C.3.c), site acreage or square footage, and square footage of new impervious surface.
- ii. For projects that must implement treatment measures, report which treatment measures were used and numeric-sizing criteria employed, the O&M responsibility mechanism

including responsible party, site design measures used, and source control measures required. This reporting shall begin in the Annual Report following the implementation date specified in Provision C.3.c. This information shall also be reported to the appropriate local vector control district, with additional information of access provisions for vector control district staff.

The Dischargers may utilize their Annual Reports to highlight their budget constraints and suggest reprioritization of any Program activities in order to achieve the most cost effective overall Program.

o. Implementation Schedule:

The Dischargers shall implement the requirements of Provisions C.3.b through C.3.n according to the schedule in Table 2.

I, Loretta K. Barsamian, Executive Officer, do hereby certify that the foregoing is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, San Francisco Bay Region, on February 19, 2003.

Loretta K. Barsamian
Executive Officer

ATTACHMENTS - Table 1: Summary of Annual and One-Time Reporting Requirements
Table 2: Implementation Schedule
Location and Political Jurisdiction Map
Basin Watersheds Map

C.3. New Development and Redevelopment

The goal of Provision C.3 is for the Permittees to use their planning authorities to include appropriate source control, site design, and stormwater treatment measures in new development and redevelopment projects to address both soluble and insoluble stormwater runoff pollutant discharges and prevent increases in runoff flows from new development and redevelopment projects. This goal is to be accomplished primarily through the implementation of low impact development (LID) techniques.

C.3.a. New Development and Redevelopment Performance Standard Implementation

i. Task Description – At a minimum each Permittee shall:

- (1) Have adequate legal authority to implement all requirements of Provision C.3;
- (2) Have adequate development review and permitting procedures to impose conditions of approval or other enforceable mechanisms to implement the requirements of Provision C.3. For projects discharging directly to CWA section 303(d)-listed waterbodies, conditions of approval must require that post-development runoff not exceed pre-development levels for such pollutants that are listed;
- (3) Evaluate potential water quality effects and identify appropriate mitigation measures when conducting environmental reviews, such as under CEQA;
- (4) Provide training adequate to implement the requirements of Provision C.3 for staff, including interdepartmental training;
- (5) Provide outreach adequate to implement the requirements of Provision C.3, including providing education materials to municipal staff, developers, contractors, construction site operators, and owner/builders, early in the planning process and as appropriate;
- (6) For all new development and redevelopment projects that are subject to the Permittee's planning, building, development, or other comparable review, but not regulated by Provision C.3, encourage the inclusion of adequate site design measures that may include minimizing land disturbance and impervious surfaces (especially parking lots); clustering of structures and pavement; directing roof runoff to vegetated areas; use of micro-detention, including distributed landscape-based detention; preservation of open space; protection and/or restoration of riparian areas and wetlands as project amenities;
- (7) For all new development and redevelopment projects that are subject to the Permittee's planning, building, development, or other comparable review, but not regulated by Provision C.3, encourage the inclusion of adequate source control measures to limit pollutant generation, discharge, and runoff. These source control measures should include:
 - Storm drain stenciling.

- Landscaping that minimizes irrigation and runoff, promotes surface infiltration where possible, minimizes the use of pesticides and fertilizers, and incorporates appropriate sustainable landscaping practices and programs such as Bay-Friendly Landscaping.
 - Appropriate covers, drains, and storage precautions for outdoor material storage areas, loading docks, repair/maintenance bays, and fueling areas.
 - Covered trash, food waste, and compactor enclosures.
 - Plumbing of the following discharges to the sanitary sewer, subject to the local sanitary sewer agency's authority and standards:
 - Discharges from indoor floor mat/equipment/hood filter wash racks or covered outdoor wash racks for restaurants.
 - Dumpster drips from covered trash and food compactor enclosures.
 - Discharges from outdoor covered wash areas for vehicles, equipment, and accessories.
 - Swimming pool water, if discharge to onsite vegetated areas is not a feasible option.
 - Fire sprinkler test water, if discharge to onsite vegetated areas is not a feasible option.
- (8) Revise, as necessary, General Plans to integrate water quality and watershed protection with water supply, flood control, habitat protection, groundwater recharge, and other sustainable development principles and policies (e.g., referencing the Bay-Friendly Landscape Guidelines).
- ii. **Implementation Level** – Most of the elements of this task should already be fully implemented because they are required in the Permittees' existing stormwater permits.
- Due Dates for Full Implementation** – Immediate for C.3.a.i.(1)-(5), May 1, 2010 for C.3.a.i.(6)-(7), and December 1, 2010 for C.3.a.i.(8). For Vallejo Permittees: December 1, 2010 for C.3.a.i.(1)-(8)
- iii. **Reporting** – Provide a brief summary of the method(s) of implementation of Provisions C.3.a.i.(1)–(8) in the 2011 Annual Report.

C.3.b. Regulated Projects

- i. **Task Description** – The Permittees shall require all projects fitting the category descriptions listed in Provision C.3.b.ii below (hereinafter called Regulated Projects) to implement LID source control, site design, and stormwater treatment onsite or at a joint stormwater treatment facility² in accordance with Provisions C.3.c and C.3.d, unless the Provision C.3.e alternate compliance options are evoked. For adjacent Regulated Projects that will discharge runoff to a joint stormwater treatment facility, the treatment facility must be completed by

² **Joint stormwater treatment facility** – Stormwater treatment facility built to treat the combined runoff from two or more Regulated Projects located adjacent to each other,

the end of construction of the first Regulated Project that will be discharging runoff to the joint stormwater treatment facility.

Regulated Projects, as they are defined in this Provision, do not include detached single-family home projects that are not part of a larger plan of development.

ii. Regulated Projects are defined in the following categories:

(1) Special Land Use Categories

- (a) **New Development or redevelopment projects** that fall into one of the categories listed below and that create and/or replace 10,000 square feet or more of impervious surface (collectively over the entire project site). This category includes development projects of the following four types on public or private land that fall under the planning and building authority of a Permittee:
- (i) Auto service facilities, described by the following Standard Industrial Classification (SIC) Codes: 5013, 5014, 5541, 7532-7534, and 7536-7539;
 - (ii) Retail gasoline outlets;
 - (iii) Restaurants (SIC Code 5812); or
 - (iv) Uncovered parking lots that are stand-alone or part of any other development project. This category includes the top uncovered portion of parking structures unless drainage from the uncovered portion is connected to the sanitary sewer along with the covered portions of the parking structure.
- (b) For redevelopment projects in the categories specified in Provision C.3.b.ii.(1)(a)(i)-(iv), specific exclusions are:
- (i) Interior remodels;
 - (ii) Routine maintenance or repair such as:
 - roof or exterior wall surface replacement,
 - pavement resurfacing within the existing footprint.
- (c) Where a redevelopment project in the categories specified in Provision C.3.b.ii.(1)(a)(i)-(iv) results in an alteration of **more than 50 percent** of the impervious surface of a previously existing development that was not subject to Provision C.3, the entire project, consisting of all existing, new, and/or replaced impervious surfaces, must be included in the treatment system design (i.e., stormwater treatment systems must be designed and sized to treat stormwater runoff from the entire redevelopment project).
- (d) Where a redevelopment project in the categories specified in Provision C.3.b.ii.(1)(a)(i)-(iv) results in an alteration of **less than 50 percent** of the impervious surface of a previously existing development that was not subject to Provision C.3, only the new and/or replaced impervious surface of the project must be included in the treatment system design (i.e., stormwater treatment systems must be designed and sized to treat stormwater runoff from the new and/or replaced impervious surface of the project).

- (e) For any private development project in the categories specified in Provisions C.3.b.ii.(1)(a)(i)-(iv) for which a planning application has been deemed complete by a Permittee on or before the Permit effective date, the lower 5000 square feet impervious surface threshold (for classification as a Regulated Project) shall not apply so long as the project applicant is diligently pursuing the project. Diligent pursuance may be demonstrated by the project applicant's submittal of supplemental information to the original application, plans, or other documents required for any necessary approvals of the project by the Permittee. If during the time period between the Permit effective date and the required implementation date of December 1, 2011, for the 5000 square feet threshold, the project applicant has not taken any action to obtain the necessary approvals from the Permittee, the project will then be subject to the lower 5000 square feet impervious surface threshold specified in Provision C.3.b.ii.(1).
- (f) For any private development project in the categories specified in Provisions C.3.b.ii.(1)(a)(i)-(iv) with an application deemed complete after the Permit effective date, the lower 5000 square feet impervious surface threshold (for classification as a Regulated Project) shall not apply if the project applicant has received final discretionary approval for the project before the required implementation date of December 1, 2011, for the 5000 square feet threshold.
- (g) For public projects for which funding has been committed and construction is scheduled to begin by December 1, 2012, the lower 5000 square feet of impervious surface threshold (for classification as a Regulated Project) shall not apply.

Effective Date – Immediate, except December 1, 2010, for Vallejo Permittees.

Beginning December 1, 2011, all references to 10,000 square feet in Provision C.3.b.ii.(1) change to 5,000 square feet.

(2) **Other Development Projects**

New development projects that create 10,000 square feet or more of impervious surface (collectively over the entire project site) including commercial, industrial, residential housing subdivisions (i.e., detached single-family home subdivisions, multi-family attached subdivisions (town homes), condominiums, and apartments), mixed-use, and public projects. This category includes development projects on public or private land that fall under the planning and building authority of a Permittee. Detached single-family home projects that are not part of a larger plan of development are specifically excluded.

Effective Date – Immediate, except December 1, 2010, for Vallejo Permittees.

(3) **Other Redevelopment Projects**

Redevelopment projects that create and/or replace 10,000 square feet or more of impervious surface (collectively over the entire project site) including commercial, industrial, residential housing subdivisions (i.e., detached single-family home subdivisions, multi-family attached subdivisions (town homes), condominiums, and apartments), mixed-use, and public projects. Redevelopment is any land-disturbing activity that results in the creation, addition, or replacement of exterior impervious surface area on a site on which some past development has occurred. This category includes redevelopment projects on public or private land that fall under the planning and building authority of a Permittee.

Specific exclusions to this category are:

- Interior remodels.
 - Routine maintenance or repair such as:
 - roof or exterior wall surface replacement, or
 - pavement resurfacing within the existing footprint.
- (a) Where a redevelopment project results in an alteration of **more than 50 percent** of the impervious surface of a previously existing development that was not subject to Provision C.3, the entire project, consisting of all existing, new, and/or replaced impervious surfaces, must be included in the treatment system design (i.e., stormwater treatment systems must be designed and sized to treat stormwater runoff from the entire redevelopment project).
- (b) Where a redevelopment results in an alteration of **less than 50 percent** of the impervious surface of a previously existing development that was not subject to Provision C.3, only the new and/or replaced impervious surface of the project must be included in the treatment system design (i.e., stormwater treatment systems must be designed and sized to treat stormwater runoff from the new and/or replaced impervious surface of the project).

Effective Date – Immediate, except December 1, 2010, for Vallejo Permittees.

(4) **Road Projects**

Any of the following types of road projects that create 10,000 square feet or more of newly constructed contiguous impervious surface and that fall under the building and planning authority of a Permittee:

- (a) Construction of new streets or roads, including sidewalks and bicycle lanes built as part of the new streets or roads.
- (b) Widening of existing streets or roads with additional traffic lanes.
- (i) Where the addition of traffic lanes results in an alteration of **more than 50 percent** of the impervious surface of an existing street or road that was not subject to Provision C.3, **the entire project, consisting of all existing, new, and/or replaced impervious surfaces, must be included in the treatment system design** (i.e.,

- stormwater treatment systems must be designed and sized to treat stormwater runoff from the entire street or road that had additional traffic lanes added).
- (ii) Where the addition of traffic lanes results in an alteration of **less than 50 percent** of the impervious surface of an existing street or road that was not subject to Provision C.3, **only the new and/or replaced impervious surface of the project must be included in the treatment system design** (i.e., stormwater treatment systems must be designed and sized to treat stormwater runoff from only the new traffic lanes). However, if the stormwater runoff from the existing traffic lanes and the added traffic lanes cannot be separated, any onsite treatment system must be designed and sized to treat stormwater runoff from the entire street or road. If an offsite treatment system is installed or in-lieu fees paid in accordance with Provision C.3.e, the offsite treatment system or in-lieu fees must address only the stormwater runoff from the added traffic lanes.
- (c) Construction of impervious trails that are greater than 10 feet wide or are creek-side (within 50 feet of the top of bank).
- (d) Specific exclusions to Provisions C.3.b.ii.(4)(a)-(c) are:
- Sidewalks built as part of new streets or roads and built to direct stormwater runoff to adjacent vegetated areas.
 - Bicycle lanes that are built as part of new streets or roads but are not hydraulically connected to the new streets or roads and that direct stormwater runoff to adjacent vegetated areas.
 - Impervious trails built to direct stormwater runoff to adjacent vegetated areas, or other non-erodible permeable areas, preferably away from creeks or towards the outboard side of levees.
 - Sidewalks, bicycle lanes, or trails constructed with permeable surfaces.³
 - Caltrans highway projects and associated facilities.
- (e) For any private road or trail project described by Provisions C.3.b.ii.(4)(b) or (c) for which a planning application has been deemed complete by a Permittee on or before the Permit effective date, the requirements of Provisions C.3.b.ii.(4)(b) or (c) to classify the project as a Regulated Project shall not apply so long as the project applicant is diligently pursuing the project. Diligent pursuance may be demonstrated by the project applicant's submittal of supplemental information to the original application, plans, or other documents required for any necessary approvals of the project by the Permittee. If during the time period between the Permit effective date and the required implementation date of December 1, 2011, for Provisions C.3.b.ii.(4)(b) and (c), the project applicant has not taken

³ **Permeable surfaces** include pervious concrete, porous asphalt, unit pavers, and granular materials.

any action to obtain the necessary approvals from the Permittee, the project will then be classified as a Regulated Project under Provisions C.3.b.ii.(4)(b) or (c).

- (f) For any private road or trail project with an application deemed complete after the Permit effective date, the requirements of Provisions C.3.b.i.(4)(b) or (c) to classify the project as a Regulated Project shall not apply if the project applicant has received final discretionary approval for the project before the required implementation date of December 1, 2011, for Provisions C.3.b.ii.(4)(b) and (c).
- (g) For any public road or trail project for which funding has been committed and construction is scheduled to begin by December 1, 2012, the requirements of Provisions C.3.b.i.(4)(b) or (c) to classify the project as a Regulated Project shall not apply.

Effective Date – Immediate for C.3.b.ii.(4)(a) and (d)-(g), and December 1, 2011, for C.3.b.ii.(4)(b) and (c). For Vallejo Permittees: Immediate for C.3.b.ii.(4)(d)-(g), and December 1, 2011 for C.3.b.ii.(4)(a)-(c).

iii. Green Street Pilot Projects

The Permittees shall cumulatively complete ten pilot green street projects that incorporate LID techniques for site design and treatment in accordance with Provision C.3.c and that provide stormwater treatment sized in accordance with Provision C.3.d. It is also desirable that they meet or exceed the Bay-Friendly Landscape Scorecard minimum requirements (see www.BayFriendly.org).

- (1) Parking lot projects that provide LID treatment in accordance with Provisions C.3.c and Provision C.3.d. for stormwater runoff from the parking lot and street may be considered pilot green street projects.
- (2) A Regulated Project (as defined in Provision C.3.b.ii) may not be counted as one of the ten pilot green street projects.
- (3) At least two pilot green street projects must be located in each of the following counties: Alameda, Contra Costa, San Mateo, and Santa Clara.
- (4) The Permittees shall construct the ten pilot green street projects in such a manner that they, as a whole:
 - (a) Are representative of the various types of streets: arterial, collector, and local; and
 - (b) Contain the following key elements:
 - (i) Stormwater storage for landscaping reuse or stormwater treatment and/or infiltration for groundwater replenishment through the use of natural feature systems;
 - (ii) Creation of attractive streetscapes that enhance neighborhood livability by enhancing the pedestrian environment and introducing park-like elements into neighborhoods;

- (iii) Service as an urban greenway segment that connects neighborhoods, parks, recreation facilities, schools, mainstreets, and wildlife habitats;
 - (iv) Parking management that includes maximum parking space requirements as opposed to minimum parking space requirements, parking requirement credits for subsidized transit or shuttle service, parking structures, shared parking, car sharing, or on-street diagonal parking;
 - (v) Meets broader community goals by providing pedestrian and, where appropriate, bicycle access; and
 - (vi) Located in a Priority Development Area as designated under the Association of Bay Area Government's and Metropolitan Transportation Commission's FOCUS⁴ program.
- (5) The Permittees shall conduct appropriate monitoring of these projects to document the water quality benefits achieved. Appropriate monitoring may include modeling using the design specifications and specific site conditions.

Due Date – All pilot green street projects shall be completed by December 1, 2014.

- iv. **Implementation Level** – All elements of Provision C.3.b.i.-iii shall be fully implemented by the effective/due dates set forth in their respective sub-provision, and a database or equivalent tabular format shall be developed and maintained that contains all the information listed under Reporting (Provision C.3.b.v.).

Due Dates for Full Implementation – See specific Effective Dates listed under Provisions C.3.b.ii& iii. The database or equivalent tabular format required by Provision C.3.b.iv shall be developed by December 1, 2010. (For Vallejo Permittees: December 1, 2011)

v. **Reporting**

(1) **Annual Reporting – C.3.b.ii. Regulated Projects**

For each Regulated Project approved during the fiscal year reporting period, the following information shall be reported electronically in the fiscal year Annual Report, in tabular form (as set forth in the attached Provision C.3.b. Sample Reporting Table):

- (a) Project Name, Number, Location (cross streets), and Street Address;
- (b) Name of Developer, Phase No. (if project is being constructed in phases, each phase should have a separate entry), Project Type (e.g., commercial, industrial, multiunit residential, mixed-use, public), and description;
- (c) Project watershed;
- (d) Total project site area and total area of land disturbed;

⁴ FOCUS is a regional incentive-based development and conservation strategy for the Bay Area.

- (e) Total new impervious surface area and/or total replaced impervious surface area;
 - (f) If redevelopment or road widening project, total pre-project impervious surface area and total post-project impervious surface area;
 - (g) Status of project (e.g., application date, application deemed complete date, project approval date);
 - (h) Source control measures;
 - (i) Site design measures;
 - (j) All post-construction stormwater treatment systems installed onsite, at a joint stormwater treatment facility, and/or at an offsite location;
 - (k) Operation and maintenance responsibility mechanism for the life of the project.
 - (l) Hydraulic Sizing Criteria used;
 - (m) Alternative compliance measures for Regulated Project (if applicable)
 - (i) If alternative compliance will be provided at an offsite location in accordance with Provision C.3.e.i.(1), include information required in Provision C.3.b.v.(a) – (l) for the offsite project; and
 - (ii) If alternative compliance will be provided by paying in-lieu fees in accordance with Provision C.3.e.i.(2), provide information required in Provision C.3.b.v.(a) – (l) for the Regional Project. Additionally, provide a summary of the Regional Project's goals, duration, estimated completion date, total estimated cost of the Regional Project, and estimated monetary contribution from the Regulated Project to the Regional Project; and
 - (n) Hydromodification (HM) Controls (see Provision C.3.g.) – If not required, state why not. If required, state control method used.
- (2) **Pilot Green Streets Project Reporting - Provision C.3.b.iii.**
- (a) On an annual basis, the Permittees shall report on the status of the pilot green street projects.
 - (b) For each completed project, the Permittees shall report the capital costs, operation and maintenance costs, legal and procedural arrangements in place to address operation and maintenance and its associated costs, and the sustainable landscape measures incorporated in the project including, if relevant, the score from the Bay-Friendly Landscape Scorecard.
 - (c) The 2013 Annual Report shall contain a summary of all green street projects completed by January 1, 2013. The summary shall include for each completed project the following information:
 - (i) Location of project
 - (ii) Size of project, including total impervious surface treated
 - (iii) Map(s) of project showing areas where stormwater runoff will be treated by LID measures

- (iv) Specific type(s) of LID treatment measures included
- (v) Total and specific costs of project
- (vi) Specific funding sources for project and breakdown of percentage paid by each funding source
- (vii) Lessons learned, including recommendations to facilitate funding and building of future projects
- (viii) Identification of responsible party and funding source for operation and maintenance.

C.3.c. Low Impact Development (LID)

The goal of LID is to reduce runoff and mimic a site's predevelopment hydrology by minimizing disturbed areas and impervious cover and then infiltrating, storing, detaining, evapotranspiring, and/or biotreating stormwater runoff close to its source. LID employs principles such as preserving and recreating natural landscape features and minimizing imperviousness to create functional and appealing site drainage that treats stormwater as a resource, rather than a waste product. Practices used to adhere to these LID principles include measures such as rain barrels and cisterns, green roofs, permeable pavement, preserving undeveloped open space, and biotreatment through rain gardens, bioretention units, bioswales, and planter/tree boxes.

Task Description

i. The Permittees shall, at a minimum, implement the following LID requirements:

(1) Source Control Requirements

Require all Regulated Projects to implement source control measures onsite that at a minimum, shall include the following:

- (a) Minimization of stormwater pollutants of concern in urban runoff through measures that may include plumbing of the following discharges to the sanitary sewer, subject to the local sanitary sewer agency's authority and standards:
 - Discharges from indoor floor mat/equipment/hood filter wash racks or covered outdoor wash racks for restaurants;
 - Dumpster drips from covered trash, food waste and compactor enclosures;
 - Discharges from covered outdoor wash areas for vehicles, equipment, and accessories;
 - Swimming pool water, if discharge to onsite vegetated areas is not a feasible option; and
 - Fire sprinkler test water, if discharge to onsite vegetated areas is not a feasible option;
- (b) Properly designed covers, drains, and storage precautions for outdoor material storage areas, loading docks, repair/maintenance bays, and fueling areas;
- (c) Properly designed trash storage areas;

- (d) Landscaping that minimizes irrigation and runoff, promotes surface infiltration, minimizes the use of pesticides and fertilizers, and incorporates other appropriate sustainable landscaping practices and programs such as Bay-Friendly Landscaping;
 - (e) Efficient irrigation systems; and
 - (f) Storm drain system stenciling or signage.
- (2) **Site Design and Stormwater Treatment Requirements**
- (a) Require each Regulated Project to implement at least the following design strategies onsite:
 - (i) Limit disturbance of natural water bodies and drainage systems; minimize compaction of highly permeable soils; protect slopes and channels; and minimize impacts from stormwater and urban runoff on the biological integrity of natural drainage systems and water bodies;
 - (ii) Conserve natural areas, including existing trees, other vegetation, and soils;
 - (iii) Minimize impervious surfaces;
 - (iv) Minimize disturbances to natural drainages; and
 - (v) Minimize stormwater runoff by implementing one or more of the following site design measures:
 - Direct roof runoff into cisterns or rain barrels for reuse.
 - Direct roof runoff onto vegetated areas.
 - Direct runoff from sidewalks, walkways, and/or patios onto vegetated areas.
 - Direct runoff from driveways and/or uncovered parking lots onto vegetated areas.
 - Construct sidewalks, walkways, and/or patios with permeable surfaces.³
 - Construct driveways, bike lanes, and/or uncovered parking lots with permeable surfaces.³
 - (b) Require each Regulated Project to treat 100% of the amount of runoff identified in Provision C.3.d for the Regulated Project's drainage area with LID treatment measures onsite or with LID treatment measures at a joint stormwater treatment facility.
 - (i) LID treatment measures are harvesting and re-use, infiltration, evapotranspiration, or biotreatment.
 - (ii) A properly engineered and maintained biotreatment system may be considered only if it is infeasible to implement harvesting and re-use, infiltration, or evapotranspiration at a project site.
 - (iii) Infeasibility to implement harvesting and re-use, infiltration, or evapotranspiration at a project site may result from conditions including the following:

- Locations where seasonal high groundwater would be within 10 feet of the base of the LID treatment measure.
 - Locations within 100 feet of a groundwater well used for drinking water.
 - Development sites where pollutant mobilization in the soil or groundwater is a documented concern.
 - Locations with potential geotechnical hazards.
 - Smart growth and infill or redevelopment sites where the density and/or nature of the project would create significant difficulty for compliance with the onsite volume retention requirement.
 - Locations with tight clay soils that significantly limit the infiltration of stormwater.
- (iv) By May 1, 2011, the Permittees, collaboratively or individually, shall submit a report on the criteria and procedures the Permittees shall employ to determine when harvesting and re-use, infiltration, or evapotranspiration is feasible and infeasible at a Regulated Project site. This report shall, at a minimum, contain the information required in Provision C.3.c.iii.(1).
- (v) By December 1, 2013, the Permittees, collaboratively or individually, shall submit a report on their experience with determining infeasibility of harvesting and re-use, infiltration, or evapotranspiration at Regulated Project sites. This report shall, at a minimum, contain the information required in Provision C.3.c.iii.(2).
- (vi) Biotreatment systems shall be designed to have a surface area no smaller than what is required to accommodate a 5 inches/hour stormwater runoff surface loading rate. The planting and soil media for biotreatment systems shall be designed to sustain plant growth and maximize stormwater runoff retention and pollutant removal. By December 1, 2010, the Permittees, working collaboratively or individually, shall submit for Water Board approval, a proposed set of model biotreatment soil media specifications and soil infiltration testing methods to verify a long-term infiltration rate of 5 to 10 inches/hour. This submittal to the Water Board shall, at a minimum, contain the information required in Provision C.3.c.iii.(3). Once the Water Board approves biotreatment soil media specifications and soil infiltration testing methods, the Permittees shall ensure that biotreatment systems installed to meet the requirements of Provision C.3.c and d comply with the Water Board-approved minimum specifications and soil infiltration testing methods.
- (vii) Green roofs may be considered biotreatment systems that treat roof runoff only if they meet certain minimum specifications. By May 1, 2011, the Permittees shall submit for Water Board approval, proposed minimum specifications for green roofs.

This submittal to the Water Board shall, at a minimum, contain the information required in Provision C.3.c.iii.(4). Once the Water Board approves green roof minimum specifications, the Permittees shall ensure that green roofs installed to meet the requirements of Provision C.3.c and d comply with the Water Board-approved minimum specifications.

- (c) Require any Regulated Project that does not comply with Provision C.3.c.i.(2)(b) above to meet the requirements established in Provision C.3.e for alternative compliance.

ii. Implementation Level – All elements of the tasks described in Provision C.3.c.i shall be fully implemented.

Due Date for Full Implementation – December 1, 2011

- (1) For any private development project for which a planning application has been deemed complete by a Permittee on or before the Permit effective date, Provision C.3.c.i shall not apply so long as the project applicant is diligently pursuing the project. Diligent pursuance may be demonstrated by the project applicant's submittal of supplemental information to the original application, plans, or other documents required for any necessary approvals of the project by the Permittee. If during the time period between the Permit effective date and the required implementation date of December 1, 2011, the project applicant has not taken any action to obtain the necessary approvals from the Permittee, the project will then be subject to the requirements of Provision C.3.c.i.
- (2) For any private development project with an application deemed complete after the Permit effective date, the requirements of Provision C.3.c.i shall not apply if the project applicant has received final discretionary approval for the project before the required implementation date of December 1, 2011.
- (3) For public projects for which funding has been committed and construction is scheduled to begin by December 1, 2012, the requirements of Provision C.3.c.i shall not apply.

iii. Reporting

- (1) Feasibility/Infeasibility Criteria Report - By May 1, 2011, the Permittees, collaboratively or individually, shall submit a report to the Water Board containing the following information:
 - Literature review and discussion of documented cases/sites, particularly in the Bay Area and California, where infiltration, harvesting and reuse, or evapotranspiration have been demonstrated to be feasible and/or infeasible.
 - Discussion of proposed feasibility and infeasibility criteria and procedures the Permittees shall employ to make a determination of when biotreatment will be allowed at a Regulated Project site.

- (2) Status Report on Application of Feasibility/Infeasibility Criteria – By December 1, 2013, the Permittees shall submit a report to the Water Board containing the following information:
 - Discussion of the most common feasibility and infeasibility criteria employed since implementation of Provision C.3.c requirements, including site-specific examples;
 - Discussion of barriers, including institutional and technical site specific constraints, to implementation of harvesting and reuse, infiltration, or evapotranspiration, and proposed strategies for removing these identified barriers;
 - If applicable, discussion of proposed changes to feasibility and infeasibility criteria and rationale for the changes; and
 - Guidance for the Permittees to make a consistent and appropriate determination of the feasibility of harvesting and reuse, infiltration, or evapotranspiration for each Regulated Project.
- (3) Model Biotreatment Soil Media Specifications - By December 1, 2010, the Permittees, collaboratively or individually, shall submit a report to the Water Board containing the following information:
 - Proposed soil media specifications for biotreatment systems;
 - Proposed soil testing methods to verify a long-term infiltration rate of 5-10 inches/hour;
 - Relevant literature and field data showing the feasibility of the minimum design specifications;
 - Relevant literature, field, and analytical data showing adequate pollutant removal and compliance with the Provision C.3.d hydraulic sizing criteria; and
 - Guidance for the Permittees to apply the minimum specifications in a consistent and appropriate manner.
- (4) Green Roof Minimum Specifications - By May 1, 2011, the Permittees, collaboratively or individually, shall submit a report to the Water Board containing the following information:
 - Proposed minimum design specifications for green roofs;
 - Relevant literature and field data showing the feasibility of the minimum design specifications;
 - Relevant literature, field, and analytical data showing adequate pollutant removal and compliance with the Provision C.3.d hydraulic sizing criteria;
 - Discussion of data and lessons learned from already installed green roofs;
 - Discussion of barriers, including institutional and technical site specific constraints, to installation of green roofs and proposed strategies for removing these identified barriers; and

- Guidance for the Permittees to apply the minimum specifications in a consistent and appropriate manner.
- (5) Report the method(s) of implementation of Provisions C.3.c.i above in the 2012 Annual Report. For specific tasks listed above that are reported using the reporting tables required for Provision C.3.b.v, a reference to those tables will suffice.

C.3.d. Numeric Sizing Criteria for Stormwater Treatment Systems

- i. **Task Description** – The Permittees shall require that stormwater treatment systems constructed for Regulated Projects meet at least one of the following hydraulic sizing design criteria:
- (1) **Volume Hydraulic Design Basis** – Treatment systems whose primary mode of action depends on volume capacity shall be designed to treat stormwater runoff equal to:
 - (a) The maximized stormwater capture volume for the area, on the basis of historical rainfall records, determined using the formula and volume capture coefficients set forth in Urban Runoff Quality Management, WEF Manual of Practice No. 23/ASCE Manual of Practice No. 87, (1998), pages 175–178 (e.g., approximately the 85th percentile 24-hour storm runoff event); or
 - (b) The volume of annual runoff required to achieve 80 percent or more capture, determined in accordance with the methodology set forth in Section 5 of the California Stormwater Quality Association’s Stormwater Best Management Practice Handbook, New Development and Redevelopment (2003), using local rainfall data.
 - (2) **Flow Hydraulic Design Basis** – Treatment systems whose primary mode of action depends on flow capacity shall be sized to treat:
 - (a) 10 percent of the 50-year peak flowrate;
 - (b) The flow of runoff produced by a rain event equal to at least two times the 85th percentile hourly rainfall intensity for the applicable area, based on historical records of hourly rainfall depths; or
 - (c) The flow of runoff resulting from a rain event equal to at least 0.2 inches per hour intensity.
 - (3) **Combination Flow and Volume Design Basis** – Treatment systems that use a combination of flow and volume capacity shall be sized to treat at least 80 percent of the total runoff over the life of the project, using local rainfall data.
- ii. **Implementation Level** – The Permittees shall immediately require the controls in this task.
- Due Date for Full Implementation** – Immediate, except December 1, 2010, for Vallejo Permittees.
- iii. **Reporting** – Permittees shall use the reporting tables required in Provision C.3.b.v.

iv. Limitations on Use of Infiltration Devices in Stormwater Treatment Systems

- (1) For Regulated Projects, each Permittee shall review planned land use and proposed treatment design to verify that installed stormwater treatment systems with no under-drain, and that function primarily as infiltration devices, should not cause or contribute to the degradation of groundwater quality at project sites. An infiltration device is any structure that is deeper than wide and designed to infiltrate stormwater into the subsurface and, as designed, bypass the natural groundwater protection afforded by surface soil. Infiltration devices include dry wells, injection wells, and infiltration trenches (includes french drains).
- (2) For any Regulated Project that includes plans to install stormwater treatment systems which function primarily as infiltration devices, the Permittee shall require that:
 - (a) Appropriate pollution prevention and source control measures are implemented to protect groundwater at the project site, including the inclusion of a minimum of two feet of suitable soil to achieve a maximum 5 inches/hour infiltration rate for the infiltration system;
 - (b) Adequate maintenance is provided to maximize pollutant removal capabilities;
 - (c) The vertical distance from the base of any infiltration device to the seasonal high groundwater mark is at least 10 feet. (Note that some locations within the Permittees' jurisdictions are characterized by highly porous soils and/or high groundwater tables. In these areas, a greater vertical distance from the base of the infiltration device to the seasonal high groundwater mark may be appropriate, and treatment system approvals should be subject to a higher level of analysis that considers the potential for pollutants (such as from onsite chemical use), the level of pretreatment to be achieved, and other similar factors in the overall analysis of groundwater safety);
 - (d) Unless stormwater is first treated by a method other than infiltration, infiltration devices are not approved as treatment measures for runoff from areas of industrial or light industrial activity; areas subject to high vehicular traffic (i.e., 25,000 or greater average daily traffic on a main roadway or 15,000 or more average daily traffic on any intersecting roadway); automotive repair shops; car washes; fleet storage areas (e.g., bus, truck); nurseries; and other land uses that pose a high threat to water quality;
 - (e) Infiltration devices are not placed in the vicinity of known contamination sites unless it has been demonstrated that increased infiltration will not increase leaching of contaminants from soil, alter groundwater flow conditions affecting contaminant migration in groundwater, or adversely affect remedial activities; and
 - (f) Infiltration devices are located a minimum of 100 feet horizontally away from any known water supply wells, septic systems, and

underground storage tanks with hazardous materials. (Note that some locations within the Permittees' jurisdictions are characterized by highly porous soils and/or high groundwater tables. In these areas, a greater horizontal distance from the infiltration device to known water supply wells, septic systems, or underground storage tanks with hazardous materials may be appropriate, and treatment system approvals should be subject to a higher level of analysis that considers the potential for pollutants (such as from onsite chemical use), the level of pretreatment to be achieved, and other similar factors in the overall analysis of groundwater safety).

C.3.e. Alternative or In-Lieu Compliance with Provision C.3.c.

- i. The Permittees may allow a Regulated Project to provide alternative compliance with Provision C.3.c in accordance with one of the two options listed below:

(1) **Option 1: LID Treatment at an Offsite Location**

Treat a portion of the amount of runoff identified in Provision C.3.d for the Regulated Project's drainage area with LID treatment measures onsite or with LID treatment measures at a joint stormwater treatment facility **and** treat the remaining portion of the Provision C.3.d runoff with LID treatment measures at an offsite project in the same watershed. The offsite LID treatment measures must provide hydraulically-sized treatment (in accordance with Provision C.3.d) of an equivalent quantity of both stormwater runoff and pollutant loading and achieve a net environmental benefit.

(2) **Option 2: Payment of In-Lieu Fees**

Treat a portion of the amount of runoff identified in Provision C.3.d for the Regulated Project's drainage area with LID treatment measures onsite or with LID treatment measures at a joint stormwater treatment facility **and** pay equivalent in-lieu fees⁵ to treat the remaining portion of the Provision C.3.d runoff with LID treatment measures at a Regional Project.⁶ The Regional Project must achieve a net environmental benefit.

- (3) For the alternative compliance options described in Provision C.3.e.i.(1) and (2) above, offsite projects must be constructed by the end of construction of the Regulated Project. If more time is needed to construct the offsite project, for each additional year, up to three years, after the construction of the Regulated Project, the offsite project must provide an additional 10% of the calculated equivalent quantity of both stormwater runoff and pollutant loading. Regional Projects must be completed within three years after the end of construction of the Regulated Project. However, the timeline for completion of the Regional Project may be

⁵ **In-lieu fees** – Monetary amount necessary to provide both hydraulically-sized treatment (in accordance with Provision C.3.d) with LID treatment measures of an equivalent quantity of stormwater runoff and pollutant loading, and a proportional share of the operation and maintenance costs of the Regional Project.

⁶ **Regional Project** – A regional or municipal stormwater treatment facility that discharges into the same watershed that the Regulated Project does.

extended, up to five years after the completion of the Regulated Project, with prior Executive Officer approval. Executive Officer approval will be granted contingent upon a demonstration of good faith efforts to implement the Regional Project, such as having funds encumbered and applying for the appropriate regulatory permits.

ii. Special Projects

- (1) When considered at the watershed scale, certain types of smart growth, high density, and transit-oriented development can either reduce existing impervious surfaces, or create less “accessory” impervious areas and automobile-related pollutant impacts. Incentive LID treatment reduction credits approved by the Water Board may be applied to these types of Special Projects.
- (2) By December 1, 2010, the Permittees shall submit a proposal to the Water Board containing the following information:
 - Identification of the types of projects proposed for consideration of LID treatment reduction credits and an estimate of the number and cumulative area of potential projects during the remaining term of this Permit for each type of project;
 - Identification of institutional barriers and/or technical site-specific constraints to providing 100% LID treatment onsite that justify the allowance for non-LID treatment measures onsite;
 - Specific criteria for each type of Special Project proposed, including size, location, minimum densities, minimum floor area ratios, or other appropriate limitations;
 - Identification of specific water quality and environmental benefits provided by these types of projects that justify the allowance for non-LID treatment measures onsite;
 - Proposed LID treatment reduction credit for each type of Special Project and justification for the proposed credits. The justification shall include identification and an estimate of the specific water quality benefit provided by each type of Special Project proposed for LID treatment reduction credit; and
 - Proposed total treatment reduction credit for Special Projects that may be characterized by more than one category and justification for the proposed total credit.

iii. Effective Date – December 1, 2011.

iv. Implementation Level

- (1) For any private development project for which a planning application has been deemed complete by a Permittee on or before the Permit effective date, Provisions C.3.e.i-ii shall not apply so long as the project applicant is diligently pursuing the project. Diligent pursuance may be demonstrated by the project applicant’s submittal of supplemental information to the original application, plans, or other documents required for any necessary

approvals of the project by the Permittee. If during the time period between the Permit effective date and the required implementation date of December 1, 2011, the project applicant has not taken any action to obtain the necessary approvals from the Permittee, the project will then be subject to the requirements of Provision C.3.e.i-ii.

- (2) For public projects for which funding has been committed and construction is scheduled to begin by December 1, 2012, the requirements of Provisions C.3.e.i-ii shall not apply.
 - (3) Provisions C.3.e.i-ii supersede any Alternative Compliance Policies previously approved by the Executive Officer
 - (4) For all offsite projects and Regional Projects installed in accordance with Provision C.3.e.i-ii, the Permittees shall meet the Operation & Maintenance (O&M) requirements of Provision C.3.h.
- v. **Reporting** –The Permittees shall submit the ordinance/legal authority and procedural changes made, if any, to implement Provision C.3.e with their 2012 Annual Report. Annual reporting thereafter shall be done in conjunction with reporting requirements under Provision C.3.b.v.

Any Permittee choosing to require 100% LID treatment onsite for all Regulated Projects and not allow alternative compliance under Provision C.3.e, shall include a statement to that effect in the 2012 Annual Report and all subsequent Annual Reports.

C.3.f. Alternative Certification of Stormwater Treatment Systems

- i. **Task Description** – In lieu of reviewing a Regulated Project's adherence to Provision C.3.d, a Permittee may elect to have a third party conduct detailed review and certify the Regulated Project's adherence to Provision C.3.d. The third party reviewer must be a Civil Engineer or a Licensed Architect or Landscape Architect registered in the State of California, or staff of another Permittee subject to the requirements of this Permit.
- ii. **Implementation Level** – Any Permittee accepting third-party reviews must make a reasonable effort to ensure that the third party has no conflict of interest with regard to the Regulated Project in question. That is, any consultant or contractor (or his/her employees) hired to design and/or construct a stormwater treatment system for a Regulated Project shall not also be the certifying third party. The Permittee must verify that the third party certifying any Regulated Project has current training on stormwater treatment system design (within three years of the certification signature date) for water quality and understands the groundwater protection principles applicable to Regulated Project sites.

Training conducted by an organization with stormwater treatment system design expertise (such as a college or university, the American Society of Civil Engineers, American Society of Landscape Architects, American Public Works Association, California Water Environment Association (CWEA), BASMAA, National Association of Flood & Stormwater Management Agencies, California

Stormwater Quality Association (CASQA), or the equivalent, may be considered qualifying training.

- iii. **Reporting** – Projects reviewed by third parties shall be noted in reporting tables for Provision C.3.b.

C.3.g. Hydromodification Management

- i. **Hydromodification Management (HM) Projects** are Regulated Projects that create and/or replace one acre or more of impervious surface and are not specifically excluded within the requirements of Attachments B–F. A project that does not increase impervious surface area over the pre-project condition is not an HM Project. All HM Projects shall meet the Hydromodification Management Standard of Provision C.3.g.ii.

ii. **HM Standard**

Stormwater discharges from HM Projects shall not cause an increase in the erosion potential of the receiving stream over the pre-project (existing) condition. Increases in runoff flow and volume shall be managed so that post-project runoff shall not exceed estimated pre-project rates and durations, where such increased flow and/or volume is likely to cause increased potential for erosion of creek beds and banks, silt pollutant generation, or other adverse impacts on beneficial uses due to increased erosive force. The demonstration that post-project stormwater runoff does not exceed estimated pre-project runoff rates and durations shall include the following:

- (1) **Range of Flows to Control:** For Alameda, Contra Costa, San Mateo, and Santa Clara Permittees, HM controls shall be designed such that post-project stormwater discharge rates and durations match pre-project discharge rates and durations from 10 % of the pre-project 2-year peak flow⁷ up to the pre-project 10-year peak flow. For Fairfield-Suisun Permittees, HM controls shall be designed such that post-project stormwater discharge rates and durations shall match from 20 percent of the 2-year peak flow up to the pre-project 10-year peak flow. Contra Costa Permittees, when using pre-sized and pre-designed Integrated Management Practices (IMPs) per Attachment C of this Order, are not required to meet the low-flow criterion of 10% of the 2-year peak flow. These IMPs are designed to control 20% of the 2-year peak flow. After the Contra Costa Permittees conduct the required monitoring specified in Attachment C, the design of these IMPs will be reviewed.
- (2) **Goodness of Fit Criteria:** The post-project flow duration curve shall not deviate above the pre-project flow duration curve by more than 10 percent

⁷ Where referred to in this Order, the 2-year peak flow is determined using a flood frequency analysis based on USGS Bulletin 17 B to obtain the peak flow statistically expected to occur at a 2-year recurrence interval. In this analysis, the appropriate record of hourly rainfall data (e.g., 35-50 years of data) is run through a continuous simulation hydrologic model, the annual peak flows are identified, rank ordered, and the 2-year peak flow is estimated. Such models include USEPA's Hydrologic Simulation Program—Fortran (HSPP), U.S. Army Corps of Engineers' Hydrologic Engineering Center-Hydrologic Modeling System (HEC-HMS), and USEPA's Storm Water Management Model (SWMM).

over more than 10 percent of the length of the curve corresponding to the range of flows to control.

- (3) **Precipitation Data:** Precipitation data used in the modeling of HM controls shall, at a minimum, be 30 years of hourly rainfall data representative of the area being modeled. Where a longer rainfall record is available, the longer record shall be used.
- (4) **Calculating Post-Project Runoff:** Retention and detention basins shall be considered impervious surfaces for purposes of calculating post-project runoff. Pre- and post-project runoff shall be calculated and compared for the entire site, without separating or excluding areas that may be considered self-retaining.
- (5) **Existing HM Control Requirements:** The Water Board has adopted HM control requirements for all Permittees (except for the Vallejo Permittees), and these adopted requirements are attached to this Order as listed below. The Permittees shall comply with all requirements in their own Permittee-specific Attachment, unless otherwise specified by this Order. In all cases, the HM Standard shall be achieved.
 - Attachment B for Alameda Permittees
 - Attachment C for Contra Costa Permittees
 - Attachment D for Fairfield-Suisun Permittees
 - Attachment E for San Mateo Permittees
 - Attachment F for Santa Clara Permittees

iii. Types of HM Controls

Projects shall meet the HM Standard using any of the following HM controls or a combination thereof.

- (1) **Onsite HM controls** are flow duration control structures and hydrologic source controls that collectively result in the HM Standard being met at the point(s) where stormwater runoff discharges from the project site.
- (2) **Regional HM controls** are flow duration control structures that collect stormwater runoff discharge from multiple projects (each of which shall incorporate hydrologic source control measures as well) and are designed such that the HM Standard is met for all the projects at the point where the regional HM control discharges.
- (3) **In-stream measures** shall be an option only where the stream, which receives runoff from the project, is already impacted by erosive flows and shows evidence of excessive sediment, erosion, deposition, or is a hardened channel.

In-stream measures involve modifying the receiving stream channel slope and geometry so that the stream can convey the new flow regime without increasing the potential for erosion and aggradation. In-stream measures are intended to improve long-term channel stability and prevent erosion by reducing the erosive forces imposed on the channel boundary.

In-stream measures, or a combination of in-stream and onsite controls, shall be designed to achieve the HM Standard from the point where the project(s) discharge(s) to the stream to the mouth of the stream or to achieve an equivalent degree of flow control mitigation (based on amount of impervious surface mitigated) as part of an in-stream project located in the same watershed. Designing in-stream controls requires a hydrologic and geomorphic evaluation (including a longitudinal profile) of the stream system downstream and upstream of the project. As with all in-stream activities, other regulatory permits must be obtained by the project proponent.⁸

iv. Reporting

For each HM Project approved during the reporting period, the following information shall be reported electronically in tabular form. This information shall be added to the required reporting information specified in Provision C.3.b.v.

- (1) Device(s) or method(s) used to meet the HM Standard, such as detention basin(s), bioretention unit(s), regional detention basin, or in-stream control;
- (2) Method used by the project proponent to design and size the device or method used to meet the HM Standard; and
- (3) Other information as required in the Permittee's existing HM requirements, as shown in Attachments B-F.

v. Vallejo Permittees shall complete the following tasks in lieu of complying with Provisions C.3.g.i-iv.

- (1) Develop a Hydrograph Modification Management Plan (HMP) for meeting the requirements of Provisions C.3.g.i-iv. The Vallejo Permittees' HMP shall be subject to approval by the Water Board.
- (2) Vallejo Permittees shall include the following in their HMP:
 - (a) A map of the City of Vallejo, delineating areas where the HM Standard applies. The HM Standard shall apply in all areas except where a project:
 - discharges stormwater runoff into creeks or storm drains that are concrete-lined or significantly hardened (e.g., with rip-rap, sackrete) downstream to their outfall in San Francisco Bay;
 - discharges to an underground storm drain discharging to the Bay; or
 - is located in a highly developed watershed.⁹

⁸ In-stream control projects require a Stream Alteration Agreement from the California Department of Fish & Game, a CWA section 404 permit from the U.S. Army Corps of Engineers, and a section 401 certification from the Water Board. Early discussions with these agencies on the acceptability of an in-stream modification are necessary to avoid project delays or redesign.

⁹ Within the context of Provision C.3.g., "highly developed watersheds" refers to catchments or subcatchments that are 65% impervious or more.

- However, plans to restore a creek reach may reintroduce the applicability of HM controls, and would need to be addressed in the HMP;
- (b) A thorough technical description of the methods project proponents may use to meet the HM Standard. Vallejo Permittees shall use the same methodologies, or similar methodologies, to those already in use in the Bay Area to meet the HM Standard. Contra Costa sizing charts may be used on projects up to ten acres after any necessary modifications are made to the sizes to control runoff rates and durations from ten percent of the pre-project 2-year peak flow to the pre-project 10-year peak flow, and adjustments are made for local rainfall and soil types;
 - (c) A description of any land use planning measures the City of Vallejo will take (e.g., stream buffers and stream restoration activities, including restoration-in-advance of floodplains, revegetation, and use of less-impacting facilities at points of discharge) to allow expected changes in stream channel cross sections, stream vegetation, and discharge rates, velocities, and/or durations without adverse impacts on stream beneficial uses;
 - (d) A description of how the Vallejo Permittees will incorporate these requirements into their local approval processes, and a schedule for doing so; and
 - (e) Guidance for City of Vallejo project proponents explaining how to meet the HM Standard.
- (3) Vallejo Permittees shall complete the HMP according to the schedule below. All required documents shall be submitted acceptable to the Executive Officer, except the HMP, which shall be submitted to the Water Board for approval. Vallejo Permittees shall report on the status of HMP development and implementation in each Annual Report and shall also provide a summary of projects incorporating measures to address Provision C.3.g and the measures used.
- By April 1, 2011, submit a detailed workplan and schedule for completion of the information required in Provision C.3.g.v.(2).
 - By December 1, 2011, submit the map required in Provision C.3.g.v.(2)(a).
 - By April 1, 2012, submit a draft HMP.
 - By December 1, 2012, provide responses to Water Board comments on the draft HMP so that the final HMP is submitted for Water Board approval by July 1, 2013.
 - Upon adoption by the Water Board, implement the HMP, which shall include the requirements of this measure. Before approval of the HMP by the Water Board, Vallejo Permittees shall encourage early implementation of measures likely to be included in the HMP.

C.3.h. Operation and Maintenance of Stormwater Treatment Systems

- i. Task Description** – Each Permittee shall implement an Operation and Maintenance (O&M) Verification Program.
- ii. Implementation Level** – At a minimum, the O&M Verification Program shall include the following elements:
 - (1) Conditions of approval or other legally enforceable agreements or mechanisms for all Regulated Projects that, at a minimum, require at least one of the following from all project proponents and their successors in control of the Project or successors in fee title:
 - (a) The project proponent's signed statement accepting responsibility for the O&M of the installed onsite, joint, and/or offsite stormwater treatment system(s) and HM control(s) (if any) until such responsibility is legally transferred to another entity;
 - (b) Written conditions in the sales or lease agreements or deed for the project that requires the buyer or lessee to assume responsibility for the O&M of the onsite, joint, and/or offsite installed stormwater treatment system(s) and HM control(s) (if any) until such responsibility is legally transferred to another entity;
 - (c) Written text in project deeds, or conditions, covenants and restrictions (CCRs) for multi-unit residential projects that require the homeowners association or, if there is no association, each individual owner to assume responsibility for the O&M of the installed onsite, joint, and/or offsite stormwater treatment system(s) and HM control(s) (if any) until such responsibility is legally transferred to another entity; or
 - (d) Any other legally enforceable agreement or mechanism, such as recordation in the property deed, that assigns the O&M responsibility for the installed onsite, joint, and/or offsite treatment system(s) and HM control(s) (if any) to the project owner(s) or the Permittee.
 - (2) Coordination with the appropriate mosquito and vector control agency with jurisdiction to establish a protocol for notification of installed stormwater treatment systems and HM controls.
 - (3) Conditions of approval or other legally enforceable agreements or mechanisms for all Regulated Projects that require the granting of site access to all representatives of the Permittee, local mosquito and vector control agency staff, and Water Board staff, for the sole purpose of performing O&M inspections of the installed stormwater treatment system(s) and HM control(s) (if any).
 - (4) A written plan and implementation of the plan that describes O&M (including inspection) of all Regional Projects and regional HM controls that are Permittee-owned and/or operated.
 - (5) A database or equivalent tabular format of all Regulated Projects (public and private) that have installed onsite, joint, and/or offsite stormwater

treatment systems. This database or equivalent tabular format shall include the following information for each Regulated Project:

- (a) Name and address of the Regulated Project;
 - (b) Specific description of the location (or a map showing the location) of the installed stormwater treatment system(s) and HM control(s) (if any);
 - (c) Date(s) that the treatment system(s) and HM controls (if any) is/are installed;
 - (d) Description of the type and size of the treatment system(s) and HM control(s) (if any) installed;
 - (e) Responsible operator(s) of each treatment system and HM control (if any);
 - (f) Dates and findings of inspections (routine and follow-up) of the treatment system(s) and HM control(s) (if any) by the Permittee; and
 - (g) Any problems and corrective or enforcement actions taken.
- (6) A prioritized plan for inspecting all installed stormwater treatment systems and HM controls. At a minimum, this prioritized plan must specify the following for each fiscal year:
- (a) Inspection by the Permittee of all newly installed stormwater treatment systems and HM controls within 45 days of installation to ensure approved plans have been followed;
 - (b) Inspection by the Permittee of at least 20 percent of the total number (at the end of the preceding fiscal year) of installed stormwater treatment systems and HM controls;
 - (c) Inspection by the Permittee of at least 20 percent of the total number (at the end of the preceding fiscal year) of installed vault-based systems; and
 - (d) Inspection by the Permittee of all installed stormwater treatment systems subject to Provision C.3, at least once every five years.

iii. Maintenance Approvals: The Permittees shall ensure that onsite, joint, and offsite stormwater treatment systems and HM controls installed by Regulated Projects are properly operated and maintained for the life of the projects. In cases where the responsible party for a stormwater treatment system or HM control has worked diligently and in good faith with the appropriate State and federal agencies to obtain approvals necessary to complete maintenance activities for the treatment system or HM control, but these approvals are not granted, the Permittees shall be deemed to be in compliance with this Provision. Permittees shall ensure that constructed wetlands installed by Regulated Projects and used for urban runoff treatment shall abide by the Water Board's Resolution No. 94-102: Policy on the Use of Constructed Wetlands for Urban Runoff Pollution Control and the O&M requirements contained therein.

Due Date for Full Implementation: Immediate for Provisions C.3.h.i, C.3.h.ii.(1), and C.3.h.iii, and December 1, 2010, for Provisions C.3.h.ii.(2)-(6). For Vallejo Permittees: December 1, 2010, for Provisions C.3.h.i-iii.

iv. Reporting: Beginning with the 2010 Annual Report

- (1) For each Regulated Project inspected during the reporting period (fiscal year) the following information shall be reported to the Water Board electronically in tabular form as part of the Annual Report (as set forth in the Provision C.3.h. Sample Reporting Table attached):
 - Name of facility/site inspected.
 - Location (street address) of facility/site inspected.
 - Name of responsible operator for installed stormwater treatment systems and HM controls.
 - For each inspection:
 - Date of inspection.
 - Type of inspection (e.g., initial, annual, follow-up, spot).
 - Type(s) of stormwater treatment systems inspected (e.g., swale, bioretention unit, tree well, etc.) and an indication of whether the treatment system is an onsite, joint, or offsite system.
 - Type of HM controls inspected.
 - Inspection findings or results (e.g., proper installation, proper operation and maintenance, system not operating properly because of plugging, bypass of stormwater because of improper installation, maintenance required immediately, etc.).
 - Enforcement action(s) taken, if any (e.g., verbal warning, notice of violation, administrative citation, administrative order).
- (2) On an annual basis, before the wet season, provide a list of newly installed (installed within the reporting period) stormwater treatment systems and HM controls to the local mosquito and vector control agency and the Water Board. This list shall include the facility locations and a description of the stormwater treatment measures and HM controls installed.
- (3) Each Permittee shall report the following information in the Annual Report each year:
 - (a) A discussion of the inspection findings for the year and any common problems encountered with various types of treatment systems and/or HM controls. This discussion should include a general comparison to the inspection findings from the previous year.
 - (b) A discussion of the effectiveness of the Permittee's O&M Program and any proposed changes to improve the O&M Program (e.g., changes in prioritization plan or frequency of O&M inspections, other changes to improve effectiveness of program).

C.3.i. Required Site Design Measures for Small Projects and Detached Single-Family Home Projects

- i. **Task Description** – The Permittees shall require all development projects, which create and/or replace $\geq 2500 \text{ ft}^2$ to $< 10,000 \text{ ft}^2$ of impervious surface, and

detached single-family home projects,¹⁰ which create and/or replace 2,500 square feet or more of impervious surface, to install one or more of the following site design measures:

- Direct roof runoff into cisterns or rain barrels for reuse.
- Direct roof runoff onto vegetated areas.
- Direct runoff from sidewalks, walkways, and/or patios onto vegetated areas.
- Direct runoff from driveways and/or uncovered parking lots onto vegetated areas.
- Construct sidewalks, walkways, and/or patios with permeable surfaces.³
- Construct bike lanes, driveways, and/or uncovered parking lots with permeable surfaces.³

This provision applies to all development projects that require approvals and/or permits issued under the Permittee's' planning, building, or other comparable authority.

- ii. **Implementation Level** – All elements of this task shall be fully implemented by December 1, 2012.
 - iii. **Reporting** – On an annual basis, discuss the implementation of the requirements of Provision C.3.i, including ordinance revisions, permit conditions, development of standard specifications and/or guidance materials, and staff training.
 - iv. **Task Description** – The Permittees shall develop standard specifications for lot-scale site design and treatment measures (e.g., for roof runoff and paved areas) as a resource for single-family homes and small development projects.
 - v. **Implementation Level** – This task may be fulfilled by the Permittees cooperating on a countywide or regional basis.
- Due Date for Full Implementation** – December 1, 2012.
- vi. **Reporting** – A report containing the standard specifications for lot-scale treatment BMPs shall be submitted by December 1, 2012.

¹⁰ **Detached single-family home project** – The building of one single new house or the addition and/or replacement of impervious surface to one single existing house, which is not part of a larger plan of development.

<p>Recording requested by and after recording return to:</p> <p>Town of Atherton 91 Ashfield Drive Atherton, CA 94027</p> <p>attn: City Engineer</p>	<p style="text-align: center;">THIS SPACE FOR RECORDER'S USE ONLY</p>
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**STORMWATER TREATMENT AND DETENTION MEASURES
MAINTENANCE AGREEMENT**

This Stormwater Treatment and Detention Measures Maintenance Agreement ("Agreement") is entered into this _____ date of _____, 200__ by and between the Town of Atherton, a municipal corporation, (" Town") and [insert name of property owner] , a _____, (the "Property Owner").

RECITALS

WHEREAS, on February 19, 2003, the Regional Water Quality Control Board, San Francisco Bay Region, adopted Order R2-2003-0023, CAS002992 1, reissuing the San Mateo Countywide National Pollutant Discharge Elimination System (NPDES) municipal stormwater permit for the San Mateo Countywide Clean Water Program, for which the Town of Atherton is a permittee; and

WHEREAS, Provision C.3.e.ii. of this NPDES permit, and as it may be amended or reissued, requires the Town to provide minimum verification and access assurances that all treatment and detention measures shall be adequately operated and maintained by persons and entities responsible for the stormwater treatment and detention measures; and

WHEREAS, property Owner is the owner of real property commonly known as ("Property"), and more particularly described in the attached Exhibit A, upon which stormwater treatment and detention measures are located or to be constructed, as shown in Exhibit B (the "Site Plan"); and

WHEREAS, the Property Owner, its administrators, co-owners, executors, successors, heirs, assigns or any other persons, including any homeowners association (hereinafter collectively referred to as "Property Owner") recognizes that the stormwater treatment and detention measure(s) more particularly described and shown on Exhibit B, of which full- scale plans and any amendments thereto are on file with the Planning and/or Engineering Department of the Town of Atherton must be installed and maintained as indicated in this Agreement and as required by the NPDES permit.

WHEREAS, the Town and the Property Owner agree that the health, safety and welfare of the citizens of the Town require that the stormwater treatment and detention measure(s) detailed in the Site Plan shall be constructed and maintained on the Property; and

WHEREAS, the Town's Stormwater Management and Discharge Control Ordinance, guidelines, criteria and other written directions require that the stormwater treatment and detention measure(s), as shown on the approved Site

Plan, be constructed and maintained by the Property Owner

NOW, THEREFORE, in consideration of the benefit received by the Property Owner as a result of the Town's approval of _____, the Property Owner hereby covenants and agrees as follows:

SECTION 1: CONSTRUCTION OF TREATMENT AND DETENTION MEASURES

The on-site stormwater treatment and detention measure(s) shown on the Site Plan shall be constructed or cause to be constructed by the Property Owner in strict accordance with the approved plans and specifications identified for the development and any other requirements thereto which have been approved by the Town in conformance with appropriate Town ordinances, guidelines, criteria and other written direction.

SECTION 2: OPERATION & MAINTENANCE RESPONSIBILITY

This Agreement shall serve as the signed statement by the Property Owner accepting responsibility for operation and maintenance of stormwater treatment and detention measures as set forth in this Agreement until the responsibility is legally transferred to another entity. Before the Property is legally transferred to another entity, the Property Owner shall provide to the Town at least one of the following:

- A) A signed statement from the public entity assuming post-construction responsibility for treatment and detention measure maintenance and that the treatment and detention measures meet all local agency design standards; or B) Written conditions in the sales or lease agreement requiring the buyer or lessee to assume responsibility for operation and maintenance (O&M) consistent with this provision, which conditions, in the case of purchase and sale agreements, shall be written to survive beyond the close of escrow; or C) Written text in project conditions, covenants and restrictions (CCRs) for residential properties assigning O&M responsibilities to the home owners association for O&M of the treatment and detention measures; or D) Any other legally enforceable agreement or mechanism that assigns responsibility for the maintenance of treatment and detention measures.

SECTION 3: MAINTENANCE OF TREATMENT AND DETENTION MEASURES

The Property Owner shall not destroy or remove the stormwater treatment and detention measures from the Property nor modify the stormwater treatment and detention system in a manner that lessens its effectiveness, and shall, at its sole expense, adequately maintain the stormwater treatment and detention measure(s) in good working order acceptable to the Town and in accordance with the maintenance plan submitted by the Property Owner and approved by the Town Engineer or his or her designee, attached hereto as **Exhibit C**, and incorporated herein by this reference. This includes all pipes, channels or other conveyances built to convey stormwater to the treatment and detention measure(s), as well as all structures, improvements, and vegetation provided to control the quantity and quality of the stormwater. Adequate maintenance is herein defined as maintaining the described facilities in good working condition so that these facilities continue to operate as originally designed and approved. The maintenance plan shall include a detailed description of and schedule for long-term maintenance activities.

SECTION 4: SEDIMENT MANAGEMENT

Sediment accumulation resulting from the normal operation of the stormwater treatment and detention measure(s) will be managed appropriately by the Property Owner. The Property Owner will provide for the removal and disposal of accumulated sediments. Disposal of accumulated sediments shall not occur on the Property, unless provided for in the maintenance plan. Any disposal or removal of accumulated sediments or debris shall be in compliance with all federal, state and local law and regulations.

SECTION 5: ANNUAL INSPECTION AND REPORT

The Property Owner shall, on an annual basis, complete the Treatment and Detention Measure Operation and Maintenance Inspection Report (annual report), attached to this Agreement as **Exhibit D**. The annual report shall include all completed Inspection and Maintenance Checklists for the reporting period and shall be submitted to the Town in order to verify that inspection and maintenance of the applicable stormwater treatment and detention measure(s) have been conducted pursuant to this Agreement. The annual report shall be submitted no later than December 31 of each year, under penalty of perjury, to:

Town of Atherton
91 Ashfield Drive
Atherton, CA 94027

attn: City Engineer

or another member of the Town staff as directed by the Town. The Property Owner shall provide a record of the volume of all accumulated sediment removed from the treatment and detention measure(s) in the annual report. The Property Owner shall conduct a minimum of one (1) annual inspection of the stormwater treatment and detention measure(s) before the wet season. This inspection shall occur between August 1st and October 1st each year. More frequent inspections may be required by the Maintenance Plan, **Exhibit C**. The results of inspections shall be recorded on the Inspection and Maintenance Checklist(s) attached as **Exhibit D**.

SECTION 6: NECESSARY CHANGES AND MODIFICATIONS

At its sole expense, the Property Owner shall make changes or modifications to the stormwater treatment and detention measure(s) and/or the long-term Maintenance Plan, **Exhibit C**, as may be determined as reasonably necessary by the Town to ensure that treatment and detention measures are properly maintained and continue to operate as originally designed and approved.

SECTION 7: ACCESS TO THE PROPERTY

The Property Owner hereby grants permission to the Town; the San Francisco Bay Regional Water Quality Control Board (Regional Board); the San Mateo County Mosquito Abatement District (Mosquito Abatement District); and their authorized agents and employees to enter upon the Property at reasonable times and in a reasonable manner to inspect, assess or observe the stormwater treatment and detention measure(s) in order to ensure that treatment and detention measures are being properly maintained and are continuing to perform in an adequate manner to protect water quality and the public health and safety. This includes the right to enter upon the Property when it has a reasonable basis to believe that a violation of this Agreement, the Town's stormwater management ordinance, guidelines, criteria, other written direction, or the San Mateo Countywide Clean Water Program's NPDES municipal stormwater permit (Regional Board Order R2-2003-0023, and any amendments or re-issuances of this permit) is occurring, has occurred or threatens to occur. The above listed agencies also have a right to enter the Property when necessary for abatement of a public nuisance or correction of a violation of the ordinance guideline, criteria or other written direction. Whenever possible, the Town, Regional Board, or the Mosquito Abatement District shall provide reasonable notice to the Property Owner before entering the property.

SECTION 8: FAILURE TO MAINTAIN TREATMENT AND DETENTION MEASURES

In the event the Property Owner fails to maintain the stormwater treatment and detention measure(s) as shown on the approved Site Plan or comparable document in good working order acceptable to the Town and in accordance with the maintenance plan incorporated in the Agreement, the Town, and its authorized agents and employees with reasonable notice, may enter the Property and take whatever steps it deems necessary and appropriate to return the treatment and detention measure(s) to good working order, in addition to all other rights and remedies available in law and in equity. Prior notice will not be necessary if emergency conditions require immediate remedial action. This provision shall not be construed to allow the Town to erect any structure of a permanent nature on the Property. It is expressly understood and agreed that the Town is under no obligation to maintain or repair the treatment and detention measure(s) and in no event shall this Agreement be construed to impose any such obligation on the Town.

SECTION 9: REIMBURSEMENT OF TOWN EXPENDITURES

In the event the Town, pursuant to the Agreement, performs work of any nature (direct or indirect), including any reinspections or any actions it deems necessary or appropriate to return the treatment and detention measure(s) in good working order as indicated in Section 8, or expends any funds in the performance of said work for labor, use of equipment, supplies, materials, and the like, the Property Owner shall reimburse the Town, or shall forfeit any required bond upon demand within thirty (30) days of receipt thereof for the costs incurred by the Town hereunder. If these costs are not paid within the prescribed time period, the Town may assess the Property Owner

the cost of the work, both direct and indirect, and applicable penalties. Said assessment shall be a lien against the Property, or prorated against the beneficial users of the Property or may be placed on the property tax bill and collected as ordinary taxes by the Town. The actions described in this section are in addition to and not in lieu of any and all legal remedies as provided by law, available to the Town as a result of the Property Owner's failure to maintain the treatment and detention measure(s).

SECTION 10: INDEMNIFICATION

The Property Owner shall indemnify, hold harmless and defend the Town and its authorized agents, officers, officials and employees from and against any and all claims, demands, suits, damages, liabilities, losses, accidents, casualties, occurrences, claims and payments, including attorney fees claimed or which might arise or be asserted against the Town that are alleged or proven to result or arise from the construction, presence, existence or maintenance of the treatment and detention measure(s) by the Property Owner or the Town. In the event a claim is asserted against the Town, its authorized agents, officers, officials or employees, the Town shall promptly notify the Property Owner and the Property Owner shall defend at its own expense any suit based on such claim. If any judgment or claims against the Town, its authorized agents, officers, officials or employees shall be allowed, the Property Owner shall pay for all costs and expenses in connection herewith. This section shall not apply to any claims, demands, suits, damages, liabilities, losses, accidents, casualties, occurrences, claims and payments, including attorney fees claimed which arise due solely to the negligence or willful misconduct of the Town.

SECTION 11: NO ADDITIONAL LIABILITY

It is the intent of this Agreement to insure the proper maintenance of the treatment and detention measure(s) by the Property Owner; provided, however, that this Agreement shall not be deemed to create or effect any additional liability not otherwise provided by law of any party for damage alleged to result from or caused by storm water runoff.

SECTION 12: PERFORMANCE FINANCIAL ASSURANCE

The Town may request the Property Owner to provide a performance bond, security or other appropriate financial assurance providing for the maintenance of the stormwater treatment and detention measure(s) pursuant to the Town's ordinances, guidelines, criteria or written direction.

SECTION 13: TRANSFER OF PROPERTY

This Agreement shall run with the land and shall be binding upon all heirs, successors, and assigns of Property Owner. The Property Owner further agrees whenever the Property is held, sold, conveyed or otherwise transferred, it shall be subject to this Agreement which shall apply to, bind and be obligatory to all present and subsequent owners of the Property.

SECTION 14: SEVERABILITY

The provisions of this Agreement shall be severable and if any phrase, clause, section, subsection, paragraph, subdivision, sentence or provision is adjudged invalid or unconstitutional by a court of competent jurisdiction, or the applicability to any Property Owner is held invalid, this shall not affect or invalidate the remainder of any phrase, clause, section, subsection, paragraph, subdivision, sentence or provision of this Agreement.

SECTION 15: RECORDATION

This Agreement shall be recorded by the Property Owner or by the Town by mutual agreement, within five (5) business days, or such time as agreed upon by both parties, after the execution date of this Agreement as stated above among the deed records of the County Recorder's Office of the County of San Mateo, California at the Property Owner's expense.

SECTION 16: RELEASE OF AGREEMENT

In the event that the Town determines that the stormwater treatment and detention measures located on the Property are no longer required, then the Town, at the request of the Property Owner shall execute a release of this Inspection and Maintenance Agreement, which the Property Owner, or the Town by mutual agreement, shall record In the County Recorder's Office at the Property Owner's expense. The stormwater treatment and detention measure(s) shall not be removed from the Property unless such a release IS so executed and recorded.

SECTION 17: EFFECTIVE DATE AND MODIFICATION

This Agreement is effective upon the date of execution as stated at the beginning of this Agreement. This Agreement shall not be modified except by written instrument executed by the Town and the Property -Owner at the time of modification. Such modifications shall be effective upon the date of execution and shall be recorded.

SECTION 18: MISCELLANEOUS

- a. The interpretation, validity, and enforcement of this Agreement shall be governed by and interpreted in accordance with the laws of the State of California. Any suit, claim, or legal proceeding of any kind related to this Agreement shall be filed and heard in a court of competent jurisdiction in the County of San Mateo.
- b. In the event any legal action is commenced to enforce this Agreement, the prevailing party is entitled to reasonable attorney's fees, costs, and expenses incurred.

PROPERTY OWNER

Property Owner Signature

Date

Type or print Property Owner name

Type or print Property Owner address, City, state, zip code

Type or print Property Owner phone number

{attach notary acknowledgement}

TOWN OF ATHERTON

Signature for the Town

Date

Type or print name and title

{attach notary acknowledgment}

Approved as to form:

Signature for the City Attorney's Office

Type or print name and title

Exhibit A

{legal description of property}

Exhibit B

{legible reduced -scale (no larger than 8.5 "x14") conceptual plan showing location and type of stormwater treatment and detention measures. Stormwater treatment and detention measures should be labeled (e.g. swale #1, swale #2) and the direction of stormwater flow indicated. The location of bubblers and disconnected downspouts should be included in the conceptual plan.}

Exhibit C

{maintenance plan}

Exhibit D

*{annual report form for
treatment and detention measure operation and
maintenance inspection}*

Form to be based on the most recent version of the following original reference document:

Appendix I of the
C.3 Stormwater Technical Guidance
For developers, builders and project applicants
Dated: March 20, 2007
by: San Mateo Countywide Water Pollution Prevention Program

TOWN OF ATHERTON

**TO: HONORABLE MAYOR AND CITY COUNCIL
CITY MANAGER, JERRY GRUBER**

FROM: KATHY HUGHES ANDERSON, TOWN ARBORIST

DATE: FOR THE REGULAR MEETING OF NOVEMBER 18, 2009

**SUBJECT: PRESENTATION OF THE RESULTS OF ATHERTON'S GOVERNMENT
OPERATIONS EMISSIONS INVENTORY**

RECOMMENDATION:

This item is informational and does not require any action by the City Council. The City Council may wish to direct staff or the EPC to review the recommendations made by ICLEI to develop a policy for implementing changes that would result in a decrease in government operations emissions and increased efficiencies.

BACKGROUND:

The City County Association of Governments (C/CAG) approved the expenditure of funds to assist local jurisdictions for the cost of preparing baseline inventories. In April 2008, the City Council approved a request to C/CAG for a \$13,000 grant for the Town's government operation greenhouse gas emissions inventory. We partnered with ICLEI and Sustainable Silicon Valley (SSV), along with twenty local jurisdictions in San Mateo County and Santa Clara County, in order to share the cost of having ICLEI prepare government operations emissions inventory reports. Participating organizations received a volume discount that SSV helped negotiate with ICLEI. ICLEI and SSV estimated a total cost of approximately \$260,000 to develop 20 local government inventories. The cost for each jurisdiction is \$13,000. ICLEI's normal fee is \$20,000 - \$25,000 to perform the inventory for a city. The Joint Venture Silicon Valley Network (JVSVN) executed the contracts with local jurisdictions in order to maximize service delivery efficiency and reduce costs.

ANALYSIS

The scope of work for each jurisdiction included data specification, data collection, data conditioning, data input and analysis using Clean Air and Climate Protection (CACP) software, analysis of data results, report development and provision of backup source data and CACP software data. From June 2008 to June 2009, ICLEI staff and I worked together to collect the data.

Sources of emissions were identified and the raw data collected, including natural gas and electricity usage from PG&E for all town operated facilities, employee commute, vehicle fleet, streetlights and waste generation. ICLEI staff completed the inventory in June 2009. Their contract with SSV and C/CAG did not include making evening presentations to City Councils. They were able to make a presentation to the EPC in July 2009. The EPC and staff are presenting the results of the government operations inventory to the City Council for your consideration. The City Council may wish to use the information for future policy making decisions and to set emission reduction goals.

FISCAL IMPACT:

There is no fiscal impact at this time. There could be future fiscal impact if the City Council wishes to implement any of the recommendations made to reduce emissions. It is possible that there will be long term savings to the Town by improved efficiency of government operations as a result of implementing the recommended changes.

Prepared by:

/s/ Kathy Hughes Anderson

Kathy Hughes Anderson

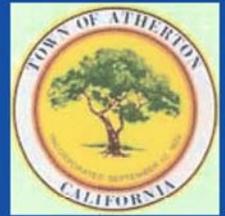
Reviewed by:

Jerome D. Gruber, City Manager

Attachments:

- 1. ICLEI Power Point Presentation – Available in the City Clerks Office and online in the November 18, 2009 Agenda Packets*

Town of Atherton 2005 Government Operations Greenhouse Gas Emissions Inventory



Credits and Acknowledgements

Atherton

Kathy Anderson, Town Arborist

Steve Tyler, Public Works Superintendent

PG&E Contributors

Lynne Galal, Senior Project Manager, Customer Energy Efficiency Third Party and Partnership Implementation Department

Corie Cheeseman, Program Manager

Joint Venture: Silicon Valley Network

Seth Fearey, Vice President, Chief Operating Officer, Smart Valley Initiative Director

Sustainable Silicon Valley

Marianna Grossman, President and Executive Director

Allied Waste

Jennifer Chicconi, Community Relations Manager

Association of Bay Area Governments

Vina Maharaj, ABAG Power

ICLEI-Local Governments for Sustainability US

Alison Culpén, Program Associate

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Eamon Geary, Program Officer

Don Knapp, Communications Officer

Jonathan Knauer, Program Officer

Wesley Look, Program Officer

Kim Lundgren, U.S. Services Director

Xico Manarolla, Program Officer

Brita Pagels, Program Officer

Jamie O'Connell, Program Associate

Justus Stewart, Program Associate

Jonathan Strunin, Program Officer

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Joint Venture: Silicon Valley Network



Russell Hancock, President and Chief Executive Officer

Established in 1993, Joint Venture provides analysis and action on issues affecting the Silicon Valley economy and quality of life. The organization brings together established and emerging leaders—from business, government, academia, labor, and the broader community—to spotlight issues, launch projects, and work toward innovative solutions.

<http://www.jointventure.org>

Sustainable Silicon Valley

Marianna Grossman, Executive Director



Sustainable Silicon Valley (SSV) is a collaboration of businesses, governments, and non-governmental organizations that are identifying and addressing environmental and resource pressures in the Valley. As its first initiative, SSV is engaging prominent Valley organizations to work toward self-imposed goals of reducing regional carbon dioxide (CO₂) emissions. The SSV approach is to facilitate strategies to reduce CO₂ emissions through increased energy and fuel efficiency and through the use of renewable sources of energy. SSV envisions a thriving Silicon Valley with a healthy environment, a vibrant economy, and a socially equitable community. Sustainable Silicon Valley's mission is to lead the Silicon Valley community to create a more sustainable future by engaging and collaborating with local government agencies, businesses, and community organizations to identify and help address the highest priority environmental issues in the Valley.

<http://www.sustainablesiliconvalley.org>

ICLEI-Local Governments for Sustainability USA

Michelle Wyman, Executive Director



ICLEI-Local Governments for Sustainability is a membership association of more than 1,000 local governments worldwide—more than 500 in the United States—committed to advancing climate protection and sustainability. Through technical expertise, direct network engagement, and the innovation and evolution of tools, ICLEI strives to empower local governments to set and achieve their emissions reduction and sustainability goals.

<http://www.icleiusa.org>



Town of Atherton

April 6, 2009

Dear Atherton Community:

I am proud to present you with Atherton's Local Government Operations Greenhouse Gas Emissions Inventory Report for the year 2005. This report, which presents the emissions from Atherton's operations, represents a culmination of a year of hard work by our staff in concert with ICLEI-Local Governments for Sustainability USA. This report illustrates the comprehensive efforts of our community to advance climate protection and make our community a more sustainable place to live and work.

Atherton has committed to reduce emissions from our operations, and this report represents an important first step in that process. The information from this report will help us to identify the sources of emissions from our operations, and will serve as the benchmark from which we can gauge our progress toward reducing those emissions. While we have made great strides in addressing our impact on the environment, climate change remains a significant challenge for our community. Meeting our emissions reduction goals means making changes in all areas of our government operations – from reducing natural gas and electricity usage to purchasing recycled content products. As we reduce emissions from our operations, we will be providing leadership to our community, increasing the efficiency of our operations, and saving scarce resources.

In addition to our individual actions, Atherton is proud to participate in the regional collaborations occurring in San Mateo County and in the larger San Francisco Bay Area. This inventory, for example, was conducted as part of a partnership of 27 local governments in San Mateo, Santa Clara, and Santa Cruz Counties. We will continue to engage in this and other partnerships in the future as we seek to improve the sustainability and livability of our communities and our region.

Moving forward, Atherton will continue to examine our operations to identify areas where further emissions reductions can be implemented. However, in order to have a more comprehensive response to climate change, the community's involvement is essential. We encourage every citizen to examine their own activities and search for ways that they can reduce their personal greenhouse gas emissions at home, work, school or while commuting. Working together, Atherton can demonstrate our leadership and be an inspiration for others in the region, state and across the country.

Sincerely,

Jerry Carlson
Mayor

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Executive Summary

Atherton has recognized that human-caused climate change is a reality, with potentially disruptive effects to Atherton's residents and businesses. Atherton also recognizes that local governments play a leading role in both reducing greenhouse gas emissions and mitigating the potential impacts of climate change. Local governments can dramatically reduce the emissions from their government operations by such measures as increasing energy efficiency in facilities and vehicle fleets, utilizing renewable energy sources, sustainable purchasing, waste reduction, and supporting alternative modes of transportation for employees. The co-benefits of these measures may include lower energy bills, improved air quality, and more efficient government operations.

Atherton has begun its efforts to address the causes and effects of climate change with the assistance of the partners in the Silicon Valley Climate Protection Partnership. These partners include Joint Venture: Silicon Valley Network; Sustainable Silicon Valley; local governments in San Mateo, Santa Clara, and Santa Cruz counties, and ICLEI-Local Governments for Sustainability USA.

This greenhouse gas emissions inventory represents completion of an important first step in Atherton's climate protection initiative. As advised by ICLEI, it is essential to first quantify emissions to establish:

- A baseline emissions inventory, against which to measure future progress.
- An understanding of the scale of emissions from the various sources within government operations.

Presented here are estimates of greenhouse gas emissions in 2005 resulting from Atherton's government operations. With one exception,¹ all emissions estimates in this report refer to emissions generated from sources over which Atherton has direct operational control, exclusive of physical location.² This includes all government-operated facilities, streetlights, and other stationary sources; vehicle fleet and off-road equipment; and waste generated by

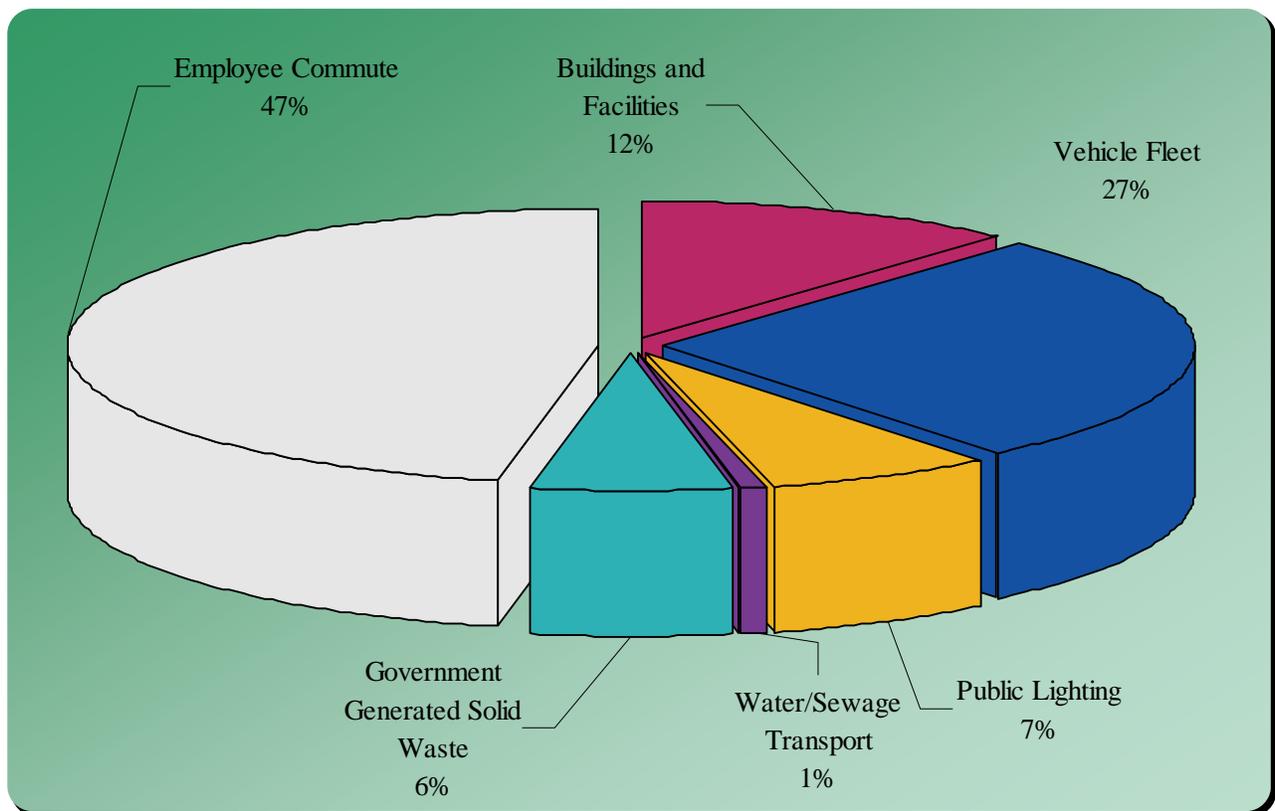
¹ The exception is emissions from employee-owned vehicles that are used by employees during commuting.

² Facilities, vehicles, or other operations wholly or partially owned by, but not operated by, Atherton are not included in this inventory. See Appendix A for more details on the boundaries of the inventory.

government operations. The inventory *does not* estimate emissions from the larger community—these were addressed in the community-scale greenhouse gas emissions inventory. Therefore, this inventory should be considered to be an independent analysis relevant only to Atherton’s internal operations.

This inventory is one of the first inventories to use a new national standard developed and adopted by the California Air Resources Board (ARB) in conjunction with ICLEI, the California Climate Action Registry, and The Climate Registry. This standard, called the Local Government Operations Protocol (LGOP), provides standard accounting principles, boundaries, quantification methods, and procedures for reporting greenhouse gas emissions from local government operations. To that end, LGOP represents a strong step forward in standardizing how inventories are conducted and reported, providing a common national framework for all local governments to establish their emissions baseline. This and all emissions inventories represent an estimate of emissions using the best available data and calculation methodologies. Emissions estimates are subject to change as better data and calculation methodologies become available in the future. Regardless, the findings of this inventory analysis provide a solid base against which Atherton can begin planning and taking action to reduce its greenhouse gas emissions.

Figure ES.1 2005 Atherton Government Operations CO₂e Emissions



Inventory Results

In 2005, Atherton's direct emissions, emissions from electricity consumption, and select indirect sources totaled 639 metric tons of CO₂e.³ Of the total emissions accounted for in this inventory, emissions from employee commute were the largest (47 percent as shown in Figure ES.1 and Table ES.1). The second largest source of emissions was the vehicle fleet, which accounted for 27 percent of total emissions. These two sources alone produced 74 percent of Atherton's emissions in 2005.

Cumulatively, Atherton spent approximately \$131,312 on energy (electricity, natural gas, diesel and gasoline) for government operations in 2005. Of this total, 64 percent of these energy expenses (\$83,200) resulted from electricity consumption, and four percent from natural gas purchases from PG&E (\$5,192). Fuel purchases (gasoline, diesel) for the vehicle fleet and mobile equipment totaled \$42,920, or 32 percent of total costs included in this inventory. Beyond reducing greenhouse gases, any future reductions in municipal energy consumption will have the potential to reduce these costs, enabling Atherton to reallocate limited funds toward other municipal services or create a revolving energy loan fund to support future climate protection activities.

Table ES.1 2005 Government Operations Emissions by Sector

Sector	Greenhouse Gas Emissions
Employee Commute	300
Vehicle Fleet	175
Buildings and Facilities	75
Public Lighting	45
Government Generated Solid Waste	40
Water/Sewage Transport	4

All units are in metric tons CO₂e

Key Findings

- The greatest source of greenhouse gas emissions from government operations in 2005 came from employee commute (300 metric tons of CO₂e), followed by emissions from vehicle fleet (175 metric tons of CO₂e).
- Cumulatively, Atherton spent approximately \$131,312 on energy (electricity, natural gas, gasoline and diesel) for its buildings, streetlights, and vehicles in 2005.
- Vehicles emissions from both the Town's vehicle fleet and employee commutes equaled 74 percent of total emissions.

³ This number represents a "roll-up" of emissions, and is not intended to represent a complete picture of emissions from Atherton's operations. This roll-up number should not be used for comparison with other local government roll-up numbers without a detailed analysis of the basis for this total.

Section One: Introduction





Introduction

Local governments play a fundamental role in addressing the causes and effects of human-caused climate change through their actions at both the community and government operations levels. While local governments cannot solve the problems of climate change by themselves, their policies can dramatically reduce greenhouse gas emissions from a range of sources and can prepare their communities for the potential impacts of climate change.

Within the context of government operations, local governments have direct control over their emissions-generating activities. They can reduce energy consumption in buildings and facilities, reduce fuel consumption by fleet vehicles and equipment, reduce the amount of government-generated solid waste that is sent to a landfill, and increase the amount of energy that is obtained through alternative energy sources. By quantifying the emissions coming from its operations, this report will enable Atherton to choose the most effective approach to reducing its contribution to climate change.

1.1 Climate Change Background

A balance of naturally occurring gases dispersed in the Earth's atmosphere determines its climate by trapping solar radiation. This phenomenon is known as the greenhouse effect. Overwhelming evidence suggests that modern human activity is artificially intensifying the greenhouse gas effect, causing global average surface temperatures to rise. This intensification is caused by activities that release carbon dioxide and other greenhouse gases into the atmosphere—most notably the burning of fossil fuels for transportation, electricity, and heat generation.

Rising temperatures affect local and global climate patterns, and these changes are forecasted to manifest themselves in a number of ways that might impact Atherton. For example, the San Francisco Bay may experience rising sea levels and the Sacramento Delta may experience changes in salinity, affecting land uses, water sources, and agricultural activity. Changing temperatures will also likely result in more frequent and damaging storms

accompanied by flooding and landslides. Reduced snow pack in the Sierra Nevada Mountains may lead to water shortages, and the disruption of ecosystems and habitats is likely to occur.

In response to this threat, many communities in the United States are taking responsibility for addressing climate change at the local level. Since many of the major sources of greenhouse gas emissions are directly or indirectly controlled through local policies, local governments have a strong role to play in reducing greenhouse gas emissions within their boundaries. Through proactive measures around sustainable land use patterns, transportation demand management, energy efficiency, green building, and waste diversion, local governments can dramatically reduce emissions in their communities. In addition, local governments are primarily responsible for the provision of emergency services and the mitigation of natural disaster impacts. As the effects of climate change become more common and severe, local government adaptation policies will be fundamental in preserving the welfare of residents and businesses.

1.2 Purpose of Inventory

The objective of this greenhouse gas emissions inventory is to identify the sources and quantities of greenhouse gas emissions resulting from government operations in Atherton in 2005. This inventory is a necessary first step in addressing greenhouse gas emissions, serving two purposes:

- It creates an emissions baseline against which Atherton can set emissions reductions targets and measure future progress.
- It allows local governments to understand the scale of emissions from the various sources within their operations.

While Atherton has already begun to reduce greenhouse gas emissions through its actions (See Section 1.4 for more detail), this inventory represents the first step in a systems approach to reducing Atherton's emissions. This system, developed by ICLEI, is called the Five Milestones for Climate Mitigation. This Five-Milestone process involves the following steps:

Milestone One: Conduct a baseline emissions inventory and forecast

Milestone Two: Adopt an emissions reduction target for the forecast year

Milestone Three: Develop a local climate action plan

Milestone Four: Implement the climate action plan

Milestone Five: Monitor progress and report results

Figure 1.1 The Five-Milestone Process



1.3 Climate Change Mitigation Activities in California

Beginning in 2005, the State of California has responded to growing concerns over the effects of climate change by adopting a comprehensive approach to addressing emissions in the public and private sectors. This approach was officially initiated with the passage of the Global Warming Solutions Act of 2006 (AB 32), which required the state to reduce its greenhouse gas emissions to 1990 levels by 2020. It also required the California Air Resources Board (ARB) to regularly inventory emissions at the state level and to create a plan for reducing these emissions. The bill authorized ARB to adopt and enforce regulations targeted at greenhouse gas emissions reductions in the public and private sectors.

The resulting AB 32 Scoping Plan was adopted by ARB in December 2008. It established the following measures that the State will take to meet the greenhouse gas emissions reduction targets:

- Develop a California cap-and-trade program
- Expand energy efficiency programs
- Establish and seek to achieve reduction targets for transportation-related GHG emissions
- Support implementation of a high-speed rail system
- Expand the use of green building practices

- Increase waste diversion, composting, and commercial recycling toward zero-waste
- Continue water efficiency programs and use cleaner energy sources to move and treat water
- Implement the Million Solar Roofs Programs
- Achieve a statewide renewable energy mix of 33 percent
- Develop and adopt the low-carbon fuel standard
- Implement vehicle efficiency measures for light-, medium-, and heavy-duty vehicles
- Adopt measures to reduce high global warming potential gases
- Reduce methane emissions at landfills
- Preserve forest sequestration and encourage the use of forest biomass for sustainable energy generation
- Capture of methane through use of manure digester systems at dairies

Other measures taken by the state have included mandating stronger vehicle emissions standards (AB 1493, 2002), establishing a low-carbon fuel standard (EO # S-01-07, 2007), mandating a climate adaptation plan for the state (S-EO # 13-08, 2008), establishing a Green Collar Job Council, and establishing a renewable energy portfolio standard for power generation or purchase in the state. The state also has made a number of changes that will likely have potentially large effects on local governments:

- SB 97 (2007) required the Office of Planning and Research to create greenhouse gas planning guidelines for the California Environmental Quality Act (CEQA). In addition, ARB is tasked with creating energy-use and transportation thresholds in CEQA reviews, which may require local governments to account for greenhouse gas emissions when reviewing project applications.
- AB 811 (2007) authorized all local governments in California to establish special districts that can be used to finance solar or other renewable energy improvements to homes and businesses in their jurisdiction.
- SB 732 (2008) established a Strategic Growth Council charged with coordinating policies across state agencies to support a unified vision for land use development in the state. This vision will serve as a reference point for local land use policies.
- SB 375 (2008) mandated the creation of regional sustainable community strategies (SCS) by regional planning agencies. The SCS links regional housing and transportation planning processes in an attempt to meet regional greenhouse gas emissions targets.

1.4 Climate Change Mitigation Activities in Atherton

In addition to completing this government operations emissions inventory, the following are other key climate change mitigation activities that Atherton has undertaken:

- Atherton completed a community-wide greenhouse gas emissions inventory in 2008.
- The Environmental Programs Committee (EPC) formed a sub-committee, The Thinking Green Think Tank, to make recommendations to the City Council and to come up with a climate action plan. Currently they are focusing on two areas, developing a green building ordinance and residential energy efficiency.
- Atherton is working on getting stimulus money from the American Recovery and Reinvestment Act of 2009 to conduct home energy audits in the community in partnership with other cities in the area.
- The Town is also talking to Acterra about expanding and customizing its Green at Home program for homes in Atherton.
- The EPC just concluded their Green Start 2009 competition, a program Atherton launched in ten schools earlier this spring that focuses the efforts of approximately 10,000 students on home energy efficiency.
- The Town also had a Green Start Fair in March 2009, and recently concluded the program with an awards presentation which gave out \$5,000 in prizes to students and schools.
- After completing this government operations greenhouse gas emissions inventory, Atherton plans to work with San Mateo County's Energy Watch program to identify actions that can be done to reduce emissions in government facilities.

1.5 The Silicon Valley Climate Protection Partnership

The Silicon Valley Climate Protection Partnership is a joint effort between Joint Venture: Silicon Valley Network (JV:SVN); Sustainable Silicon Valley (SSV); local governments in San Mateo, Santa Clara and Santa Cruz counties (hereby referred to as the “Silicon Valley area”); and ICLEI. The Partnership was initiated in 2008 to provide a solid regional platform for local governments to follow ICLEI’s Five-Milestone process (described in Section 1.2), as well as a shared learning experience.

In early 2008, JV:SVN contracted with ICLEI to conduct government operations emissions inventories for participating local governments, using the standards outlined in the then soon-to-be-released Local Government Operations Protocol (LGOP—see Appendix A for details). For this project, 27 local governments have signed on to this contract. SSV joined the Partnership to provide additional educational and other services to facilitate more rapid progress by participating governments through the Five Milestones. While ICLEI created these inventories

concurrently using the same tools and methods, each inventory was conducted independently using data specific to each local government's operations. For this reason, inventories from different jurisdictions will involve different sources of data and emissions calculation methods.

Alongside the activities of the Partnership, JV:SVN and SSV have been facilitating regional climate dialogues to further emissions reductions goals in the Silicon Valley area. JV:SVN supports the work of the Climate Protection Task Force, a group that includes staff members from 44 jurisdictions in the Silicon Valley area, including cities, counties, and special districts. In this neutral forum, the partners learn from each other and from expert guests about climate protection programs. They then work to develop effective, collaborative programs for the reduction of greenhouse gas emissions from public agency operations. SSV holds quarterly conferences and monthly meetings that discuss specific approaches to addressing climate change, including the pros and cons of regional climate planning. SSV also puts out annual reports highlighting successes of businesses and local governments that have voluntarily pledged to set and work toward their own carbon dioxide reduction goals. JV:SVN and SSV, along with ICLEI, the San Mateo City/County Association of Governments, and the Bay Area Air Quality Management District⁴, have dramatically pushed forward the pace and scale of climate actions by local governments in the Silicon Valley area.

⁴ C/CAG and the Air Quality District have provided funding which have allowed a number of these inventories to occur and have been strong players in pushing forward local and regional actions on climate change.

Section Two: Methodology





Methodology

This greenhouse gas emissions inventory follows the standard methodology outlined in LGOP, which was adopted in 2008 by ARB and serves as the national standard for quantifying and reporting greenhouse emissions from local government operations. By participating in the Silicon Valley Climate Protection Partnership, Atherton has the opportunity to be one of the first in the nation to follow LGOP when inventorying emissions from government operations.

This chapter outlines the basic methodology utilized in the development of this inventory to provide clarity to how the inventory results were reported. Specifically, this section reviews:

- What greenhouse gases were measured in this inventory.
- What general methods were used to estimate emissions.
- How emissions estimates can be reported (the scopes framework, roll-up numbers).
- How emissions estimates were reported in this inventory.

A more detailed account of LGOP and the methodology used in this inventory can be found in Appendices A and B.

2.1 Greenhouse Gases

According to LGOP, local governments should assess emissions of all six internationally recognized greenhouse gases regulated under the Kyoto Protocol. These gases are outlined in Table 2.1, which includes the sources of these gases and their global warming potential (GWP).⁵

⁵ Global warming potential (GWP) is a measure of the amount of warming a greenhouse gas may cause, measured against the amount of warming caused by carbon dioxide.

Table 2.1 Greenhouse Gases

Gas	Chemical Formula	Activity	Global Warming Potential (CO ₂ e)
Carbon Dioxide	CO ₂	Combustion	1
Methane	CH ₄	Combustion, Anaerobic Decomposition of Organic Waste (Landfills, Wastewater), Fuel Handling	21
Nitrous Oxide	N ₂ O	Combustion, Wastewater Treatment	310
Hydrofluorocarbons	Various	Leaked Refrigerants, Fire Suppressants	12–11,700
Perfluorocarbons	Various	Aluminum Production, Semiconductor Manufacturing, HVAC Equipment Manufacturing	6,500–9,000
Sulfur Hexafluoride	SF ₆	Transmission and Distribution of Power	23,900

2.2 Calculating Emissions

LGOP outlines specific methods for quantifying emissions from local government activities. What methods a local government can use to quantify emissions vary largely by how it gathers data, and therefore what data were available. In general, emissions can be quantified in two ways.

1. Measurement-based methodologies refer to the direct measurement of greenhouse gas emissions from a monitoring system. Emissions measured this way may include those emitted from a flue of a power plant, wastewater treatment plant, landfill, or industrial facility. This method is the most accurate way of inventorying emissions from a given source, but is generally available for only a few sources of emissions.

2. Calculation-based methodologies refer to an estimate of emissions calculated based upon some measurable activity data and emission factors. Table 2.2 demonstrates some examples of common emissions calculations in this report. For a detailed explanation of the methods and emissions factors used in this inventory, see Appendix B.

Table 2.2 Basic Emissions Calculations

Activity Data	Emissions Factor	Emissions
Electricity Consumption (kilowatt hours)	CO ₂ emitted/kWh	CO ₂ emitted
Natural Gas Consumption (therms)	CO ₂ emitted/therm	CO ₂ emitted
Gasoline/Diesel Consumption (gallons)	CO ₂ emitted /gallon	CO ₂ emitted
Waste Generated by Government Operations (tons)	CH ₄ emitted/ton of waste	CH ₄ emitted

2.3 Reporting Emissions

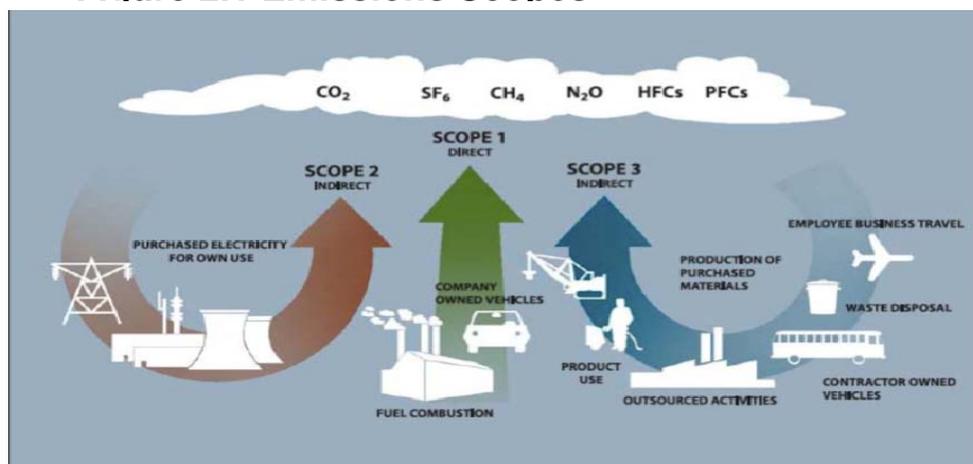
LGOP provides two reporting frameworks: reporting by scope and reporting by sector. This section defines the two reporting frameworks and discusses how they are used in this inventory. It also discusses the concept of “rolling up” emissions into a single number. This can assist local governments in communicating the results of the inventory and using the inventory to formulate emissions reductions policies.

2.3.1 The Scopes Framework

For local government operations, LGOP categorizes emissions according to what degree of control local governments have over the emissions sources. These categorizations (developed by the World Resources Institute and the World Business Council for Sustainable Development) are called *emissions scopes*. The scopes framework helps local governments to:

- Determine which emissions should be inventoried.
- Organize emissions by degree of control and therefore the potential for reduction of these emissions.
- Avoid “double counting” of emissions, i.e., summing up of different emissions sources that may result in reporting these emissions twice.

Figure 2.1 Emissions Scopes



Source: WRI/WBCSD GHG Protocol Corporate Accounting and Reporting Standard (Revised Edition), Chapter 4.

The emissions scopes are defined as follows:

Scope 1: Direct emissions from sources within a local government’s operations that it owns and/or controls. This includes stationary combustion to produce electricity, steam, heat, and power equipment; mobile combustion of fuels; process emissions from physical or chemical processing; fugitive emissions that result from production, processing, transmission, storage and use of fuels; leaked refrigerants, and other sources.

Scope 2: Indirect emissions associated with the consumption of electricity, steam, heating, or cooling that are purchased from an outside utility.

Scope 3: All other emissions sources that hold policy relevance to the local government that can be measured and reported. This includes all indirect emissions not covered in Scope 2 that occur as a result of activities within the operations of the local government. Sources over which the local government does not have any financial or operational control over would be accounted for here. Scope 3 emission sources include (but are not limited to) tailpipe emissions from employee commutes, employee business travel, and emissions resulting from the decomposition of government-generated solid waste.

Table 2.3 Inventoried Emission Sources by Scope⁶

Scope 1	Scope 2	Scope 3
Fuel consumed to heat/cool all facilities	Electricity consumed by facilities	Solid waste generated by government operations
Fuel consumed for vehicles and mobile equipment	Electricity consumed by electric vehicles	Fuel consumed for employee vehicles used for commuting
Fuel consumed to generate electricity	Steam heating or cooling for facilities	
Leaked refrigerants from facilities and vehicles		
Leaked/deployed fire suppressants		
Wastewater decomposition and treatment		
Solid waste in government landfills		

2.3.2 Double Counting and Rolling Up Scopes

Many local governments find it useful for public awareness and policymaking to use a single number (a “roll-up” number) to represent emissions in its reports, target setting, and action plan. A roll-up number allows local governments to determine the relative proportions of emissions from various sectors (e.g., 30 percent of rolled up emissions came from the vehicle fleet). This can help policymakers and staff identify priority actions for reducing emissions from their operations.

For these reasons, this report includes a roll-up number as the basis of the emissions analysis in this inventory. This roll-up number is composed of direct emissions (Scope 1), all emissions from purchased electricity (Scope 2), and indirect emissions from employee commutes and government-generated solid waste (Scope 3).

⁶ This only represents a list of emissions that were inventoried for the Silicon Valley Climate Protection Partnership inventories. This is not meant to be a complete list of all emissions that can be inventoried in a government operations inventory.

While this report uses a standard roll-up number, these numbers should be used with caution, as they can be problematic for three reasons:

First, a roll-up number does not represent all emissions from Atherton's operations, only a summation of inventoried emissions using available estimation methods. Reporting a roll-up number can be misleading and encourage citizens, staff, and policymakers to think of this number as the local government's "total" emissions. Therefore, when communicating a roll-up number it is important to represent it only as a sum of inventoried emissions, not as a comprehensive total.

Second, rolling up emissions may not simply involve adding emissions from all sectors, as emissions from different scopes can be double-counted when they are reported as one number. For example, if a local government operates a municipal utility that provides electricity to government facilities, these are emissions from both the power generation and facilities sectors. If these sectors are rolled up into a single number, these emissions are double counted, or reported twice. For these reasons, it is important to be cautious when creating a roll-up number to avoid double counting; the roll-up number used in this report was created specifically to avoid any possible double counting.

Third, local governments often wish to compare their emissions to those of other local governments. But it is very difficult to use a roll-up number as a common measure between local governments, for a number of reasons. First, as of now there is no national or international standard for reporting emissions as a single roll-up number. In addition, local governments provide different services to their citizens, and the scale of the services (and thus the emissions) is highly dependent upon the size of the jurisdiction. For these reasons, comparisons between local government roll-up numbers should not be made without significant analysis of the basis of the roll-up number and the services provided by the local governments being compared.

2.3.3 Emissions Sectors

ICLEI recommends that local governments examine their emissions in the context of the part of their operations (sector) that is responsible for those emissions. This is helpful from a policy perspective, and will assist local governments in formulating sector-specific reduction measures and climate action plans. This inventory uses LGOP sectors as a main reporting framework, including the following sectors:

- Buildings and other facilities
- Streetlights, traffic signals, and other public lighting
- Water delivery facilities
- Vehicle fleet and mobile equipment
- Government-generated solid waste
- Emissions from employee commutes

Section Three: Inventory Results





Inventory Results

This chapter provides a detailed description of the Town of Atherton's emissions from government operations in 2005, rolling up and comparing emissions across sectors and sources as appropriate. This chapter also provides details on the greenhouse gas emissions from each sector, including a breakdown of emissions types and, where possible, an analysis of emissions by department. This information identifies more specific sources of emissions (such as a particular building) that can help staff and policymakers in Atherton to best target emissions reduction activities in the future.

For a report of emissions by scope, and a detailed description of the methodology and emission factors used in calculating the emissions from Atherton's operations, please see Appendix B: LGOP Standard Report.

In 2005, Atherton's direct emissions, emissions from electricity consumption and select indirect sources totaled 639 metric tons of CO₂e.⁷ In this report, this number is the basis for comparing emissions across sectors and sources (fuel types), and is the aggregate of all emissions estimates used in this inventory.

3.1 Summary by Sector

Reporting emissions by sector provides a useful way to understand the sources of Atherton's emissions. By better understanding the relative scale of emissions from each of the sectors, Atherton can more effectively focus emissions reductions strategies to achieve the greatest emissions reductions.⁸

⁷ This number represents a roll-up of emissions, and is not intended to represent a complete picture of emissions from Atherton's operations. This roll-up number should not be used for comparison with other local government roll-up numbers without a detailed analysis of the basis for this total. See section 2.3.2 for more detail.

⁸ The sectors with the largest scale of emissions do not necessarily represent the best opportunity for emissions reductions. Cost, administration, and other concerns may affect Atherton's ability to reduce emissions from any one sector.

Figure 3.1 2005 Atherton Government Operations Emissions by Sector

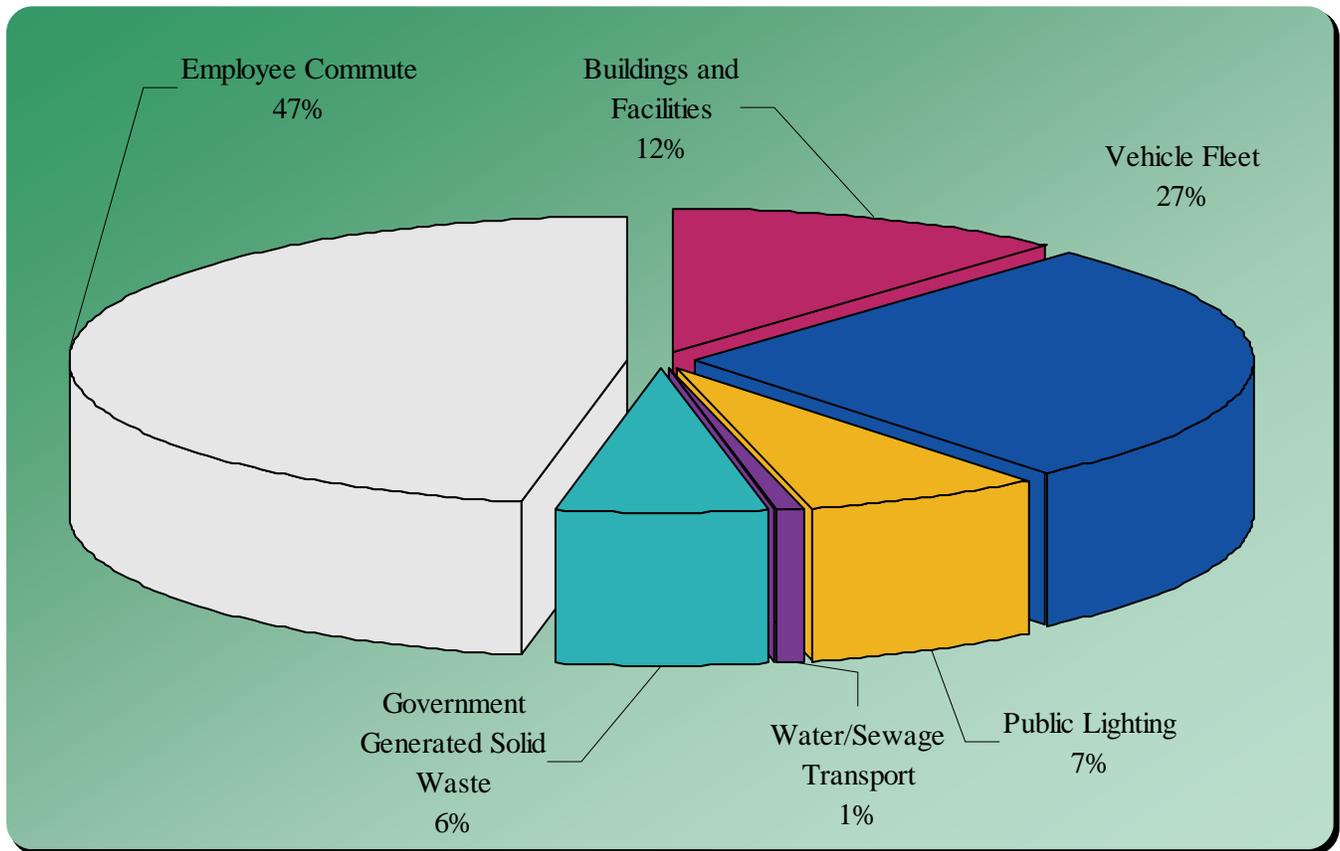


Table 3.1 2005 Atherton Government Operations Emissions by Sector

Sector	Greenhouse Gas Emissions
Employee Commute	300
Vehicle Fleet	175
Buildings and Facilities	75
Public Lighting	45
Government Generated Solid Waste	40
Water/Sewage Transport	4

All units are in metric tons CO₂e

As visible in Figure 3.1, employee commute was the largest emitter (300 metric tons CO₂e) in 2005. Emissions from the Town’s vehicle fleet produced the second highest quantity of emissions, resulting in 175 metric tons of CO₂e. Atherton’s buildings and facilities produced 75 metric tons of CO₂e of total emissions, with the remainder coming from public lighting, government-generated solid waste, and water transport.

3.2 Summary by Source

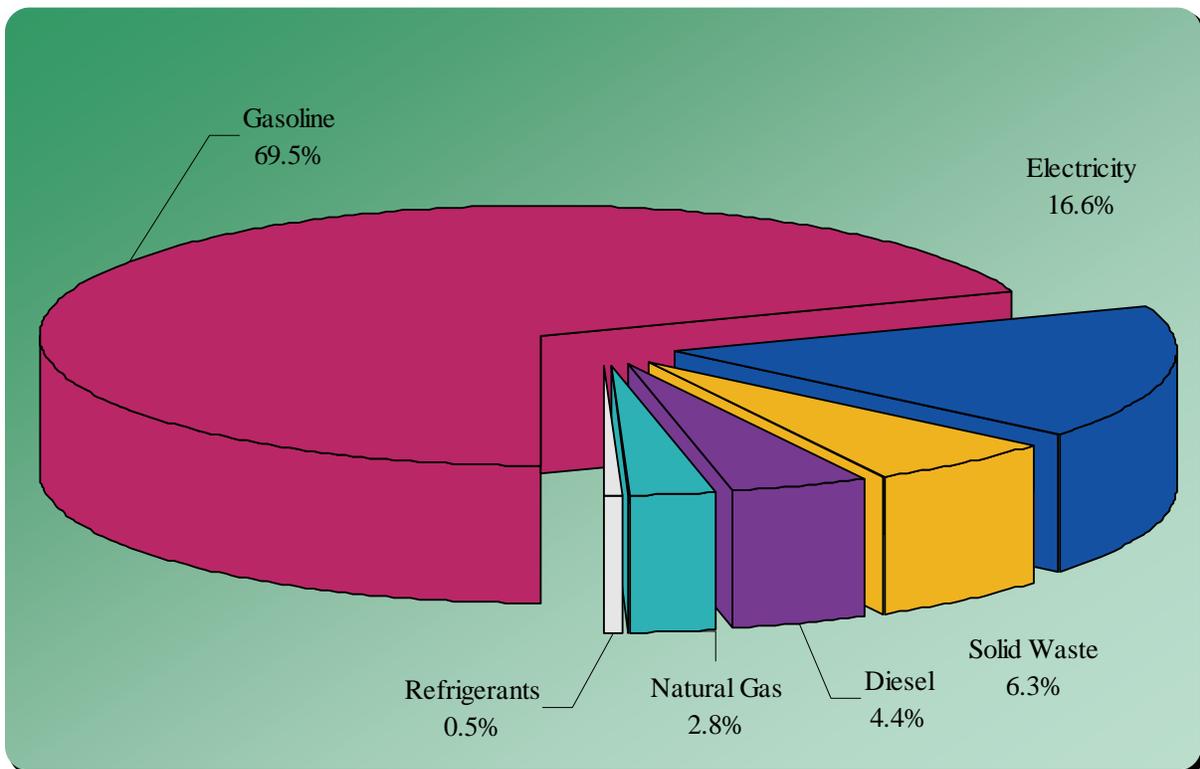
When considering how to reduce emissions, it is helpful to look not only at which sectors are generating emissions, but also at the specific raw resources and materials (gasoline, diesel, electricity, natural gas, solid waste, etc.) whose use and generation directly result in the release of greenhouse gases. This analysis can help target resource management in a way that will successfully reduce greenhouse gas emissions. Figure 3.2 and Table 3.2 provide a summary of Atherton’s government operations 2005 greenhouse gas emissions by fuel type or material.

Table 3.2 2005 Atherton Government Operations Emissions by Source

Fuel/Source	Greenhouse Gas Emissions
Gasoline	444
Electricity	106
Solid Waste	40
Diesel	28
Natural Gas	18
Refrigerants	3

All units are in metric tons CO₂e

Figure 3.2 2005 Atherton Government Operations Emissions by Source



3.3 Summary of Energy-Related Costs

In addition to tracking energy consumption and generating estimates on emissions per sector, ICLEI has calculated the basic energy costs of various government operations. During 2005, Atherton spent approximately \$131,312 on energy (electricity, natural gas, gasoline, and diesel) for its operations. Sixty-six percent of these energy expenses (\$88,392) are the result of electricity and natural gas purchases from PG&E. Atherton spent approximately \$42,920 on gasoline and diesel for the municipal fleet (34 percent of total costs). Beyond reducing harmful greenhouse gases, any future reductions in energy use will have the potential to reduce these costs, enabling Atherton to reallocate limited funds toward other municipal services or create a revolving energy loan fund to support future climate protection activities.

Table 3.3 2005 Atherton Energy Costs by Sector

Activity	Costs (\$)
Buildings and Facilities	\$41,856
Vehicle Fleet	\$42,920
Public Lighting	\$44,612
Water Transport	\$1,924
TOTAL	\$131,312

3.4 Detailed Sector Analyses

3.4.1 Buildings and Other Facilities

Through their use of energy for heating, cooling, lighting, and other purposes, buildings and other facilities operated by local governments constitute a significant amount of their greenhouse gas emissions. Atherton operates seven facilities, including the police station, council chambers, and the Town's public library. Facility operations contribute to greenhouse gas emissions in two major ways. First, facilities consume electricity and fuels such as natural gas and diesel, and this consumption contributes the majority of greenhouse gas emissions from facilities. In addition, fire suppression, air conditioning, and refrigeration equipment in buildings can emit hydrofluorocarbons (HFCs) and other greenhouse gases when these systems leak refrigerants or fire suppressants.

In 2005, the operation of Atherton's facilities produced approximately 75 metric tons of CO₂e from the above sources. Figure 3.3 depicts 2005 emissions per facility, and Table 3.4 shows estimated costs associated with the activities that generated these emissions. Of total facility emissions, 75 percent came from the consumption of electricity, 24 percent came from the combustion of natural gas, and much of the remaining 1 percent came from the combustion of other fuels (see Figure 3.4). Atherton spent approximately \$41,857 in 2005 on the fuels and electricity that were the cause of these emissions.

Table 3.4: Energy Use and Emissions from Major Facilities

Facility	Greenhouse Gas Emissions (metric tons CO ₂ e)	Percent Emissions of All Facilities	Electricity Use (kWh)	Natural Gas Use (therms)	Total Energy Cost*
Police Station	32	43%	130,240	627	\$18,614
150 Watkins	18	24%	66,880	583	\$11,852
Council Chambers	9	12%	11,081	1,125	\$3,026
93 & 99 Dinklespiel Station Lane	6	8%	11,484	740	\$2,791
Administration Building	7	9%	31,417	0	\$5,136
Library	2	3%	0	308	\$438
TOTAL*	74	100%	251,102	3,383	\$41,856

*Does not include emissions from diesel generators (1 metric ton CO₂e)

Figure 3.3: Emissions from Major Facilities

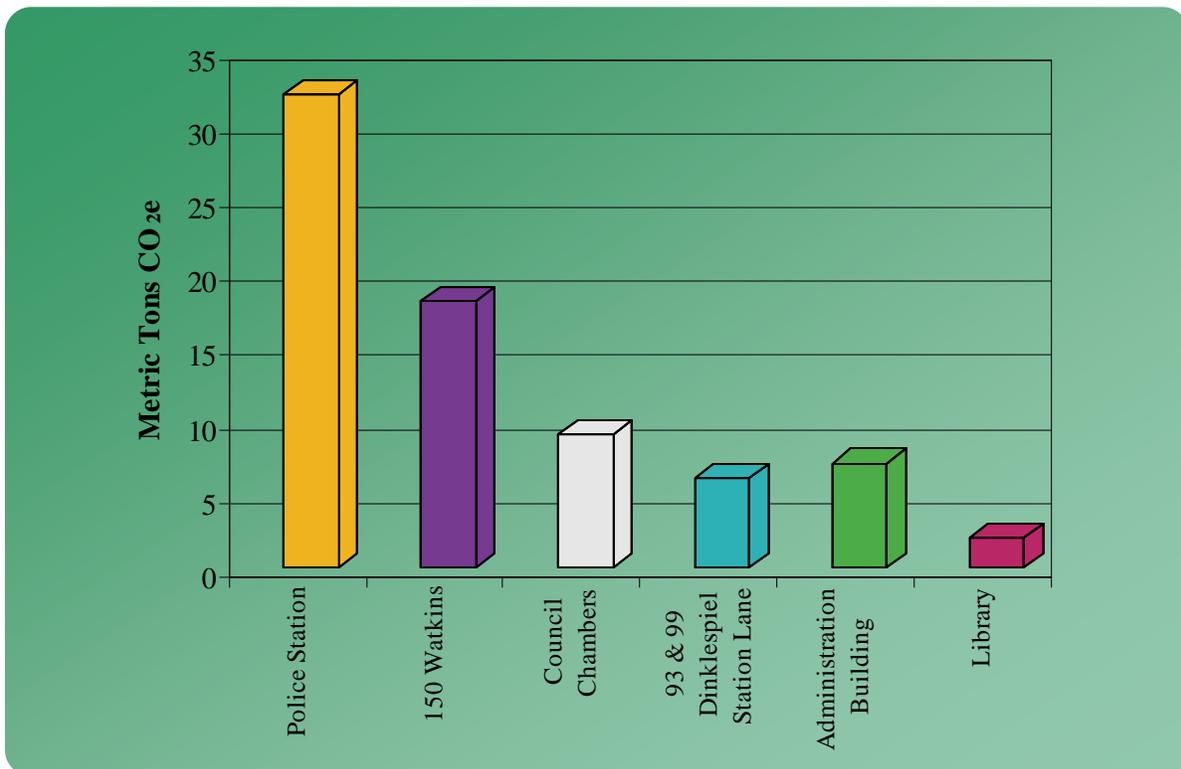
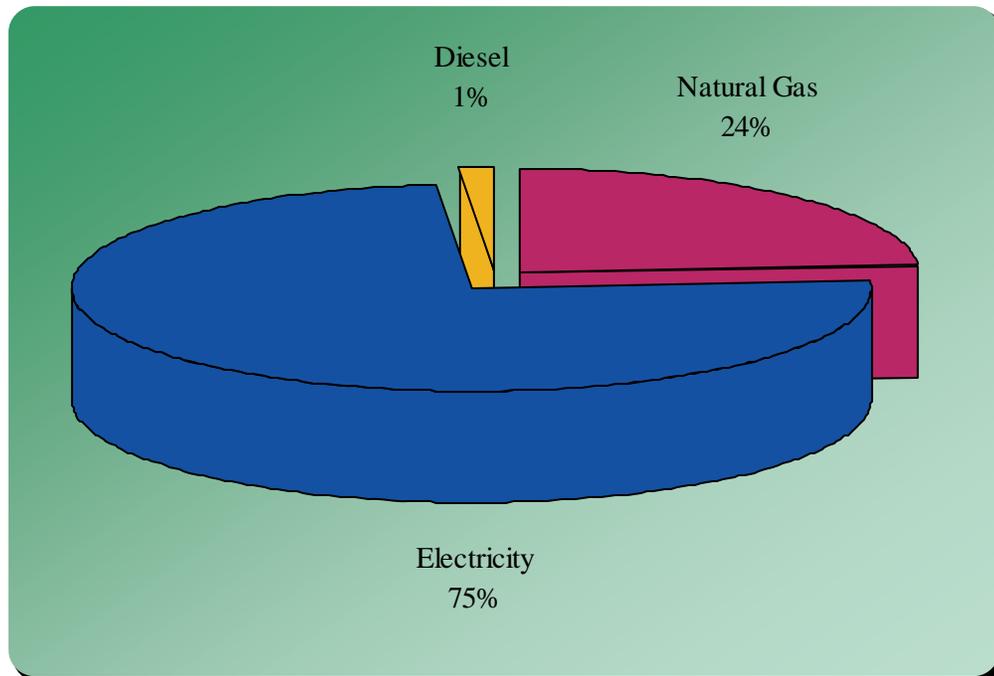


Figure 3.4: Emissions from Major Facilities by Source



3.4.2 Streetlights, Traffic Signals, and Other Public Lighting

Like most local governments, Atherton operates a range of public lighting, including traffic signals and streetlights. Electricity consumed in the operation of this infrastructure is a significant source of greenhouse gas emissions.

In 2005, public lighting in Atherton consumed a total of 201,194 kilowatt hours of electricity, producing approximately 45 metric tons CO₂e. Table 3.5 lists 2005 emissions per lighting type and estimated electricity consumption and costs associated with the activities that generated these emissions. Atherton spent approximately \$44,612 in 2005 on the fuels and electricity that were the cause of these emissions.

Table 3.5: Energy Use and CO₂e Emissions from Public Lighting

Source	Greenhouse Gas Emissions (metric tons CO ₂ e)	Percent Emissions of All Lighting	Electricity Use (kWh)	Cost
Traffic Signals/Controllers	3	7%	13,067	\$2,090
Streetlights	42	93%	188,127	\$42,522
TOTAL	45	100%	201,194	\$44,612

3.4.3 Water and Wastewater Transport

This section addresses any equipment used for the distribution of water, stormwater, and wastewater. Typical systems included in this section are water pumps/lifts and sprinkler and other irrigation controls. Atherton operates

the pumps used to deliver water to residents. Electricity consumption is the only source of greenhouse gas emissions from the operation of the Town’s water transport equipment.

In 2005, the operation of these water delivery pumps produced approximately 4 metric tons of CO₂e from the electricity used. Table 3.6 depicts 2005 emissions per equipment type and shows estimated activities and costs associated with the operation of this equipment. Atherton spent approximately \$1,924 in 2005 on the electricity that was the cause of these emissions.

Table 3.6: Energy Use and CO₂e Emissions from Water/Wastewater Transport Equipment

Source	Greenhouse Gas Emissions (metric tons CO ₂ e)	Percent Emissions of Water Transport Equipment	Electricity Use (kWh)	Cost
Water Delivery Pumps	4	100%	20,668	\$1,924
TOTAL	4	100%	20,668	\$1,924

3.4.4 Vehicle Fleet and Mobile Equipment

The majority of local governments use vehicles and other mobile equipment as an integral part of their daily operations—from maintenance trucks used for parks and recreation to police cruisers and fire trucks. These vehicles and equipment burn gasoline, diesel, and other fuels, which results in greenhouse gas emissions. In addition, vehicles with air conditioning or refrigeration equipment use refrigerants that can leak from the vehicle. Emissions from vehicles and mobile equipment compose a significant portion of emissions within most local governments.

Table 3.7: Vehicle Fleet and Mobile Equipment Emissions⁹

Function	GHG Emissions (metric tons CO ₂ e)	Percent of All Mobile Emissions	Gasoline Consumption (gal)	Diesel Consumption (gal)	Cost
Police Department	133	77%	14,933	500	\$31,891
Public Works Department	39	22%	4,343		\$11,029
TOTAL*	172	100%	18,776	500	\$42,920

*This total does not include 3 metric tons CO₂e from leaked mobile refrigerants

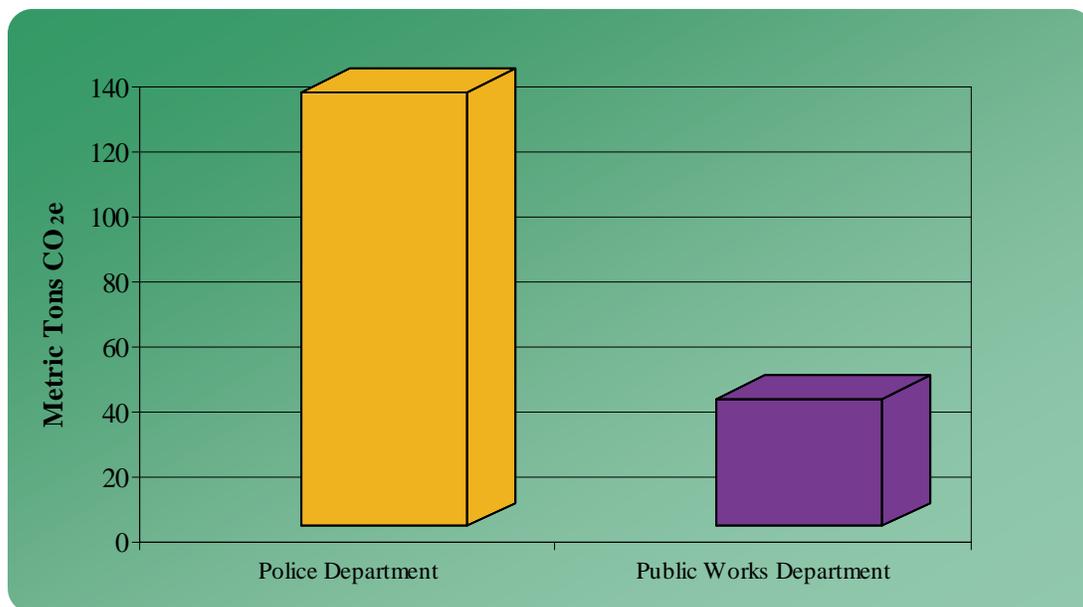
In 2005, Atherton operated a vehicle fleet with 24 cars and trucks. The Town’s vehicle fleet performed a number of essential services, from police services to street and park maintenance. In 2005, the majority of vehicles and mobile

⁹ The numbers reported here include emissions from fuel consumption only-emissions from leaked refrigerants are reported separately.

equipment used gasoline (77 percent). Of all mobile emissions calculated, emissions from the vehicle fleet made up 92 percent of total emissions, while emissions from mobile equipment made up seven percent of total emissions, and leaked refrigerants made up 1 percent of total emissions.¹⁰

In 2005, Atherton emitted approximately a total of 172 metric tons of CO₂e as a result of the combustion of diesel and gasoline to power the Town's vehicle fleet. Figure 3.5 depicts 2005 emissions per department, and Table 3.7 shows estimated costs associated with the activities that generated these emissions. Across departments, the vehicles and mobile equipment used by the police department were the largest emitters of greenhouse gases, representing 77 percent of total vehicle fleet emissions. Atherton spent approximately \$42,920 in 2005 on the fuels that were the cause of these emissions.

Figure 3.5: Emissions from Mobile Sources



3.4.5 Government-Generated Solid Waste

Many local government operations generate solid waste, much of which is eventually sent to a landfill. Typical sources of waste in local government operations include paper and food waste from offices and facilities, construction waste from public works, and plant debris from parks departments. Organic materials in government-generated solid waste (including paper, food scraps, plant debris, textiles, wood waste, etc.) generate methane as they decay in the anaerobic environment of a landfill. An estimated 75 percent of this methane is routinely captured

¹⁰ Emissions from leaked mobile refrigerants were estimated using the default method outlined in the LGOP. The resulting emissions number is likely a significant overestimate, but in line with LGOP methods.

via landfill gas collection systems;¹¹ however, a portion escapes into the atmosphere, contributing to the greenhouse effect. As such, estimating emissions from waste generated by government operations is an important component of a comprehensive emissions inventory.

Inventorying emissions from government-generated solid waste is considered optional by LGOP for two reasons. First, the emissions do not result at the point of waste generation (as with fuel combustion), but in a landfill located outside of Atherton’s jurisdictional boundaries. In addition, the emissions are not generated in the same year that the waste is disposed, but over a lengthy decomposition period. Since inventorying these emissions is considered optional, LGOP does not provide guidance on recommended methods for quantifying these types of emissions. ICLEI therefore devised data collection and calculation methods based upon previous experience and national standards. See Appendix D for more information for more detail on quantifying emissions from government-generated solid waste.

It is estimated that the waste disposed by government facilities in 2005 will cumulatively produce approximately 2 metric tons of methane gas, or 40 metric tons CO₂e. Please see Table 3.8 for a breakdown of emissions per facility.

Table 3.8: Emissions from Government-Generated Solid Waste

Source	Greenhouse Gas Emissions (metric tons CO ₂ e)	Estimated Landfilled Waste (Tons)
JPA	25	99
Holbrook Palmer Park	8	30
Police Department	5	20
Corporation Yard	3	10
TOTAL	40	159

3.4.6 Employee Commute

Another important source of indirect emissions resulting from Atherton’s operations comes from employees commuting in vehicles to and from work. Similar to the vehicle fleet, these vehicles use gasoline and other fuels which, when burned, generate greenhouse gas emissions. Emissions from employee commutes are considered optional to inventory by LGOP because the vehicles are owned and operated privately by the employees. Atherton therefore maintains only indirect control over how employees commute to and from work. LGOP encourages reporting these emissions, however, because local governments can influence how their employees commute to

¹¹ This is a default methane collection rate per LGOP. This rate can vary from 0 to 99 percent based upon the presence and extent of a landfill gas collection system at the landfill/s where the waste is disposed. Most commonly, captured methane gas is flared into the atmosphere, which converts the methane gas to CO₂ and effectively negates the human-caused global warming impact of the methane. Increasingly, landfill methane is being used to power gas-fired turbines as a carbon-neutral means of generating electricity.

work and therefore reduce emissions from this sector. For this reason, employee commute emissions were included in this report as an area where Atherton can make significant progress towards greenhouse gas emissions reductions.

To calculate emissions, Atherton administered a survey to all of its employees regarding their commute patterns and preferences. ICLEI then extrapolated the results of the survey to represent emissions from all employees. See Appendix C for a detailed description of the survey and methods used to calculate emissions.

In 2005, employees commuting in vehicles to and from their jobs at Atherton emitted an estimated 300 metric tons of CO₂e. See Table 3.9 for a breakdown of estimated emissions from all employee commutes, as well as the total and average miles traveled to work by employees.

Table 3.9: Emissions from Employee Commutes

	Greenhouse Gas Emissions (metric tons CO ₂ e)	Estimated Vehicle Miles Traveled to Work	Average Estimated Vehicle Miles Traveled to Work
All Employees (Estimated)	300	558,430	10,950

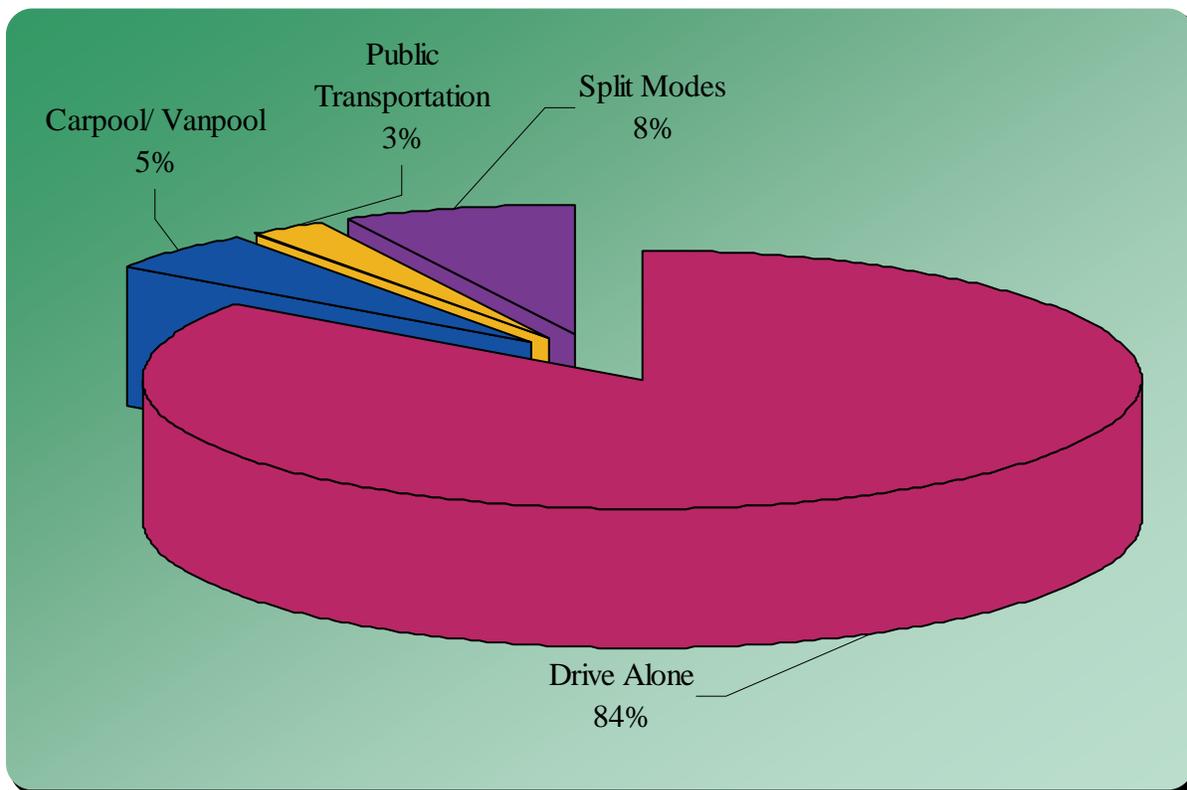
3.4.6.1 Employee Commute Indicators

In addition to estimating greenhouse gas emissions resulting from employee commute, ICLEI examined other policy-relevant information that was extracted from the employee commute survey—in this way Atherton staff can develop the most effective policies to reduce emissions from employee commutes. These measures often have co-benefits including increased productivity, reduced commute times and costs, and improvement in the quality of life for employees. No extrapolation was done with the following data; analyses were done using data from respondents only.

Commute Modes

In 2005, the majority (84 percent) of respondents commuted to work as single-occupant drivers. Eight percent of all respondents used some form of alternative transportation (public transit, carpool/vanpool) to commute to work, with car or vanpooling being the most used form of alternative transportation (five percent of total respondents). Another eight percent of respondents split several modes of travel on their commute. Two of the categories in the survey – biking and walking – were removed from the results because no respondents reported using them for their commute. See Figure 3.6 for an analysis of the most common commute mode for employees who responded to the survey.

Figure 3.6: Employee Commute Modes



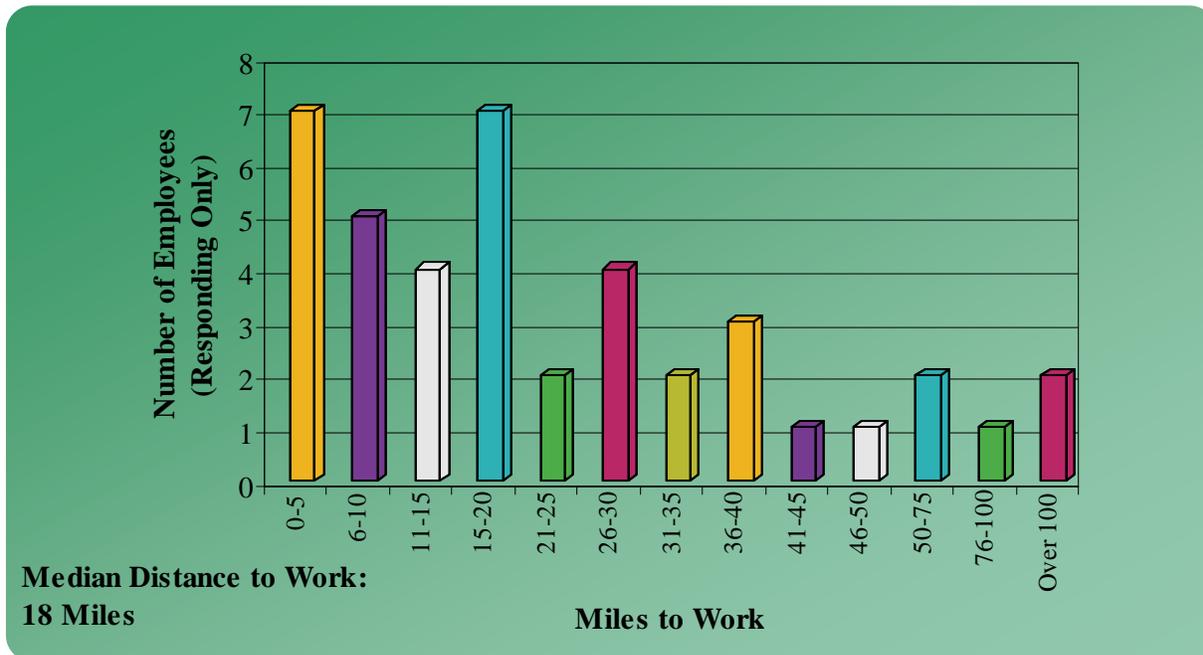
Commute Time and Costs

Table 3.10 shows associated time and costs for employee commute by mode of travel. Figure 3.7 shows that the majority of employees live within 18 miles, and this suggests that there may be good opportunities for Atherton to promote effective carpooling or shuttle programs, or promote other alternative transit modes. Encouraging telecommuting, if feasible, is also viable option for Atherton. By encouraging employees to take public transit through incentives, Atherton could not only save employees money and time, but allow their work days to be more efficient.

Table 3.10: Distance and Time to Work and Cost of Employee Commutes (Responding Employees)

Median Time to Work (daily minutes)	Median Cost of Commute (weekly)	Median Distance To Work (daily miles)
30	\$47	18

Figure 3.7: Employee Commute Distance to Work



Commuter Preferences

When asked if employees would consider taking a list of alternative transportation modes (Figure 3.8), 30 percent of respondents indicated they would be interested in carpooling, with public transit following at 23 percent. Interest in biking to work was almost as high, at 21 percent. Fourteen percent of respondents indicated that they had no interest in converting to an alternative mode of transportation. In addition, 70 percent of respondents indicated that there was no transit route available which they could take to and from work (see Figure 3.9).

Respondents also indicated that they would be more encouraged to take other modes of transportation if Atherton offered carpool or vanpool incentives (35 percent), improved transit options (26 percent), and telecommuting (23 percent). See Figure 3.10 for a detailed breakdown of employee responses.

Figure 3.8: Interest in Alternative Commute Modes

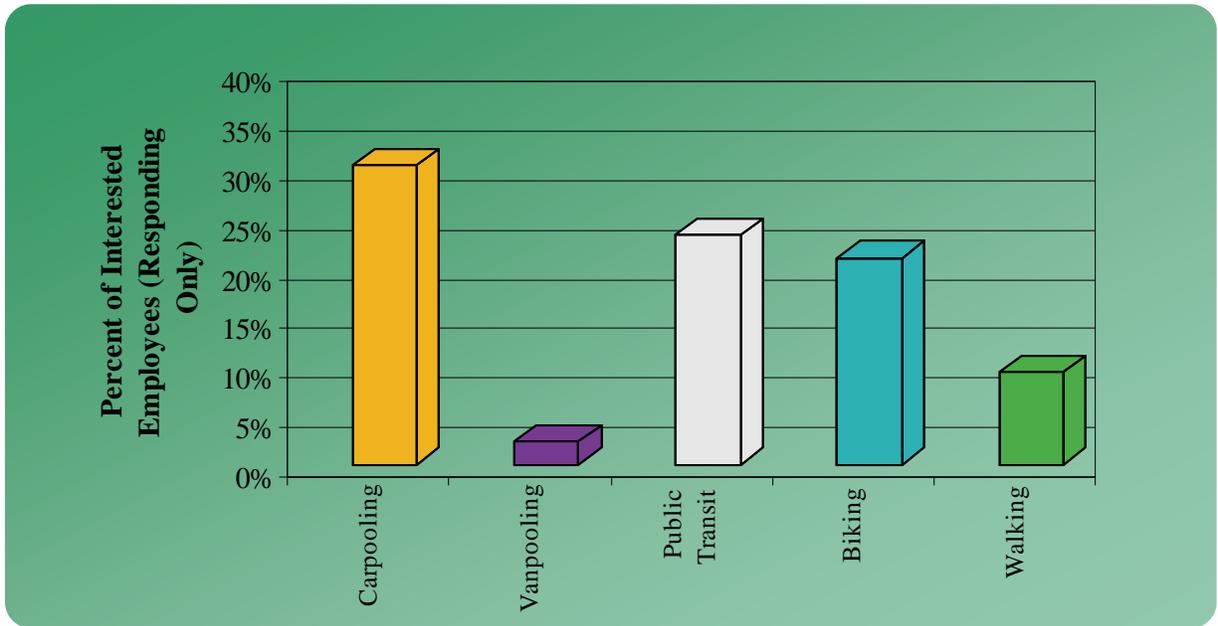


Figure 3.9: Employees with Available “Usable” Transit Route to Work

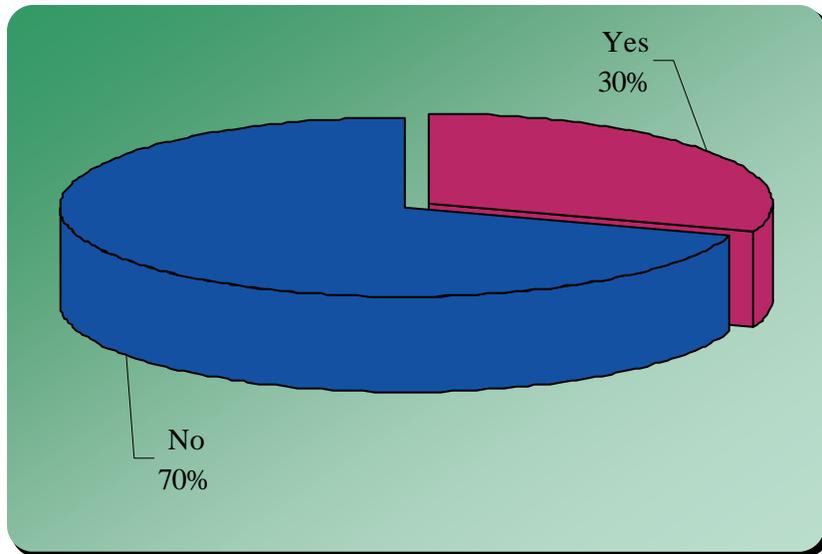
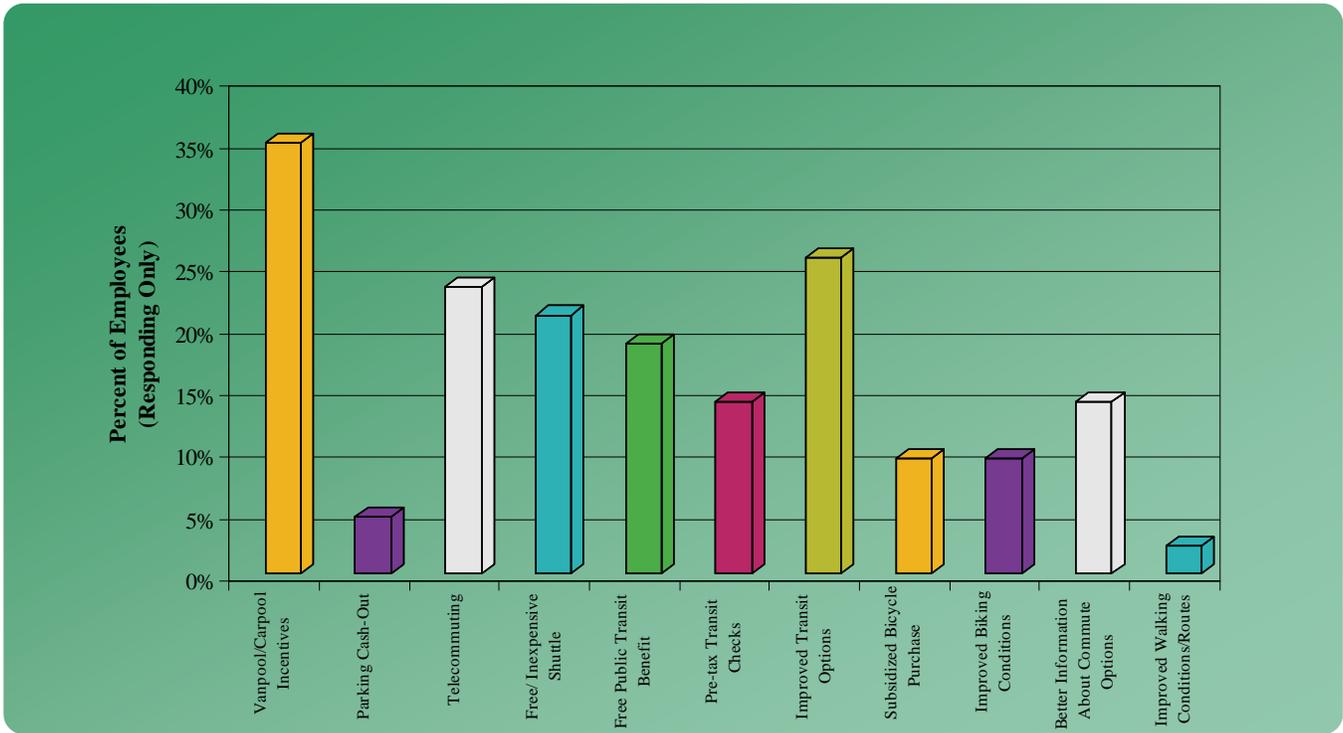
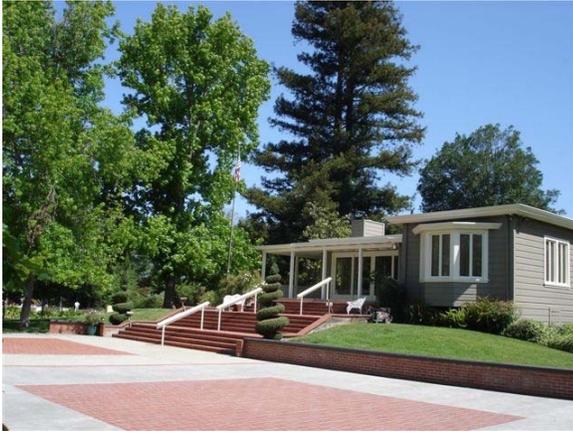


Figure 3.10: Employee Interest in Commute Benefits



Section Four: Conclusion





Conclusion

By committing itself to the Silicon Valley Climate Protection Partnership and through its previous actions on sustainability, the Town of Atherton has taken bold steps toward reducing its impacts on the environment. Staff and policymakers have chosen to take a leadership role in addressing climate change, and this leadership will allow the Town to make tough decisions to create and implement innovative approaches to reduce its emissions. With increasing guidance and support from the state and the federal governments, Atherton should be increasingly empowered to make the necessary changes to promote its vision for a more sustainable future.

This inventory provides an important foundation for Atherton’s comprehensive approach to reducing the greenhouse gas emissions from its operations. Specifically, this inventory serves to:

- Establish a baseline for setting emissions reductions targets.
- Identify the largest sources of emissions from local government operations.

This conclusion discusses the inventory as a baseline for emissions targets and suggests steps for Atherton to move forward to reduce emissions from its internal operations.

4.1 Toward Setting Emissions Reduction Targets

This inventory provides an emissions baseline against which Atherton can move forward to Milestone Two of ICLEI’s Five Milestone process—setting emissions reduction targets for its municipal operations. The greenhouse gas emissions reduction target represents the percentage by which Atherton plans to reduce total greenhouse gas emissions in its government operations below base year levels by a chosen future target year. An example target might be a 30 percent reduction in emissions below 2005 levels by 2020. A target provides an objective toward which to strive and against which to measure progress. It allows a local government to quantify its commitment to fighting global warming—demonstrating that the Atherton is serious about its commitment and systematic in its approach.

In selecting a target, it is important to strike a balance between scientific necessity, ambition, and what is realistically achievable. Atherton will want to give itself enough time to implement chosen emissions reduction

measures—but note that the farther out the target year is, the more that the Town should pledge to reduce. ICLEI recommends that regardless of Atherton’s chosen long-term emissions reduction target (e.g., 15-year, 40-year), it should establish interim targets for every two- to three-year period. Near-term targets facilitate additional support and accountability, and help to ensure continued momentum around the Town’s local climate protection efforts.

4.1.1 The Long-Term Goal

ICLEI recommends that the Atherton’s near-term climate work should be guided by the long-term goal of reducing its emissions by 80 percent to 95 percent from the 2005 baseline level by the year 2050. By referencing a long-term goal that is in accordance with current scientific understanding, Atherton can demonstrate that it intends to do its part towards addressing greenhouse gas emissions from its internal operations.

It is important to keep in mind that it will be next to impossible for local governments to reduce emissions by 80 to 95 percent without the assistance of state and federal policy changes that create new incentives and new sources of funding for emissions reduction projects and programs. However, in the next 15 years, there is much that local governments can do to reduce emissions independently. It is also important that Atherton works to reduce its emissions sooner, rather than later: the sooner a stable level of greenhouse gases in the atmosphere is achieved, the less likely we are to face some of the most dire climate change scenarios.

4.1.2 State of California Targets and Guidance

An integral component of the State of California’s climate approach has been establishing three core emissions reduction targets at the community level. While these targets are specific to the community-scale, they can be used to inform emissions targets for government operations as well. Figure 4.1 highlights adopted emissions targets for the State. The AB 32 Scoping Plan also provides further guidance on establishing targets for local governments; specifically the Plan suggests creating an emissions reduction goal of 15 percent below “current” levels by 2020. This target has informed many local government’s emission reduction targets for municipal operations—most local governments in California with adopted targets have targets of 15 to 25 percent reductions under 2005 levels by 2020.

Figure 4.1: California Greenhouse Gas Reduction Targets

On June 1, 2005, California Governor Schwarzenegger signed Executive Order S-3-05 establishing climate change emission reductions targets for the State of California. The California targets are an example of near-, mid- and long-term targets:

- Reduce emissions to 2000 levels by 2010
- Reduce emissions to 1990 levels by 2020
- Reduce emissions to 80 percent below 1990 levels by 2050

4.1.3 Department Targets

If possible, ICLEI recommends that Atherton consider department-specific targets for each of the departments that generate emissions within its operations. This allows Atherton staff to do a more in-depth analysis of what is achievable in each sector in the near, mid and long-term, and also encourages each department head to consider their department's impact on the climate and institute a climate-conscious culture in its operations.

4.2 Creating an Emissions Reductions Strategy

This inventory identifies the major sources of emissions from Atherton's operations and, therefore, where staff and policymakers will need to target emissions reductions activities if they are to make significant progress toward adopted targets. For example, since employee commuting was a major source of emissions from Atherton's operations, it is possible that Atherton could meet near-term targets simply by implementing a few major actions to reduce employees commuting in single-occupancy vehicles. In addition, medium-term targets could be met by focusing emissions reduction actions on the Town's vehicle fleet and facilities; the long term (2050) target will not be achievable without major reductions in all of those sectors.

Given the results of the inventory, ICLEI recommends that Atherton focus on the following tasks in order to significantly reduce emissions from its government operations:

- Offer increased telecommuting options and vanpool/carpool incentives to eligible employees
- Continue to convert fleet to more fuel-efficient vehicles on a replacement basis
- Install energy efficient equipment in Town buildings and facilities
- Adopt a green building ordinance
- Weatherize Town facilities
- Replace streetlights with more energy efficient LED models
- Foster solid waste reduction by promoting a reuse program to educate citizens on the benefits of reusing products

Using these strategies as a basis for a more detailed emissions reductions strategy, Atherton should be able to reduce and reverse its impact upon global warming. In the process, it may also be able to improve the quality of its services, become more efficient with energy, and reduce long-term costs.

Appendices





The Local Government Operations Protocol

This inventory follows the standard outlined in the Local Government Operations Protocol, which was adopted in 2008 by the California Air Resources Board (ARB) and serves as the national standard for quantifying and reporting greenhouse emissions from local government operations. This and the other inventories conducted for the Silicon Valley Climate Protection partnership are the first to follow LGOP, representing a strong step toward standardizing how inventories are conducted and reported.

A.1 Local Government Operations Protocol

A.1.1 Background

In 2008, ICLEI, ARB, and the California Climate Action Registry (CCAR) released LGOP to serve as a U.S. supplement to the International Emissions Analysis Protocol. The purpose of LGOP is to provide the principles, approach, methodology, and procedures needed to develop a local government operations greenhouse gas emissions inventory. It leads participants through the process of accurately quantifying and reporting emissions, including providing calculation methodologies and reporting guidance. LGOP guidance is divided into three main parts: identifying emissions to be included in the inventory, quantifying emissions using best available estimation methods, and reporting emissions.

The overarching goal of LGOP is to allow local governments to develop emissions inventories using standards that are consistent, comparable, transparent, and recognized nationally, ultimately enabling the measurement of emissions over time. LGOP adopted five overarching accounting and reporting principles toward this end: relevance, completeness, consistency, transparency and accuracy. Methodologies that did not adhere to these principles were either left out of LGOP or included as Scope 3 emissions. LGOP was created solely to standardize how emissions inventories are conducted and reported; as such it represents a currently accepted standard for inventorying emissions but does not contain any legislative or program-specific requirements. Mandates by the

State of California or any other legislative body, while possibly using LGOP as a standard, do not currently exist, and California local governments are not currently required to inventory their emissions. Program-specific requirements, such as ICLEI's Milestones or CCAR's reporting protocol, are addressed in LGOP but should not be confused with LGOP itself.

Also, while LGOP standardizes inventories from government operations, it does not seek to be a wholly accurate inventory of all emissions sources, as certain sources are currently excluded or otherwise impossible to accurately estimate. This and all emissions inventories therefore represent a best estimate of emissions using best available data and calculation methodologies; it does not provide a complete picture of all emissions resulting from Atherton's operations, and emissions estimates are subject to change as better data and calculation methodologies become available in the future.

A.1.2 Organizational Boundaries

Setting an organizational boundary for greenhouse gas emissions accounting and reporting is an important first step in the inventory process. The organizational boundary for the inventory determines which aspects of operations are included in the emissions inventory, and which are not. Under LGOP, two control approaches are used for reporting emissions: operational control or financial control. A local government has operational control over an operation if it has full authority to introduce and implement its operating policies at the operation. A local government has financial control if the operation is fully consolidated in financial accounts. If a local government has joint control over an operation, the contractual agreement will have to be examined to see who has authority over operating policies and implementation, and thus the responsibility to report emissions under operational control.¹² Local governments must choose which approach is the most applicable and apply this approach consistently throughout the inventory.

While both control approaches are acceptable, there may be some instances in which the choice may determine whether a source falls inside or outside of a local government's boundary. LGOP strongly encourages local governments to utilize operational control as the organization boundary for a government operations emissions inventory. Operational control is believed to most accurately represent the emissions sources that local governments can most directly influence, and this boundary is consistent with other environmental and air quality reporting program requirements. For this reason, all inventories in the Silicon Valley Climate Protection Partnership are being conducted according to the operational control framework.

¹² Please see Local Government Operations Protocol for more detail on defining your organizational boundary: <http://www.icleiusa.org/programs/climate/ghg-protocol>

A.1.3 Types of Emissions

The greenhouse gases inventoried in this report are described in Section 2.1 As described in LGOP, emissions from each of the greenhouse gases can come in a number of forms:

Stationary or mobile combustion: These are emissions resulting from on-site combustion of fuels (natural gas, diesel, gasoline, etc.) to generate heat, electricity, or to power vehicles and mobile equipment.

Purchased electricity: These are emissions produced by the generation of power from utilities outside of the jurisdiction.

Fugitive emissions: Emissions that result from the unintentional release of greenhouse gases into the atmosphere (e.g., leaked refrigerants, methane from waste decomposition, etc.).

Process emissions: Emissions from physical or chemical processing of a material (e.g., wastewater treatment).

A1.4 Quantifying Emissions

Emissions can be quantified two ways:

Measurement-based methodologies refer to the direct measurement of greenhouse gas emissions (from a monitoring system) emitted from a flue of a power plant, wastewater treatment plant, landfill, or industrial facility. This methodology is not generally available for most types of emissions and will only apply to a few local governments that have these monitoring systems.

The majority of the emissions recorded in the inventory can be and will be estimated using **calculation-based methodologies** to calculate their emissions using activity data and emission factors. To calculate emissions, the equation below is used:

Activity Data x Emission Factor = Emissions

Activity data refer to the relevant measurement of energy use or other greenhouse gas-generating processes such as fuel consumption by fuel type, metered annual energy consumption, and annual vehicle mileage by vehicle type. Emissions factors are calculated ratios relating emissions to a proxy measure of activity at an emissions source (e.g., CO₂ generated/kWh consumed). For a list of common emissions calculations see Table 2.2.

The guidelines in LGOP are meant to provide a common method for local governments to quantify and report greenhouse gas emissions by using comparable activity data and emissions factors. However, LGOP recognizes that local governments differ in how they collect data concerning their operations and that many are not able to meet the data needs of a given estimation method. Therefore, LGOP outlines both “recommended” and “alternative” methods

to estimate emissions from a given source. In this system, recommended methods are the preferred method for estimating emissions, as they will result in the most accurate estimate for a given emission source. Alternative methods often require less intensive data collection, but are likely to be less accurate. This approach allows local governments to estimate emissions based on the data currently available to them. It also allows local governments that are unable to meet the recommended methods to begin developing internal systems to collect the data needed to meet these methods.

This inventory has used the recommended activity data and emissions factors wherever possible, using alternative methods where necessary. For details on the methodologies used for each sector, see Appendix B.

A.1.5 Reporting Emissions

A.1.5.1 Significance Thresholds

Within any local government's own operations there will be emission sources that fall within Scope 1 and Scope 2 that are minimal in magnitude and difficult to accurately measure. Within the context of local government operations, emissions from leaked refrigerants, backup generators and other septic tanks may be common sources of these types of emissions. For these small, difficult to quantify emission sources, LGOP specifies that up to 5 percent of total emissions can be reported using estimation methods not outlined in LGOP.¹³

In this report, the following emissions fell under the significance threshold and were reported using best available methods:

- Scope 1 fugitive emissions from leaked refrigerants from HV/AC and refrigeration equipment
- Scope 1 fugitive emissions from leaked refrigerants in fleet vehicles
- Scope 1 CH₄ and N₂O emissions from vehicle fleet

A.1.5.2 Units Used in Reporting Emissions

LGOP requires reporting of individual gas emissions, and this reporting is included in Appendix B. In this narrative report, emissions from all gases released by an emissions source (e.g., stationary combustion of natural gas in facilities) are combined and reported in metric tons of carbon dioxide equivalent (CO₂e). This standard is based on the global warming potential (GWP) of each gas, which is a measure of the amount of warming a greenhouse gas may cause, measured against the amount of warming caused by carbon dioxide. For the GWPs of reported greenhouse gases, see Table 2.1.

¹³ In the context of registering emissions with an independent registry (such as the California Climate Action Registry), emissions that fall under the significance threshold are called *de minimis*. This term, however, is not used in LGOP and was not used in this inventory.

A.1.5.3 Information Items

Information items are emissions sources that, for a variety of reasons, are not included as Scope 1, 2, or 3 emissions in the inventory. In order to provide a more complete picture of emissions from Atherton's operations, however, these emissions should be quantified and reported.

In this report, the following emissions are included as information items (emission quantities are reported in Appendix B):

- Ozone depleting chemicals used as refrigerants (R-22)

A common emission that is categorized as an information item is carbon dioxide released by the combustion of biogenic fuels. Local governments will often burn fuels that are of biogenic origin (wood, landfill gas, organic solid waste, biofuels, etc.) to generate power. Common sources of biogenic emissions are the combustion of landfill gas from landfills or biogas from wastewater treatment plants, as well as the incineration of organic municipal solid waste at incinerators.

Carbon dioxide emissions from the combustion of biogenic fuels are not included in Scope 1 based on established international principles.¹⁴ These principles indicate that biogenic fuels (e.g., wood, biodiesel), if left to decompose in the natural environment, would release CO₂ into the atmosphere, where it would then enter back into the natural carbon cycle. Therefore, when wood or another biogenic fuel is combusted, the resulting CO₂ emissions are akin to natural emissions and should therefore not be considered as human activity-generated emissions. The CH₄ and N₂O emissions, however, would not have occurred naturally and are therefore included as Scope 1 emissions.

A.2 Baseline Years

Part of the local government operations emissions inventory process requires selecting a “performance datum” with which to compare current emissions, or a base year. Local governments should examine the range of data they have over time and select a year that has the most accurate and complete data for all key emission sources. It is also preferable to establish a base year several years in the past to be able to account for the emissions benefits of recent actions. A local government's emissions inventory should comprise all greenhouse gas emissions occurring during a selected *calendar* year.

For the Silicon Valley Climate Protection Partnership inventories, 2005 was chosen as the baseline year, since this year is increasingly becoming the standard for such inventories; the 1990 baseline year for California is usually difficult for most local governments to meet and would not produce the most accurate inventory.

¹⁴ Methane and nitrous oxide emissions from biogenic fuels are considered Scope 1 stationary combustion emissions and are included in the stationary combustion sections for the appropriate facilities.

After setting a base year and conducting an emissions inventory for that year, local governments should make it a practice to complete a comprehensive emissions inventory on a regular basis to compare to the baseline year. ICLEI recommends conducting an emissions inventory at least every five years.



LGOP Standard Report

Local Government Operations Standard Inventory Report

1. Local Government Profile

Jurisdiction Name:	Atherton
Street Address:	91 Ashfield Road
City, State, ZIP, Country:	Atherton, CA 94027
Website Address:	http://www.ci.atherton.ca.us
Size (sq. miles):	5
Population:	7194
Annual Budget:	\$16,938,487
Employees (Full Time Equivalent):	51
Climate Zone:	CA Climate Zone 3 *
Annual Heating Degree Days:	3649**
Annual Cooling Degree Days:	292**
Lead Inventory Contact Name:	Kathy Anderson
Title:	Town Arborist
Department:	Building
Email:	kanderson@ci.atherton.ca.us
Phone Number:	(650) 752-0527

* www.energycodes.gov/implemen/pdfs/climate_paper_review_draft_rev.pdf

** www7.ncdc.noaa.gov/CDO/CDODivisionalSelect.jsp#

Services Provided:

<input type="checkbox"/> Water treatment	<input type="checkbox"/> Mass transit (buses)	<input type="checkbox"/> Hospitals	<input type="checkbox"/> Natural gas utility
<input checked="" type="checkbox"/> Water distribution	<input type="checkbox"/> Mass transit (light rail)	<input type="checkbox"/> Airport	<input type="checkbox"/> Other (Specify below)
<input type="checkbox"/> Wastewater treatment	<input type="checkbox"/> Mass transit (ferries)	<input type="checkbox"/> Seaport/shipping terminal	
<input type="checkbox"/> Wastewater collection	<input type="checkbox"/> Schools (primary/secondary)	<input type="checkbox"/> Marina	
<input type="checkbox"/> Electric utility	<input type="checkbox"/> Schools (colleges/universities)	<input type="checkbox"/> Stadiums/sports venues	
<input type="checkbox"/> Fire Protection	<input type="checkbox"/> Solid waste collection	<input type="checkbox"/> Convention center	
<input type="checkbox"/> Police	<input type="checkbox"/> Solid waste disposal	<input checked="" type="checkbox"/> Street lighting and traffic signals	

Local Government Description:

Atherton is located on the peninsula nestled between the San Francisco Bay and the Pacific Ocean. The Town begins in the flatlands then moves westward to the hills, until it reaches Highway 280. Beautiful foliage, elegant gardens and heritage trees dominate this quiet small community.

The Town of Atherton desires, insofar as possible, to preserve its character as a scenic, rural, thickly-wooded, residential area, with abundant open space with streets designed primarily as scenic routes rather than for speed of travel.

2. GHG Inventory Details

Reporting Year:	2005
Protocol Used:	Local Government Operations Protocol, Version 1.0 (September 2008)
Control Approach:	Operational Control

GHG Emissions Summary (All Units in Metric Tons Unless Stated Otherwise)

Note: CO₂e totals listed here are summed totals of the estimated emissions of each inventoried gas based upon their global warming potentials (Appendix E of LGOP)

BUILDINGS & OTHER FACILITIES									
SCOPE 1			CO ₂ e	CO ₂	CH ₄	N ₂ O	HFCs	PFCs	SF ₆
	Stationary Combustion		18.914	18.863	0.002	0.000			
	Fugitive Emissions								
	Total Direct Emissions from Buildings & Facilities		18.914	18.863	0.002	0.000	0.000	0.000	0.000
SCOPE 2			CO ₂ e	CO ₂	CH ₄	N ₂ O			
	Purchased Electricity		56.172	55.714	0.003	0.001			
	Purchased Steam								
	District Heating & Cooling								
	Total Indirect Emissions from Buildings & Facilities		56.172	55.714	0.003	0.001			
SCOPE 3		See list at bottom for some examples	CO ₂ e						
INDICATORS		Operating Hours							
		Square Footage							
		Number of Employees							

STREETLIGHTS AND TRAFFIC SIGNALS									
SCOPE 2			CO ₂ e	CO ₂	CH ₄	N ₂ O			
	Purchased Electricity		45.008	44.641	0.003	0.001			
	Total Indirect Emissions from Streetlights and Traffic Signals		45.008	44.641	0.003	0.001			
SCOPE 3		See list at bottom for some examples	CO ₂ e						
INDICATORS									

WATER DELIVERY FACILITIES									
SCOPE 1			CO ₂ e	CO ₂	CH ₄	N ₂ O	HFCs	PFCs	SF ₆
	Stationary Combustion								
	Total Direct Emissions from Water Delivery Facilities		0.000	0.000	0.000	0.000	0.000	0.000	0.000
SCOPE 2			CO ₂ e	CO ₂	CH ₄	N ₂ O			
	Purchased Electricity		4.623	4.586	0.000	0.000			
	Purchased Steam								
	District Heating & Cooling								
	Total Indirect Emissions from Water Delivery Facilities		4.623	4.586	0.000	0.000			
SCOPE 3		See list at bottom for some examples	CO ₂ e						
INDICATORS		Gallons of Drinking Water Treated							
		Gallons of Water Transported							

VEHICLE FLEET									
SCOPE 1			CO ₂ e	CO ₂	CH ₄	N ₂ O	HFCs	PFCs	
	Mobile Combustion		172.146	170.402	0.007	0.005			
	Fugitive Emissions		2.600	2.600			2.600		
	Total Direct Emissions from Vehicle Fleet		174.746	173.002	0.007	0.005	2.600	0.000	
SCOPE 2			CO ₂ e	CO ₂	CH ₄	N ₂ O			
	Purchased Electricity for Electric Vehicles								
	Total Indirect Emissions from Vehicle Fleet		0.000	0.000	0.000	0.000			
SCOPE 3		See list at bottom for some examples	CO ₂ e						
INDICATORS		Number of Vehicles	24						
		Vehicle Miles Traveled	201,413						

WASTE GENERATION									
SCOPE 3			CO ₂ e						
	Waste All Facilities		40.257						
INDICATORS		Short tons of solid waste accepted for disposal	159						
		Short tons of recyclable materials accepted for processing							

EMPLOYEE COMMUTE		
SCOPE 3	Mobile Combustion	CO ₂ e 299.183
INDICATORS	Vehicle Miles Traveled	
	Number of Vehicles	

INFORMATION ITEMS		
	Information Item R-22	CO ₂ e 39.866
	Total Information Items	39.866

Total Emissions							
	CO ₂ e	CO ₂	CH ₄	N ₂ O	HFCs	PFCs	SF ₆
SCOPE 1	193.661	191.865	0.009	0.005	2.600	0.000	0.000
SCOPE 2	105.803	104.941	0.006	0.002	0.000	0.000	0.000
SCOPE 3	339.440						
INFORMATION ITEMS	39.866						

POSSIBLE SOURCES OF OPTIONAL SCOPE 3 EMISSIONS
Employee Commute
Employee Business Travel
Emissions From Contracted Services
Upstream Production of Materials and Fuels
Upstream and Downstream Transportation of Materials and Fuels
Waste Related Scope 3 Emissions
Purchase of Electricity Sold to an End User
Transmission and Distribution Losses from Consumed Electricity
Other Scope 3

POSSIBLE INFORMATION ITEMS
Biogenic CO ₂ from Combustion
Carbon Offsets Purchased
Carbon Offsets Sold
Renewable Energy Credits (Green Power) Purchased
Renewable Energy Credits Sold (GreenPower)
Ozone-depleting Refrigerants/Fire Suppressants not in LGOP
Other Information Items

Local Government Operations Standard Inventory Report

3. Activity Data Disclosure

Every emission source must be accompanied by a reference for the activity data. This worksheet is meant to assist in recording activity data and the methods used to gather those data for government operations. Activity data represent the magnitude of human activity resulting in emissions: data on energy use, fuel consumption, vehicle miles traveled, and waste generation are all examples of activity data that are used to compute GHGs. Detailed disclosure should be made of the activity data used and at what quantities. This disclosure should also cite the source(s) of the data and the methodology used, including whether that methodology is a recommended method or an alternate method.

Deviations from the primary methodology should be explained in detail. All assumptions and estimations should be cited as such. Local governments may also use this space in the reporting format to discuss the rationale for the inclusion or exclusion of optional inventory components. It is good practice to include appropriate citations (such as website URL, report title, etc) and all contact information that is necessary to verify the source and accuracy of the activity data.

BUILDINGS & OTHER FACILITIES (Chapter 6)

SCOPE 1

Stationary Combustion

Emissions Source Name	GHG	Methodology Type	Methodology Name and Description	Resource Quantity	Fuel Unit	Data Sources and References
Natural Gas	CO ₂ e					
	CO ₂	Primary	Known fuel use	3,383	therms	PG&E
	CH ₄	Primary	Known fuel use	3,383	therms	PG&E
	N ₂ O	Primary	Known fuel use	3,383	therms	PG&E
	HFCs					
	PFCs					
Generators	SF ₆					
	CO ₂ e					
	CO ₂	Primary	Known fuel use	90	gallons	Kathy Anderson, Town Arborist
	CH ₄	Primary	Known fuel use	90	gallons	Kathy Anderson, Town Arborist
	N ₂ O	Primary	Known fuel use	90	gallons	Kathy Anderson, Town Arborist
	HFCs					
PFCs						
SF ₆						

SCOPE 2

Purchased Electricity

Emissions Source Name	GHG	Methodology Type	Methodology Name and Description	Resource Quantity	Fuel Unit	Data Sources and References
Electricity	CO ₂ e					
	CO ₂	Primary	Known Electricity Use	251,102	kWh	PG&E
	CH ₄	Primary	Known Electricity Use	251,102	kWh	PG&E
	N ₂ O	Primary	Known Electricity Use	251,102	kWh	PG&E
	HFCs					
	PFCs					
SF ₆						

STREETLIGHTS AND TRAFFIC SIGNALS (Chapter 6.2)

SCOPE 2

Purchased Electricity

Emissions Source Name	GHG	Methodology Type	Methodology Name and Description	Resource Quantity	Fuel Unit	Data Sources and References
Electricity	CO ₂ e					
	CO ₂	Primary	Known Electricity Use	201,194	kWh	PG&E
	CH ₄	Primary	Known Electricity Use	201,194	kWh	PG&E
	N ₂ O	Primary	Known Electricity Use	201,194	kWh	PG&E
	HFCs					
	PFCs					
SF ₆						

WATER DELIVERY FACILITIES (Chapter 6)

SCOPE 2

Purchased Electricity

Emissions Source Name	GHG	Methodology Type	Methodology Name and Description	Resource Quantity	Fuel Unit	Data Sources and References
Electricity	CO ₂ e					
	CO ₂	Primary	Known Electricity Use	20,668	kWh	PG&E
	CH ₄	Primary	Known Electricity Use	20,668	kWh	PG&E
	N ₂ O	Primary	Known Electricity Use	20,668	kWh	PG&E
	HFCs					
	PFCs					
SF ₆						

VEHICLE FLEET (Chapter 7)

SCOPE 1

Mobile Combustion

Emissions Source Name	GHG	Methodology Type	Methodology Name and Description	Resource Quantity	Fuel Unit	Data Sources and References
Gasoline	CO ₂ e					
	CO ₂	Primary	Known Fuel Use	18,776	gallons	Kathy Anderson, Town Arborist
	CH ₄	Primary	Annual Mileage by vehicle type, model year, and fuel type	201,413	miles	Kathy Anderson, Town Arborist
	N ₂ O	Primary	Annual Mileage by vehicle type, model year, and fuel type	201,413	miles	Kathy Anderson, Town Arborist
	HFCs					
	PFCs					
Diesel	CO ₂ e					
	CO ₂	Primary	Known Fuel Use	500	gallons	Kathy Anderson, Town Arborist
	CH ₄	Primary	Known Fuel Use	500	gallons	Kathy Anderson, Town Arborist
	N ₂ O	Primary	Known Fuel Use	500	gallons	Kathy Anderson, Town Arborist
	HFCs					
	PFCs					

Fugitive Emissions

Emissions Source Name	GHG	Methodology Type	Methodology Name and Description	Resource Quantity	Fuel Unit	Data Sources and References
Refrigerants	R-134a	Alternate	Estimate based upon equipment inventory and capacities		N/A kg	Kathy Anderson, Town Arborist

WASTE GENERATION (Scope 3)

SCOPE 3

Emissions Source Name	GHG	Methodology Type	Methodology Name and Description	Resource Quantity	Fuel Unit	Data Sources and References
Generated Waste	CH ₄	Alternate	Estimated waste weight based upon volume and number of containers - 2006 proxy data used	159	tons	Jennifer Chicconi, Allied Waste

EMPLOYEE COMMUTE (Scope 3)

SCOPE 3

Stationary Combustion

Emissions Source Name	GHG	Methodology Type	Methodology Name and Description	Resource Quantity	Fuel Unit	Data Sources and References
Gasoline	CO ₂ e					
	CO ₂	Alternate	Proxy Year Estimated Fuel Use-based upon daily vehicle miles traveled for all respondents extrapolated to represent all local government employees	30,757	gallons	Online and paper surveys of all employees; see Appendix C of Narrative report for examples; Data in possession of Kathy Anderson, Town Arborist
	CH ₄	Alternate	Proxy Year Estimated Fuel Use-based upon daily vehicle miles traveled for all respondents extrapolated to represent all local government employees	30,757	gallons	Online and paper surveys of all employees; see Appendix C of Narrative report for examples; Data in possession of Kathy Anderson, Town Arborist
	N ₂ O	Alternate	Proxy Year Estimated Fuel Use-based upon daily vehicle miles traveled for all respondents extrapolated to represent all local government employees	30,757	gallons	Online and paper surveys of all employees; see Appendix C of Narrative report for examples; Data in possession of Kathy Anderson, Town Arborist
	HFCs					
	PFCs					

Diesel	CO ₂ e					
	CO ₂	Alternate	Proxy Year Estimated Fuel Use-based upon daily vehicle miles traveled for all respondents extrapolated to represent all local government employees	2,162	gallons	Online and paper surveys of all employees; see Appendix C of Narrative report for examples; Data in possession of Kathy Anderson, Town Arborist
	CH ₄	Alternate	Proxy Year Estimated Fuel Use-based upon daily vehicle miles traveled for all respondents extrapolated to represent all local government employees	2,162	gallons	Online and paper surveys of all employees; see Appendix C of Narrative report for examples; Data in possession of Kathy Anderson, Town Arborist
	N ₂ O	Alternate	Proxy Year Estimated Fuel Use-based upon daily vehicle miles traveled for all respondents extrapolated to represent all local government employees	2,162	gallons	Online and paper surveys of all employees; see Appendix C of Narrative report for examples; Data in possession of Kathy Anderson, Town Arborist
	HFCs					
PFCs						
SF ₆						

INFORMATION ITEMS

Stationary Combustion						
Emissions Source Name	GHG	Methodology Type	Methodology Name and Description	Resource Quantity	Fuel Unit	Data Sources and References
Ozone Depleting Refrigerants	R-22	Alternate	Estimate based upon equipment inventory and capacities		N/A kg	Steven Tyler, PW Supervisor

POSSIBLE SOURCES OF OPTIONAL SCOPE 3 EMISSIONS
Employee Commute
Employee Business Travel
Emissions From Contracted Services
Upstream Production of Materials and Fuels
Upstream and Downstream Transportation of Materials and Fuels
Waste Related Scope 3 Emissions
Purchase of Electricity Sold to an End User
Transmission and Distribution Losses from Consumed Electricity
Other Scope 3

POSSIBLE INFORMATION ITEMS
Biogenic CO ₂ from Combustion
Carbon Offsets Purchased
Carbon Offsets Sold
Renewable Energy Credits (Green Power) Purchased
Renewable Energy Credits Sold (GreenPower)
Ozone-depleting Refrigerants/Fire Suppressants not in LGOP
Other Information Items

Local Government Operations Standard Inventory Report

4. Calculation Methodology Disclosure

In addition to activity data, every emission source must be accompanied by the emission factor used, a reference for each emission factor, and the calculation

BUILDINGS & OTHER FACILITIES (Chapter 6)

SCOPE 1

Stationary Combustion

Emissions	Source Name	GHG	Default/Alternate	Emission Factor	Emission Factor Sources and References
Natural Gas		CO ₂ e			
		CO ₂	Default	53.06 kg/MMBtu	LGOP v1 Table G.1
		CH ₄	Default	5 g/MMBtu	LGOP v1 Table G.3
		N ₂ O	Default	0.1 g/MMBtu	LGOP v1 Table G.3
		HFCs			
		PFCs			
Generators-Diesel		CO ₂ e			
		CO ₂	Default	73.15 kg/MMBtu	LGOP v1 Table G.1
		CH ₄	Default	11 g/MMBtu	LGOP v1 Table G.3
		N ₂ O	Default	.6 g/MMBtu	LGOP v1 Table G.3
		HFCs			
		PFCs			

SCOPE 2

Purchased Electricity

Emissions	Source Name	GHG	Default/Alternate	Emission Factor	Emission Factor Sources and References
Electricity		CO ₂ e			
		CO ₂	Default	489.2 lbs/MWh	PG&E (2005); LGOP v1 Table G.5
		CH ₄	Default	0.029 lbs/MWh	CA Grid Average (2004 proxy); LGOP v1 Table G.6
		N ₂ O	Default	0.011 lbs/MWh	CA Grid Average (2004 proxy); LGOP v1 Table G.6
		HFCs			
		PFCs			

STREETLIGHTS AND TRAFFIC SIGNALS (Chapter 6.2)

SCOPE 2

Purchased Electricity

Emissions	Source Name	GHG	Default/Alternate	Emission Factor	Emission Factor Sources and References
Electricity		CO ₂ e			
		CO ₂	Default	489.2 lbs/MWh	PG&E (2005); LGOP v1 Table G.5
		CH ₄	Default	0.029 lbs/MWh	CA Grid Average (2004 proxy); LGOP v1 Table G.6
		N ₂ O	Default	0.011 lbs/MWh	CA Grid Average (2004 proxy); LGOP v1 Table G.6
		HFCs			
		PFCs			

WATER DELIVERY FACILITIES (Chapter 6)

SCOPE 2

Purchased Electricity

Emissions	Source Name	GHG	Default/Alternate	Emission Factor	Emission Factor Sources and References
Electricity		CO ₂ e			
		CO ₂	Default	489.2 lbs/MWh	PG&E (2005); LGOP v1 Table G.5
		CH ₄	Default	0.029 lbs/MWh	CA Grid Average (2004 proxy); LGOP v1 Table G.6
		N ₂ O	Default	0.011 lbs/MWh	CA Grid Average (2004 proxy); LGOP v1 Table G.6
		HFCs			
		PFCs			

VEHICLE FLEET (Chapter 7)

SCOPE 1

Mobile Combustion

Emissions Source Name	GHG	Default/Alternate	Emission Factor	Emission Factor Sources and References
Gasoline	CO ₂ e			
	CO ₂	Default	8.81 kg/gallon	LGOP v1 Table G.9
	CH ₄	Default	Varies by model year	LGOP v1 Table G.10; Table G.12 for other equipment
	N ₂ O	Default	Varies by model year	LGOP v1 Table G.10; Table G.12 for other equipment
	HFCs			
	PFCs			
Diesel	CO ₂ e			
	CO ₂	Default	10.15 kg/gallon	LGOP v1 Table G.9
	CH ₄	Default	Varies by model year	LGOP v1 Table G.10; Table G.12 for other equipment
	N ₂ O	Default	Varies by model year	LGOP v1 Table G.10; Table G.12 for other equipment
	HFCs			
	PFCs			

Fugitive Emissions

Emissions Source Name	GHG	Default/Alternate	Emission Factor	Emission Factor Sources and References
Refrigerants	R-134a	None	GWP-1300	LGOP v1 Table E.1&E.2

WASTE GENERATION (Scope 3)

SCOPE 3

Emissions Source Name	GHG	Default/Alternate	Emission Factor	Emission Factor Sources and References
Generated Waste	CH ₄	Alternate	Varies by waste type	EPA Waste Reduction Model http://www.epa.gov/climatechange/wycd/waste/calculators/Warm_home.html ; Public Administration waste characterization provided by CIWMB

EMPLOYEE COMMUTE (Scope 3)

SCOPE 3

Stationary Combustion

Emissions Source Name	GHG	Default/Alternate	Emission Factor	Emission Factor Sources and References
Gasoline	CO ₂ e			
	CO ₂	Default	8.81 kg/gallon	LGOP v1 Table G.9
	CH ₄	Default	0.02990 g/mi (cars)	LGOP v1 Table G.13
	N ₂ O	Default	.03413 g/mi (cars)	LGOP v1 Table G.13
	HFCs			
	PFCs			
Diesel	CO ₂ e			
	CO ₂	Default	10.15 kg/gallon	LGOP v1 Table G.9
	CH ₄	Default	0.0005 g/mi (cars)	LGOP v1 Table G.13
	N ₂ O	Default	.001 g/mi (cars)	LGOP v1 Table G.13
	HFCs			
	PFCs			

INFORMATION ITEMS

Stationary Combustion

Emissions Source Name	GHG	Default/Alternate	Emission Factor	Emission Factor Sources and References
Ozone Depleting Refrigerants	R-22	None	GWP-1700	http://www.epa.gov/ozone/science/ods/classone.html

POSSIBLE SOURCES OF OPTIONAL SCOPE 3 EMISSIONS

POSSIBLE INFORMATION ITEMS

- Employee Commute
- Employee Business Travel
- Emissions From Contracted Services
- Upstream Production of Materials and Fuels
- Upstream and Downstream Transportation of Materials and Fuels
- Waste Related Scope 3 Emissions
- Purchase of Electricity Sold to an End User
- Transmission and Distribution Losses from Consumed Electricity
- Other Scope 3

- Biogenic CO₂ from Combustion
- Carbon Offsets Purchased
- Carbon Offsets Sold
- Renewable Energy Credits (Green Power) Purchased
- Renewable Energy Credits Sold (GreenPower)
- Ozone-depleting Refrigerants/Fire Suppressants not in LGOP
- Other Information Items



Employee Commute

Emissions from employee commutes make up an important optional source of emissions from any local government's operations. The scale of emissions from employee commutes is often large in comparison with many other facets of local government operations, and local governments can affect how their employees get to and from work through a variety of incentives. For this reason, ICLEI recommends estimating emissions from employee commutes as part of a complete government operations greenhouse gas emissions inventory.

To assist in the data collection process, ICLEI provided the jurisdictions with both an online and a paper copy of an employee commute survey.¹⁵ The questions in the survey were aimed at finding three categories of information:

- **Activity data** to calculate emissions from employee commute (vehicles miles traveled, vehicle type, vehicle model year) both current and in 2005.
- **Indicator data** to help Atherton understand how much time and money employees spend as they commute, as well as how many employees use alternative modes of transportation to get to work.
- **Policy data** that will serve as guidance for Atherton as it adopts policies aimed at reducing emissions from employee commutes. These questions asked employees for their interest in alternative modes of transportation as well as what policies would be most effective in allowing them to switch modes of transportation away from driving alone.

This section provides the emissions estimation methodology and both surveys. Individual survey results are in the possession of Atherton staff.

¹⁵ The paper survey was administered only to employees that do not have access to a computer. The survey asked slightly different questions but was aimed at garnering the same emissions and policy-relevant data as the electronic survey.

C.1 Methodology Summary

The methodology for estimating the employee commute emissions portion of the inventory is similar to the mobile emissions methodology outlined in the mobile emissions section of Appendix B. Atherton administered the employee commute survey to 51 current employees working for the City, and 43 employees responded to the survey (a response rate of 84 percent). The survey was administered in 2008 and current data was used as a proxy for 2005 data. Both full time and part-time employee data were included.

To calculate emissions, the survey collected the following information:

- The number of days and number of miles employees drive alone to work (one-way) in an average week
- The number of days they carpooled and how often they drove the carpool in an average week
- The vehicle type of their vehicle and the type of fuel consumed

These weekly data were then converted into annual VMT estimates by the following equation:

Number of days driven to work/week x to-work commute distance x 2 x 48 weeks worked/year

Actual CO₂e emissions from respondents' vehicles were calculated by converting vehicle miles traveled per week by responding employees into annual fuel consumption by fuel type (gasoline, diesel). The VMT data collected were converted to fuel consumption estimates using fuel economy of each vehicle type.¹⁶

ICLEI then extrapolated estimated fuel consumption to represent all 51 of Atherton's employees in 2005. This was a simple extrapolation, multiplying the estimated fuel consumption number by the appropriate factor to represent all current employees. For example, if 33.3 percent of employees responded, fuel consumption numbers were tripled to estimate fuel consumption for all employees. This is not a statistical analysis and no uncertainty has been calculated as there is uncertainty not only at the extrapolation point but also in the calculation of actual emissions. Therefore, the resulting calculated emissions should be seen as directional and not as statistically valid.

¹⁶ www.fueleconomy.gov

C.2 Electronic Employee Commute Survey

1. Introduction

The purpose of this survey is to gather information on your commute to work so your employer can offer the best transportation options to you while reducing the jurisdiction's impact on the environment. The survey should take no more than 15 minutes.

Unless otherwise indicated, all questions refer to a ONE-WAY commute TO WORK only. Please do not include any traveling you do during work hours (meetings, site visits, etc). Any question with an asterisk (*) next to it requires an answer in order to proceed.

Please note that this survey is completely anonymous. We will not collect or report data on any individuals who respond to the survey.

Thank you very much.

2. Workplace

Please provide the following information regarding your workplace. Click "Next" at the bottom when finished or click "Prev" to go back.

*1. What local government do you currently work for?

Atherton
Belmont
Brisbane
Burlingame
Campbell
Colma
Cupertino
Daly City
East Palo Alto
Foster City
Gilroy
Half Moon Bay
Los Altos
Los Gatos
Milpitas
Mountain View
Pacifica
Portola Valley
Redwood City
San Bruno
San Carlos
San Mateo County
Santa Clara
Santa Clara County
Santa Cruz County
Saratoga
South San Francisco
Woodside

*2. What department do you work in?

3. Commuter Background Information

Please provide the following information regarding your background. Click "Next" at the bottom when finished or click "Prev" to go back.

*1. What city/town do you live in?

*2. How many miles do you live from your place of work?
(please enter a whole number)

3. How many minutes does your commute to work typically take?
(please enter a whole number)

4. In a typical week, how much money do you spend on your ROUND TRIP commute? (transit fees, gas, tolls, etc-please enter a number)

5. If you drive to work, what type of vehicle do you usually drive?

Full-size auto

Mid-size auto

Compact/hybrid

Light truck/SUV/Pickup

Van

Heavy Truck

Motorcycle/scooter

6. What year is your vehicle?
(please enter a four digit year)

7. What type of fuel does your vehicle use?

Gas

Diesel

Biodiesel (B20)

Biodeisel (B99 or B100)

Electric

Other (please specify-if Ethanol please indicate grade)

4. Employment Information

Please provide the following information regarding your employment. Click "Next" at the bottom when finished or click "Prev" to go back.

1. Do you typically travel to work between 6-9 am Monday-Friday?

Yes

No

If No, please specify what time of day you commute:

2. Does your position allow you to have flexible hours or to telecommute?

Yes

No

*3. Are you a full time employee or part time employee?

Full

Part

5. Part Time Employees

Please provide the following information regarding your part time employment. Click "Next" at the bottom when finished or click "Prev" to go back.

*1. What is the average number of days you work per week?
(please enter a number)

6. Current Daily Commute

Please provide the following information regarding your current daily commute. Click "Next" at the bottom when finished or click "Prev" to go back.

*1. In a typical week, do you drive to work alone at least once?

Yes

No

7. Drive Alone

Click "Next" at the bottom when finished or click "Prev" to go back.

*1. How many DAYS a week do you drive alone to work?

(please enter a number)

*2. How many MILES PER DAY do you drive TO WORK ONLY?

(please enter a number)

8. Carpool

Click "Next" at the bottom when finished or click "Prev" to go back.

*1. In a typical week, do you carpool to work at least once?

Yes

No

9. Carpool

*1. How many DAYS a week do you carpool?

(please enter a number)

*2. How many MILES do you drive TO WORK ONLY when you carpool?

(please enter a number)

3. How many PEOPLE are in your carpool?

(please enter a number)

*4. How many DAYS a week are you the driver of the carpool?

(please enter a number)

10. Public Transit

*1. In a typical week, do you take public transit to work at least once?

Yes

No

11. Public Transit

*1. How many DAYS a week do you take public transit TO WORK?

(please enter a number)

2. What type of public transit do you take TO WORK?

SamTrans

BART

Caltrain

VTA Bus

VTA Rail

ACE Train

Capitol Corridor

City Operated Transit

Paratransit

Other (please specify)

12. Bike/Walk

*1. In a typical week, do you bike or walk to work at least once?

Yes

No

13. Bike/Walk

1. How many DAYS a week do you bike to work?
(please enter a number)

2. How many DAYS a week do you walk to work?
(please enter a number)

14. Telecommute

1. If you telecommute:
How many DAYS do you telecommute in a typical week?
(please enter a number)
If you do not telecommute, leave this question blank.

15. Commute in Base Year

Please provide the following information regarding your commute in 2005.

*1. Did you work for us in 2005?
Yes
No

16. Commute in Base Year

Please provide the following information regarding your commute in your base year.

*1. In 2005, did you typically commute by the same mode(s) as you do now?
Yes
No

17. Commute in Base Year

Please provide the following information regarding your commute change.

1. Why did you change your commute mode?

18. 2005 Daily Commute

Please provide the following information regarding your 2005 daily commute.

*1. In 2005, did you typically drive to work alone at least once a week?
Yes
No

19. Drive Alone

*1. In 2005, how many DAYS a week did you typically drive alone?
(please enter a number)

*2. In 2005, how many MILES a day did you typically drive TO WORK ONLY?
(please enter a number)

20. Carpool

*1. In 2005, did you carpool at least once in a typical week?
Yes
No

21. Carpool

*1. In 2005, how many DAYS did you typically carpool in a week?
(please enter a number)

*2. In 2005, how many MILES did you typically drive TO WORK when you carpooled?
(please enter a number)

*3. In 2005, how many DAYS in a typical week were you the driver of your carpool?
(please enter a number)

22. Public Transit

*1. In 2005, did you typically take public transit to work at least once a week?

Yes

No

23. Public Transit

*1. In 2005, how many days in a typical week did you take public transit TO WORK?
(please enter a number)

2. In 2005, what type of public transit did you take TO WORK?

SamTrans

BART

VTA Bus

VTA Rail

ACE Train

Capitol Corridor

City Operated Transit

Paratransit

Other (please specify)

24. Bike/Walk

*1. In 2005, did you typically bike or walk to work at least once a week?

Yes

No

25. Bike/Walk

1. In 2005, how many DAYS did you typically bike to work in a week?
(please enter a number)

2. In 2005, how many DAYS did you typically walk to work in a week?
(please enter a number)

26. Telecommute

1. If you telecommuted in 2005:

How many DAYS in a typical week in 2005 did you telecommute?

(please enter a number)

If you did not telecommute in 2005, leave this question blank.

27. Commute Preference Information

Please answer the following questions regarding your CURRENT commute.

1. Why have you chosen your current commute mode?

2. Would you consider taking any of the following transportation modes? (check all that apply):

Public Transportation

Carpooling

Vanpooling

Bicycling

Walking

Other (please specify)

*3. Is there a transit route that you would use to commute by public transit?

Yes

No

4. If no to question 3, please explain why not.

5. If you drive alone, which, if any, of the following benefits would encourage you to take alternative forms of transportation?
(check all that apply)

Vanpool/carpool incentives

Pre-tax transit checks

Parking cash-out (reimbursement to give up your parking spot)

Improved transit options

Improved walking routes/conditions

Telecommuting option

Free/inexpensive shuttle

Free public transit benefit

Subsidizing bicycle purchase

Improved bike routes/conditions

Better information about my commute options

None of the above

Other (please specify)

28. Comments

1. If you have other concerns or issues related to your commute, or if something we should know about was not captured in any survey questions, please describe below.

29. Thank You

Thank you for responding to this survey!

C.3 Paper Employee Commute Survey

<Insert Logo Here>

Atherton Employee Commute Survey

<Date>:

To all of our employees:

As you may be aware, **<local government name>** is actively working to reduce its impact on the environment. As part of this effort, we are collecting information on our employee's commuting patterns and preferences. This will help us to better understand what impact our employees' commutes are having on climate change *and* to provide ways to make your commute easier and less expensive.

Please take 15 minutes to fill out this survey created by ICLEI-Local Governments for Sustainability. **Please complete the survey by <due date> and return to <name> in the <department>**.

This survey is completely anonymous. We will not be collecting or reporting any individual responses.

If you have any questions regarding the survey, please feel free to contact me at **<phone number>**.

Thank you very much,

<Your name>

Atherton Employee Commute Survey

Unless otherwise indicated, all questions refer to a one-way commute to work only. Please do not include any traveling you do during work hours (e.g., meetings, site visits, etc). Asterisks (*) indicate questions that require an answer.

A. Commuter Background Information

1. About how many miles do you live from work?

2. What city/town do you live in?

* 3. If you drive to work, what type of vehicle do you usually drive? (check one) If you don't drive to work, skip to Section B.

- | | | |
|---|---|--------------------------------------|
| <input type="checkbox"/> Full size auto | <input type="checkbox"/> Compact/hybrid | <input type="checkbox"/> Heavy truck |
| <input type="checkbox"/> Mid size auto | <input type="checkbox"/> SUV/Pickup | <input type="checkbox"/> |
| Other _____ | | |

* 4. What year was your vehicle manufactured?

* 5. What type of fuel does your vehicle use? (if biodiesel or ethanol, specify grade) _____

B. Estimate Your Current Commute for a typical work week.

* 1. Please enter below the number of days per week you use each type of commute mode and the number of miles you travel each day **to work only** in a typical week:

Commute Mode	Drive Alone	Carpool	Vanpool	Public Transit	Bike	Walk	Other (specify)
Days per week you travel to work by this mode (max 7)							
Miles Traveled to work per day in this mode							

2. How much does your **round trip** commute cost per week?
\$ _____

3. How many minutes does your commute to work typically take?

4. If you take public transit, what transit agency do you use?

*5. If you carpool to work, how many days in a typical week are you the driver?

6. How many days do you telecommute in a typical week?

C. Employment Information (check one answer for each question)

- 1. Are you a full time or part time employee? Full Part
- 2. Do you typically travel to work between 6-9 a.m.? Y N
- 3. Does your position allow you to have flexible hours or to telecommute? Y N
- 4. What department do you work for?

5. D. Your Commute in 2005

- *1. Did you work for us in 2005? Y N
- *2. If yes to Q.1, did you typically commute by the same mode(s) as you do now? Y N
- *3. If no to Q.2, please enter the number of miles you traveled (*to work only*) in a typical week in 2005 below:

Commute Mode	Drive Alone	Carpool	Vanpool	Public Transit	Bike	Walk	Other
Days per Week (max 7)							
Miles Traveled to Work per Day							

If you commute differently now than in 2005, why did you change your commute mode?

E. Current Commute Preference Information

- 1. Why have you chosen your current commute mode?

- 2. Would you consider taking any of the following transportation modes?(check all that apply):
 - Carpooling
 - Vanpooling
 - Bicycling
 - Public transit
 - Walking
 - Other _____
- 3. a. Is there a transit route that you would use to commute by public transit? Y N

b. If not, please explain:

4. If you drive alone, which, if any, of the following benefits would encourage you to take alternative forms of transportation? (check all that apply)

- | | |
|---|---|
| <input type="checkbox"/> Vanpool/carpool incentives | <input type="checkbox"/> Free/inexpensive shuttle |
| <input type="checkbox"/> Pre-tax transit checks | <input type="checkbox"/> Free public transit benefit |
| <input type="checkbox"/> Parking cash-out
(reimbursement to give up your parking spot) | <input type="checkbox"/> Subsidized bicycle purchase |
| <input type="checkbox"/> Improved transit options | <input type="checkbox"/> Improved bike routes/conditions |
| <input type="checkbox"/> Improved walking routes/conditions | <input type="checkbox"/> Better information about my
commute options |
| <input type="checkbox"/> Telecommuting option | <input type="checkbox"/> Other _____ |

5. Other comments?



Government-Generated Solid Waste Methodology

Emissions from the waste sector are an estimate of methane generation that will result from the anaerobic decomposition of all organic waste sent to landfill in the base year. It is important to note that although these emissions are attributed to the inventory year in which the waste is generated, the emissions themselves will occur over the 100+ year timeframe that the waste will decompose. This frontloading of emissions is the approach taken by EPA's Waste Reduction Model (WARM). Attributing all future emissions to the year in which the waste was generated incorporates all emissions from actions taken during the inventory year into that year's greenhouse gas release. This facilitates comparisons of the impacts of actions taken between inventory years and between jurisdictions. It also simplifies the analysis of the impact of actions taken to reduce waste generation or divert it from landfills.

D.1 Estimating Waste Tonnages from Atherton's Operations

Like most local governments, Atherton does not directly track the amount of waste generated from its operations. Therefore, to estimate the amount of waste generated, ICLEI worked with Allied Waste, Inc. the hauler of waste for Atherton in 2005. The amount of waste was estimated by compiling pick-up accounts owned by Atherton. Garbage trucks do not weigh waste at each pick-up, therefore, it is not possible to directly track disposal figures in mass per facility. Mass of waste generation was estimated using volumetric container size (gallons, yards, etc.) data, along with pick-up frequency and average fill of containers. These data produced a comprehensive annual volumetric figure, which was then converted to mass using standard conversion factors supplied by the California Integrated Waste Management Board (CIWMB). Estimated waste *generation* was converted to final *disposal* (quantity sent to landfill) by applying average waste diversion percentages for each account. Where applicable, self-haul waste (waste brought directly from the local government to landfills) was included as part of this total.

D.2 Emissions Calculation Methods

As some types of waste (e.g., paper, plant debris, food scraps, etc.) generate methane within the anaerobic environment of a landfill and others do not (e.g., metal, glass, etc.), it is important to characterize the various components of the waste stream. Waste characterization for government-generated solid waste was estimated using the CIWMB's 2004 statewide waste characterization study.¹⁷

Most landfills in the Bay Area capture methane emissions either for energy generation or for flaring. EPA estimates that 60 percent to 80 percent¹⁸ of total methane emissions are recovered at the landfills to which Atherton sends its waste. Following the recommendation of LGOP, ICLEI adopted a 75 percent methane recovery factor.

Recycling and composting programs are reflected in the emissions calculations as reduced total tonnage of waste going to the landfills. The model, however, does not capture the associated emissions reductions in "upstream" energy use from recycling as part of the inventory.¹⁹ This is in-line with the "end-user" or "tailpipe" approach taken throughout the development of this inventory. It is important to note that, recycling and composting programs can have a significant impact on greenhouse gas emissions when a full lifecycle approach is taken. Manufacturing products with recycled materials avoids emissions from the energy that would have been used during extraction, transporting and processing of virgin material.

D.2.1 Methane Commitment Method

CO₂e emissions from waste disposal were calculated using the methane commitment method outlined in the EPA WARM model. This model has the following general formula:

$$\text{CO}_2\text{e} = W_t * (1-R)A$$

Where:

W_t is the quantify of waste type "t"

R is the methane recovery factor,

A is the CO₂e emissions of methane per metric ton of waste at the disposal site (the methane factor)

17 CIWMB Waste Characterization Study-Public Administration Group available at <http://www.ciwmb.ca.gov/WasteChar/BizGrpCp.aspx>.

18 AP 42, section 2.4 Municipal Solid Waste, 2.4-6, <http://www.epa.gov/ttn/chief/ap42/index.html>

19 "Upstream" emissions include emissions that may not occur in your jurisdiction resulting from manufacturing or harvesting virgin materials and transportation of them.

While the WARM model often calculates upstream emissions, as well as carbon sequestration in the landfill, these dimensions of the model were omitted for this particular study for two reasons:

This inventory functions on an end-use analysis, rather than a life-cycle analysis, which would calculate upstream emissions), and this inventory solely identifies emissions sources, and no potential sequestration “sinks.”



Conducting a Monitoring Inventory

The purpose of this appendix is to assist Atherton staff in conducting a monitoring inventory to measure progress against the baseline established in this inventory report. Conducting such an inventory represents milestone five of the Five- Milestone Process, and allows a local government to assess how well it is progressing toward achieving its emissions reduction targets.

This inventory was conducted by ICLEI in conjunction with Kathy Anderson, Town Arborist, at Atherton, who served as the lead data gathering coordinator for the inventory. To facilitate a monitoring inventory, ICLEI has documented all of the raw data, data sources, and calculation methods used in this inventory. Future inventories should seek to replicate or improve upon the data and methods used in this inventory. Wherever possible, however, ICLEI strongly recommends institutionalizing internal data collection in order to be able to meet the recommended methods outlined in LGOP.

E.1 ICLEI Tools for Local Governments

ICLEI has created a number of tools for Atherton to use to assist them in future monitoring inventories. These tools were designed specifically for the Silicon Valley Climate Protection Partnership, and comply with the methods outlined in LGOP. These tools are designed to work in conjunction with LGOP, which is, and will remain, the primary reference document for conducting an emissions inventory. These tools include:

- A “master data sheet” that contains most or all of the raw data (including emails), data sources, emissions calculations, data templates, notes on inclusions and exclusions, and reporting tools (charts and graphs and the excel version of LGOP reporting tool).
- A copy of all electronic raw data, such as finance records or Excel spreadsheets.

- LGOP reporting tool (included in the master data sheet and in Appendix B) that has all activity data, emissions factors, and methods used to calculate emissions for this inventory.
- Sector-specific instructions that discuss the types of emissions, emissions calculations methods, and data required to calculate emissions from each sector, as well as instructions for using the data collection tools and calculators in the master data sheet.
- The appendices in this report include detailed methodologies for calculating emissions from Scope 3 employee commute and government-generated solid waste, as well as two versions of the employee commute survey.

It is also important to note that all ICLEI members receive on-demand technical assistance from their ICLEI liaison, which local staff should feel free to contact at any point during this process.

E.2 Relationship to Other Silicon Valley Climate Protection Partnership Inventories

While the emissions inventories for the 27 participating local governments were conducted simultaneously using the same tools, a local government operations inventory is based on data specific to each local government's operations. For this reason, data must be collected internally within each local government, and the availability of data (and thus emissions estimation methods) will vary between local governments.

That said, local governments in the Silicon Valley Climate Protection Partnership may benefit by cooperating during the re-inventorying process. For example, by coordinating inventories, they may be able to hire a team of interns to collectively perform the inventories – saving money in the process. In addition, local staff may be able to learn from each other during the process or conduct group training sessions if necessary. As a whole, the Silicon Valley Climate Protection Partnership provides the basis for a continuing regional platform for climate actions, and ICLEI recommends taking advantage of this opportunity during all climate actions, including conducting future greenhouse gas emissions inventories.

E.3 Improving Emissions Estimates

One of the benefits of a local government operations inventory is that local government staff can identify areas in their current data collection systems where data collection can be improved. For example, a local government may not directly track fuel consumption by each vehicle and instead will rely upon estimates based upon VMT or purchased fuel to calculate emissions. This affects both the accuracy of the emissions estimate and may have other implications for government operations as a whole.

During the inventory process, ICLEI and local government staff identified the following gaps in data that, if resolved, would allow Atherton to meet the recommended methods outlined in LGOP in future inventories.

- Direct tracking of refrigerants recharged into HVAC and refrigeration equipment
- Direct tracking of fire suppressants recharged into fire suppression equipment
- Fuel consumption by mobile equipment
- Direct tracking of fuel consumption by diesel and other generators
- Refrigerants recharged into vehicles in the vehicle fleet

ICLEI encourages staff to review the areas of missing data and establish data collection systems for this data as part of normal operations. In this way, when staff are ready to re-inventory for a future year, they will have the proper data to make a more accurate emissions estimate.

E.4 Conducting the Inventory

ICLEI recommends the following approach for Silicon Valley Partnership local governments that wish to conduct a monitoring inventory:

Step 1: Identify a Climate Steward

This steward will be responsible for the Atherton’s climate actions as a whole and could serve as an ICLEI liaison in all future climate work. In the context of a monitoring inventory, the steward will be responsible for initiating discussions on a new inventory.

Step 2: Determine which Sectors to Inventory

There are many ways to determine which sectors apply to a local government’s operations, but the easiest to review will be LGOP Standard Report, which is located both in Appendix B and in the master data sheet. This document clearly delineates which sectors will need to be inventoried within a local government’s operations and which LGOP sectors do not apply to a jurisdiction.

Step 3: Gather Support: Identify Data Gathering Team and Leads

Coordination and acceptance among all participating departments is an important factor in coordinating a successful inventory. To that end, the inventory coordinator should work with the city/town/county administrator to identify all staff who will need to be part of the inventory. To facilitate this process, ICLEI has documented all people associated with the inventory in the master data sheet—these names are located in the final completed data form for each sector. Once this team has been identified, the inventory coordinator should hold a kickoff meeting with the administrator, all necessary staff, and relevant department heads which clearly communicates the priority of the inventory in relationship to competing demands. At this meeting, the roles of each person, including the inventory coordinator, should be established.

Step 4: Review Types of Emissions and Available Methodologies for Applicable Sectors

Local staff should then review LGOP and the instructions documents provided through this inventory to better understand the types of emissions for each sector (for example, within Mobile Emissions, CO₂ emissions and CH₄/N₂O emissions represent two different data requirements and emissions calculations methodologies). Each emissions type may have more than one possible estimation methodology, and it is important that the inventory coordinator understands all possible methodologies and be able to communicate this to all parties assisting in the data gathering.

Step 5: Review Methodologies Used for the 2005 Inventory to Determine Data to Collect

In order to duplicate or improve upon the methods used in this inventory, local staff should again review the methods used for this inventory—these methods are again located in Appendix B—and within the master data sheet. These methods reflect the data limitations for each local government (as many local governments could not obtain data necessary to meet the recommended methods in LGOP). Wherever possible, these methods should be duplicated or, if it is possible, replaced with the recommended methods outlined in LGOP. Using these methodologies, staff will determine what data needs to be collected and communicate this effectively to the data gathering team.

Step 6: Begin Data Collection

With the exception of electricity and natural gas for stationary sources, all data collection will be internal. To obtain stationary source energy consumption data, staff will need to contact the ICLEI representative to determine who the contact is for PG&E data (other utilities will need to be contacted directly).

Step 7: Use the Data Forms as a Resource During Data Gathering

A number of questions will come up during the data gathering process that may be difficult to answer. ICLEI has attempted to capture all of the questions that arose during the 2005 inventory and how they were addressed through the master data sheet. Within the master data sheet, staff should review the raw data, working data, and completed data forms to review how raw data was converted to final data, and also to review any notes taken by ICLEI staff during the 2005 inventory process.

For example, reviewing the stationary sources PG&E data within the master data sheet will allow local staff to review how individual accounts were separated into each category and which counts may have been excluded from the inventory.

Step 8: Use Emissions Software to Calculate Emissions

ICLEI has provided the staff lead on the 2005 inventory with a backup of the software used to calculate many of the emissions included in this report. Staff should use this (or more current ICLEI software) to calculate emissions by inputting the activity data into the software. ICLEI staff and ICLEI trainings are available to assist local government staff in calculating emissions.

Step 9: Report Emissions

The master data sheet also contains the LGOP Standard Reporting Template, which is the template adopted by ARB as the official reporting template for government operations emissions inventory. This tool, as well as the charts and graphs tool provided by ICLEI can be used to report emissions from government operations. Also, local government staff should utilize this narrative report as guide for a narrative report if they so choose.

Step 10: Standardize and Compare to Base Year

Conducting a monitoring inventory is meant to serve as a measuring point against the baseline year represented in this report. In order to make a more accurate comparison, it is necessary to standardize emissions from stationary sources based upon heating and cooling degree days (staff can use a ratio of heating /cooling degree days to standardize across years).

In addition, it is important, when comparing emissions across years, to clearly understand where emissions levels may have changed due to a change in methodology or due to excluding an emissions source. For example, if the default method was used to estimate refrigerant leakage in 2005 (this method highly overestimates these emissions), and the recommended method was available in a monitoring year, this would appear as a dramatic reduction in these emissions even though actual leaked refrigerants may be similar to the base year. Changes such as these should not be seen as progress toward or away from an emissions reduction target, but emissions estimates should be adjusted to create as much of an apples-to-apples comparison as possible. If such an adjustment is not possible, staff should clearly note the change in methodology between years when comparing emissions.



Town of Atherton

CITY COUNCIL STAFF REPORT

TO: HONORABLE MAYOR AND CITY COUNCIL

FROM: JEROME D. GRUBER, CITY MANAGER

DATE: FOR THE MEETING OF NOVEMBER 18, 2009

**SUBJECT: COUNCIL OF CITIES DECEMBER MEETING – COUNCIL GUIDANCE
ON VOTING MATTERS**

RECOMMENDATION:

Council to give guidance direction to San Mateo County Council of Cities representative (Vice Mayor McKeithen) and alternate representative (Council Member Lewis) on voting matters at the December 18, 2009 annual holiday dinner.

BACKGROUND

The San Mateo County Council of Cities will vote on a number of regional board seats at its December meeting, which will be held in conjunction with its annual holiday party. The positions are identified in the attached letter from Chair Terry Nagel dated November 10, 2009.

FISCAL IMPACT

There is no fiscal impact.

ATTACHMENTS:

- 1- November 10, 2009 letter from Council of Cities Chair Terry Nagel
- 2- Roster of Appointments by the San Mateo County Board of Supervisors and City Selection Committee

San Mateo County
COUNCIL  *of CITIES*

November 10, 2009

Dear Council Member:

I want to make sure you are aware of a number of regional seats that we will be voting on at the December 18 meeting of the San Mateo County Council of Cities, when we will enjoy our annual holiday dinner prepared by the Colma firefighters:

- **Bay Area Air Quality Management District** – One council member to serve a two-year term beginning January 1, 2010.
- **Housing Endowment and Regional Trust (HEART)** – Two council members to serve three-year terms beginning March 1, 2010.
- **Housing Endowment and Regional Trust (HEART)** – Two council members to begin serving immediately through February 28, 2012 to fill seats held by Diane Howard of Redwood City and Larry Franzella of San Bruno, who have termed out.
- **San Mateo County Transit District (SamTrans)** – One council member representing the Southern Judicial Cities to replace Jim Hartnett of Redwood City for a term ending December 31, 2012.
- **Peninsula Corridor Joint Powers Board (Caltrain)** – One of the three San Mateo County council members representing the three areas of San Mateo County on the SamTrans board will be elected to a position representing all San Mateo County cities to replace Jim Harnett, who has termed out. There is no term limit. The SamTrans member elected at the meeting of December 18 (to represent the Southern Judicial Cities) is also eligible for the JPB seat.
- **San Mateo County Transportation Authority** – One council member representing Cities-at-Large for a two-year term beginning January 1, 2010.
- **San Mateo County Transportation Authority** – One council member representing the Northern Judicial Cities for a two-year term beginning January 1, 2010.
- **San Mateo County Transportation Authority** – One council member representing the Central Judicial Cities to replace Rosalie O'Mahony of Burlingame for a term ending December 31, 2010.

If you wish to apply for one of these positions, please mail a letter expressing your interest to Rebecca Romero, Secretary of the City Selection Committee, and to me (I am Chair of the Council of Cities and the City Selection Committee) at these addresses:

Rebecca Romero, Secretary
San Mateo County City Selection Committee
Hall of Justice – 1st Floor
400 County Center – CMO 105
Redwood City, CA 94063

Terry Nagel, Chair
San Mateo County Council of Cities
City of Burlingame
501 Primrose Road
Burlingame, CA 94010

You may email your letter to Rebecca and me at: RXRomero@co.sanmateo.ca.us and tnagel@burlingame.org. If you email your letter, please scan it so that we have a copy with your signature on it. Please let us know if a copy is also coming via mail.

All letters that we receive prior to December 1 will be included with the final meeting agenda that is distributed to council members two weeks prior to the December 18 meeting. If you wish to submit a letter of interest after that, you are responsible for distributing it to council members prior to the meeting. You may also bring copies to the December 18 meeting and distribute them there.

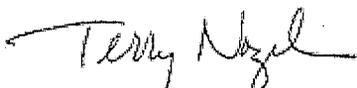
A nomination must be made and seconded at the meeting for each person seeking a position. Nominations may also be made for individuals who do not distribute letters of interest prior to that evening.

In order to be elected, we must have a quorum present (11 of our 20 cities) and there must be 11 votes for each winning candidate. The mayor of each city is the designated voting representative unless he or she delegates that responsibility to someone else.

The attached "Roster of Appointments" gives more details about these positions and lists the cities that comprise the Northern, Central and Southern Judicial Cities on the cover.

Rebecca and I would be happy to answer any questions you may have.

Sincerely,



Terry Nagel
Chair, San Mateo County Council of Cities
Member, Burlingame City Council
tnagel@burlingame.org
650-347-3576

ROSTER OF APPOINTMENTS

BY THE

SAN MATEO COUNTY BOARD OF SUPERVISORS

AND

CITY SELECTION COMMITTEE

Mark Church, President
San Mateo County Board of Supervisors

Terry Nagel, Chairperson
City Selection Committee

Rebecca Romero, Secretary
City Selection Committee

Northern Judicial Cities

Brisbane
Colma
Daly City
Pacifica
San Bruno
South San Francisco

Central Judicial Cities

Belmont
Burlingame
Foster City
Half Moon Bay
Hillsborough
Millbrae
San Mateo

Southern Judicial Cities

Atherton
East Palo Alto
Menlo Park
Portola Valley
Redwood City
San Carlos
Woodside

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ASSOCIATION OF BAY AREA GOVERNMENTS (ABAG)

Executive Board

CURRENT MEMBERSHIP (San Mateo County)	Date First <u>Appointed</u>	Current Term <u>Expires</u>	<u>Representing</u>
Rose Jacobs Gibson	01/12/99	01/08/13	Board of Supervisors
Carole Groom	01/06/09	01/04/11	Board of Supervisors
Sepi Richardson, Brisbane	01/24/03	06/30/11	Cities
Richard Garbarino, South San Francisco	06/22/07	06/30/11	Cities

Alternate Members

Rich Gordon		01/04/11	Board of Supervisors
Mark Church	01/23/01	01/08/13	Board of Supervisors
Pedro Gonzalez, South San Francisco	03/27/09	06/30/11	Cities
John Boyle, Menlo Park	05/30/08	06/30/11	Cities

Authority: Government Code Section 6500; Joint Powers Agreement Resolution 15506 adopted September 26, 1960, amended Resolution 15815 adopted January 12, 1961.

Membership requirements: Two Supervisors and two City Councilmembers.

Term of office: 2 years

Duties: Recommends annual budget and summary work program of the Association for adoption by the General Assembly; appoints, fixes the salary of, and removes the Executive Director; acts on recommendations from committees for policy decisions; carries out policy decisions made by the General Assembly.

Appointment: Supervisors are appointed by the Board of Supervisors, City Councilmembers are appointed by the City Selection Committee (Open Seat).

Compensation: \$150 per Board or Committee meeting, with a maximum of 48 meetings per year.

Meetings: 3rd Thursdays/alternate month, 7:00 pm – 9:00 pm, MetroCenter Auditorium, 101 8th Street, Oakland.

Contact: Patricia Jones, P.O. Box 2050, Oakland 94604. 510-464-1933, PatriciaJ@abag.ca.gov

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

<u>CURRENT MEMBERSHIP</u>	<u>Date First</u> <u>Appointed</u>	<u>Current Term</u> <u>Expires</u>	<u>Representing</u>
Carole Groom	01/06/09	01/04/11	Board of Supervisors
Carol Klatt, Daly City	03/24/06	12/31/09	City

Authority:	Health and Safety Code, Section 24345 and 40200.
Membership requirements:	Member of the Board of Supervisors and a City Councilmember.
Term of office:	4 years for members appointed by the Board of Supervisors; 2 years for members appointed by the City Selection Committee.
Duties:	The Board is the governing body of the District and shall exercise all powers of the District, except as otherwise provided. The Board establishes and executes an effective program for the reduction of air contaminants within the District.
Appointment:	Supervisor appointed by the Board of Supervisors, Councilmember appointed by the City Selection Committee.
Compensation:	\$100 per meeting, plus travel expenses, per diem shall not exceed \$6,000 per year.
Meetings:	1st & 3rd Wednesdays of the month, 9:30 am at the Air Quality Management District, 939 Ellis Street, 7 th Floor, San Francisco.
Contact:	Mary Romaidis, Clerk of the Board, 939 Ellis Street, San Francisco 94109. (415) 749-4965, mromaidis@baaqmd.gov

CALIFORNIA IDENTIFICATION SYSTEM (CAL-ID)

<u>CURRENT MEMBERSHIP</u>	<u>Date First Appointed</u>	<u>Current Term Expires</u>	<u>Representing</u>
Greg Munks			Sheriff
Jack Van Etten, Burlingame			Chief
James Fox			District Attorney
Anthony Constantouros, Hillsborough			At-Large
Gary McClane, Daly City (Chair)			Chief
(Vacant)			Board of Supervisors
Larry Franzella, San Bruno	12/16/99	12/31/10	Cities

Authority: Penal Code Section 11112.4, Resolution 47314 adopted September 24, 1985.

Membership requirements: 7 members; one member of the Board of Supervisors, Sheriff, District Attorney, Chief of Police of the Department having the largest number of sworn personnel within the County, 2nd Chief selected by all other Chiefs within the County, 1 representative of the Cities, and member-at-large.

Term of Office: 3 years, Beginning on January 1st and ending December 31st

Duties: Determine the placement of Random Access Network (RAN) equipment within the County and to coordinate acceptance, delivery and installation. Develop procedures necessary to regulate the use and maintenance of the equipment, adhering to the policy guidelines and procedures adopted by the State Department of Justice.

Appointment: Councilmember is appointed by City Selection Committee, on behalf of the Council of Cities; Supervisor by the Board of Supervisors; 2nd Police Chief by Police Chiefs Association; and member-at-large is chosen by other members.

Compensation: None

Meetings: Various locations, 2:00 pm.

Contact: Mark Hanlon, Captain, Sheriff's Office, 400 County Center, Redwood City, (650) 363-4390, mhanlon@co.sanmateo.ca.us

DOMESTIC VIOLENCE COUNCIL

<u>CURRENT MEMBERSHIP</u>	<u>Appointed</u>	<u>Expires</u>	<u>Category</u>
Mark Church	01/04/05	01/08/13	Board of Supervisors
Stephen M. Hall			Presiding Judge
Susan Etezadi			Superior Court
Greg Munks			Sheriff
Mark Alcantara			Sheriff
Linda Gibbons			Sheriff
Robert Lotti			Chief
Louis Cobarruviaz			Chief
Jim Fox			District Attorney
Karen Guidotti			District Attorney
Beverly Beasley Johnson			HSA
Gabriel Thibaut			Pyramid Alternatives
Melissa Lukin			CORA
Debbie Appel			CORA
Lynda Burton			Legal Aid of SMC
Calvin Remington			Probation
Greg Sonnenschein			Probation
Jean Holbrook			SMCOE
Sylvia Key			SMCOE
Jean S.Frasier			Health System
Brian Zamora			Health System
Ellen Taliaferro			Keller Center
Diana Emerson			Keller Center
Jan Kamman			CSW
Sandra Schuster			CSW
Richard Garbarino	12/14/07	12/31/11	Cities
Pedro Gonzalez			Cities
Felope Fatunmise			At-Large
Bernadette Plotnikoff			At-Large

Authority: Resolution 62407 adopted November 17, 1998, Amended Resolution 68609 adopted March 27, 2007.

Membership: A member of the Board of Supervisors; the Presiding Judge of the Superior Court or his/her representative; the Sheriff or his/her representative; the District Attorney or his/her representative; the County Superintendent of Schools or his/her representative; the Chief Probation Officer or his/her representative; the Director of Health Services or his/her representative; the Director of Human Services or his/her representative; a representative of the Council of Cities; a representative of the Police Chiefs' Association; a representative of the Commission on the Status of Women; two individuals representing non-profit agencies

servicing battered women; one individual representing agencies or individuals who provide treatment services to batterers; one individual representing a non-profit agency providing legal services to battered women; and four individuals representing the community at large; one representative of the San Mateo County Bar Association, who is member of the Private Defender Program.

Term of Office: 4 years; maximum of 3 terms

Duties: To evaluate, make recommendations and initiate activities regarding: current responses of law enforcement, the judicial system, health care services and community resources; local government efforts to reduce domestic and family violence; public awareness and public education necessary to effect prevention activities; the collection of statistics and data; the adequacy of federal, state and local laws; and the need for services for those who are victims of domestic and family violence. The Council will develop an annual work plan and submit an annual report to the Board of Supervisors.

Appointment: The members representing non-profit agencies servicing battered women, agencies or individuals who provide treatment services to batterers, the non-profit agency providing legal services to battered women and the community at large are appointed by the Board of Supervisors.

Compensation: None

Meetings: 4th Thursdays/every other month, 3:00 pm – 4:30 pm, 455 County Center, 5th Floor, Redwood City,

Contact: Honora Miller, Commission on the Status of Women, 455 County Center, 5th Floor, Redwood City 94063, (650) 363-4872, hmillier@co.sanmateo.ca.us

HOUSING AND COMMUNITY DEVELOPMENT COMMITTEE

<u>CURRENT MEMBERSHIP</u>	<u>Date First Appointed</u>	<u>Current Term Expires</u>	<u>Representing</u>
VACANT Susy Castoria	01/01/03	12/31/11	Commission on Aging Commission on Disabilities
VACANT	01/01/03	12/31/08	Homeless Continuum of Care
Linda Lopez	01/01/03	12/31/09	North Fair Oaks
Norma Fragoso, So. San Francisco	01/01/03	12/31/10	HOME Consortium
VACANT	01/01/03	12/31/09	Unincorporated
VACANT			At- Large (Pub.Fac. / Eco.Dev.)
Nancy Mangini	01/01/03	12/31/09	At-Large (Pub.Fac. / Eco.Dev.)
Tom Davids	01/01/03	12/31/08	At-Large (Housing)
VACANT			At-Large (Housing)
VACANT			At-Large (Housing)
Helen Karr	01/01/03	12/31/08	At-Large (Pub.Fac. / Eco.Dev.)
VACANT			Low-Income

City Selection Appointments:

Deborah Gordon, Woodside	01/01/03	12/31/12	Cities
Helen Fisicaro, Colma	01/01/03	12/31/12	Cities

Authority: Housing and Safety Cod 34120.5; Ordinance Code § 2.08010-050; Resolution 65783 adopted January 28, 2003.

Membership requirements:

15-17 member; Two member appointed by the Council of Cities, one member appointed by the Commission on Aging, one member appointed by the Commission on Disabilities, one member appointed by the Executive committee of the Continuum of Care Planning Board, one member living in the unincorporated area of North Fair Oaks, one member living in the unincorporated Coastsides, one member living in a low-income community, six-eight Members-At-Large, one of whom shall have experience or expertise in real estate, finance, development or operations and one member appointed by each Entitlement city in the County HOME Consortium (currently only South San Francisco).

Term of office: Four years; maximum 12 years.

Duties: Make recommendations to the Board of Supervisors, through the Director of the Office of Housing, Human Services Agency, related to the expenditure of all housing and community development funds' to review and provide a forum for public comment on affordable housing and community development needs and priorities related to the development of the Consolidated Plan and related Annual Action Plans, and to formulate recommendations thereon; and to review and provide a forum for public comment on accomplishments and performance as related to said Consolidated Plan and Action Plans.

Appointment: The members of the Committee shall be appointed by the Board of Supervisors. The categorical members shall be nominated by their respective agencies, however, the Board of Supervisors retains the discretion to confirm or reject such nominations.

Compensation: None.

Meeting: Minimum of four formal public meetings per fiscal year.

Contact: Marina Yu, 264 Harbor Boulevard, Building A, Belmont 94002,
(650) 802-5039, myu@smchousing.org

HOUSING ENDOWMENT AND REGIONAL TRUST (HEART)

CURRENT MEMBERSHIP

	<u>Date First</u> <u>Appointed</u>	<u>Current Term</u> <u>Expires</u>	<u>Representing</u>
Richard Gordon	06/24/03	02/28/12	San Mateo County
Rose Jacobs Gibson	06/24/03	02/28/12	San Mateo County
Linda Asbury	12/17/03	02/28/10	At-Large
Denise Aquila	12/17/03	02/28/10	At-Large
Julia Baigent	07/25/07	02/28/10	At-Large
Paul Shepherd	06/23/04	02/28/10	At-Large
Bill Nack	12/17/03	02/28/11	At-Large
Karyl Eldridge	12/17/03	02/28/11	At-Large
Michele Jackson	12/17/03	02/29/12	At-Large
John Conover	06/23/04	02/29/12	At-Large
Larry Nibbi	11/20/07	02/29/12	At-Large
Vacant			At-Large

City Selection Appointments

	<u>Date First</u>	<u>Current Term</u>	<u>Representing</u>
Randy Royce, San Carlos	12/19/08	02/28/10	Cities
Larry Franzella, San Bruno	01/27/06	02/28/10	Cities
Tom Kasten, Hillsborough	09/26/03	02/28/10	Cities
Pedro Gonzalez, South San Francisco	03/01/08	02/28/11	Cities
Sal Torres, Daly City	09/26/03	02/28/11	Cities
John Boyle, Menlo Park	01/26/07	02/28/11	Cities
Daniel Quigg, Millbrae	01/27/06	02/29/12	Cities
Diane Howard, Redwood City	01/27/06	02/29/12	Cities
Jack Matthews, San Mateo	03/27/09	02/29/12	Cities

Authority: Resolution 65988 adopted May 31, 2003 approving the Joint Powers Agreement joining the Housing Endowment and Trust of San Mateo County

Membership requirements: 2 Supervisors and 9 City Councilmembers (only Member Agencies); 10 members At-Large.

Term of office: Supervisors serve at the pleasure of the Board of Supervisors, Cities and Member At-Large serve 3 years, beginning on March 1st and ending February 28th.

Duties: The member shall be responsible for the joint fundraising, planning, adoption, financing, administration, review, monitoring, enforcement, and reporting of certain workforce and affordable housing program activities in San Mateo County.

Appointment: Supervisors are appointed by the Board of Supervisors, City Councilmembers are appointed by the City Selection Committee and At-Large members are appointed by the HEART Board of Directors.

Compensation: None.

Meetings: 4th Wednesday of the month, 3:00-4:30 pm, 1700 S. El Camino Real, # 100, San Mateo

Contact: Sherri Stevenson, HEART (650) 872-4444, ext 3, sherri@heartofsmc.org

LOCAL AGENCY FORMATION COMMISSION (LAFCO)

<u>CURRENT MEMBERSHIP</u>	<u>Date First Appointed</u>	<u>Current Term Expires</u>	<u>Representing</u>
Adrienne Tissier		May, 2012	Board of Supervisors
Richard Gordon	01/12/99	May, 2012	Board of Supervisors
Sepi Richardson, Brisbane	12/21/01	May, 2010	Cities
Naomi Patridge, Half Moon Bay	12/14/07	May, 2013	Cities
Howard Jones	06/20/98	May, 2010	Public Member
Robert Craig	05/17/06	May, 2010	Special District
Iris Gallagher	05/07/98	May, 2012	Special District

Alternate-Members

Rose Jacobs Gibson	01/12/99	May, 2012	Board of Supervisors
Barbara Pierce, Redwood City	04/27/07	May, 2011	Cities
Linda Craig	05/17/06	May, 2010	Public Member
David Altscher	06/18/06	May, 2012	Special District

Authority: Government Code sections 56000 et seq.

Membership requirements: 7 members; 2 representing the County, who shall be members of the Board of Supervisors; 2 representing the cities in the county, who shall be city officers; 2 representing special district in the county, who shall be elected or appointed special district officers residing in the county, and who may not be members of a legislative body of a city or county; and 1 member representing the general public. The public member may not be an officer or employee of the county, a city or district within the territory of the county. There shall be alternates for all members representing public entities, and there may be an alternate for the public member. (Govt. Code §§ 56325 – 56332)

Term of office: 4 years expiring 1st Monday in May.

Duties: Reviews proposals for the incorporation of cities, the exclusion of territory from a city, disincorporation of a city, consolidation of two or more cities, or the development of new communities. Reviews proposals for the formation of special districts, detachments, dissolutions, mergers, reorganizations, consolidations, and the annexation of territory to local agencies. Initiates and makes studies of existing governmental agencies determining the maximum service area and service capabilities. (Govt. Code § 56375)

Appointment: The Board of Supervisors appoints 2 of its members and an alternate; City Selection Committee appoints the 2 city representatives and an alternate; the independent special district selection committee appoints 2 members to represent independent special districts in the county and an alternate; the other members of the commission appoint 1 public member and may appoint an alternate.

Compensation: \$100 per meeting

Meetings: 3rd Wednesday of odd month, 2:30pm, Board of Supervisors Chambers, 400 County Center, Redwood City.

Contact: Martha Poyatos, LAFCo, County Office Building, 455 County Center, Redwood City 94063. (650) 363-4224, mpoyatos@co.sanmateo.ca.us

METROPOLITAN TRANSPORTATION COMMISSION (MTC)

<u>CURRENT MEMBERSHIP</u>	<u>Date First Appointed</u>	<u>Current Term Expires</u>	<u>Representing</u>
Adrienne Tissier		02/09/11	Board of Supervisors
Sue Lempert, San Mateo	12/18/98	02/09/11	Cities

Authority: Government Code Section 66500.

Membership requirements: 19 members, 16 voting and 2 non-voting; 2 representatives of the City and County of San Francisco, 2 representatives each from Alameda, Contra Costa, San Mateo and Santa Clara Counties, 1 representative from Marin, Napa, Solano and Sonoma Counties, a representative of the Association of Bay Area Governments, a representative of the San Francisco Bay Conservation and Development Commission, a representative of the Secretary of Business and Transportation, and a representative of the U.S. Department of Transportation and Federal Highway Administration. Members are selected based on their special familiarity with the problems and issues in the field of transportation.

Term of office: 4 years

Duties: Maintains a regional transportation plan for the Bay Area which includes interstate highways, California freeway and expressway system, transbay bridges, mass transit systems, bicycle and pedestrian facilities, seaports and airports. Commission reviews applications for state and federal transportation funds, paying particular attention to the interfacing of the various modes of transportation.

Appointment: For members from San Francisco, the Mayor appoints 1 member and the Board of Supervisors appoints 1 member; for members from Alameda, Contra Costa, San Mateo, and Santa Clara Counties, the City Selection Committee of each county shall appoint 1 member, and the Board of Supervisors shall appoint 1 member. The City Selection Committee's of Marin, Napa, Solano, and Sonoma Counties furnish to the Board of Supervisors the names of 3 nominees and the Board of Supervisors shall appoint 1 of the nominees to represent the county. The Association of Bay Area Governments and the SF Bay Conservation and Development Commission each appoint 1 member. The Secretary for Business and Transportation appoints 1 non-voting member and the U.S. Department of Transportation and Federal Highway Administration appoint 1 non-voting member.

Compensation: \$100/meeting, not to exceed \$500/month.

Meetings: 4th Wednesday of the month, 10:00 am, Metro Center, 101 8th Street, Oakland.

Contact: Rosy Leyva, Commission Secretary, Metropolitan Transportation Commission, MetroCenter, 101 8th Street, Oakland 94607. (510) 817-5775, rlayva@mtc.ca.gov

PENINSULA CORRIDOR JOINT POWERS BOARD (CALTRAIN)

<u>CURRENT MEMBERSHIP</u>	<u>Date First appointed</u>	<u>Current Term Expires</u>	<u>Appointed by</u>
Mark Church			Board of Supervisors
Jim Hartnett, Redwood City			Cities
Art Lloyd, Portola Valley			SamTrans
Jose Cisneros			SF Mayor
Nathaniel P. Ford Sr.			SF MTA
Sean Elsbernd			SF Board of Supervisors
Ken Yeager			SC Board of Supervisors
Don Gage			VTA
Forrest Williams			VTA

Authority: Gov. Code Sec. 6500 and Joint Powers Agreement of October 18th 1991 and amended December 6th 1994 between SamTrans, Santa Clara County Transit and the City and County of San Francisco.

Membership requirements:

SamTrans Board:

One Supervisor, one Councilmember, one SamTrans Director
City and County of San Francisco

One appointed by the Mayor, one appointed by the board of supervisors and one appointed by SFMTA

Santa Clara Valley Transportation Authority (VTA)

Two Directors representing the County of Santa Clara or the City of San Jose and the Santa Clara County representatives to the Metropolitan Transportation Commission

Term of office: There is no term length, although the members serve at the pleasure of their appointing bodies.

Duties: Sets policy and approves funding for the operation of Peninsula Commute Service.

Appointment: See Membership Requirements (above)

Compensation: \$100 per meeting, \$400 maximum in a month

Meetings: 1st Thursday of each month at 10am at San Mateo County Transit District Offices, 1250 San Carlos Avenue, San Carlos 94070.

Contact: Martha Martinez, JPB Secretary, San Mateo County Transit District, 1250 San Carlos Avenue, San Carlos, 94070, (650) 508-6242, martinezm@samtrans.com

SUPPLEMENTAL LAW ENFORCEMENT OVERSIGHT COMMITTEE

<u>CURRENT MEMBERSHIP</u>	<u>Date First Appointed</u>	<u>Current Term Expires</u>	<u>Category</u>
David Boesch	ex-officio		County Manager
Greg Munks	ex-officio		Sheriff
James Fox	ex-officio		District Attorney
Mark Raffaelli, South San Francisco	09/28/01		Chief
James Nantell, Burlingame	09/28/01		City Manager

Authority: Government Code Sec. 300061

Membership requirements: 5 members; the County Manager, Sheriff, District Attorney, one Municipal Police Chief and one City Manager.

Term of office: pleasure of the appointing committee

Duties: Annually review the expenditure of the Supplemental Law Enforcement Services Fund to determine whether recipient entities have expended moneys received in compliance with the law.

Appointment: Police Chief and City Manager are appointed by the City Selection Committee. To be appointed a candidate must have a majority of the cities with a majority of the county's population.

Compensation: None

Meetings: Unknown

Contact: Unknown

SAN MATEO COUNTY TRANSIT DISTRICT (SAMTRANS)

<u>CURRENT MEMBERSHIP</u>	<u>Date First Appointed</u>	<u>Current Term Expires</u>	<u>Category</u>
Mark Church	01/09	12/08/12	Board of Supervisors
Adrienne Tissier	01/07	12/08/12	Board of Supervisors
Jerry Deal, Burlingame	03/09	12/31/10	Cities Central
Jim Hartnett, Redwood City	12/02	12/31/12	Cities Southern
Karyl Matsumoto, South San Francisco	03/07	12/31/10	Cities Northern
Rose Guilbault, Vice Chair	03/06	12/31/12	Public Member
Zoe Kersteen-Tucker, Chair	03/06	12/31/10	Public Member
Shirley Harris	12/93	12/31/12	Public Member
Arthur Lloyd	02/16/88	12/31/10	"Expert"

Authority: San Mateo County Transit District Act

Membership requirements: 9 members; 2 members of the Board of Supervisors, 1 transit "expert", 3 city councilmembers, 1 from each of the former Municipal Court Judicial Districts, 3 public members, 1 of whom shall be a resident of the coastal zone.

Term of office: 4 years, terms run January 1st to December 31st.

Duties: Sets policy and approves funding for the transit district.

Appointment: Supervisors and the "expert" are appointed by the Board of Supervisors. The three councilmembers are appointed by the City Selection Committee, The 3 public members are appointed by six non-public members of the SamTrans board.

Compensation: \$100 per meeting, not to exceed \$400 a month.

Meetings: 2nd Wednesday of the month, 2:00pm, at San Mateo County Transit District Offices, 1250 San Carlos Avenue, San Carlos 94070.

Contact: Martha Martinez, District Secretary, San Mateo County Transit District, 1250 San Carlos Avenue, San Carlos, 94070, (650) 508-6242, martinezm@samtrans.com

SAN MATEO COUNTY TRANSPORTATION AUTHORITY (SMCTA)

<u>CURRENT MEMBERSHIP</u>	<u>First Date Appointed</u>	<u>Current Term Expires</u>	<u>Representing</u>
Richard Gordon	01/12/99	01/04/11	Board of Supervisors
Carole Groom	01/06/09	01/04/11	Board of Supervisors
John Lee, San Mateo	01/28/00	12/31/09	At-large (Cities)
Jim Vreeland, Pacifica	12/14/07	12/31/09	Cities Northern
Rosalie O'Mahony, Burlingame	01/27/06	12/31/10	Cities Central
Rosanne Foust, Redwood City	12/17/04	12/31/10	Cities Southern
Karyl Matsumoto	01/09/08	12/31/09	Transit District

Authority: Bay Area County Traffic and Transportation Funding Act, and San Mateo County Ordinance 3135 adopted March 8, 1988

Membership Requirements: Seven members; two Supervisors, one member of the SamTrans Board of Directors, who must be an elected official, and four representatives of the cities, one from each Judicial District, and one at large.

Term of Office: 2 years - Term begins January 1st and ends December 31st.

Duties: To implement Measure A as passed June 7, 1988.

Appointment: Supervisors by the Board of Supervisors, SamTrans Director by the SamTrans Board of Directors, City representative by the City Selection Committee on behalf of the Council of Cities.

Compensation: \$100 per day, maximum \$400 per month.

Meetings: 1st Thursday of each month at 5:00 pm, at San Mateo County Transit District Offices, 1250 San Carlos Avenue, San Carlos, 94070.

Contact: Martha Martinez, Authority Secretary, 1250 San Carlos Avenue, San Carlos 94070, (650) 508-6242, martinezm@samtrans.com



Town of Atherton

CITY COUNCIL STAFF REPORT

TO: HONORABLE MAYOR AND CITY COUNCIL

**FROM: JERRY GRUBER, CITY MANAGER
WYNNE S. FURTH, CITY ATTORNEY**

DATE: FOR THE MEETING OF NOVEMBER 18, 2009

SUBJECT: RESCISSION OF ROAD IMPACT FEES

RECOMMENDATION Adopt the attached Resolution of the Council of the Town of Atherton Rescinding Resolution No. 05-34 (Establishing a Road Impact Fee) and Directing Refund of Fees Paid on or After August 20, 2009.

BACKGROUND Since 2000, the Town of Atherton has charged a "road impact fee" against development activity in order to repair the damage to the Town's streets that results from construction. The appropriate amount for the fee was determined by the Council after reviewing reports prepared by engineering firms (DKS Associates in 2000 and Kimley –Horn and Associates, Inc in 2005) which estimated the cost of roadway deterioration and then determined what share of that deterioration was attributable to construction activity. The Public Works Department combined the road impact fees with other road maintenance funding in carrying out its Pavement Management System. Because of the multiple sources of funding, the Town has been able not only to maintain, but improve its "PCI," ("pavement condition index,"), an industry standard for evaluating the condition of public streets. If the PCI is maintained at a high level through regular maintenance of streets, total maintenance costs are lower than if the streets are allowed to deteriorate.

DISCUSSION There is presently a legal controversy in the State of California as to the legality of road impact fees of the type collected by the Town of Atherton and a number of other cities and towns. "Impact fees" to offset the impact of development on civic infrastructure are specifically authorized by the Mitigation Fee Act (Government Code Section 66000 and following) in adopting and modifying the road impact fee in 2005. These fees are charged to developers. However, Vehicle Code Section 9400.8, adopted in 1989, prohibits local governments from charging a fee for the use of public roads. The Court of Appeal for the 5th District of California ruled, in a case involving a per ton charge on the trucking of sewage

sludge, construed an impact fee as a charge for the use of public streets and ruled that it was illegal (*County Sanitation District No. 2 of Los Angeles County v. County of Kern* (2005) 127 Cal. App. 4th 1544.) The case has been much criticized, as there was little briefing of the issue and the case primarily focused on the adequacy of an environmental analysis under CEQA. Furthermore, the case does not analyze a fee charged on construction activity. However, the case does hold that Vehicle Code Section 9400.8 pre-empts impact fees for damage to roads. The case is not binding on the appellate courts with jurisdiction over Atherton, but as a published opinion, it will be considered seriously by any court examining the issue in the future.

Several individuals and organizations obtaining development permits in Atherton have raised the question of the legality of the road impact fee. At least one timely claim for a refund of a road impact fee has been filed with the Town for this fiscal year. While the Town's roads have benefitted greatly from the collection and expenditure of the road impact fee, litigation of its legality would be an expensive proposition. Certainty as to the sources and nature of the Town's revenue is important to its efficient operation.

California law requires that a claim for refund of a fee be filed with the Town within 90 days of payment of the fee. The attached resolution directs the City Manager to refund road impact fees paid within the last 90 days, and any other road impact fees paid during the current fiscal year for which a timely claim was filed. It does not require the filing of a claim for fees paid within the last 90 days, but the resolution does direct payment of the refund after the Town receives a release and settlement agreement. Staff anticipates mailing a form to each payor specifying the amount of the refund due and enclosing the release form to be returned to the Town.

FISCAL IMPACT Depending upon the volume of construction activity and the rate of the road impact fee, the Town has collected between \$395,000 and \$1,022,000 in road impact fees annually in fiscal years 2001-2002 through 2008-2009. The total revenue collected under the program through the end of fiscal year 2008-2009 was approximately \$5,170,000, while expenditures totaled \$4,740,000.

Road impact fee revenues were included in the 2009-2010 budget at \$650,000. Approximately \$58,000 in road impact fees were paid between July 1 of this year and August 20th. Approximately \$130,000 in road impact fees were paid between August 20th and November 10th of this year. There are sufficient unspent road impact fees to pay the proposed refunds; general fund expenditures will not be required.

ALTERNATIVE An alternative approach would be for the Council to continue collecting the road impact fee and defend any legal challenge that may be brought.

Prepared by:

/s/ Wynne Furth

Jerry Gruber, City Manager

Wynne Furth, City Attorney

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RESOLUTION 09-50
RESOLUTION OF THE COUNCIL OF THE TOWN OF ATHERTON
RESCINDING RESOLUTION NO. 05-34 (ESTABLISHING A ROAD IMPACT
FEE) AND DIRECTING REFUND OF CERTAIN FEES PAID ON OR AFTER
AUGUST 20, 2009

WHEREAS, the Town of Atherton previously adopted Resolution No. 00-27, establishing a road impact fee to address the damage to the Town's roads resulting from construction projects within the Town; and

WHEREAS, Resolution No. 00-27 was rescinded and superseded by Resolution No. 05-34, which increased the road impact fee and added an excavation fee to address the continued deterioration of the Town's roads which was judged by the City's consulting engineers to be the result of construction activity; and

WHEREAS, Resolution No. 06-19 rescinded the excavation, or off-haul fee but did not alter the road impact fee; and

WHEREAS, there is controversy as to the legality of a road impact fee adopted under the Mitigation Fee Act (Government Code Sections 66000 and following,) which fees are intended to address the impacts of construction on civic infrastructure, in light of Vehicle Code Section 9400.8, which prohibits local government charges for the lawful use of public streets; and

WHEREAS, it is the position of the California local governments that charge road impact fees for development projects that these are lawful fees on development rather than fees for the use of public streets, no court has ruled on this issue;

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

Section 1. Repeal of Resolution 05-34. Resolution 05-34 is hereby rescinded, effective immediately upon the passage of this resolution.

Section 2. Refund of Road Impact Fee. The City Manager is hereby directed to refund road impact fees paid to the City on or after August 20, 2009, and to refund any road impact fees paid during fiscal year 2009-2010 for which a written protest was received within 90 days after payment of the fee. Such refunds shall be issued promptly to the party that has paid the fee upon execution of a settlement and release agreement in the form satisfactory to the City Attorney.

* * * * *

I hereby certify that the foregoing Resolution was duly and regularly passed and adopted by the City Council of the Town of Atherton at a regular meeting thereof held on this 18th day of November 2009, by the following vote:

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

Jerry Carlson, MAYOR
TOWN OF ATHERTON

ATTEST:

Theresa DellaSanta, Deputy City Clerk

APPROVED AS TO FORM:

Wynne Furth, City Attorney

Council Report – Elizabeth Lewis

November 18, 2009

November 16 – Met with Sandy Dubrinsky re Sacred Heart/St. Joseph's new construction project.

November 12 – Attended Community meeting at M/A High School Library regarding lights on athletic field.

November 10 – Transportation Committee Meeting

November 3 - Voted

October 25 – Attended annual brunch with panel discussion entitled “California’s Broken: How Do We Fix It?” hosted by California State Senator Joe Simitian, Eleventh District. Panelists were: Bob Hertzberg (Co-Chair, California Forward and former speaker of the California State Assembly), Russell Hancock, (President & CEO, Joint Venture: Silicon Valley Network) and Kathay Feng (Executive Director, California Common Cause).

October 26 – Green Building Tour at LEED Platinum Rated Home on Ridge View

October 27 – Green Building Workshop hosted by Kathy Hughes Anderson at Holbrook Palmer Park Main House regarding Green Building Ordinance.

October 23 – Council of Cities dinner at East Palo Alto Sr. Center

November Council Report

Vice Mayor McKeithen

1. On October 22, 2009 the Peninsula Traffic Congestion Relief Alliance conducted a Strategic Planning Retreat to discuss its current mission and program areas as well as those which might be proposed. We explored the associated issues and possible methods of evaluating success as well as program priorities and the structure of a strategic plan. The facilitators who were hired to conduct the session will combine our thoughts into a paper and present it to us at our next meeting.
2. The Joint Powers Authority Governing Board of the San Mateo County Library held a meeting on November 2, 2009. It passed two resolutions. The first was to authorize investment of monies in LAIF. The second was similar to that passed at our last council meeting authorizing the delivery of a purchase and sale agreement and related documents with respect to the sale of the San Mateo County Library JPA's Proposition 1A receivable from the state. The Board acknowledged the volunteer activities of two outstanding volunteers in the county.
3. I attended the Peninsula Cities Consortium meeting on November 6, 2009 to listen to an abbreviated version of Context Sensitive Solutions (CSS) presentation and to provide input regarding the criteria for alternatives analysis letter to be sent to CHSRA. CSS, at the request of council members from five Peninsula cities, has been hired by CHSRA and Caltrain, to ensure that the high-speed train incorporates the quality of life/community/environmental context of the Peninsula route. Pursuant to a federal mandate from the Federal Highway Administration in 2003 which required all states to use the process by 2007, CSS has been used on numerous highway projects, but never before on a rail project.

My comments regarding the Criteria for Alternatives Analysis letter included a request to strengthen the language that CHSRA "consider and respect the concerns of cities", that some indication of a timetable of lack thereof (i.e. that the process will not be rushed) be included, that the Altamont, 101 and 280 alternatives should be allowed to be explored as well, and that the process should be outlined (i.e. open, fair and equitable, no hidden agenda, everyone heard, looking for a win-win outcome).
4. November 10, 2009 was the date for the Transportation Committee meeting. The main topic of concern was the need to increase municipal parking fees as a consequence of state legislation passed in January 2009. The Committee agreed to increase all Atherton parking fees by the recommend \$5.00. Of concern, however, I would like to note that the Town has been paying an additional \$3.00 for courthouse construction to the County for each parking violation since at least last June for which it has not been assessing violators. The Town knew of this and could have rectified the situation sooner by placing the matter on an earlier agenda. Instead, we have paid out approximately \$150 in additional monies we did not have to pay.

The Committee also discussed moving violations fines in the Town. The consensus was that they were too low. Lt. Guerra will prepare a report discussing what reasonable fees we

might charge and comparing such fees to surrounding jurisdictions for our next Transportation meeting. If the Committee decides to go forward with this matter, it will make a recommendation to the Council sometime in the future.

5. The Friends of the Library met on November 12, 2009. The various topics of discussion were:
 - a. The Library Holiday Party will be held on December 9 from 2-5 p.m.
 - b. The Friends were concerned regarding the cost of a banner announcing the library ice cream socials. I assured them that such a fee was within the City Manager's discretion and it was not the Council's intent to have the fee apply to non-profit events of this kind but was up to the City Manager.
 - c. The Friends would like to extend the needs survey period to the end of this month. Library staff will check on this.
 - d. Children's events continue to be immensely popular. October with Magic Dan was grand. November was the traditional book/poem reading program with the topic being penguins and this coming December will bring the return of the annual puppet show. The library tries to alternate performance and reading events each month.
 - e. Adult events include financial workshops, a knitting group, an upcoming December event (December 4) by an author about the trials and joys of being a grandparent. Anyone can be notified of these events by requesting to be added to the library's e-mail list (more in the upcoming newsletter).
 - f. The news of cost cutting days in 2010 and the effect it might have on staff as well as library guests will be reviewed at our next meeting.

Respectfully submitted,

Kathy McKeithen

Council Report for November 18, 2009

Charles Marsala

The Blue Ribbon Task Force completed the report on the Feasibility of a new Town Center.

Congrats to the Jerry Carlson and Elizabeth Lewis for their leadership on the committee to pass measures S & T- the renewal of the Parcel Tax.

November 2009 - Council Report
Jerry Carlson

Peninsula Cities Consortium 10/23 meeting

Brian Steen reported on the High Speed Rail Design Workshops which included technical expert presentations on transportation, tunneling, geotechnical, historical resources, trains, finance and public art. In the afternoon tables were set up with 8 foot Google maps of segments of the rail corridor from northern Atherton border to the southern Palo Alto border. Greg Conlon, Jim Janz, Jack Ringham, Paul Jones and I focused on the Atherton segment. Our preferred vertical alignment was to put high speed rail lines in a deep tunnel and Caltrain/UP tracks above in a trench so all electrical wires would be below the surface. This would allow street crossings to continue at grade and would allow a 'green belt' walkway along the rail corridor. Such a solution would be dependent on the cooperation of Menlo Park and North Fair Oaks areas, technical feasibility and additional financing than had been assumed in the Program EIR and CRHSR Business Plan. Every other group involved in the workshop reached the same conclusion that the tracks should be below the surface.

A future workshop will focus on financing and private/public partnerships. The PCC information website is <http://www.peninsularail.com>

HSR board meeting 11/5 was watched on live cam

Approved a \$9 million, 5 year contract to Ogilvy Public Relations Worldwide for a 'Public Information and Communication Program.' The board claims the purpose is to provide a consistent and accurate message throughout the state re high speed rail. However, in response to board questions it is obvious that overcoming opposition to Peninsula high speed rail plans by using the firm's resources is a major goal. Rod Diridon made this very clear in making several comments. I view this as using tax payer dollars to try and counter grass roots opposition efforts all along the Peninsula. It is really a public relations/'propaganda' contract for the purpose to overcome legitimate concerns about their high speed rail plans.

By December 15th the revised Business Plan is due for submission. In it will be the assumption that the San Jose to San Francisco segment will be on a raised berm as assumed in the Program EIR. My concern which I have passed on to Senator Simitian is that this presupposes what the vertical rail alignment will be for this segment and may be later used to justify not considering higher cost options such as tunneling and trenching. It is becoming increasingly apparent that if we want to keep our cities from being divided by high speed rail we will have to mount a successful lobbying effort of the state legislature. The challenge for the council is how to make certain that our residents have a clear understanding as to how the vertical alignment decision will forever impact our town? There is a grass roots effort underway to raise funds for lobbying efforts to try and preserve our communities.

A draft organizational plan has been presented by KPMG recommending expanding the number of permanent staff positions that need to be filled by the Authority. The plan can be accessed on the high speed rail web site.

HEART breakfast and low cost housing tour 11/2

The group met at Rotary Floritas, senior housing complex in San Mateo. Rotary owns this particular site and had the assistance of other agencies in the planning and financing of the units. There was a walking tour to Peninsula Station, a 68 unit complex being constructed with

city funds and other assistance including state grants. It is located right next to the Caltrain tracks. Some retail space along El Camino (old Goodyear site) will be included. Both projects provide affordable living space for working families and seniors who want to stay in the community.

Council of Cities dinner meeting in East Palo Alto 10/23.

Meeting was held in the Senior Center and hosted by Mayor Rubin Abrica. The program was on building healthier communities focusing on obesity rates having doubled for adults and tripled for children since 1980. The Chief of the San Mateo County Health System and a representative of the California Center for Public Health Advocacy group made presentations. Exercise was stressed as being even more important than food choices for controlling weight.

Children's Bill of Rights recognition meeting 10/29

Held at Oracle Center where all San Mateo County cities and many other agencies were recognized for their support with a framed plaque.

Recognize the S&T Parcel Tax Committee on its successful campaign.

Chairman John Thibault, Treasurer Richard Moore, Asst. Treasurer Doug DeVivo and committee members Elizabeth Lewis and John Davey, and with assistance from Bill Widmer and Phil Lively put together a very successful effort resulting in the tax measure passing by 77%. I greatly enjoyed the great working relationship and dedication of each member of the group.

Fair Oaks Community Meeting on High Speed Rail

The first outreach effort by HSR at a special meeting of the North Fair Oaks Community Council on Nor. 19th, from 7:30-9:00pm, in the Fair Oaks Community Center, Rooms 4 & 5 2600 Middlefield Rd., Redwood City, CA 94063

Council Member Jim Dobbie

Council Reports

11-13-09

On Thursday, November 12th attended a meeting at Menlo Atherton high school where the potential installation of permanent floodlights is being proposed.

The meeting was attended by neighbors, school officials and parents of children who are involved with the football program.

Also in attendance were council members from both Menlo Park and Atherton.

The neighbors are strongly opposed to the lights fearing the impact on their environment because of increased traffic, noise, light impact and the potential for attracting criminal activities.

While the football program has only four or five home games, the lights would be used for other sports such as soccer and lacrosse.

Other non sports events might also be included.

The lights are to be paid for out of the most recent bond fund monies according to one of the school board members. This needs to be checked because previously the money was to be raised through private donations

Jim Dobbie