



AMENDED AGENDA
Town of Atherton
CITY COUNCIL/ATHERTON CHANNEL
DRAINAGE DISTRICT
APRIL 15, 2009
5:30 P.M.
Meeting Room
Town Administrative Offices
91 Ashfield Road
Atherton, California
Special Meeting

5:30 P.M. ROLL CALL Lewis, Dobbie, Marsala, McKeithen, Carlson

5:32 P.M. PUBLIC COMMENTS

5:35 P.M. CLOSED SESSION

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

*John P. Johns vs. 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):**

*Buckheit v. Town of Atherton, et al., San Mateo County Superior Court
Case No. CIV 482668*

**C. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED
LITIGATION**

Significant exposure to litigation pursuant to subsection (b) of
Government Code Section 54956.9: two potential cases

**D. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED
LITIGATION**

Initiation of litigation pursuant to subdivision (c) of Government Code
Section 54956.9: one potential case

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

Agency Negotiators: Council Member Dobbie, Council Member Lewis

Unrepresented Employee: City Manager

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

Employee Organization: Atherton Police Officers Association (APOA)

RECONVENE TO OPEN SESSION

Report of action taken.

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
APRIL 15, 2009

7:00 p.m.
TOWN COUNCIL CHAMBERS
94 Ashfield Road
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** None
- 7:04 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.)*
- 7:20 P.M. 5. **REPORT OUT OF CLOSED SESSION**
- 7:25 P.M. 6. **CITY MANAGER'S REPORT**
- 7:30 P.M. 7. **COMMUNITY ORGANIZATION ROUNDTABLE REPORT** (Directed
by Resolution No. 99-6)
None
- 7:30 P.M. **CONSENT CALENDAR** (Items 8-21)

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

8. **APPROVAL OF REGULAR CITY COUNCIL MINUTES OF MARCH 18, 2009; SPECIAL CITY COUNCIL MINUTES OF MARCH 26, 2009; AND SPECIAL CITY COUNCIL MINUTES OF APRIL 4, 2009**
Recommendation: Approve March 18, March 26, and April 4 minutes
9. **APPROVAL OF BILLS AND CLAIMS FOR MARCH IN THE AMOUNT OF \$ 1,113,428**
Recommendation: Approve Bills and Claims in the amount of \$1,113,428
10. **ACCEPTANCE OF MONTHLY FINANCIAL REPORT FOR THE NINE MONTHS ENDED MARCH 31, 2009**
Recommendation: Accept Monthly Financial Report
11. **PROCLAMATION FOR LET THEM HEAR FOUNDATION**
Recommendation: Approve Proclamation
12. **PROCLAMATION DECLARING ARBOR DAY IN THE TOWN OF ATHERTON**
Recommendation: Approve Proclamation
13. **PROCLAMATION DECLARING WEST NILE VIRUS AND MOSQUITO AND VECTOR CONTROL AWARENESS WEEK**
Recommendation: Approve Proclamation
14. **SET A DATE FOR A PUBLIC HEARING FOR AN APPEAL OF THE PLANNING COMMISSIONS DECISION REGARDING DENIAL OF APPLICATION TO REMOVE ONE HERITAGE TREE AT 54 BARRY LANE**
Recommendation: In accordance with Atherton Municipal Code Section 17.64, staff recommends that the City Council set the date for the public hearing for the City Council meeting on May 20, 2009
15. **APPROVE A CONTRACT WITH THE TOWN OF WOODSIDE TO EXCHANGE ATHERTON ROAD IMPACT FUNDS FOR WOODSIDE ECONOMIC STIMULUS FUNDS IN THE AMOUNT OF \$185,000**
Recommendation: Approve a contract with the Town of Woodside to exchange Atherton Road Impact Funds for Woodside Economic Stimulus Funds in the amount of \$185,000.
16. **APPROVAL OF PLANS AND SPECIFICATIONS AND AUTHORIZATION FOR SOLICITATION OF BIDS FOR THE FLETCHER/RIDGEVIEW DRAINAGE PROJECT**
Recommendation: Approve the plans and specifications and authorize solicitation for bids for the Fletcher Ridgeview Drainage and Street Project, Project No. 08-01

17. **APPROVAL OF APPROVE PLANS AND SPECIFICATIONS AND AUTHORIZATION FOR SOLICITATION OF BIDS FOR LAS LOMITAS SAFE ROUTES TO SCHOOL PROJECT**
Recommendation: Approve the plans and specifications and authorize solicitation for bids for the Las Lomas Safe Routes to School Project No. 08-028

18. **AWARD OF CONTRACT TO CASEY CONSTRUCTION FOR THE HOLBROOK-PALMER SEWER IMPROVEMENT PROJECT NUMBER 08-027 IN AN AMOUNT OF \$44,700.00, PLUS A TEN PERCENT CONSTRUCTION CONTINGENCY, FOR A TOTAL AUTHORIZATION OF \$49,170.00**
Recommendation: Approve award of contract for Holbrook-Palmer Sewer Improvement Project, project number 08-027 to Casey Construction, for \$44,700.00, with a 10% construction contingency of \$4,470, for a total authorization of \$49,170.00; and to authorize the City Manager to sign the contract on behalf of the Town

19. **POLICE DEPARTMENT VEHICLE PURCHASE**
Recommendation: Staff recommends that Council authorize the purchase of one unmarked police vehicle for a cost not to exceed \$24,976.44 from Towne Ford in Redwood City

20. **APPROVAL OF AMENDMENT NO. 1 TO THE CONSULTANT SERVICES AGREEMENT DATED JANUARY 29, 2009, BETWEEN MUNISERVICES, LLC AND THE TOWN OF ATHERTON FOR BUSINESS LICENSE TAX MANAGEMENT AND ADMINISTRATION**
Recommendation: Approve Amendment No. 1 to the consultant services agreement dated January 29, 2009 with Muniservices; and authorize the City Manager to execute the amendment

21. **INTRODUCTION OF AN ORDINANCE AMENDING SECTION 15.32.040 OF THE ATHERTON MUNICIPAL CODE REGULATING DEPOSITS FOR ENVIRONMENTAL IMPACT REPORTS**
Recommendation: Introduce "An Ordinance Amending Section 15.32.040 of the City Council of the Town of Atherton Amending Section 15.32.040 of the Atherton Municipal Code Regulating Deposits for Environmental Impact Reports." Three votes are required to introduce the ordinance. A second vote, scheduled at least ten days from the date of this meeting, is required to pass the ordinance

7:40 P.M. PUBLIC HEARINGS (Item 22)

22. **GENERAL PLAN AMENDMENT AND REZONING APPLICATION FROM MENLO SCHOOL AND COLLEGE (50 VALPARAISO)**
Recommendation: City Council adopt the proposed General Plan amendment and rezoning.

REGULAR AGENDA (Items 23-30)

- 8:15 P.M. 23. **AMENDMENT OF RESOLUTION 09-09 TO INCREASE TRANSPORTATION COMMITTEE TO SEVEN (7) MEMBERS**
Recommendation: It is recommended that Amendment to Resolution 09-09 to increase the Transportation Committee membership by two (2) resident positions
- 8:50 P.M. 24. **APPOINTMENTS TO TRANSPORTATION COMMITTEE, AUDIT COMMITTEE, GENERAL PLAN COMMITTEE, AND PLANNING COMMISSION**
Recommendation: It is recommended that appointments to the Transportation Committee, Audit Committee, General Plan Committee, and Planning Commission be approved.
- 9:00 P.M. 25. **APPOINTMENT OF TWO COUNCIL MEMBERS FOR AD HOC COMMITTEE TO ADVISE CONSULTANTS IN DEVELOPMENT OF A PROFESSIONAL OPINION RESEARCH SURVEY OF ATHERTON VOTERS**
Recommendation: It is recommended that two Council Members be appointed to an Ad Hoc Committee to assist the Town's consultants in developing a professional opinion research survey of Atherton voters
- 9:10 P.M. 26. **APPROVAL OF RESOLUTION ADOPTING SAN MATEO COUNTY ENERGY STRATEGY 2012 AND SELECTION OF CITY COUNCIL LIAISON**
Recommendation: Adopt Resolution 09-xx to adopt the San Mateo County Energy Strategy 2012 and select a council member to serve as the City's liaison for the county climate action program
- 9:35 P.M. 27. **2008 ANNUAL REPORT TO THE CITY COUNCIL ON THE ATHERTON GENERAL PLAN IMPLEMENTATION**
Recommendation: Accept the Annual Report and authorize its transmittal to the California Governor's Office of Planning and Research and the California Department of Housing and Community Development pursuant to Section 65400 of the California Government Code (CGC).
- 9:50 P.M. 28. **COUNCIL REPORTS**
- 10:10 P.M. 29. **PUBLIC COMMENTS**
- 10:30 P.M. 30. **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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DRAFT MINUTES
Town of Atherton
CITY COUNCIL
ATHERTON CHANNEL DRAINAGE DISTRICT
MARCH 18, 2009

7:00 p.m.
TOWN COUNCIL CHAMBERS
94 Ashfield Road
Atherton, California

REGULAR MEETING

Mayor Carlson called the meeting to order at 7:05 p.m.

1. PLEDGE OF ALLEGIANCE

Council Member Dobbie expressed concern for the length of the evening's agenda. Having a meeting adjourn at midnight or later was not fair to Council, staff or the public. He suggested the meeting should adjourn at 10:15 p.m. and another meeting be scheduled for those items that were not heard.

2. ROLL CALL

PRESENT: Elizabeth Lewis
Jim Dobbie
Charles E. Marsala
Jerry Carlson
Kathy McKeithen

City Manager Jerry Gruber and City Attorney Wynne Furth were also present.

MOTION – to adjourn the meeting at 10:15 p.m. and reschedule those items not heard for a Special meeting

M/S Dobbie/McKeithen

Vice Mayor McKeithen shared the same concern and did not believe the late hour would promote any transparency on behalf of the Council.

Council Member Marsala said a lot of people were in attendance for particular items, and he was concerned they would wait for three hours and Council would reschedule the items. He suggested meetings should convene earlier for presentations in order for regular items to be heard earlier.

Council Member Lewis agreed with Council Member Dobbie. She recommended adjourning part of the meeting to later in the week or within one week.

Vice Mayor McKeithen said Council had discussed ending meetings at 11 p.m. She asked that an item be agendaized for discussion.

3 PRESENTATIONS

A. Proclamation recognizing American Red Cross Month

Mayor Jerry Carlson presented the Proclamation to Patrick Cornwall from the American Red Cross Bay Area Chapter.

B. Certificates of Appreciation for Heroic Act of Saving a Life at Menlo School Basketball Game

Police Chief Glenn Nielsen presented Certificates of Appreciation to: Athletic Trainer John Cohen, Dr. Kathryn Rentchler, Dr. James Badger, and Registered Nurse Deborah Addicott for their heroic efforts to save the life of Basketball Referee Pat Boland on January 27, 2009.

Pat Boland thanked all the folks at Stanford Hospital in the Trauma and Emergency Room, the Menlo Park Fire Department who arrived on scene in 4 minutes, Menlo School for having the foresight to have defibrillators onsite, and thanked the Council for the opportunity to thank everyone formally.

C. San Mateo County Library JPA – Director Martin Gomez

Director Martin Gomez gave a brief overview of the San Mateo County Library Joint Powers Authority (JPA), which was established in 1999 and the agreement amended in 2004. The JPA included the County of San Mateo and the Cities of Belmont, Brisbane, East Palo Alto, Foster City, Half Moon Bay, Millbrae, Pacifica, San Carlos, and the Towns of Portola Valley, Woodside, and Atherton. The JPA was governed by the rules and regulations of state law regarding county libraries and government codes regulating JPAs. The JPA Governing Board was comprised of one representative from each member of the JPA and was responsible for directing policy for the library system. An Operations Committee was responsible for the administration and oversight of daily operations. The local jurisdiction was responsible for the maintenance, repair, and all capital improvements to new and existing city library facilities. The JPA was responsible for the provision of services. Revenues were coming from dedicated public library property taxes and made up the majority of revenues for the organization. Library tax rates differed from city to city, but the average rate in San Mateo County was approximately 3.2 cents for each one hundred dollar of assessed property value. Three cities within the JPA experienced donor city funding. The Governing Board was responsible for ensuring that the annual revenue allocation to each library in each city was not less than the estimated library property tax revenue attributable to property located within that city. When the revenue exceeded the amount to maintain library services, excess funds could be spent on library-related activities within

that city including but not limited to facilities maintenance, facility remodeling or expansion, increased service hours, or increased book purchases. The Town of Atherton had \$3.2 million deposited in a donor city account. Discussions took place over the past 18 months regarding the use of Atherton's donor funds. The JPA, in August of 2008, approved a motion to acquire existing lands to expand the library with the proviso that the Operations Committee was to examine the proposal to ensure the project adhered to funding guidelines. In November 2008, the legal counsel concluded the Town of Atherton's proposal to use donor city funds for remodeling or expansion was permissible pending written agreement by the JPA; however, the counsel also determined that the Town's proposal to use donor city funds to acquire any building that the Town already owned was not permitted. Mr. Gomez responded to Council questions.

Vice Mayor McKeithen clarified no decisions had been made on the use of the donor funds. When a proposal was developed, it would come before the Council for deliberation with input from the public, Friends of the Library, library staff, and in conformance with the law.

Council Member Marsala clarified work had actually begun in 2006. He also clarified that the Council and the Blue Ribbon Task Force had not made any decisions. The motions made in August and February were for staff to get a legal opinion on the JPA agreement and that the opinion should include provisions for donor cities to be able to transfer donor city reserves for assets in a validated manner. Additionally, he discussed the possibility of expanding the library with the addition of a lecture hall where presentations and lectures could be held and in which residents have expressed an interest.

4. PUBLIC COMMENTS

John Ruggeiro, Atherton, agreed with the motion to end the meeting at 10:15 p.m. He was interested in Item No. 24, which the Council would most likely not hear that evening. He suggested letting the public know which items would not be heard as soon as possible.

5. REPORT OUT OF CLOSED SESSION

City Attorney Wynne Furth reported out of Closed Session as follows:

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: Atherton Police Officers Association (APOA)

No reportable action was taken.

B. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION – Significant exposure to litigation pursuant to subsection (b) of Government Code Section 54956.9:

Three (3) potential cases

No. reportable action was taken.

6. CITY MANAGER’S REPORT

City Manager Jerry Gruber noted that Acting City Clerk Kathi Hamilton would be retiring at the end of the month and the evening’s meeting would be her last. He thanked her for her service. City Manager Gruber noted Council and staff needed to schedule a Study Session to discuss next year’s budget and priorities, as well as a Study Session during the week of April 6 to discuss NBS and the cost allocation plan. Finance Director Louise Ho had been validating every check from 2007/2008 fiscal year, which resulted in \$128,846 in the black. He thanked staff for their efforts to reduce the budget. They understood times were challenging and he would ask staff to reduce next year’s budget as well.

7. COMMUNITY ORGANIZATION ROUNDTABLE

Friends of the Library – Joan Sanders

Joan Sanders noted that Atherton’s Head Librarian Barbara Blanchard and Board Member Jean Schaaf were in the audience. She reviewed the Friends of the Library’s newsletter that would be out in a few days. The Friends were working on a Mission Statement to better communicate to the community what they did, e.g., speak up on library issues and raise money to support programs for adults, children, and book collections. There was a \$25 fee to become a member, and she encouraged everyone to become a member. She continued to report on upcoming events at the Atherton library.

CONSENT CALENDAR (Items 8-17)

Council Member Lewis commented on Item No. 11 that the Public Works Director should explore other opportunities in Atherton for safe routes to school.

Vice Mayor McKeithen noted on Item No. 11 that “traffic signs” should read “traffic fines” doubled.

MOTION – to approve the Consent Calendar as presented

M/S McKeithen/Dobbie

Ayes: 5 Noes: 0 Absent: 0 Abstain: 0

8. APPROVED THE SPECIAL STUDY SESSION/SPECIAL CITY COUNCIL MEETING OF JANUARY 30, 2009; THE SPECIAL CLOSED SESSION MEETING OF FEBRUARY 2, 2009; THE SPECIAL STUDY SESSION/CLOSED SESSION/SPECIAL CITY COUNCIL MEETING OF FEBRUARY 13, 2009; THE

**SPECIAL CLOSED SESSION MEETING OF FEBRUARY 18, 2009; AND THE
REGULAR CITY COUNCIL MEETING OF FEBRUARY 13, 2009**

- 9. APPROVED BILLS AND CLAIMS FOR FEBRUARY IN THE AMOUNT OF \$ 907,292**
- 10. ACCEPTED THE MONTHLY FINANCIAL REPORT FOR THE EIGHT MONTHS ENDED FEBRUARY 28, 2009**
- 11. APPROVE THE ENCINAL SCHOOL SAFE ROUTES TO SCHOOL REVISED DRAFT PLAN AND APPLICATION FOR SAFE ROUTES TO SCHOOL GRANT**

Approved the Safe Routes to Encinal School Revised Draft Plan, with the "Traffic Signs Doubled" sign removed, approved an application for a Safe Routes to School (SR2S) Grant, and directed staff to conduct a public meeting with notice to all affected residents.

- 12. AWARD OF CONTRACT TO G. BORTOLOTTO & CO. FOR THE SPRING STREET PATCHING CONTRACT PROJECT, PROJECT NO. 08-007**

Awarded the contract for the Street Patching Project, Project No. 08-007, G. Bortolotto, the low bidder on the March 12, 2009, bids for \$124,054.56, with a 10% construction contingency of \$12,405.46, for a total authorization of \$136,460.02, and authorized the City Manager to execute the contract on behalf of the Town.

- 13. AWARD OF CONTRACT TO INDEPENDENT CONSTRUCTION CO. FOR THE STREET RECONSTRUCTION PHASE 5 PROJECT, PROJECT NO. 08-023**

Awarded the contract for Street Reconstruction Phase 5 Project, Project No. 08-023 to Independent Construction Co., the low bidder on the March 12, 2009, bids, for \$428,331.65, with a 10% construction contingency of \$42,833.17, for a total authorization of \$471,164.82; and to authorize the City Manager to sign the contract on behalf of the Town.

- 14. ACCEPTANCE OF WORK, AUTHORIZATION TO RECORD NOTICE OF COMPLETION AND APPROVAL OF CONTRACT CHANGE ORDERS IN THE AMOUNT OF \$40,333.60 FOR THE PROJECT NUMBER 08-002**

Accepted work, authorized recording of a notice of completion and approved contract change orders in the amount of \$40,333.60 for the Stevick Drive Reconstruction Project Number 08-002.

- 15. STATUS REPORT ON TOWN OF ATHERTON v. HIGH SPEED RAIL AUTHORITY AND REQUEST FOR AUTHORIZATION TO SIGN MOU AMONG PENINSULA CITIES REGARDING HIGH SPEED RAIL AND MAYORAL LETTER**

Authorized the Mayor to sign the Memorandum of Understanding for the Peninsula Cities Consortium ("MOU") and a joint mayoral letter to the High-Speed Rail

Authority. Under the provisions of the MOU, the Mayor would appoint one representative and two alternate representatives, one of which may be a staff person.

PUBLIC HEARINGS (Item)

None

REGULAR AGENDA (Items 16-25)

16. REQUEST TO INITIATE REZONING OF PARKER AVENUE FROM R1-A TO R1-B ZONING DISTRICT

Deputy Town Planner Lisa Costa Sanders presented the staff report. There was a request from several property owners on Parker Avenue to the City Council to initiate rezoning Parker Avenue from an R1A to R1B Zoning District since there was not unanimous support to do so. The R1A Zoning District was the dominant, single-family residential zoning district in Town. The R1B Zoning District encompassed more of the residential lots surrounding Town Hall. Letters were sent to Parker Avenue property owners and responses were included in Council's packet. All of the lots on Parker Avenue were 7,800 square feet in area. Changing the zoning would allow a larger floor area of approximately 547 square feet with reduced front and rear setbacks, as well as a change in the maximum height limit. Since Council would initiate the process, Council would be considered the applicant and might have to pay the resulting costs. The City Attorney would answer any questions regarding whether the applicants could be required to pay the associated fees. She chronicled changes to the zoning code that ultimately led to the 1992 code regarding R1A zoning that indicated a minimum floor area of 2,250 square feet for lots that were less than an acre and added a provision that the floor area above the first floor would be limited to 7.5% of the total lot size. She responded to Council questions.

In response to Mayor Carlson, City Attorney Wynne Furth said Council could approve the request to initiate the rezoning with conditional arrangements with those residents who were requesting it to provide funding.

Debbie Moritz, Parker Avenue, said she had heard the comment that it was not possible to raise a family in 2,200 square feet. Her home was remodeled under the R1A zoning, and she believed there was plenty of space.

Richard Pike, Parker Avenue, read a letter into the record from Lorna and Bruce Basso who lived on Euclid Avenue. Six homes on Parker Avenue bordered their property with some in violation of existing 39-foot setbacks and some on the property line. An increase in size would have a negative impact on property values, peacefulness and privacy. Rezoning would destroy the reason why people lived in Atherton.

Rachel Warner, Parker Avenue, was a 12-year Atherton resident. She respectfully requested that Council consider rezoning Parker Avenue. Atherton's R1A zoning was based on one-acre or larger lot sizes. Parker Avenue was unique in that the lot sizes were considerably smaller, approximately 7,800 square feet. R1B zoning already

existed in other areas of Atherton that had similar lot sizes. She believed that residents of Parker Avenue should be governed under the same R1B zoning.

Jonathan Tang, Parker Avenue, said although he owned a home on Parker, he continued to live in Menlo Park because the home did not meet his family's needs. His intent was to raze the home and build new; however, there was concern with consistency and uniformity in application of the building code. He did not want to rely on variances that might not be allowed. In the spirit of equitable treatment for all the properties of a similar profile (less than an acre), he requested Council to consider the request.

Anne Anderson lived adjacent to Parker Avenue on an acre property since 1991. Her property was rectangular in shape and shared a boundary with five houses on Parker Avenue. She believed her property would be disproportionately affected by the possibility of five large, two-story houses looming over her one-story home. She believed her property value would be affected. She urged Council to deny the request.

Barbara Carson, Bergesen Court, said her home abutted homes on Parker Avenue and she did not receive notification. She read a letter into the record. She believed a change in zoning would not be in keeping with the character of that part of Atherton. She moved from the Lloyd Park area of Atherton because she and her family wanted a more rural environment. If Parker Avenue were rezoned, the tree-like setting would be destroyed and the rural character changed. She was not in favor of rezoning the street.

Michael Bennet, Parker Avenue, was in favor of rezoning the street because he wanted to add a garage.

Loren Gruner, Walnut Avenue, lived in an R1B neighborhood and believed it worked well. Homes had been remodeled, the overall neighborhood had improved, and property values had increased. There were longtime residents as well as newer ones, and she thought consideration on how to continue families and a consistent community was important.

Art Martin, represented Grant Anderson on Parker Avenue, was a building designer. He said the aesthetics of a neighborhood should consider all adjacent properties. If all the R1A small lots in Town were changed to R1B at one time, there would not be any spot zoning. Some of the existing issues would disappear and there would be fewer variances, etc. He urged Council to grant the request. He distributed four photos of R1B homes that had two-car garages that faced the street with driveways directly in front.

Colleen Anderson, Parker Avenue, said Parker was in a flood zone, and digging a basement would be problematic. Second stories were already allowed at 30 feet. Under R1B, the height would be lowered by two feet. She wanted to have a garage and get cars off the street. She requested a cost-effective way to improve the neighborhood. She urged Council to approve the request.

Andrew Carlsen, Parker Avenue, wanted to keep the zoning as it was. The attraction of his Parker Avenue home was that it was a modest-sized house with good space around it. In 1992, the houses on Parker Avenue were allowed a disproportionately larger area, as well as allowance for a basement.

Jeannette Frenster, Stockbridge Avenue, enjoyed the residential rural atmosphere and the lovely wooded areas. She believed a change in zoning would negatively impact the quality of life. She urged Council not to approve the rezoning.

Tina Isenberg, Polhemus Avenue, said the current zoning system was working well and saw no need to change it. The smaller lots interspersed around Town made for a more diverse community made up of retirees, couples, or small families. Her property abutted two properties on Parker, and she was not in favor of allowing more bulky homes.

Duane Wadsworth had lived 45 years on Parker Avenue. His home was built in the 1930s, with special variances that had 100% approval of Parker Avenue residents to preserve the original house. He was baffled by the idea that a few people wanted to change an entire street than had been zoned R1A for 50 years. The issue had been brought before the Council three times and denied. He urged Council to do the right thing and deny the request.

Linda Grossman, Parker Avenue, said accept for the oldest house on the street, all the mid-1950s houses were much as they were at the present time, built to the same generous setbacks creating an appealing open, tree-lined street. She owned one of the larger homes on the street. She disagreed that a garage could be built on existing lots without moving the existing house. She urged Council not to turn the street into houses that were too big for the lots.

Linda Grossman read a letter on behalf of Audrey Polster (Parker Avenue) who said many of the turnovers on the street were the result of death, divorce, or family relocation. Other residents who moved either wanted or needed larger homes and did not try to change the zoning. The zoning was not a secret; therefore, people should not move here if the homes were too small.

Richard Pike, Parker Avenue, said he recently celebrated 19 years in his home; however, the Atherton experience had been mixed. Years prior, a former land speculator tried to initiate rezoning Parker Avenue and only succeeded in injecting poison into the neighborhood that still lingered. A compromise was reached in the R1A zoning for lots less than one acre, i.e., homes could be built to 2,250 square feet and a basement was allowed for a total of 3,900 square feet. Rezoning was a bad idea, and he urged Council to deny the request.

John Frenster said he had lived in Atherton for 43 years. Parker Avenue was a community and neighbors cared about one another. He did not want to lose any of his neighbors because of a zoning change. He urged Council to deny the request.

Ted Johnson, Parker Avenue, said letters inferred that R1A was good for the big people. He considered R1A as good for the little people because it gave him light. Rezoning to R1B would allow a complete second story, which he was against

Denise Kupperman, Atherton, said the Town was looking at revising its zoning with regard to setbacks, basements, and light wells as it related to R1A and R1B zoning. She suggested not considering the item until the revised zoning code was approved.

David Bagshaw, Parker Avenue, was happy with the existing zoning and did not believe a zoning change was necessary.

Council Member Lewis, with use of overheads, described the difference between R1A and R1B zoning. Currently, R1A lots were 60 feet by 130 feet, with 14-foot side setbacks and 39-foot front and rear setbacks. With R1B, side setbacks would remain the same and front and rear setbacks would be 23 feet. The maximum footprint for one story in R1A was 1,728 square feet, which would allow a 585 square foot second story to reach the 2,250 maximum. With R1B, the maximum footprint for a one story was 2,752 square feet, which would only allow 35 square feet for a second story. She described various scenarios that might be possible. She concluded that building monster homes was not likely on the small lots.

Council Member Dobbie was totally opposed to rezoning Parker Avenue. Many of the people who spoke that evening were longtime residents and were happy with the zoning as it was. A zoning change would possibly increase the value of homes on Parker Avenue but decrease the value of other streets. He would not vote in favor of the request.

Council Member Marsala said Council had debated many issues that were later found not to have had as much of a negative impact as initially thought. He was in favor of keeping back setbacks as they were so space between homes was not lessened; however, he liked the idea of keeping cars off the street and a front garage had merit.

Vice Mayor McKeithen said the Town had a strict policy against granting variances.

Mayor Carlson said the issue was contentious without unanimous support to initiate the rezoning. If Council were to go forward, he was not in favor of the Town paying the \$7,000 to \$10,000 cost. He did not believe there was agreement on any particular item.

MOTION – to deny the request for initiating the rezoning of Parker Avenue

M/S Dobbie/McKeithen

Vice Mayor McKeithen said people moved to areas of Town with expectations. People who moved to Parker Avenue knew that the zoning was R1A and knew what the limitations were on building. Spot zoning would open the gates for any neighborhood that made a similar request. Greater nonconformance could exist. Putting in a basement was an option and could be built in flood zones. R1B did exist in other areas; however, the issues were not the same. A quote in one of the arguments said, “The

R1A classification was intended to control the overall appearance of all properties regardless of size. What it ensures on both large and small lots is a modest proportion of house size and bulk to lot size, thus preserving the appealing openness and lack of crowding that is Atherton's very reason for being." Parker was a special community because of the General Plan and she hoped differences could be mediated.

Council Member Marsala said the issue was contentious and he saw both sides. Things changed over time and there was some merit to revisit past decisions. He would vote no on the motion because the issue should be studied more.

Council Member Lewis believed the Town's Landscape Screening Plan that shielded and buffered properties could be relied upon to keep the Town a thickly wooded area. She understood the needs and desires of those who wanted to improve their property, as well as the fear of the neighboring residents who did not want looming two-story homes in their backyards. She believed the fear was not rational in the way setbacks would actually work. She thought the issue should go before the Planning Commission for further study.

Mayor Carlson was deeply concerned about the divisiveness of the issue. He supported the motion and did not want the Town to further study the issue.

Vote on Motion: Ayes: 3 Noes: 2 (Marsala, Lewis) Absent: 0 Abstain: 0

17. REQUEST FOR ADDITIONAL FUNDS TO SUPPORT THE WALSH ROAD DISASTER PREPAREDNESS PROJECT

Police Chief Glenn Nielsen noted he and the City Manager had been working with the Atherton Disaster Preparedness Committee and Fire Chief Harold Schapelhouman, Menlo Park Fire Protection District, on a number of projects including the Walsh Road evacuation issue. The staff report outlined the accomplishments.

Fire Chief Harold Schapelhouman, Menlo Park Fire Protection District (MPFPD), distributed a handout describing the options that MPFPD and the Town had been considering for Walsh Road. The most desirable option was a cost-effective method to implement an emergency signaling and siren system of notification before fire season began. The cost was between \$21,000 and \$30,000. Cal Water and the MPFPD worked in partnership with the Town, and the Town had a responsibility to its residents with regard to shelter and evacuation. Walsh Road was unique because it was one way in and one way out, as well as having one of the singular interface threats because of its vegetation management issues. MPFPD believed the best method to notify residents of a fire or dam issue was through the signaling device. The cost would be shared between the three entities: MPFPD, Cal Water, and the Town.

Doug DaVivo, Atherton Disaster Preparedness Committee, said the project had a lot of research with a group working on it since last July. The other alternatives were very expensive. The siren would wake people up with a different signal for fire or a dam break. Cal Water contributed \$10,000 plus the pole and the cost of running power to the pole.

Paul Jemelian, Atherton, said an automatic shut off was designed into the system, as well as a manual shutoff. There were unique, different layers in place to prevent failures.

Berna Davis, Atherton, urged Council to approve the request. She asked for Council's ongoing support. June 1 was the target date to have a drill, which coincided with the beginning of fire season.

MOTION – to augment the Walsh Road Disaster Preparedness Project budget by \$5,500

M/S McKeithen/Carlson

Ayes: 5 Noes: 0 Absent: 0 Abstain: 0

By Consensus, Council agreed to move Item Nos. 21 forward to be heard before Item No. 18, with Item No. 20 following Item No. 21.

21. ADOPT THE STATEMENT OF INVESTMENT POLICY AND RESCIND THE INVESTMENT POLICY ADOPTED ON NOVEMBER 1, 2008

Finance Director Louise Ho said the reason for restating the Investment Policy was because the existing policy was very limited. MBIA, the Town's consultant, recommended adopting a Statement of Investment Policy in order to go forward with the Town's investment goals. The Investment Policy was just a guideline and conformed to state code. The priority of MBIA was to ensure safety, liquidity and risk. A broader investment policy would allow for diversification of assets. She highlighted the differences between the new policy and the one adopted on November 1, 2008.

Council Member Dobbie asked whether there was any chance of getting back any of the Town's losses.

Finance Director Ho said she added Atherton to the group in San Mateo County requesting relief. A discussion was taking place in Congress, and the areas Senator would be involved in the hearing to address the issue.

MOTION – to adopt the Statement of Investment Policy and Rescind the Investment Policy Adopted on November 1, 2008

M/S McKeithen/Lewis

Ayes: 5 Noes: 0 Absent: 0 Abstain: 0

20. APPROVAL OF SPRINGBROOK SOFTWARE LICENSE AGREEMENT, SPRINGBROOK SOFTWARE MAINTENANCE AGREEMENT, AND AUTHORIZE THE CITY MANAGER TO SIGN BOTH CONTRACTS (*This item was continued from the City Council meeting of February 18, 2009*)

Council Member Dobbie asked whether staff had contacted any other cities/towns that had experience with the software.

Finance Director Louise Ho said both she and the City Manager had experience with the software in previous jurisdictions. The City of St. Helena was in the implementation stage at the current time.

City Manager Jerry Gruber had experience with changing from one software system to Springbrook. The change over was the most challenging part; however, he was excited about what the software would do for the organization in the areas of efficiency and effectiveness.

Council Member Lewis said staff needed to have the right tools to do its job and the Town needed to invest in its staff.

MOTION – to approve the Springbrook Software License Agreement, Springbrook Software Maintenance Agreement, and Authorize the City Manager to Sign both contracts.

M/S McKeithen/Dobbie

Ayes: 5 Noes: 0 Absent: 0 Abstain: 0

19. REQUEST FOR PROPOSAL FOR PROFESSIONAL OPINION RESEARCH SURVEY AND COMMUNICATION STRATEGY CONSULTING SERVICES

City Manager Jerry Gruber said staff recommended the Godbe Research firm for the opinion survey. Three firms were considered and Godbe had the best price and the best record of success.

Assistant City Manager Eileen Wilkerson said the price included a 300-registered voter telephone survey.

Both Council Member Dobbie and Council Member Lewis thought a bigger sample was needed. Council Member Dobbie suggested organizing a citizen group to do a much larger survey.

Vice Mayor McKeithen thought a professional group was needed because the issue was too important.

Council Member Lewis thought residents' outreach might be better.

Council Member Marsala thought the independent agency numbers would not be biased. Residents would be making a huge mind shift, and impartiality was needed.

City Attorney Wynne Furth said one issue to keep in mind was that one reason public agencies use a service was because of the obligation not to become engaged in campaign activities for or against a ballot measure.

Mayor Carlson supported the idea mainly because of timing and resources.

MOTION – to approve a professional services agreement with GODBE Research, Inc. for professional opinion research survey and communication strategy consulting

services and that the Council authorize the City Manager to execute an agreement in an amount not to exceed \$19, 550.00

Larry Sweeney, Atherton, was not sure a good distribution of representation would be achieved though a telephone survey. He suggested supplementing a mail survey so people could respond.

M/S Carlson/McKeithen

Ayes: 5 Noes: 0 Absent: 0 Abstain: 0

A discussion on scheduling a Special meeting ensued for the remainder of items. Two additional items would be included on the agenda: 1) Forming an ad hoc committee for legal transition, and 2) Discussion regarding concluding Council meetings at a set time.

18. **ADOPTION OF A RESOLUTION APPROVING THE MID-YEAR BUDGET ADJUSTMENTS FOR FISCAL YEAR 2008-2009** *(This item was continued from the City Council meeting of February 18, 2009.)*

The item was continued to a Special meeting, date and time to be determined.

22. **PROCEDURES FOR COUNCIL MEMBERS TO REQUEST AN ITEM BE PLACED ON A CITY COUNCIL AGENDA**

The item was continued to a Special meeting, date and time to be determined.

23. **APPOINTMENT OF DESIGNATED CITY COUNCIL REPRESENTATIVES FOR NEGOTIATIONS WITH THE CITY MANAGER**

The item was continued to a Special meeting, date and time to be determined.

24. **DISCUSSION AND POSSIBLE ACTION REGARDING COMMITTEE/COMMISSION PROCESS AND SCHEDULING A SPECIAL MEETING FOR INTERVIEWS**

The item was continued to a Special meeting, date and time to be determined.

25. **REVISE CITY COUNCIL RESOLUTION 09-09 BY AMENDING THE RESOLUTION TO REQUIRE REGULARLY SCHEDULED MONTHLY FINANCE COMMITTEE MEETINGS**

The item was continued to a Special meeting, date and time to be determined.

26. **COUNCIL REPORTS**

The item was continued to a Special meeting, date and time to be determined.

27. **PUBLIC COMMENTS**

John Ruggeiro, Atherton, said he and Ms. Jean Schaaf were present for Item No. 24. He requested that Council scheduled that item first on the rescheduled meeting.

Jean Schaaf, Atherton, expressed displeasure at another postponement. She believed the committee reorganization was unnecessary.

City Manager Jerry Gruber introduced and welcomed new Executive Assistant/Deputy City Clerk Theresa DellaSanta who was in the audience.

28. ADJOURN

Mayor Carlson adjourned the meeting at 10:26 p.m.

Respectfully submitted,

**Kathi Hamilton
Acting City Clerk**



MINUTES
Town of Atherton
CITY COUNCIL
ATHERTON CHANNEL DRAINAGE DISTRICT
MARCH 26, 2009
9:00 A.M
TOWN COUNCIL CHAMBERS
94 Ashfield Road
Atherton, California

SPECIAL MEETING

Mayor Jerry Carlson called the meeting to order at 9:00 a.m.

ROLL CALL

PRESENT: Elizabeth Lewis
Jim Dobbie
Charles E. Marsala
Jerry Carlson
Kathy McKeithen

City Manager Jerry Gruber and City Attorney Wynne Furth were also present.

3. PUBLIC COMMENTS

Lisa Lamb, Atherton resident, stated that City Council meetings should not be held while the general public has to be at work. Lamb added that items on the Agenda are too important to discuss during day time hours when people are unable to attend.

REGULAR AGENDA (Items)

4. DISCUSSION AND POSSIBLE ACTION REGARDING COMMITTEE/COMMISSION PROCESS AND SCHEDULING A SPECIAL MEETING FOR INTERVIEWS (*Continued from the Regular City Council meeting of March 18, 2009*)

Wynne Furth, City Attorney, stated that the Council previously revised its rules and procedures for appointing and setting the times for Committees and Commission to help comply effectively with the State Maddy Act. Furth added that the City Clerk analyzed the current Committees and Commissions and found that a number of terms are either vacant or ready to expire. Furth recommended that Council hold a special meeting to conduct interviews for the current applicants to the Town Committees and Commissions.

Vice Mayor Kathy McKeithen questioned what prohibits the Council from allowing the applicants to automatically sit on a Committee if there are more vacancies than applicants. McKeithen concluded her opinion that interviews are not needed if there are fewer applicants than vacancies.

Council Member Elizabeth Lewis stated that the interview process unfolds the specific requirements and duties a person needs in order to sit on the Committee. Lewis added that some applicants may not be aware of their responsibilities, duties and requirements and interviews will help them understand that.

Mayor Jerry Carlson suggested that Council allow the applicants to choose whether they want to appear or not and if they decide not to it wouldn't be held against them. Council Member Jim Dobbie concurred.

Council Member Charles Marsala encouraged Council to make appointments to the Arts Committee and Rail Committee without conducting interviews since the number of applicants is less than the number of vacancies. Mayor Carlson suggested an emergency item to make the appointments.

Furth stated the Brown Act has strict guidelines to adhere by and felt that the Arts and Rail Committee applicants can be allowed to attend and participate for now, but should be officially appointed at a special meeting.

Marsala stated that some Committees will still have vacancies after the appointments are made and asked for clarification on how staff deals with ongoing recruitment for Town Committees.

Furth stated that Council should have the ability to make appointments at any time during the year. She added that Council should urge citizens to apply for appointment to a Committee with the City Clerk. As needed, the item can be placed on the consent calendar at a regular meeting to set an interview.

John Ruggeiro, Atherton resident, stated that the Town Roster is inaccurate and suggested that it be updated.

MOTION – to schedule a Special City Council meeting for April 4, 2009 at 9 a.m. to 1) Appoint members to the Arts and Rail Committee; and 2) Interview and possibly appoint for the General Plan, Audit, Environmental Program, Transportation and Planning Commissions.

M/S McKeithen/Dobbie Ayes: 5 Noes: 0 Absent: 0 Abstain: 0

**5. ADOPTION OF A RESOLUTION APPROVING THE MID-YEAR BUDGET
 ADJUSTMENTS FOR FISCAL YEAR 2008-2009 (Continued from the Regular City
 Council meeting of March 18, 2009)**

Jerry Gruber, City Manager, informed the Council that this is a continued item from the regular City Council meeting.

Louise Ho, Director of Finance gave a Power Point presentation on the mid-year budget. [A copy of the presentation is available in the City Clerks office.]

Ho discussed general fund FY2008-09 budget projections, changes to mid-year review, revenue changes, operating expenditures and changes, fund balance analyses and recommendations.

Carlson asked that if the hours of the Code Enforcement Officer position are cut where it would fall in the operating expenditure reductions. Ho said this would fall under the Building Department expenditures. Gruber stated that it would be a 4-hour reduction through the rest of the fiscal year.

Marsala recalled that \$200,000 was set aside for the new Building Department and approximately \$150,000 for reserve inspection and wondered why the reduction in operating expenses for the Building Department only reflected \$ -84,900. Ho said that the new building department and reserve inspection were not originally budgeted for. Marsala clarified that most of the \$400,000 non-expected revenue is not affecting a need for cut-backs in the Building Department. Ho concurred.

Dobbie stated that he has received calls and emails from the general public saying that Council should be expanding the Code Enforcement Officer hours rather than reducing the hours.

Ho presented the Council with an analysis on the general fund budget shortfall which is projected at a "worse case scenario" of -\$1,512,452.

Ho presented Council with an analysis of projected fund balance for June 30, 2009 of \$6,371,026. She added that the State is looking at possibly bailing out the cities that were affected by the Lehman Brothers investments loss; the Town lost \$282,542. Carlson asked how many other agencies in the Country are asking for the same help. Ho said she will provide this information to the Council.

Carlson asked what assumption was made on the income interest decrease for the year. Ho said she is still working on an assumption but has projected it at approximately -\$200,000.

Lewis stated that the \$1,805,144 that was transferred to the Building Department should not be reflected as a loss because it is still Town money. She added that if the Town had not lost the \$282,542 in investment with Lehman Brothers then there would be an excess.

Ho reviewed the general fund balance through June 30, 2008 and the projected balance for June 30, 2009 with Council. Carlson asked for a detailed statement and definitions of each line item and under what circumstance would certain reserves be used for in the future.

McKeithen clarified that all funds with the exception of the Building Department fund are all monies that come from sources other than the Building Department. Ho said that the Building Department fund is part of the general fund.

Marsala said the numbers from the auditors from 2001 to current show that the Building Department has large surpluses and said that the \$900,000 in surplus from 2001 could be allocated to the Building Department.

Carlson said in the auditors statements there are department costs which the Council needs to know where to allocate to. He said the Council needs to discuss building “service” costs such as retiree health and administrative overhead once the NBS study on Town fees and charges is completed.

Carlson asked staff what they would advise the Council to use as a good number for undesignated reserves. Ho said it would be good to keep it for at least six months.

Ho reviewed changes to other funds which include \$30,000 in business license ordinance review and refund processing, \$48,000 in computer funds, \$14,509 for the road impact fee study and \$20,000 for polling and consulting services for the special parcel tax.

McKeithen asked if the \$30,000 for administrative services should be negotiated. Gruber stated that the \$30,000 is a result of negotiations and felt that if there is a cap staff would need to come back to Council if the cost rises. Lewis questioned whether staff can do the business license refunds. Gruber felt that it would be in the Towns best interest to allow Muniservices to finish the project and put it to rest.

Furth stated that a City is not allowed to incur debt the way a private business is so the other fund amount payments are made for services rendered each year.

Ho reviewed five different options Council had to balance the budget. [A detailed list of these options is available in the City Clerk’s office.]

Lisa Lamb, Atherton resident, stated that in the last year Council and staff has led the general public to believe that the budget is okay and now it seems like that is not the case.

Marsala questioned why the budget projection shows an approximate \$2,000,000 shortfall if the Town is refunding \$680,000 in business licenses. He felt the Town is perceived by the public as not receiving any revenue when in actuality they are. Marsala added that although the reserves are losing \$1,805,144 as a transfer to the Building Department it is still the Town’s money. He concluded that there are increases in some areas and that there is revenue generation.

Marsala asked when the road impact fee study will be completed. Gruber said it should be done in the next 30 days.

Dobbie commented that one of the most important things to the Town is that they do not run out of cash. He added that going forward there is the possibility of a new parcel tax or a new general tax. Dobbie concluded his opinion for a five-year plan in which the Town will continue to be viable under tough circumstances.

McKeithen concurred with Dobbie on the five-year plan with a conservative side. McKeithen stated her feeling that option 5 would be the way to balance the budget. She added that the Fletcher Drainage project is very important to Public Works Department and to Atherton residents. McKeithen said the Park Corp yard remodel, Drainage construction Mandarin, McBain, and completed projects and capital improvement changes and savings have received approval from Public Works to be returned to the general fund. McKeithen added that the money was originally transferred from general fund to capital improvements because it was not needed, but now that there

are no critical projects that need to be done the money should be returned to the general fund. McKeithen concluded that there is no reason not to choose option 5 because it will not change police services or the capital improvement budget and the Fletcher Drainage project will move forward.

Marsala stated his apprehension with the legal budget. He was concerned that there is not enough to defend some of the current legal situations the Town is in. Marsala asked how this can be addressed so the Town does not run low on cash dealing with the legal challenges.

Gruber said staff has taken expenditures to date, and prorated through the rest of the fiscal year, and included a small contingency to anticipate anything that may come up. Gruber concluded that staff felt the need to be fiscally responsible by doing their best to manage the legal costs.

Furth said that her firm just began working with the Town and will not have a good idea of what costs will be until she can complete examining the Town and its records. Furth added that there are legal matters that need to be taken care of promptly which will also result in cost savings for the Town if addressed properly.

Lewis commended Town staff and Department Managers for their effort in reducing costs. Lewis stated that she does not agree with any of the options given to Council and felt that the \$680,000 for business license refunds plus the decrease in current year business license revenue should be line itemed out to general fund reserve because of the business license tax error made by the Town. Lewis added that the left over should go towards the Mandarin and McBain projects or the parcel tax fund. Lewis clarified that the Fletcher Drainage project was only to be deferred for this fiscal year.

Dobbie concurred with McKeithen on option 5.

Marsala said he leans towards option 2 because he feels staff should be able to make decisions on the construction projects. Marsala added his concerns that the Town may need more money for road impact fees and to handle more business license challenges so reserves may need to be held as high as possible and possibly remove funds from the parcel tax.

McKeithen said the special parcel tax would be in general fund and other projects are in the capital improvement fund which would leave more money for the special parcel tax in the general fund. McKeithen concluded that option 5 was recommended by Public Works Director Duncan Jones.

MOTION by Marsala, second by Carlson to adopt option 4 to balance the general fund which consisted of the following:

- 1. \$ 1,161, 827.00 Use of General Fund Reserves.**
- 2. \$ 350,000.00 Transfer from Special Parcel Tax.**
- 3. Total \$ 1,511,827.00**
- 4. The remainder came from cost reduction from staff;**

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

MOTION by Carlson, second by Lewis to adopt a Resolution to approve the Mid-Year budget adjustments for FY2008-09

Ayes: 5 Noes: 0 Absent: 0 Abstain: 0

Carlson thanked staff for their efforts in reducing costs and helping put together the mid-year budget for FY2008-09.

6. PROCEDURES FOR COUNCIL MEMBERS TO REQUEST AN ITEM BE PLACED ON A CITY COUNCIL AGENDA (Continued from the Regular City Council meeting of March 18, 2009)

Furth stated that the Council operates in a complex environment because of the changes in the Brown Act. Furth stated that staff has proposed 3 different changes to the Council rules of procedures. First that Council Reports come before public comments, second that when a Town Committee or Commission passes a motion at its meeting requesting Council consideration of an item that is within that Committee or Commission's powers and duties, the City Manager shall place the item on a regular Council agenda no later than two regular meetings following the date of the request; and third that if two or more Council Members prepare a colleagues' memo, the City Manager shall place the item on the Council's agenda within two meetings. The item shall be placed at the end of the Regular Agenda/Public Hearings portion of the Agenda. A colleagues' memo is a written request, no more than two pages in length, presenting an item for consideration and action by the entire Council. Council Members are encouraged to share a draft of the memo with the City Manager prior to final review and shall consult with the City Attorney on the legal adequacy of the title. Completed colleague's memos shall be provided to the City Clerk at noon no later than eight (8) days before the regular Council meeting of the week before the Council meeting at which the item is to be placed on the agenda. It is the Council's policy that colleagues' memos should be analytic and informative. No Council Member shall participate in the preparation of more than one colleague's memo per Council meeting.

McKeithen stated that there is not a provision for a yes or no vote with no discussion and this was a fundamental part of the provision.

Marsala said a yes or no vote would not allow transparency and felt that discussion should be allowed.

Dobbie said he thinks the Council should have the right to a yes or no vote on whether an item be added to the Agenda or not.

Lewis stated the reason this is being discussed is to allow more public transparency of issues that the Council might not be aware of. She added that the ability for Council to bring forth an issue for discussion would give the general public more opportunity to discuss and speak on things that are important to them.

McKeithen felt that if discussion were allowed then Council would really only be hearing one side of the issue because it would be brought by two Council Members and there would be no staff

report which would make it hard to make an informed decision. McKeithen concluded that it should be a yes or no vote on whether to add an item to the Agenda.

Marsala felt that transparency comes by allowing the Council Members to bring the item up and allowing the general public to comment and then voting yes or no. Marsala added that if two Council Members are have an issue they can take it up with the rest of the Council by discussion and from there the entire Council can vote on whether to take it further.

Furth stated that this revision was written to allow adding an item to the Agenda and once it is on the Agenda then Council would have to allow public comment.

John Ruggiero, Atherton resident, stated that this sounds like it would continually expand the Agenda and make the meetings longer.

Lisa Lamb, Atherton resident, stated that she thinks it's a great idea because it gives the public more of a chance to bring important issues to the Council.

Dobbie felt that the Council would make the right decision on whether or not an item should be added to an Agenda and he has no problem with allowing two Council Members to bring an item to the entire Council but the entire Council will have the decision.

Carlson concurred but felt there should be some dialogue on the issue.

McKeithen felt that there are some issues that state a position that would not be appropriate to speak about in front of the general public. She concluded that the Council should have an option to vote no to stop any discussion that should not be had.

MOTION by Marsala, second by Lewis to approve the recommendations from the City Attorney.

AMENDED MOTION by McKeithen, second by Dobbie to amend and approve each item separately. The motion passed 3-2 (Marsala, Lewis)

MOTION to revise Council Rules of Procedures to move Council reports before future Agenda items.

Ayes: 5 Noes: 0 Absent: 0 Abstain: 0

MOTION to revise Council Rules of Procedures to allow that when a Town Committee or Commission passes a motion at its meeting requesting Council consideration of an item that is within that Committee or Commission's powers and duties, the City Manager shall place the item on a regular Council agenda no later than two regular meetings following the date of the request

Ayes: 5 Noes: 0 Absent: 0 Abstain: 0

MOTION to revise Council Rules of Procedures if two or more Council Members prepare a colleagues' memo, the City Manager shall place the item on the Council's agenda within two meetings. The item shall be placed at the end of the Regular Agenda/Public Hearings portion of the Agenda. A colleagues' memo is a written request, no more than two pages in length, presenting an item for consideration and action by the entire Council. Council Members are encouraged to share a draft of the memo with the City Manager prior to final review and shall consult with the City Attorney on the legal adequacy of the title. Completed colleague's memos shall be provided to the City Clerk at noon no later than eight (8) days before the regular Council meeting of the week before the Council meeting at which the item is to be placed on the agenda. It is the Council's policy that colleagues' memos should be analytical and informative. No Council Member shall participate in the preparation of more than one colleague's memo per Council meeting.

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

7. REVISE CITY COUNCIL RESOLUTION 09-09 BY AMENDING THE RESOLUTION TO REQUIRE REGULARLY SCHEDULED MONTHLY FINANCE COMMITTEE MEETINGS *(Continued from the Regular City Council meeting of March 18, 2009)*

Gruber stated that the Finance Committee tries to meet on the first or second Thursday of each month. Gruber added that he received a request to make these later in the day to allow the general public to attend.

Carlson stated that the request is to fix a date and a time for the Finance Committee meetings. He asked Council what date they prefer.

Dobbie said he feels Finance Committee meetings should only be held when needed. He added that a tentative schedule would work well.

Lewis stated that as a public entity it is the Council's duty to be as transparent as possible especially in these days and times. Lewis felt it is imperative to reach out to the public and allow them to participate in these meeting. She concluded that she is in favor of regularly scheduled finance meetings.

Marsala said that he feels that regularly scheduled evening meetings are very important to have for the general public to be allowed to attend. He added that if there is nothing to be brought up at one of the scheduled meetings it can just be cancelled. Marsala concluded that the items that are on the Finance Committee meetings should be brought by the Council.

McKeithen said that an evening meeting is just as difficult to attend for the public because a lot of them have children. She added that the committee which convenes at 3:30 p.m. has never had so many people show up as they have this year. McKeithen said she is in favor of keeping the Finance Committee meetings the way they are as they have worked fine that way.

MOTION by McKeithen, second by Dobbie to keep the monthly Finance Committee meetings as is and not to require regularly scheduled meetings.

Ayes: 3 Noes: 2 (Lewis, Marsala) Absent: 0 Abstain: 0

8. APPOINTMENT OF AN AD HOC SUBCOMMITTEE OF TWO COUNCIL MEMBERS FOR LEGAL TRANSITION

Gruber stated that since the Town hired a new City Attorney he felt that it is important that the Council be involved in the transition process. He added that the Council should be able to discuss what they feel are important legal issues and funding needs for the legal services.

Dobbie expressed that this is a great idea. Lewis concurred.

Marsala and McKeithen volunteered to serve on the ad-hoc subcommittee.

MOTION by Lewis, second by Dobbie to approve Ad Hoc Subcommittee for legal transition and with consensus appointed Council Member McKeithen and Council Member Marsala to the Ad Hoc Subcommittee.

Ayes: 5 Noes: 0 Absent: 0 Abstain: 0

9. ATHERTON CITY COUNCIL TO CONSIDER ENDING CITY COUNCIL MEETINGS AT A DESIGNATED TIME

Gruber said there is no fiscal impact except if a meeting gets continued then staff has to schedule and create new packets.

Carlson said it is illogical for Council meetings to last until midnight.

McKeithen stated that at the previous Council meeting a motion was made at the beginning of the meeting to end the meeting no later than 10:30 p.m. and she felt it made the Council more effective and efficient. McKeithen said a 10:30 p.m. ending time should be conducted on a trial basis.

Furth stated that staff will need to inform Council at the beginning of the meeting which items absolutely need to be addressed by ending time. Gruber said he will begin working with staff to prioritize the items on the Agenda.

Dobbie said that most of the presentations on the Agenda take too long. He added that the general public usually does not come for the presentations and he felt these presentations need to either be moved to the end of the Agenda or only allow presentations once every three Council meetings. Dobbie added that staff needs more authority to make decisions on things that do not need public

comment and input in order to avoid micro-management. He concluded that Council Member discussions should be focused in order to not waste time. Dobbie supported starting the meeting at 6:00 p.m. and ending at 10:30 p.m.

Lewis said that if Council comes prepared then the meetings should be run efficiently. She added that she does not want to see Council rushing through important issues just to end on time. Lewis concurred with Dobbie on ending the meeting by 10:30 p.m.

Marsala said he would like to see things stay the way they are. He added that starting the meeting at 7:00 p.m. will allow the public to attend. Marsala gave his top ten reasons for not changing the meetings start time or end time.

Lewis suggested that Council Reports be written and submitted rather than discussed at the meetings because that takes a long time.

MOTION by McKeithen, second by Dobbie to end Council meetings at 10:30 p.m. on a trial basis, and if there are any presentations to create a special City Council Agenda to begin earlier.

Ayes: 3 Noes: 2 (Lewis, Marsala) Absent: 0 Abstain: 0

10. APPOINTMENT OF DESIGNATED CITY COUNCIL REPRESENTATIVES FOR NEGOTIATIONS WITH THE CITY MANAGER (Continued from the Regular City Council meeting of March 18, 2009)

Furth stated that she is not allowed to discuss the City Manager's compensation in Closed Session. She added that Council can appoint one to two members to act as liaison to the Council for negotiations.

Dobbie and Lewis volunteered being on the Committee.

MOTION by McKeithen, second by Carlson to appoint Council Member Lewis and Council Member Dobbie as representatives for negotiations with the City Manager.

Ayes: 5 Noes: 0 Absent: 0 Abstain: 0

11. COUNCIL REPORTS

McKeithen informed the Council that the Finance Committee met and reviewed the investment portfolio and policy. She added that the Transportation Committee met and considered redflex camera, no through traffic for Holbrook Lane at County line which will need approval from the County, and safety improvements at Watkins. McKeithen concluded that the Committee voted to put no parking signs at Alameda to 300 Walsh Road, as a safety precaution.

Marsala said the Environmental Programs Committee met at Menlo College and added that April 20th will be National Plan of Action Discussion Night.

Lewis stated that she volunteered at the Green Start event at Menlo College which was a great success.

Carlson said that the Metropolitan Transportation District passed a number of projects and Atherton will be receiving \$3,092,000. He added that the High Speed Rail issue continues on between Caltrain and High Speed Rail to work jointly and make it one project with a minimum of 4 tracks.

McKeithen recognized how well the Police Department is doing on enforcing rules and issuing citations.

12. PUBLIC COMMENTS

None

13. ADJOURN

MOTION by Carlson, second by Dobbie to adjourn the meeting. The motion passed unanimously.

Mayor Carlson adjourned the meeting at 11:55 a.m.

Respectfully submitted,

**Theresa DellaSanta
Deputy City Clerk**



DRAFT
MINUTES
Town of Atherton
CITY COUNCIL
ATHERTON CHANNEL DRAINAGE DISTRICT
APRIL 4, 2009
9:00 A.M
TOWN COUNCIL CHAMBERS
94 Ashfield Road
Atherton, California

SPECIAL MEETING

Mayor Carlson called the meeting to order at 9:00 a.m.

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

CONSENT

2. **Appointment of Larry Colof to the Arts Committee and Julie Quinlan and Jim Janz to the Rail Committee**

MOTION by McKeithen, second by Lewis to appoint Larry Colof to the Arts Committee and Julie Quinlan and Jim Janz to the Rail Committee.

Ayes: 5 Noes: 0 Absent: 0 Abstain: 0

REGULAR AGENDA (Items)

3. **Interviews and Appointments for the Transportation Committee, Audit Committee, Environmental Programs Committee, General Plan Committee and the Planning Commission**

Mayor Jerry Carlson stated that the Council planned to bring each applicant to the podium for questions and answers. After that was done for each Committee group the Council would vote on who they will select.

Transportation Committee Interviews

Carlson called forward applicant Katherine Morganroth for the Transportation Committee.

Katherine Morganroth, Atherton resident, stated she is currently a stay at home Mom who had previously worked in public affairs for 10 years working in management at Pacific, Gas & Electric.

Vice Mayor Kathy McKeithen asked Morganroth why she hadn't attended any Transportation Committee meetings in the past. Morganroth said she is a new resident to Atherton and is trying to get involved.

McKeithen asked what issues Morganroth can add her experience to. Morganroth said she can help with road repairs especially the repairs on her own street.

Council Member Charles Marsala asked Morganroth what she did during the energy crisis while she worked at PG&E. Morganroth said she worked in the corporate office as project manager.

McKeithen asked if Morganroth is interested in the Arts Committee or Parks and Recreation Committee. Morganroth said yes.

Louis Paponis, Atherton resident, stated that he had been on the Transportation Committee for several years and has only missed 1 meeting. He added that he researches every item on the Agenda and analyzes it to the best of his ability.

Marsala asked if he had any insights on current transportation issues. Paponis said the constriction of roadways in and out of Atherton is an issue and traffic is not compatible with the streets.

John Ruggeiro, Atherton resident, stated that he has been on the Committee for approximately 6 years. He added that he was instrumental in getting a lot of residential speed limits lowered from 30 to 25.

Larry Sweeney, Atherton resident, stated that he has been a resident of Atherton for approximately 30 years. He informed the Council that he has experience in Government programs, research and development, and intelligent transportation systems which is the development of communications through computer and electronics for transportation. Sweeney concluded that his main concerns are speeding and safety for pedestrians and vehicles.

Marsala said he is impressed with Sweeney's background. Marsala asked what kind of outreach would he implement. Sweeney said he would give residents the opportunity to purchase devices to put in their cars at no cost to experiment with the communications.

Carlson informed the Council that Erv Ericksen sent him a copy of a roster that shows the Council appointed him in June of 2008.

Joan Solari, Atherton resident, stated she is a 10 year resident of Atherton and was previously an elementary teacher. She added that she is a volunteer through the Atherton Dames.

Carlson informed the Council that there are 7 applicants and only 3 vacancies.

McKeithen said it would be very helpful to have applicants with different backgrounds. She suggested expanding the Committee to 7 members rather than 5. The Council agreed to bring this to the April 15th meeting for approval.

Council Recommendation for Transportation Committee members is Louis Paponis, John Ruggeiro, Larry Sweeney, Erv Ericksen, and Joan Solari. This will be brought to the April 15th meeting for appointment and expansion of the Committee.

Environmental Programs Committee

MOTION by Lewis, second by McKeithen to appoint Frank Merrill and Valerie Gardner to the Environmental Programs Committee.

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

Planning Commission Interviews

Council recommendation for Planning Commission was Paul Quinlan.

Audit Committee Interviews

Rose Hau, Atherton resident, said although she has no background in finance she is willing to put in the time to listen and learn. She added that she previously held the position as Chair of Planning Commission. Hau concluded that she can help the Committee by reviewing every financial statement and asking questions.

Sam Goodman, Atherton resident, stated that he is interested in remaining on the Audit Committee provided that it is needed. He felt that it is not necessary to have the committee unless the Town is unhappy with the auditors, but using the Committee as a resource for the Town is a good idea.

Council Member James Dobbie asked how the cost of an audit can continue to expand in an unlimited fashion unless they are controlled. He added that the Audit Committee can be very useful to help control this.

Council recommendation for Audit Committee was Rose Hau and Jim Massey to serve terms ending in 2012 and Sam Goodman to serve term ending 2010.

General Plan Committee Interviews

Thom Bryant, Atherton resident, stated that he is interested in helping out his community. Bryant said has managed facilities with large projects and been involved in general plan amendments. He concluded that he was a former member of Sustainable San Mateo County.

Carlson asked what major issues in Atherton he is interested in. Bryant said he is interested in the rail and land use implications and compliance with affordable housing and state requirements. Marsala asked if he would be interested in being a member of the Blue Ribbon Task Force. Bryant said yes.

Council recommendation for General Plan Committee is David Henig.

Marsala informed Bryant to look into applying for the Blue Ribbon Task Force or the Environmental Programs Committee.

Mayor Carlson stated that the recommendations for the Committees will be brought to the April 15th regular Council meeting for appointment.

4. PUBLIC COMMENTS

None

5. ADJOURN

MOTION by Dobbie, second by McKeithen to adjourn the meeting.

Mayor Carlson adjourned the meeting at 10:38 a.m.

TOWN OF ATHERTON
CLAIMS LIST March 2009

	3/13/09	3/27/09	
Payroll Checks #	12948-12957	13018-13026	\$ 9,302
Direct Deposit	12959-13016	13028-13084	280,500
Electronic Transfer			94,771
 A/P Checks #	 28002-28190		 728.855
		TOTAL	\$1,113,428

I, Jerome Gruber, City Manager of the Town of Atherton, do hereby certify under penalty of perjury that the demands listed above, check numbers 12948-13084 (payroll) and 28002-28190 (accounts payable), and electronic transfers for employees direct deposits, federal payroll taxes and fees, inclusive, amount to \$1,113,428 are true and correct, and that there are sufficient funds for payment.

Jerome Gruber
City Manager

The above claims, check numbers 12948-13084 (payroll) and 28002-28190 (accounts payable), and electronic transfers for employees direct deposits, federal payroll taxes and fees, inclusive, amount to \$1,113,428 are true and correct, and are authorized for payment.

Jerry Carlson
Mayor, Town of Atherton

SOURCE OF FUNDS

101	General Fund	\$854,195
105	Tennis	1,344
201	Special Parcel Tax	28,903
202	Transportation	-
203	Gas Tax	-
210	Road Construction Impact Fees	90,666
211	Park Grants	40,731
213	Library	20,674
401	General Capital Projects	-
402	Storm Drainage	-
403	Atherton Channel District	5,417
406	Facilities Construction	21,000
610	Vehicle Replacement	-
611	Computer Maint. & Replacement	32,053
612	Administrative Services	13,181
614	Workers Comp Insurance	5,264
715	Evans Estate	-
740	Tree Committee	-
	TOTAL	\$1,113,428

Check #	Check Dt	Vendor Name	Inv Date	Inv #	Department	GL Account	Amounts	Detail Description
028002	03/18/09	AFLAC ATTN: REMITTANCE PROC	01/23/09	323299	NON-DEPARTMENTAL	Payroll Deducti	1,697.36	DEC 08 INSURANCE PREMIUMS
			02/05/09	727048	NON-DEPARTMENTAL	Payroll Deducti	1,697.36	JAN 09 INSURANCE PREMIUMS
			03/05/09	124682	NON-DEPARTMENTAL	Payroll Deducti	1,635.70	FEB 09 INSURANCE PREMIUMS
						Check Totals	5,030.42	
028003	03/18/09	CA STATE DISBURSEMENT UNIT	03/13/09	03.13.09	NON-DEPARTMENTAL	Payroll Deducti	100.62	CS W/H 02/22-03/07/09
			03/13/09	03-13-09	NON-DEPARTMENTAL	Payroll Deducti	339.80	CS W/H 02/22-03/07/09
						Check Totals	440.42	
028004	03/18/09	PUBLIC EMPLOYEES RETIREMENT	03/13/09	03.13.08	NON-DEPARTMENTAL	Payroll Deducti	3,201.18	PERS W/H 02/22-03/07/09
					NON-DEPARTMENTAL	Payroll Benefit	48,442.04	PERS 02/22-03/07/09
						Check Totals	51,643.22	
028005	03/18/09	TEAMSTERS LOCAL 856 H & W	03/01/09	MAR.2009	NON-DEPARTMENTAL	Payroll Benefit	4,714.10	MAR 09 DENTAL PREMIUMS
						Check Totals	4,714.10	
028006	03/18/09	TEAMSTERS UNION LOCAL 856	03/13/09	03.13.09	NON-DEPARTMENTAL	Payroll Deducti	374.78	DUES W/H 02/22-03/07/09
						Check Totals	374.78	
028007	03/18/09	VISION SERVICE PLAN ATTN: A	02/18/09	002370650001	NON-DEPARTMENTAL	Payroll Benefit	709.06	MARCH 09 VISION PREMIUMS
						Check Totals	709.06	
028009	03/20/09	A-A LOCK & ALARM INC	02/24/09	194200	Public Works Admin	Rent - Faciliti	75.00	REPAIRED LOCK P.D.
						Check Totals	75.00	
028010	03/20/09	A-A-A RENTALS INC	03/09/09	503490	Public Works Admin	Rent - Tools &	77.00	SUMP PUMP RENTAL FOR PARK LANE DRAINAGE
						Check Totals	77.00	
028011	03/20/09	ACCOUNTemps FILE 73484	03/02/09	23386748	Finance	Temporary Help	2,195.60	ACCOUNTANT J.PAN 2/23-2/27/09
			03/09/09	23409442	Finance	Temporary Help	2,195.60	ACCOUNTANT J.PAN 3/02-3/06/09
			03/11/09	23437673	Finance	Temporary Help	-439.12	ACCOUNTANT J.PANB 2/27/09

Check#	Check Dt	Vendor Name	Inv Date	Inv #	Department	GL Account	Amounts	Detail Description
028012	03/20/09	JOSEPH AIELLO	03/16/09	23451815	Finance	Temporary Help	2,195.60	ACCOUNTANT J.PAN 3/9-3/13/09
						Check Totals	6,147.68	
028013	03/20/09	ALHAMBRA & SIERRA SPRINGS	03/01/09	03092793914	Police	Other Supplies	500.25	P.D. WATER FEB 09
028013	03/20/09	ALHAMBRA & SIERRA SPRINGS	03/01/09	4981889/03-0	NON-DEPARTMENTAL	Office Supplies	85.95	WATER ADMIN FEB 09
028013	03/20/09	ALHAMBRA & SIERRA SPRINGS	03/01/09	6491584/03-0	Building	Office Supplies	27.30	WATER PERMIT CENTER FEB 08
						Check Totals	50.00	
028014	03/20/09	ARGUELLO CATERING	02/13/09	819YY	City Council	Travel & Meetin	211.21	CATERING - STUDY SESSION 2/13/09
			02/13/09	818YY	City Council	Travel & Meetin	82.73	CATERING - STUDY SESSION 2/13/09
			02/18/09	970YY	City Council	Travel & Meetin	216.50	CATERING - CITY COUNCIL 2/18/09
						Check Totals	510.44	
028015	03/20/09	AT&T PAYMENT CENTER	02/19/09	650325267765	Public Works Park	Communication	26.12	325-2677 02/19-03/18/09
						Check Totals	26.12	
028016	03/20/09	AT&T ADVERTISING & PUBLISHI	01/25/09	8103362367/0	Public Works Park	Communication	168.42	ADVERTISING HP PARK 01/25/09
			02/25/09	8103362367-0	Public Works Park	Communication	28.84	ADVERTISING HP PARK 02/25/09
						Check Totals	197.26	
028017	03/20/09	AT&T CALNET 2	02/11/09	450063	Police	Communication	15.40	228-6913 01/11-02/10/09
			02/13/09	457747	Police	Communication	208.58	566-0280 01/13-02/12/09
			02/13/09	457746	Police	Communication	15.43	330-0686 01/13-02/12/09
			02/16/09	460417	Police	Communication	55.37	324-5396 01/16-02/15/09
			02/16/09	460419	Public Works Park	Communication	55.07	327-4859 01/16-02/15/09
			02/13/09	457749	Building	Communication	15.66	752-8099 01/13-02/12/09
					Police	Communication	325.54	752-8099 01/13-02/12/09
					Public Works Park	Communication	83.52	752-8099 01/13-02/12/09
					Public Works Admin	Communication	16.61	752-8099 01/13-02/12/09

Check#	Check Dt	Vendor Name	Inv Date	Inv #	Department	GL Account	Amounts	Detail Description
028017	03/20/09	AT&T CALNET 2	02/25/09	479751	NON-DEPARTMENTAL Building	Communication	33.22	752-8099 01/13-02/12/09
					Police	Communication	18.97	688-6500 BLDG DEPT 1/25-2/24/09
					Public Works Park	Communication	164.37	688-6500 POLICE 1/25-2/24/09
					Public Works Admin	Communication	208.63	688-6500 PARKS 1/25-2/24/09
					NON-DEPARTMENTAL City Manager	Communication	44.25	688-6500 P.W. 1/25-2/24/09
					Police	Communication	195.98	688-6500 ADMIN 1/25-2/24/09
					Police	Communication	13.62	327-4866 02/16-03/16/09
					Police	Communication	29.26	323-1014 1/25-2/24/09
					Police	Communication	13.93	323-1801 1/25-2/24/09
					Police	Communication	44.67	323-1802 1/25-2/24/09
					Police	Communication	29.65	323-3612 1/25-2/24/09
					Police	Communication	121.82	323-6131 1/25-2/24/09
					Police	Communication	15.30	323-6452 1/25-2/24/09
					Police	Communication	28.62	323-7653 1/25-2/24/09
					Police	Communication	155.84	326-2801 1/25-2/24/09
					Police	Communication	29.36	328-3220 1/25-2/24/09
					Police	Communication	15.98	473-9743 1/25-2/24/09
					Police	Communication	22.67	462-1470 1/26-2/25/09
					Police	Communication	15.66	326-1167 2/1-2/28/09
					Police	Communication	97.08	281-1953 2/7-3/6/09
					Police	Communication	66.34	252-8343 2/7-3/6/09
					Police	Communication	265.68	271-5840 2/7-3/6/09
					Police	Communication	359.45	271-7360 2/7-3/6/09
					Police	Communication	66.34	451-6689 2/7-3/6/09
					Police	Communication	66.10	451-6690 2/7-3/6/09
					Police	Communication	76.65	451-6691 2/7-3/6/09
					Police	Communication	15.40	289-9297 2/10-3/9/09
					Police	Communication	22.42	462-1470 2/11-3/10/09
					Check Totals		3,028.44	
028019	03/20/09	BEE BUSTERS	03/09/09	03.09.09	Public Works Admin	Other Contract	150.00	HONEY BEE SWARM 189 CATALPA
					Check Totals		150.00	
028020	03/20/09	BKF ENGINEERS	01/26/09	9010188	NON-DEPARTMENTAL	Other Contract	2,498.11	CREEK STABILIZATION DESIGN SERVICES FOR
			02/20/09	9020066	NON-DEPARTMENTAL	Other Contract	2,919.07	CREEK STABILIZATION DESIGN SERVICES FOR

Check#	Check Dt	Vendor Name	Inv Date	Inv#	Department	GL Account	Amounts	Detail Description
028021	03/20/09	BRET BOTTARINI	03/20/09	10 ODELL	NON-DEPARTMENTAL	Check Totals	5,417.18	
						PLANNING DEPOSIT	2,000.00	REFUND HERITAGE TREE REMOVAL PERMIT 1 0
						Check Totals	2,000.00	
028022	03/20/09	BPS REPROGRAPHIC SERVICE	02/23/09	709363	Public Works Admin	Advertising/Pub	371.08	BID PACKETS, PHASE IV
						Check Totals	371.08	
028023	03/20/09	MELANIE BRABENEC	02/18/09	2/18/09	City Manager	Travel & Meetin	27.37	MILAGE REIMBURSEMENT 2/18-3/13/09
						Check Totals	27.37	
028024	03/20/09	CA STATE DISBURSEMENT UNIT	03/20/09	92772/03-27-	NON-DEPARTMENTAL	Payroll Deducti	100.62	C/H WH 3/8-3/21/09
			03/20/09	0750106244-0	NON-DEPARTMENTAL	Payroll Deducti	339.80	C/S WH 3/8-3/21/09
						Check Totals	440.42	
028025	03/20/09	CALPERS HEALTH BENEFITS DIV	03/15/09	H20090400680	NON-DEPARTMENTAL	Payroll Deducti	2,943.37	EMPLOYEE CONTRIBUTION APRIL 09
					NON-DEPARTMENTAL	Payroll Benefit	44,862.57	ACTIVE APRIL 08
					NON-DEPARTMENTAL	Payroll Benefit	18,861.37	RETIRED APRIL 08
					NON-DEPARTMENTAL	Payroll Benefit	270.56	ADMINISTRATIVE FEE APRIL 08
						Check Totals	66,937.87	
028026	03/20/09	CD DATA	02/16/09	5192/02-09	Public Works Admin	Computer Softwa	694.99	PARCELQUEST, SAN MATEO CO DATA & MAP DIS
						Check Totals	694.99	
028027	03/20/09	THE CITIES GROUP A JOINT PO	03/06/09	03.06.09	NON-DEPARTMENTAL	Workers Compens	4,942.60	WORKERS COMP ASSESSMENT 1/1-3/31/09
					NON-DEPARTMENTAL	Safety/Complian	321.24	SAFETY/COMPLIANCE PROGRAM ASSESSMENT 1/1
						Check Totals	5,263.84	
028028	03/20/09	CLARK PEST CONTROL	02/16/09	8055217	Public Works Admin	Grounds Mainten	780.00	WEED CONTROL 02/16/09

Check#	Check Dt	Vendor Name	Inv Date	Inv#	Department	GL Account	Amounts	Detail Description
028029	03/20/09	COLANTUONO & LEVIN, PC	03/03/09	18181	City Attorney	Attorney - othe	23.50	LEGAL SERVICES 2/11/09
						Check Totals	780.00	
028030	03/20/09	COMCAST	01/23/09	877021001016	Public Works Park	Communication	64.75	INTERNET SERVICE HP PARK 2/2-3/1/09
			02/23/09	877021001016	Public Works Park	Communication	60.00	INTERNET SERVICE HP PARK 3/2-4/1/09
						Check Totals	124.75	
028031	03/20/09	COMMERCIAL ENVIRONMENT LAND	03/02/09	2213-0309	Public Works Admin	Contract Lndscap	2,557.19	MONTHLY LANDSCAPE SRVCE MARCH 09
						Check Totals	2,557.19	
028032	03/20/09	CONNOISSEUR COFFEE	02/26/09	41035	NON-DEPARTMENTAL	Office Supplies	39.00	COFFEE ADMIN
						Check Totals	39.00	
028033	03/20/09	CONTRACT SWEEPING SERVICES	02/28/09	INV00004974	Public Works Admin	Other Contract	992.70	SWEEPING SERVICES FEB 09
						Check Totals	992.70	
028034	03/20/09	CRAFTSMEN PRINTING	02/24/09	7097	Building	ENVIRONMENTAL P	3,632.87	PRINTING OF 10,000 4-PAGE NEWSLETTERS "G
						Check Totals	3,632.87	
028035	03/20/09	THE CROSBY GROUP ENGR ARCHT	02/12/09	11509	NON-DEPARTMENTAL	Contract Engine	19,500.00	PRELIMINARY TIER II SEISMIC EVALUATION O
						Check Totals	19,500.00	
028036	03/20/09	CSG CONSULTANTS, INC.	10/22/08	014729	Building	Building Inspec	13,224.00	BLDG INSPECTOR SERVICE 09/02-09/26/08
028036	03/20/09	CSG CONSULTANTS, INC.	03/13/09	015594	Building	Code enforcemen	3,394.59	CODE ENFORCEMENT SERVICES FEB 08
						Check Totals	16,618.59	
028037	03/20/09	DISAN CORPORATION	01/13/09	00220628	City Council	Office Supplies	210.00	BALANCE DUE, TIMER FOR COUNCIL CHAMBERS

Check#	Check Dt	Vendor Name	Inv Date	Inv #	Department	GL Account	Amounts	Detail Description
028038	03/20/09	DELL MARKETING L.P. C/O DEL	02/18/09	XD4KX1RC1	NON-DEPARTMENTAL	Computer Equipm	48.66	WIRELESS ROUTER FOR ADMIN CONFERENCE ROO
028038	03/20/09	DELL MARKETING L.P. C/O DEL	03/06/09	XD554XK42	Police	Computer Equipm	4,985.99	1 EA QUAD CORE XEON E5410 PROCESSOR PER
						Check Totals	5,034.65	
028039	03/20/09	DEPARTMENT OF JUSTICE ACCOU	03/05/09	725361	Finance	Administrative	32.00	FINGERPRINT APPS FEB 09 J.PAN
						Check Totals	32.00	
028040	03/20/09	DUNBAR ARMORED INC.	03/01/09	43000568	NON-DEPARTMENTAL	Other Contract	183.72	ARMORED CAR SERVICE MAR 09
						Check Totals	183.72	
028041	03/20/09	FEDERAL EXPRESS CORP	02/20/00	9-096-77843	Public Works Admin	Office Supplies	42.97	SHIPPING CHARGES FEB 09
						Check Totals	42.97	
028042	03/20/09	FIRST CHOICE	03/10/09	189633	NON-DEPARTMENTAL	Office Supplies	68.95	COFFEE ADMIN
			02/26/09	184475	Police	Other Supplies	92.95	COFFEE POLICE DEPT
						Check Totals	161.90	
028043	03/20/09	FOX LANDSCAPING & IRRIGATIO	03/20/09	90 STOCKBRID	NON-DEPARTMENTAL	PLANNING DEPOSIT	2,000.00	REFUND HERITAGE TREE DEPOSIT 90 STOCKBRI
						Check Totals	2,000.00	
028044	03/20/09	GALEDRIE CONSTRUCTION INC.	02/28/09	APPLICATION	NON-DEPARTMENTAL	Other Contract	35,533.17	STEVICK RECONSTRUCTION PROJECT PERIOD TO
			01/15/09	APPLICATION	NON-DEPARTMENTAL	Other Contract	2,198.07	STEVICK RECONSTRUCTION PROJECT PERIOD TO
						Check Totals	37,731.24	
028045	03/20/09	GERBOTH FIRE EXTINGUISHER C	02/20/09	2383	Public Works Park	Other Contract	43.17	CHARGE FIRE EXTINGUISHER HP PARK
						Check Totals	43.17	
028046	03/20/09	GOLDFARB & LIPMAN ATTORNEYS	02/18/09	97720	Building	HOUSING ELEMENT	5,144.00	HOUSING ELEMENT ASSISTANCE JAN 09
						Check Totals	43.17	

Check#	Check Dt	Vendor Name	Inv Date	Inv#	Department	GL Account	Amounts	Detail Description
028046	03/20/09	GOLDFARB & LIPMAN ATTORNEYS	03/17/09	93098	Building	HOUSING ELEMENT	1,656.00	HOUSING ELEMENT ASSISTANCE FEB 09
						Check Totals	6,800.00	
028047	03/20/09	SAM GOODMAN	03/20/09	NOV 08	City Manager	Election Expens	148.69	REFUND BALANCE OF NOV 08 ELECTION DEPOSIT
						Check Totals	148.69	
028048	03/20/09	HARRELL REMODELING	03/19/09	120 TOYON	Building	Building Permit	151.20	REFUND BASED ON CONTRACT PERMIT FEE 120
					Building	Plan Check Fee	98.28	REFUND BASED ON CONTRACT PLAN CHECK FEE
					NON-DEPARTMENTAL	Road Impact Fee	191.70	REFUND BASED ON CONTRACT ROAD IMPACT FEE
						Check Totals	441.18	
028049	03/20/09	HARRIS COMPUTER SYSTEMS	01/01/09	MNO02077	NON-DEPARTMENTAL	Computer Equipm	3,105.00	1/1/09-12/31/09 LICENSE FEE & SUPPORT
						Check Totals	3,105.00	
028050	03/20/09	DAVID HENIG	03/20/09	NOV 08	City Manager	Election Expens	148.69	REFUND BALANCE OF NOV 08 ELECTION DEPOSIT
						Check Totals	148.69	
028051	03/20/09	NICK HILLARD	03/20/09	03.20.09	Police	Training - POST	32.00	REIMB BRIDGE TOLLS 2/16-2/27/09 BEGINNING
					Police	Gas & Oil	220.83	REIMB MILEAGE 2/16-2/27/09 BEGINNING & A
						Check Totals	252.83	
028052	03/20/09	I.M.P.A.C. GOVERNMENT SERVI	02/23/09	5390/02-08	Public Works Admin	Membership/Dues	245.00	2009 ANNUAL ASCE DUES-DUNCAN JONES
					Public Works Park	Training & Safe	204.44	RAINGEAR PT/FT EMPLOYEES
					Public Works Admin	Training & Safe	125.00	ARBORIST CONTINUING EDUCATION-STEVE TYLE
					Public Works Admin	Minor Tools & E	75.00	BIKE LANE STENCIL
					Public Works Admin	Training & Safe	815.63	COMPETENT PERSON TRASINING, 1/28/09 HEND
					Public Works Admin	Construction Ma	48.94	24X30" SPEED LIMIT 25" SIGN
					Public Works Admin	Construction Ma	359.54	GUTTER REPAIR SYSTEM
					Public Works Admin	Construction Ma	99.77	ROOF GUTTER AT P.D. TRAILER
					Public Works Admin	Machinery & Equ	979.95	1 EA ELECTRONIC SELF LEVELING ROTARY LAS
028052	03/20/09	I.M.P.A.C. GOVERNMENT SERVI	02/23/09	5432/02-09	Police	Office Supplies	21.43	ZIP ENVELOPES
					Police	Other Supplies	4.55	DEPT PHOTO COPY
					Police	Other Supplies	42.20	FRAME/MAT K-9 PHOTO

Check#	Check Dt	Vendor Name	Inv Date	Inv #	Department	GL Account	Amounts	Detail Description
028052	03/20/09	I.M.P.A.C. GOVERNMENT SERVI	02/23/09	5440/02-09	Police	Other Supplies	187.50	(15) SAFETY VEST
					Police	Other Supplies	8.17	JUICE/MUFFINS FOR DEPT MEETING
					Police	Training - POST	100.00	CAL NENA CONFERENCE, J.MILLER 2/22-2/26/
					Police	Computer Equipm	297.69	BROTHER PRINTER
					Police	Gas & Oil	3.01	GAS
					Police	Other Contract	97.90	ENTERSECT POLICE ONLINE
					Police	Training - POST	39.00	PARKING FEE S.F.
					Police	Other Supplies	267.86	PRINT CARTRIDGE,KEYBOARD,BROOM W/ DUSTPAN
					Police	Equipment Maint	320.00	CAR WASH BOOK, 1 BOOK 25 WASHES
					Police	Other Supplies	279.20	INKJECT CARTRIDGE,HP CARTRIDGE,TRASHBAGS
					Police	Machinery & Equ	10.76	SGT CFAR CELL PHONE CHARGER
					Police	Office Supplies	116.88	DISPATCH TRAK FLYER PRINTER INK
					Police	Other Supplies	28.12	BATTERIES FOR PATROL
					NON-DEPARTMENTAL	Computer Softwa	119.50	NETWORK SOLUTIONS SOFTWARE
					City Manager	Travel & Meetin	749.25	LODGING CITY MGRS CONF 2/3-2/6/09 J.GRUB
					City Manager	Travel & Meetin	11.00	COMPUTER SERVICE CITY MGRS CONG 2/3-2/6/
					City Manager	Travel & Meetin	190.98	MEALS CITY MGRS CONF 2/3-2/6/09 J.GRUBER
					City Manager	Travel & Meetin	34.67	BREAKFAST/LUNCH S.F. MEDIATION 2/9/09 J.
					NON-DEPARTMENTAL	Computer Softwa	15.00	CONSTANT CONTACT SOFTWARE
					Police	Office Supplies	106.58	HP LASERJET PRINTER P1006 17 PPM, J.MATT
					Police	Office Supplies	36.05	LASER MOUSE & ADAPTER, J.MATTES
					Finance	Training & Safe	370.00	GFOA CONFERENCE 6/28-7/1/09 L.HO
					Finance	Travel & Meetin	8.55	BART FARE - OAKLAND ABAG MEETING 1/29/09
					Finance	Subscriptions	377.79	WALL STREET SUBSCRIPTION L.HO
					Finance	Travel & Meetin	20.00	BART CSMFO S.F. 2/18/09 L.HO
					Finance	Travel & Meetin	9.00	BART CSMFO S.F. 2/20/09 L.HO
						Check Totals	6,825.91	
028053	03/20/09	IEDA, INC.	03/01/09	15061	City Attorney	Labor Relations	1,000.00	LABOR RELATIONS CONSULTING 3/1-3/31/09
						Check Totals	1,000.00	
028054	03/20/09	INFORMATION SERVICES ATTN:	03/12/09	1YAT110902	Police	Other Contract	1,318.33	MICROWAVE AND MESSAGE SWITCH FEB 2009
						Check Totals	1,318.33	
028055	03/20/09	INTERMOUNTAIN ELECTRIC COMP	02/11/09	013621	Public Works Admin	Other Contract	1,948.25	ELECTRICAL SERVICE-REPAIR STREET LIGHTS

Check#	Check Dt	Vendor Name	Inv Date	Inv#	Department	GL Account	Amounts	Detail Description
028056	03/20/09	INTERSTATE TRAFFIC CONTROL	02/26/09	121821	Public Works Admin	Traffic Mainten	131.47	CABLES, ENG OIL, SERVICE & REPAIR
						Check Totals	131.47	
028057	03/20/09	IMORA SYSTEMS	02/23/09	2760	Public Works Admin	Computer Softwa	75.00	INTERNET PAVEMENT, MGMT SERVICE MARCH 2
						Check Totals	75.00	
028058	03/20/09	DR. PAUL JEWELIAN	03/20/09	03.11.09	City Manager	DISASTER PREPAR	59.43	CABLE
					City Manager	DISASTER PREPAR	352.78	BATTERY, CHARGER, CONNECTORS, FUSES
						Check Totals	412.21	
028059	03/20/09	JENSEN LANDSCAPE SERVICE, I	02/25/09	071292	Public Works Park	Contract Landscp	2,225.00	MONTHLY LANDSCAPE MAINT. HP PARK MARCH 0
						Check Totals	2,225.00	
028060	03/20/09	THE KELLER CENTER C/O SYLVI	03/09/09	100	Police	Training - POST	50.00	REGISTRATION FEE DET. S. HALL
						Check Totals	50.00	
028061	03/20/09	KIKUCHI & ASSOCIATES	03/04/09	03.04.09	NON-DEPARTMENTAL	Other Contract	7,770.00	LANDSCAPE DESIGN SERVICE FOR THE HOLBROO
						Check Totals	7,770.00	
028062	03/20/09	THOMAS KLOPE	03/20/09	63	NON-DEPARTMENTAL	PLANNING DEPOSIT	2,000.00	REFUND HERITAGE TREE DEPOSIT 63 CAMINO P
						Check Totals	2,000.00	
028063	03/20/09	ANTHONY KOCKLER	03/09/09	03/02-03/04/	Police	Training - POST	18.66	REIMB MEALS FIELD TRAINING PROGRAM SAC 3
					Police	Gas & Oil	13.75	REIMB MILEAGE FIELD TRAINING PROGRAM SAC
						Check Totals	32.41	
028064	03/20/09	DENISE KUPPERMAN	03/05/09	03.05.09	Public Works Park	Tree Maintenan	750.00	REIMB INSPECT & REPORT ON COAST LIVE OAK
					Public Works Park	Tree Maintenan	446.50	REIMB HORTICULTURE VISIT AT HP PARK

Check#	Check Dt	Vendor Name	Inv Date	Inv #	Department	GL Account	Amounts	Detail Description
028065	03/20/09	L.C. ACTION POLICE SUPPLY	03/06/09	225819	Police	Check Totals	1,196.50	
						Machinery & Equ	476.30	M900A-WH TAC LIGHT MILLENNIUM VERTICAL G
						Check Totals	476.30	
028066	03/20/09	ELIZABETH LEWIS	03/20/09	NOV 08	City Manager	Election Expens	148.69	REFUND BALANCE OF NOV 08 ELECTION DEPOSIT
						Check Totals	148.69	
028067	03/20/09	LIBERT CASSIDY WHITMORE IN	02/26/09	03-04-09	Police	Training & Safe	42.00	MANAGING THE MARGINAL EMPLOYEE 3/4/09
028067	03/20/09	LIBERT CASSIDY WHITMORE IN	03/20/09	04.08.09	City Manager	Training & Safe	14.00	LEGAL ISSUES FOR NEGOTIATORS 4/8/09 E.WI
						Check Totals	56.00	
028068	03/20/09	EDWIN LIM	03/20/09	73 IRVING	Building	Building Permit	1,861.75	CANCEL PERMIT FEE 73 IRVING
						NON-DEPARTMENTAL Business Licens	918.00	CANCEL BUSINESS LICENSE 73 IRVING
						NON-DEPARTMENTAL Road Impact Fee	1,810.50	CANCEL ROAD IMPACT FEE 73 IRVING
						Check Totals	4,590.25	
028069	03/20/09	LYNGSO GARDEN MATERIAL	03/11/09	770969	Public Works Admin	Construction Ma	254.99	ROCK FOR PARK LANE SHOULDER
			03/11/09	770963	Public Works Admin	Construction Ma	257.81	ROCK FOR PARK LANE SHOULDER
						Check Totals	512.80	
028070	03/20/09	MACLEOD AND ASSOCIATES INC.	10/04/08	7613	NON-DEPARTMENTAL	Contract Engine	19,486.25	SURVEYING SERVICES IN CONNECTION WITH TH
			02/27/09	1076	NON-DEPARTMENTAL	Contract Engine	1,513.75	SURVEYING SERVICES IN CONNECTION WITH TH
						Check Totals	21,000.00	
028071	03/20/09	NEAL MARTIN & ASSOCIATES	01/31/09	954	Building	HOUSING ELEMENT	2,862.13	PLANNING SERVICES-HOUSING ELEMENT 1/1-1/
028071	03/20/09	NEAL MARTIN & ASSOCIATES	01/31/09	953	Building	Contract Planne	16,738.14	CONTRACT PLANNING SERVICES JAN 08
028071	03/20/09	NEAL MARTIN & ASSOCIATES	01/31/09	939	Building	GENERAL PLAN UP	651.00	PLANNING SERVICES-GENERAL PLAN 1/1-1/31/
						Check Totals	20,251.27	
028072	03/20/09	JOHN MATTES	03/17/09	3/17/09	Police	Training - Post	352.10	TRAINING POST/MEALS/LODGING

Check#	Check Dt	Vendor Name	Inv Date	Inv #	Department	GL Account	Amounts	Detail Description
028073	03/20/09	KATHLEEN MCKETTHEN	02/27/09	2/27/09	City Council	Travel & Meetin	11.11	REIMBURSE MILEAGE MEETING W/GOMEZ
028073	03/20/09	KATHLEEN MCKETTHEN	03/20/09	NOV 08	City Manager	Election Expens	148.69	REFUND BALANCE OF NOV 08 ELECTION DEPOSIT
						Check Totals	159.80	
028074	03/20/09	CITY OF MENLO PARK	03/04/09	3/4/09	Public Works Admin	Traffic Mainten	468.02	VALPARAISO AVE/UNIVERSITY DR MAINTENANCE
						Check Totals	468.02	
028075	03/20/09	MID-PENINSULA ANIMAL HOSPIT	03/01/09	3/1/09	Police	K-9 Expenses	30.50	NAIL TRIM
						Check Totals	30.50	
028076	03/20/09	JANELLE MILLER	03/12/09	3/12/09	Police	Training - POST	116.57	REIMB MEALS/TAXI CALNENA CONF. 2/22-2/26
028076	03/20/09	JANELLE MILLER	03/12/09	3/12/09	Police	Training - POST	43.35	REIMB MEALS PUBLIC RECORDS ACT 3/5-3/6/0
						Gas & Oil	86.17	REIMB MILEAGE PUBLIC RECORDS ACT 3/5-3/6
						Check Totals	246.09	
028077	03/20/09	RICHARD MOORE	03/20/09	NOV 08	City Manager	Election Expens	148.69	REFUND BALANCE OF NOV 08 ELECTION DEPOSIT
						Check Totals	148.69	
028078	03/20/09	NBS	02/27/09	S02270937-JH	Finance	Other Contract	3,815.00	COST ALLOCATION PLAN, COST RECOVERY AND
						Check Totals	3,815.00	
028079	03/20/09	NEC UNIFIED SOLUTIONS, INC	02/21/09	TM0000003779	NON-DEPARTMENTAL	Equipment Maint	218.00	REPAIR VOICE MAIL DELAY
						Check Totals	218.00	
028080	03/20/09	GEORGE NEJAT	03/20/09	168 SELBY	NON-DEPARTMENTAL	Building Deposi	5,000.00	REFUND UTILITY DEPOSIT 168 SELBY
						Check Totals	5,000.00	

Check#	Check Dt	Vendor Name	Inv Date	Inv#	Department	GL Account	Amounts	Detail Description
028081	03/20/09	OFFICE DEPOT	02/12/09	463967661-00	Public Works Admin	Office Supplies	232.83	TONER CARTRIDGES PUBLIC WORKS
028081	03/20/09	OFFICE DEPOT	02/12/09	463947265-00	Public Works Admin	Office Supplies	257.28	LOG BOOKS, COPY PAPER, PENS
			02/12/09	464304555-00	Public Works Park	Office Supplies	61.32	TAPE, PENCILS, PADS, CARTRIDGE
					Building	Office Supplies	86.18	COPY PAPER, TAPE
					NON-DEPARTMENTAL	Office Supplies	39.19	BUSINESS CARD BOOK, POST-IT, TAPE
					Building	Office Supplies	-45.50	RETURN COPY PAPER
						Check Totals	631.30	
028082	03/20/09	OIL CHANGER	10/31/08	202-0331895	Public Works Admin	Equipment Maint	85.06	OIL CHANGE FORD F250 TRUCK LIC# 1001284
028082	03/20/09	OIL CHANGER	10/31/08	202-0331898	Public Works Admin	Equipment Maint	83.09	OIL CHANGE 99 FORD F250 TRUCK LIC# 10237
028082	03/20/09	OIL CHANGER	03/10/09	202-0338112	Public Works Admin	Equipment Maint	39.16	OIL CHANGE 99 FORD F250 LIC# 1023753
						Check Totals	207.31	
028083	03/20/09	ORCHARD SUPPLY HARDWARE	02/03/09	578097001036	Public Works Park	Minor Tools & E	68.38	PRUNING SAWS AND CRESCENT WRENCHES
					Public Works Park	Building Suppli	23.80	LIGHTBULBS FOR MAIN HOUSE PARKING LOT
					Public Works Park	Training & Safe	43.93	HIGH VISIBILITY SAFETY VEST
					Public Works Park	Construction Ma	10.00	PAINT TRAY LINERS
					Public Works Park	Facility Repair	39.87	WINDOW LATCH, MAIN HOUSE & GATE REPAIR A
					Public Works Park	Building Suppli	36.18	LIGHTS & ELECTRICAL PLATES FOR MAIN HOUS
					Public Works Admin	Building Suppli	5.94	SCREWS
					Public Works Admin	Construction Ma	14.56	CEMENT CONCRETE FOR SIGN WORK
					Public Works Admin	Construction Ma	29.00	LATE FEE
						Check Totals	271.66	
028084	03/20/09	PAM PRINTS	02/20/09	20567	Police	Other Supplies	378.88	ALARM SIGNS
028084	03/20/09	PAM PRINTS	03/13/09	20671	Police	Other Supplies	27.06	ALARM SIGN
						Check Totals	405.94	
028085	03/20/09	DEJAN PERKAVIC	03/20/09	4 FERNWOOD	NON-DEPARTMENTAL	Building Deposi	5,000.00	REFUND UTILITY BOND 4 FERNWOOD DR
						Check Totals	5,000.00	
028086	03/20/09	PUBLIC EMPLOYEES RETIREMENT	03/20/09	03.27.09	NON-DEPARTMENTAL	Payroll Deducti	3,236.66	PERS W/H 3/8-3/21/09
					NON-DEPARTMENTAL	Payroll Benefit	48,276.46	PERS 3/8-3/21/09

Check#	Check Dt	Vendor Name	Inv Date	Inv #	Department	GL Account	Amounts	Detail Description
028087	03/20/09	PETTY CASH	03/09/09	03.09.09	Police	Check Totals	51,513.12	
					Police	Training - POST	16.39	REIMB MEALS & MILEAGE CRIME SCENE TRAINI
					Police	Training - POST	15.00	REIMB TAXI-CAB CHIEFS CONF 11/8/08 G.NIE
					Police	Training - POST	17.16	REIMB MEALS PRISION GANG TRAINING 2/2/09
						Check Totals	48.55	
028088	03/20/09	PG & E	02/24/09	9166302556-6	NON-DEPARTMENTAL	Utilities	534.01	ELECTRIC ATHERTON LIBRARY 1/24-2/24/09
			02/24/09	7457969332-1	Police	Utilities	1,696.49	ELECTRIC POLICE DEPT 1/24-2/24/09
			02/24/09	9291302548-9	Public Works Admin	Utilities	73.23	ELECTRIC 99 STATION LANE 1/24-2/24/09
			02/25/09	3457969588-2	Public Works Admin	Utilities	39.90	ELECTRIC-SIGNAL EL CAMINO/ATHERTON 1/24-
			02/24/09	9531312943-9	Public Works Admin	Utilities	150.92	ELECTIC 93 DINKELSPIEL STATION LANE 1/24
						Check Totals	2,494.55	
028089	03/20/09	PHOENIX IRON WORKS LLC	02/11/09	0099291-1N	Public Works Admin	Facility Repair	1,077.09	1 EA CUSTOM MADE BICYCLE PROOF, TRAFFIC
						Check Totals	1,077.09	
028090	03/20/09	PITNEY BOWES INC.	03/01/09	824196	NON-DEPARTMENTAL	Equipment Maint	643.00	EQUIP. MAINT DM550 FEEDER 4/1/09-3/31/10
			03/01/09	824197	NON-DEPARTMENTAL	Equipment Maint	207.00	EQUIP. MAINT 70/149 LB WEIGHING PLATFORM
			03/01/09	824195	NON-DEPARTMENTAL	Equipment Maint	262.00	EQUIP. MAINT DM500 BASE 4/1/09-3/31/10
						Check Totals	1,112.00	
028091	03/20/09	PACIFIC MUNICIPAL CONSULTAN	02/16/09	27705	Building	ZONING CODE UPD	425.00	PC/CC HEARINGS & FINAL REVISIONS 1/1-1/3
			03/17/09	28071	Building	ZONING CODE UPD	2,444.04	ATHERTON ZONING CODE UPDATE 1/31-2/27/09
						Check Totals	2,869.04	
028092	03/20/09	PODS PORTABLE ON DEMAND STO	02/19/09	050-132933	Public Works Park	Rent - Faciliti	189.44	ONSITE STORAGE HP PARK MARCH 09
			02/19/09	050-132932	Public Works Park	Rent - Faciliti	189.44	ONSITE STORAGE HP PARK MARCH 09
						Check Totals	378.88	
028093	03/20/09	PRIMA PRINTING	03/03/09	24349	Police	Special Events	344.65	DOG TAGS FOR D.A.R.E.

Check Disbursement by Vendor for the Check Dates 03/01/2009 through 03/31/2009

Check#	Check Dt	Vendor Name	Inv Date	Inv#	Department	GL Account	Amounts	Detail Description
028094	03/20/09	PURCHASE POWER	03/01/09	800090000276	NON-DEPARTMENTAL	Postage	518.99	POSTAGE 02/09
						Check Totals	518.99	
028095	03/20/09	RECALL SECURE DESTRUCTION S	01/23/09	002303043338	Police	Other Supplies	85.29	SHRED P.D DOCUMENTS 12/19/08-1/22/09
028095	03/20/09	RECALL SECURE DESTRUCTION S	02/20/09	002303006134	Police	Other Supplies	85.56	SHRED P.D. DOCS 1/23-2/19/09
						Check Totals	170.85	
028096	03/20/09	RECY-CAL SUPPLY CO.	03/10/09	32809	Public Works Park	Other Supplies	192.10	3 EA 23 GAL SLIM JIM W/ VENT
					Public Works Park	Other Supplies	77.62	2 EA RECYCLING TOPS
					Public Works Park	Other Supplies	73.77	SLIM JIM TROLLEY, GRAY
						Check Totals	343.49	
028097	03/20/09	CITY OF REDWOOD CITY INFORM	02/28/09	BR22834	NON-DEPARTMENTAL	Other Contract	2,800.63	I.T. SERVICES FEB 09
						Check Totals	2,800.63	
028098	03/20/09	CITY OF REDWOOD CITY FINANC	02/28/09	BR22757	Police	Equipment Maint	3,813.82	VEHICLE REPAIR/MAINT 1/16-2/15/09
						Check Totals	3,813.82	
028099	03/20/09	REDWOOD MECHANICAL	02/25/09	W31892	Public Works Admin	Other Contract	1,690.00	1 EA SERVICE ALL TOWN HVAC UNITS (26)
						Check Totals	1,690.00	
028100	03/20/09	REPUBLIC ITS	02/10/09	0901534	Public Works Admin	Traffic Mainten	418.68	TRAFFIC SIGNAL MAINTENANCE JAN 09
						Check Totals	418.68	
028101	03/20/09	S M CO SHERIFF'S OFFICE COU	03/13/09	8051	Finance	Other Contract	18.00	LIVE SCAN SERVICE FEB 09 J.PAN
						Check Totals	18.00	
028102	03/20/09	SAN MATEO REGIONAL NETWORK,	03/10/09	17960	Police	Other Contract	385.00	MONTHLY ACCESS FEE T-1 SERVICE MARCH 09
						Check Totals	385.00	

Check#	Check Dt	Vendor Name	Inv Date	Inv#	Department	GL Account	Amounts	Detail Description
028103	03/20/09	SEQUOIA HOSPITAL	11/11/08	7891	Police	Check Totals	385.00	
					Other Contract		2,880.00	HEALTH ASSESSMENT: 16 PEOPLE X \$180 P.D.
					Other Contract		1,470.00	COUNSELING 12.25 TOTAL HOURS 60 MINUTES
					Check Totals		4,350.00	
028104	03/20/09	SHARP ELECTRONICS CORPORATI	02/13/09	AR166664	Public Works Admin	Equipment Maint	156.52	COPIER CONTRACT SHARP S450N P.W. 2/12-3/
028104	03/20/09	SHARP ELECTRONICS CORPORATI	02/13/09	AR166671	NON-DEPARTMENTAL	Office Machines	186.24	COPIER CONTRACT SHARP MXM550N ADMIN 1/16
028104	03/20/09	SHARP ELECTRONICS CORPORATI	03/11/09	AR173460	NON-DEPARTMENTAL	Office Machines	150.30	COPIER CONTRACT MXM550N ADMIN 2/16-3/15/
					Check Totals		493.06	
028105	03/20/09	SIRENA MOWER SHOP	03/02/09	3/2/09	Public Works Admin	Equipment Maint	30.41	REPAIR CHAINSAW PULL CORD
					Check Totals		30.41	
028106	03/20/09	SPRINT	03/01/09	130538811-01	Police	Communication	801.02	MOBILE DATA COMPUTERS 1/26-2/25/09
					Check Totals		801.02	
028107	03/20/09	STUBBS & LEONE	03/05/09	03-05-09	City Attorney	Attorney - Othe	9,319.65	FEBRUARY 09
			03/05/09	03-05-09	City Attorney	Attorney - Othe	225.00	FEBRUARY 09
			03/05/09	03-05-09	City Attorney	Attorney - Othe	2,816.46	FEBRUARY 09
			03/05/09	03-05-09	City Attorney	Attorney - Othe	1,300.00	FEBRUARY 09 GENERAL
					Check Totals		13,661.11	
028108	03/20/09	TEAMSTERS UNION LOCAL 856	03/20/09	03.27.09	NON-DEPARTMENTAL	Payroll Deducti	374.78	DUES W/H 3/8-3/21/09
					Check Totals		374.78	
028109	03/20/09	DARYL D. JONES, INC. DBA TE	03/10/09	39957	Police	Other Contract	934.00	MANAGEMENT & MAINTENANCE COMM. CENTER MA
					Check Totals		934.00	
028110	03/20/09	TERMINIX PROCESSING CENTER	02/12/09	2/12/09	NON-DEPARTMENTAL	Facility Repair	108.00	PEST CONTROL LIBRARY 2/16/09

Check#	Check Dt	Vendor Name	Inv Date	Inv #	Department	GL Account	Amounts	Detail Description
028111	03/20/09	MARK THOMAS & COMPANY, INC.	02/20/09	11272	NON-DEPARTMENTAL	Other Contract	3,000.00	SURVEYING AND MAPPING SAFE ROUTES TO SCH
028111	03/20/09	MARK THOMAS & COMPANY, INC.	01/27/09	11156	NON-DEPARTMENTAL	Other Contract	8,400.00	PHASE 5 SURVEYING FOR STREET RECONSTRUCT
028111	03/20/09	MARK THOMAS & COMPANY, INC.	02/20/09	11274	NON-DEPARTMENTAL	Other Contract	20,200.00	PHASE 5 SURVEYING FOR STREET RECONSTRUCT
						Check Totals	31,600.00	
028112	03/20/09	TINCHER CONSTRUCTION	10/03/08	383 WALSH	NON-DEPARTMENTAL	PLANNING DEPOSIT	1,952.68	REFUND VARIANCE DEPOSIT 383 WALSH
						Check Totals	1,952.68	
028113	03/20/09	TURBO DATA SYSTEMS INC.	02/28/09	15231	Police	Office Machines	28.04	CITATION PROCESSING FEB 09
						Check Totals	28.04	
028114	03/20/09	UNIFIRST CORP.	03/03/09	309874	Public Works Admin	Uniforms	94.81	LAUNDRY STREETS DEPT 3/3-3/10/09
						Uniforms	51.68	LAUNDRY PARKS DEPT 3/3-3/10/09
						Public Works Park	25.64	LAUNDRY HP PARK 3/3-3/10/09
						Public Works Park	234.78	MATS HP PARK 3/3-3/10/09
						Public Works Admin	296.74	LAUNDRY STREETS 2/11-2/25/09
						Public Works Park	135.41	LAUNDRY PARKS DEPT 2/11-2/25/09
						Public Works Park	67.40	LAUNDRY HP PARK 2/11-2/25/09
						Public Works Park	304.97	MATS HP PARK 2/11-2/25/09
						Check Totals	1,211.43	
028115	03/20/09	VERIZON WIRELESS	02/21/09	0737925797	City Manager	Communication	100.77	CELL PHONE ADMIN 1/22-2/21/09
						Building	136.93	CELL PHONE BLDG 1/22-2/21/09
						Police	568.61	CELL PHONE POLICE 1/22-2/21/09
						Public Works Admin	171.80	CELL PHONE P.M. 1/22-2/21/09
						Public Works Admin	178.79	CELL PHONE STREETS 1/22-2/21/09
						Public Works Park	42.95	CELL PHONE PARKS 1/22-2/21/09
						Public Works Park	90.99	CELL PHONE H.P. PARK 1/22-2/21/09

Check Disbursement by Vendor for the Check Dates 03/01/2009 through 03/31/2009

Check#	Check Dt	Vendor Name	Inv Date	Inv #	Department	GL Account	Amounts	Detail Description
028116	03/20/09	VISION SERVICE PLAN ATTN: A	03/18/09	00 237065 00	NON-DEPARTMENTAL	Payroll Benefit	781.12	VISION PREMIUMS APRIL 09
						Check Totals	781.12	
028117	03/20/09	VOYAGER	02/24/09	869016477902	Police	Gas & Oil	32.33	MOTORCYCLE FUEL FEB 09
						Check Totals	32.33	
028118	03/20/09	WILSEY HAM	02/11/09	6083	Public Works Admin	Other Contract	6,041.61	FINAL DESIGN SERVICES FOR THE FLETCHER-R
028118	03/20/09	WILSEY HAM	01/08/09	6019	NON-DEPARTMENTAL	Other Contract	2,342.50	CONCEPTUAL DESIGN SERVICE FOR THE MANDAR
028118	03/20/09	WILSEY HAM	01/08/09	6020	NON-DEPARTMENTAL	Other Contract	112.17	CONCEPTUAL AND FINAL DESIGN SERVICES FOR
028118	03/20/09	WILSEY HAM	01/08/09	6018	Public Works Admin	Other Contract	4,285.84	FINAL DESIGN SERVICES FOR THE FLETCHER-R
028118	03/20/09	WILSEY HAM	02/11/09	6085	NON-DEPARTMENTAL	Other Contract	1,665.40	CONCEPTUAL AND FINAL DESIGN SERVICES FOR
028118	03/20/09	WILSEY HAM	02/11/09	6084	NON-DEPARTMENTAL	Other Contract	5,397.03	CONCEPTUAL DESIGN SERVICE FOR THE MANDAR
						Check Totals	19,844.55	
028119	03/20/09	WITMER-TYSON IMPORTS, INC.	02/27/09	T7102	Police	K-9 Expenses	750.00	TRACKING CLASS BEGINNING, N.HILLARD 2/16
028119	03/20/09	WITMER-TYSON IMPORTS, INC.	03/02/09	T7110	Police	K-9 Expenses	750.00	TRACKING CLASS ADVANCED, N.HILLARD 2/23-
						K-9 Expenses	450.88	6 EA POLICE SERVICE DOG MONTHLY TRAINING
						Check Totals	1,950.88	
028120	03/20/09	WORKFLOW	03/03/09	14352299	NON-DEPARTMENTAL	Office Supplies	466.36	A/P CHECKS
						Check Totals	466.36	
028123	03/31/09	A-A LOCK & ALARM INC	03/03/09	194700	NON-DEPARTMENTAL	Construction Ma	190.00	REKEY 7 CYLINDERS ON 3 GATES AT TENNIS C
						Check Totals	190.00	
028124	03/31/09	ABAG POWER PURCHASING POOL	03/01/09	8001983	Public Works Park	Utilities	205.93	LEVELIZED GAS HP PARK 150 WATKINS 1/27-2
					Public Works Admin	Utilities	77.23	LEVELIZED GAS 160 WATKINS 1/27-2/25/09
					Police	Utilities	115.84	LEVELIZED GAS POLICE DEPT 1/24-2/24/09
					NON-DEPARTMENTAL	Utilities	102.97	LEVELIZED GAS STATION LN/TOWN HALL 1/24-
					NON-DEPARTMENTAL	Utilities	51.48	LEVELIZED GAS LIBRARY 1/24-2/24/09

Check#	Check Dt	Vendor Name	Inv Date	Inv #	Department	GL Account	Amounts	Detail Description
028125	03/31/09	ACCOUNTTEMPS FILE 73484	03/23/09	23482097	NON-DEPARTMENTAL	Utilities	90.10	LEVELIZED GAS CORP OFFICE/STORAGE 1/24-2
						Check Totals	643.55	
028126	03/31/09	AFLAC ATTN: REMITTANCE PROC	03/16/09	479722ER	NON-DEPARTMENTAL	Temporary Help	2,195.00	J.PAN 3/16-3/20/09
						Check Totals	2,195.00	
028127	03/31/09	ALHAMBRA & SIERRA SPRINGS	03/01/09	4981881/03-0	Public Works Park	Employee Assist	40.00	FLEX SPENDING SERVICE FEE 3/1-3/31/09
			03/01/09	6491592/03-0	Public Works Admin	Check Totals	40.00	
						Building Suppli	27.30	WATER PARKS DEPT FEB 08
						Building Suppli	38.59	WATER PUBLIC WORKS FEB 08
						Check Totals	65.89	
028128	03/31/09	ALLEGRA PRINT & IMAGING DEA	03/24/09	409924	Police	Other Supplies	89.92	BUSINESS CARDS SGT K.NICHOLS
						Check Totals	89.92	
028129	03/31/09	AMERICAN PUBLIC WORKS ASSOC	03/18/09	1599227-6/09-	Public Works Admin	Membership/Dues	226.00	6/1/09-5/31/10 D.JONES
						Check Totals	226.00	
028130	03/31/09	NICOLE AMORE	03/30/09	03.24-03.26.	Police	Training - POST	46.12	REIMB MEALS & BRIDGE TOLLS ADV DISPATCHE
					Police	Gas & Oil	124.30	REIMB MILEAGE ADV DISPATCH UPDATE 3/24-3
						Check Totals	170.42	
028131	03/31/09	C.F. ARCHIBALD PAVING INC.	01/22/09	822-566	NON-DEPARTMENTAL	Other Contract	36,919.14	FINAL RETENTION STREET RECONSTRUCTION PH
						Check Totals	36,919.14	
028132	03/31/09	AT&T CALNET 2	03/16/09	518182	Police	Communication	56.09	324-5396 02/16-03/15/09
			03/07/09	500538	Public Works Park	Communication	84.20	251-1053 2/7-3/6/09
			03/16/09	518184	Public Works Park	Communication	55.04	327-4859 2/16-3/15/09

Check #	Check Dt	Vendor Name	Inv Date	Inv #	Department	GL Account	Amounts	Detail Description
028133	03/31/09	BELL/DIAMOND PLUMBING & HEA	03/27/09	140	ATHERTON Public Works Admin	Other Deposits/	2,500.00	REFUND ROAD BOND 140 ATHERTON AVE
						Check Totals	195.33	
028134	03/31/09	BIGGS CARDOSA ASSOCIATE	01/05/09	54112	Public Works Admin	Contract Engine	335.00	FINAL DESIGN TO HP PARK PEDESTRIAN BRIDG
028134	03/31/09	BIGGS CARDOSA ASSOCIATE	11/05/08	53836	Public Works Admin	Contract Engine	2,680.00	FINAL DESIGN TO HP PARK PEDESTRIAN BRIDG
028134	03/31/09	BIGGS CARDOSA ASSOCIATE	12/05/08	54005	Public Works Admin	Contract Engine	335.00	FINAL DESIGN TO HP PARK PEDESTRIAN BRIDG
028134	03/31/09	BIGGS CARDOSA ASSOCIATE	10/05/08	53612	Public Works Admin	Contract Engine	4,850.00	FINAL DESIGN TO HP PARK PEDESTRIAN BRIDG
						Check Totals	8,200.00	
028135	03/31/09	BPS REPROGRAPHIC SERVICE	03/05/09	712874	Public Works Admin	Advertising/Pub	174.88	BID DOCUMENTS STREET RECONSTRUCTION PHAS
			03/06/09	713531	Public Works Admin	Advertising/Pub	255.59	BID DOCUMENTS STREET RECONSTRUCTION PHAS
			03/05/09	712814	Public Works Admin	Other Contract	37.40	PLANS FOR ECR PLANTING
						Check Totals	467.87	
028136	03/31/09	MELANIE BRABENEC	03/31/09	03.31.09	City Manager	Travel & Meetin	24.84	REIMB MILEAGE 03/20-03/31/09
						Check Totals	24.84	
028137	03/31/09	CALIFORNIA WATER SERVICE	03/06/09	0686127445/2	Public Works Admin	Utilities	12.43	WATER-STATION LANE 2/4-3/4/09
			03/05/09	9293092658/2	Public Works Admin	Utilities	42.03	WATER-99 ASHFIELD 2/4-3/4/09
			03/03/09	4726166666/2	Public Works Park	Utilities	115.14	WATER-150 WATKINS 1/28-2/25/09
					Public Works Admin	Utilities	26.39	WATER-FIRE PROTECT 2/1-2/28/09
					Police	Utilities	25.07	WATER-83 ASHFIELD 1/6-2/3/09
					Public Works Admin	Utilities	63.41	WATER-ALAMEDA/ATHERTON 1/6-2/3/09
					Public Works Admin	Utilities	101.44	WATER-EL CAMINO REAL 1/6-2/3/09
					Public Works Admin	Utilities	53.90	WATER-EL CAMINO REAL 1/28-2/25/09
					NON-DEPARTMENTAL	Utilities	34.58	WATER-LIBRARY 1/6-2/3/09
					Public Works Admin	Utilities	15.56	WATER 91 ASHFIELD 1/6-2/3/09
					NON-DEPARTMENTAL	Utilities	28.25	WATER 94 ASHFIELD 1/6-2/3/09
					Building	Utilities	6.57	WATER PERMIT CENTER 1/6-2/3/09
					Public Works Admin	Utilities	15.33	WATER-P.W. 1/6-2/3/09
					Public Works Admin	Utilities	24.10	WATER-MAPLE 1/6-2/3/09

Check Disbursement by Vendor for the Check Dates 03/01/2009 through 03/31/2009

Check#	Check Dt	Vendor Name	Inv Date	Inv #	Department	GL Account	Amounts	Detail Description
028138	03/31/09	CLARK PEST CONTROL	03/13/09	8168205	Public Works Park	Grounds Mainten	780.00	WEED CONTROL HP PARK MARCH 09
						Check Totals	780.00	
028139	03/31/09	CRAFTSMEN PRINTING	03/04/09	7097-A	Building	ENVIRONMENTAL P	216.50	PRINTING OF 100 GREEN START SIGN UP SHEE
			03/18/09	7020	Building	ENVIRONMENTAL P	108.25	PRINTING OF 2 VERSIONS OF POSTERS
						Check Totals	324.75	
028140	03/31/09	CSG CONSULTANTS, INC.	11/25/08	014936	Public Works Admin	Contract Engine	22,645.00	MUNICIPAL CIVIL ENGINEERING 9/27-10/31/0
028140	03/31/09	CSG CONSULTANTS, INC.	01/30/09	015390	Public Works Admin	Contract Engine	6,908.75	MUNICIPAL CIVIL ENGINEERING 11/29-12/26/
028140	03/31/09	CSG CONSULTANTS, INC.	02/25/09	015432	Public Works Admin	Contract Engine	9,953.75	MUNICIPAL CIVIL ENGINEERING 12/27-1/30/0
028140	03/31/09	CSG CONSULTANTS, INC.	03/19/09	015631	Public Works Admin	Contract Engine	13,417.50	MUNICIPAL CIVIL ENGINEERING 1/31-2/27/09
						Check Totals	52,925.00	
028141	03/31/09	DELL MARKETING L.P. C/O DEL	03/20/09	XD5M8DX5	Police	Computer Equipm	1,240.60	1 EA QUAD CORE XEON E5410 PROCESSOR PER
						Check Totals	1,240.60	
028142	03/31/09	DIVERSIFIED MAINTENANCE SER	03/02/09	D60534	NON-DEPARTMENTAL	Custodial Servi	433.63	JANITORIAL SERVICE TOWN HALL MARCH 09
					Police	Custodial Servi	587.97	JANITORIAL SERVICE POLICE DEPT/TRAILER M
					Building	Custodial Servi	205.41	JANITORIAL SERVICE PERMIT CENTER MARCH 0
					Public Works Admin	Custodial Servi	271.70	JANITORIAL SERVICE P.W. MODULAR MARCH 09
					Public Works Admin	Custodial Servi	161.93	JANITORIAL SERVICE CORP YARD MARCH 09
					NON-DEPARTMENTAL	Custodial Servi	445.59	JANITORIAL SERVICE LIBRARY MARCH 09
						Check Totals	2,106.23	
028143	03/31/09	EMBARCADERO PUBLISHING CO	03/27/09	02.25.09	Public Works Admin	Advertising/Pub	522.00	ADVERTISEMENT TO BID STREET RECONSTR. PHA
						Check Totals	522.00	
028144	03/31/09	FASTSIGNS	03/16/09	395-20427	Building	ENVIRONMENTAL P	398.70	LIVE GREEN EXPO BANNER

Check#	Check Dt	Vendor Name	Inv Date	Inv #	Department	GL Account	Amounts	Detail Description
028145	03/31/09	FEDERAL EXPRESS CORP	03/20/09	9-129-73994	Public Works Admin	Postage	44.13	OVERNIGHT SHIPPING - PUBLIC WORKS
						Check Totals	44.13	
028146	03/31/09	FIRST CHOICE	03/28/09	192786	Building	Office Supplies	25.00	COFFEE MAKER RENTAL PERMIT CENTER MARCH
						Check Totals	25.00	
028147	03/31/09	FITZGERALD CONSTRUCTION TOM	03/27/09	368 WALSH	Public Works Admin	Other Deposits/	2,500.00	REFUND ROAD BOND 368 WALSH
						Check Totals	2,500.00	
028148	03/31/09	KELLY & JOHN FORSE	03/31/09	34 LINDEN	NON-DEPARTMENTAL	Bus Lic Refund	5,245.20	REFUND #1 BATCH #1
						Check Totals	5,245.20	
028149	03/31/09	MICHAEL GUERRA	11/05/07	110507	Police	Training - POST	19.28	REIMB TRAINING EXPENSE
						gas & oil	34.00	REIMB GAS
						Check Totals	53.28	
028150	03/31/09	HARRIS COMPUTER SYSTEMS	03/31/09	MN002191	NON-DEPARTMENTAL	Equipment Maint	1,634.65	MONTHLY TECH SUPPORT APRIL 09
						Check Totals	1,634.65	
028151	03/31/09	HOME DEPOT CREDIT SERVICES	03/16/09	603532253236	Public Works Park	Building Suppli	31.07	FLOODLIGHT, BRUSH & BUCKET HP PARK
						Building Suppli	29.47	VINYL TILE AND GLUE
						Building Suppli	90.52	LAV FAUCET, CLEANERS, VELCRO
						Check Totals	151.06	
028152	03/31/09	I.M.P.A.C. GOVERNMENT SERVI	02/23/09	0596/02-09	Police	K-9 Expenses	491.50	METAL K-9 CONTAINER FOR HILLARD
						Training - POST	32.06	MEALS PUBLIC RECORDS 1/22-1/23/09
						Training - POST	64.32	MEALS DANA POINT 2/17-2/20/09
						Training - POST	141.78	ENTERPRISE CAR RENTAL DANA POINT 2/17-2/
						Gas & Oil	6.14	GAS FOR CAR RENTAL

Check#	Check Dt	Vendor Name	Inv Date	Inv #	Department	GL Account	Amounts	Detail Description
028153	03/31/09	INNOVATIVE COMMUNICATIONS	03/30/09	36 IRVING	Police	Training - POST	374.00	LODGING/DANA POINT MARINA HOTEL 2/17-2/20
					City Manager	DISASTER PREPAR	2,400.00	DISASTER VEHICLE RADIO EQUIPMENT
						Check Totals	3,509.80	
028154	03/31/09	INTERMOUNTAIN ELECTRIC COMP	03/07/09	013650	Public Works Admin	Other Deposits/	2,500.00	REFUND ROAD BOND 36 IRVING
						Check Totals	2,500.00	
028155	03/31/09	IRVINE & JACHENS INC	03/19/09	7144	Police	Other Contract	1,487.85	ELECTRICAL SERVICE-P.M. TRAILER, STREET
						Check Totals	1,487.85	
028156	03/31/09	IMORO SYSTEMS	03/09/09	2796	Police	K-9 Expenses	120.16	DOG TAG BADGES ATHERTON K-9 "REX" POLICE
						Check Totals	120.16	
028157	03/31/09	DUNCAN JONES	03/23/09	03.23.09	Public Works Admin	Computer Softwa	75.00	INTERNET PAVEMENT & MANAGEMENT SUPPORT A
						Check Totals	75.00	
028158	03/31/09	ANTHONY KOCKLER	03/30/09	03.24-03.26.	Public Works Admin	Travel & Meetin	88.00	REIMB CCEA MEETING 10/16/08,11/20/08,1/1
						Check Totals	88.00	
028159	03/31/09	L3 COMMUNICATIONS MOBILE VI	03/12/09	0137189-IN	Police	Training - POST	27.21	REIMB MEALS INTERNAL AFFAIRS INVEST. 3/2
						Gas & Oil	34.65	REIMB MILEAGE INTERNAL AFFAIRS INVEST. 3
						Check Totals	61.86	
028160	03/31/09	LABEL ART	03/20/09	4686308	Police	Machinery & Equ	277.63	IN CAR VIDEOS REPAIR
						Check Totals	277.63	
028161	03/31/09	LIEBERT CASSIDY WHITMORE IN	02/28/09	101224	Police	Other Supplies	146.74	D.A.R.E. STICKERS
						Check Totals	146.74	
					City Council	Other Contract	1,800.00	TRAINING 2/13/09 - ETHICS

Check#	Check Dt	Vendor Name	Inv Date	Inv #	Department	GL Account	Amounts	Detail Description	
028162	03/31/09	DEBROAH LINTON	03/31/09	445	FREDRICK	NON-DEPARTMENTAL	Bus Lic Refund	1,612.80	REFUND #2 BATCH #1
							Check Totals	1,612.80	
028163	03/31/09	LYNGSO GARDEN MATERIAL	03/19/09	771476	Public Works Admin	Construction Ma	183.55	CRUSHED ROCK PARK LANE DRAINAGE	
			03/18/09	771451	Public Works Admin	Construction Ma	237.33	CRUSHED ROCK PARK LANE DRAINAGE	
			03/18/09	771420	Public Works Admin	Construction Ma	224.03	CRUSHED ROCK PARK LANE DRAINAGE	
							Check Totals	644.91	
028164	03/31/09	TIM MARKS	03/30/09	3.2-3.6.09	Police	Training - POST	46.91	REIMB MEALS- TRAFFIC COLLISION INVEST. 3	
					Police	Training - POST	250.00	REIMB REGISTRATION TRAFFIC COLLISION INV	
					Police	Gas & Oil	296.58	REIMB MILEAGE TRAFFIC COLLISION INVEST.	
							Check Totals	593.49	
028165	03/31/09	NEAL MARTIN & ASSOCIATES	02/28/09	961	Building	Contract Planne	10,229.54	CONTRACT PLANNING SERVICES 2/1-2/28/09	
028165	03/31/09	NEAL MARTIN & ASSOCIATES	02/28/09	967	Building	GENERAL PLAN UP	627.75	RESEARCH & PREPARE GENERAL PLAN UPDATES	
							Check Totals	10,857.29	
028166	03/31/09	MC KINLEY ELEVATOR CORPORAT	03/13/09	A026148-IN	Public Works Admin	Other Contract	337.89	ELEVATOR MAINTENANCE HP PARK	
							Check Totals	337.89	
028167	03/31/09	NORCAL COATINGS INC.	03/18/09	03.18.09	Public Works Admin	Facility Repair	750.00	1 EA REINFORCE (6) DOORS AT PAVILLION	
							Check Totals	750.00	
028168	03/31/09	OFFICE DEPOT	03/12/09	467444066-00	NON-DEPARTMENTAL	Office Supplies	473.61	AUDIO TAPES, PAPER, BINDERS, TONER CARTRI	
					Building	Office Supplies	48.64	INK CARTRIDGE & PENCILS	
					Public Works Admin	Office Supplies	194.69	PAPER, FOLDERS, LABELS, ENVELOPES	
							Check Totals	716.94	
028169	03/31/09	HSBC BUSINESS SOLUTIONS	02/24/09	773706090064	Police	Office Supplies	358.29	HP Q6001A PRINTER & INK M.GUERRA	

CCS.AP Accounts Payable Release 8.2.1 R*APFINVC*COUNCIL.U

By LYNN COLLIAU (LCOLLIAU)

Check#	Check Dt	Vendor Name	Inv Date	Inv #	Department	GL Account	Amounts	Detail Description
028170	03/31/09	PETTY CASH	03/31/09	01.12.09	City Manager	Special Events	60.14	EMPLOYEE OF THE QUARTER GIFT CERTIFICATE
						Check Totals	358.29	
028171	03/31/09	PG & E	03/03/09	5678831191-0	NON-DEPARTMENTAL Building	Utilities	461.66	ELECTRIC 91 ASHFIELD/TOWN HALL 1/24-2/24
						Utilities	43.82	ELECTRIC-STATION LANE BLDG 1/24-2/24/09
						Utilities	131.45	ELECTRIC STATION LANE P.M. 1/24-2/24/09
						Communication	249.55	ELECTRIC-ACTIVITY BLDG 150 WATKINS 1/24-
						Communication	442.09	ELECTIC-MODULAR BLDG 150 WATKINS 1/27-2/
						Communication	93.79	ELECTRIC-PUMP 150 WATKINS 1/27-2/25/09
						Utilities	40.96	ELECTRIC-SIGNAL MIDDLEFIELD/OAK GROVE 1/
						Utilities	54.47	ELECTRIC-SIGNAL E/S MIDDLEFIELD 1/27-2/2
						Utilities	20.49	ELECTRIC-SIGNAL MARSH/MIDDLEFIELD 1/27-2
						Utilities	3,846.11	ELECTRIC-STREET LIGHTS 1/31-2/28/09
						Check Totals	5,384.39	
028172	03/31/09	THE POLICE & SHERIFF PRESS,	03/24/09	20657	Police	Other Supplies	12.42	SECURE ID CARD SGT NICHOLS
						Check Totals	12.42	
028173	03/31/09	PROFESSIONAL TREE CARE COMP	02/28/09	13505	Public Works Admin	Tree Maintenance	5,940.00	1 EA ROUTINE PRUNING, HAZARDOUS TREE REM
						Tree Maintenance	1,320.00	1 EA ROUTINE PRUNING, HAZARDOUS TREE REM
						Contract Landscp	660.00	1 EA ROUTINE PRUNING, HAZARDOUS TREE REM
						Check Totals	7,920.00	
028174	03/31/09	PSGMA KRISTINE LEE, S.J. PO	03/30/09	04/27-05/01/	Police	Training - POST	225.00	COMMUNICATION TRAINING OFFICER COURSE 04
						Check Totals	225.00	
028175	03/31/09	RED WING SHOE-REDWOOD CITY	02/27/09	00152019877	Public Works Admin	Uniforms	170.48	SAFETY BOOTS, J.ANDRADE
						Check Totals	170.48	
028176	03/31/09	REDWOOD CITY ELECTRIC	03/30/09	164 ELENA	Public Works Admin	Other Deposits/	2,500.00	REFUND ROAD BOND 164 ELENA

Check#	Check Dt	Vendor Name	Inv Date	Inv #	Department	GL Account	Amounts	Detail Description
028177	03/31/09	CITY OF REDWOOD CITY FINANC	02/28/09	BR22797	Police	Check Totals	2,500.00	
					Police	Gas & Oil	2,748.27	FUEL P.D. 1/16-2/15/09
					Public Works Admin	Gas & Oil	32.97	FUEL P.M. 1/16-2/15/09
					Public Works Park	Gas & Oil	33.39	FUEL PARKS 1/16-2/15/09
					Public Works Admin	Gas & Oil	644.07	FUEL STREETS 1/16-2/15/09
						Check Totals	3,458.70	
028178	03/31/09	REPUBLIC ITS	03/10/09	0902534	Public Works Admin	Traffic Mainten	418.68	TRAFFIC SIGNAL MAINT. FEB 08
						Check Totals	418.68	
028179	03/31/09	S.M.C.C.M.A. TREASURER	03/31/09	04.17.09	Police	Membership/Dues	40.00	CHIEF TO ATTEND ANNUAL DISPATCHER AWARDS
						Check Totals	40.00	
028180	03/31/09	SAN JOSE STATE UNIVERSITY F	03/30/09	05/12-05/14/	Police	Training - POST	255.00	INTERNAL AFFAIRS INVEST. 05/12-05/14/09
						Check Totals	255.00	
028181	03/31/09	SAN MATEO CO SHERIFF'S OFFI	03/31/09	CL02023	Police	Other Contract	1,255.00	FORENSIC SERVICE MARCH 09
						Check Totals	1,255.00	
028182	03/31/09	SHARP ELECTRONICS CORPORATI	03/24/09	AR176766	Police	Equipment Maint	427.00	CONTRACT BASE RATE CHARGE FOR 3/19-9/18/
					Police	Equipment Maint	300.02	CONTRACT Overage Charge for 9/19/08-3/18
						Check Totals	727.02	
028183	03/31/09	SIDEMARK	03/30/09	03.30.09	Police	Other Supplies	4,792.51	1 EA 37 PCS OF FURNITURE FOR POLICE TRAI
					Police	Other Supplies	1,612.49	1 EA LABOR INSTALLATION
						Check Totals	6,405.00	
028184	03/31/09	SPRINGBROOK SOFTWARE	02/27/09	0011854	NON-DEPARTMENTAL	Computer Equipm	24,330.00	SPRINGBOOK SOFTWARE LICENSE 1 OF 5 PAYME

Check#	Check Dt	Vendor Name	Inv Date	Inv#	Department	GL Account	Amounts	Detail Description
028185	03/31/09	UNIFIRST CORP.	03/10/09	310854	Public Works Admin	Uniforms	52.43	LAUNDRY-P.M. STREETS 3/10-3/17/09
					Public Works Park	Uniforms	28.60	LAUNDRY-P.M. PARKS 3/10-3/17/09
					Public Works Park	Uniforms	14.30	LAUNDRY-H.P. PARK 3/10/3/17/09
						Check Totals	95.33	
028186	03/31/09	AGI PUBLISHING DBA: VALLEY	03/01/09	998221/03-09	Public Works Park	Advertising/Pub	939.00	ADVERTISING HP PARK MARCH 09
						Check Totals	939.00	
028187	03/31/09	WILLIAMS SCOTSMAN	02/28/09	88848523	Public Works Admin	Rent - Faciliti	690.16	MONTHLY LEASE PAYMENTS PD TRAILER 02/09
						Check Totals	690.16	
028188	03/31/09	WILSEY HAM	03/16/09	6160	Public Works Admin	Other Contract	12,817.00	FINAL DESIGN SERVICES FOR THE FLETCHER-R
028188	03/31/09	WILSEY HAM	03/16/09	6162	NON-DEPARTMENTAL	Other Contract	4,108.39	CONCEPTUAL AND FINAL DESIGN SERVICES FOR
028188	03/31/09	WILSEY HAM	03/16/09	6161	NON-DEPARTMENTAL	Other Contract	7,507.22	CONCEPTUAL DESIGN SERVICE FOR THE MANDAR
						Check Totals	24,432.61	
028189	03/31/09	WISE BUILDING CO. 244 POLHE	03/30/09	244POLHEMUS	Public Works Admin	Other Deposits/	2,500.00	REFUND ROAD BOND 244 POLHEMUS
						Check Totals	2,500.00	
028190	03/31/09	JAMES WITT GENERAL CONTRACT	03/31/09	101 CATALPA	NON-DEPARTMENTAL	Bus Lic Refund	6,129.20	REFUND #3 BATCH #1
						Check Totals	6,129.20	
						Grand Totals	728,855.38	



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 APRIL 15, 2009

SUBJECT: FINANCIAL REPORT FOR NINE MONTHS ENDED MARCH 31, 2009

RECOMMENDATION

Receive the General Fund Financial Report for the nine months ended March 31, 2009.

DISCUSSION

Staff revised the format on how the financial report is to be presented. The new format incorporates a column "Accrual" to account for revenues and expenditures that need to be included in order to more accurately reflect the actual data. For the nine months ended March 31, 2009, if revenues and expenditures are assumed to be distributed evenly, 75% of the annual FY 2008-09 Budget (9/12) should be earned or incurred.

The accrual amounts only reflect data up April 10, 2009. **The report also reflected the mid-year budget adjustments (Amended Budget) approved by the City Council on March 26, 2009.**

General Fund Revenues

For the nine months ended March 31, 2009, the General Fund reported revenues of \$6,617,473, which is 73.2% of the annual amended revenue budget for FY 2008-09.

General Fund Expenditures

As to the expenditures for the nine months ended March 31, 2009, the General Fund reported \$7,438,973, which is 72.9% of the annual amended expenditure budget for FY 2008-09.

Monthly Financial Report

To better explain the variance, staff is providing variance explanations for material items.

Unless additional appropriation is approved by the City Council, each department head is expected to manage his/her department budget to ensure that the department comes in within approved expenditure budget.

FISCAL IMPACT

None

Prepared by:



Louise Ho
Finance Director

Approved by:



Jerome Gruber
City Manager

Attachment: Financial Report
Variance Explanation

Town of Atherton										
General Fund										
Financial Report for the Nine Months Ended March 31, 2009										
(Excl. Encumbrances)										
Dept	Description	Amended Budget FY08/09	9/12 of Budget	Actual Jul 08 thru Mar 09	Accrual	Adj. Actual Jul 08 thru Mar 09	% of 9/12 Budget	Year-To-Date Variance	% of Annual Budget	Actual Jul 07 thru Mar 08
		(a)	(b)	(c)	(d)	(e)	(e/b)	(a-e)	(e/a)	(f)
			75.0%							
	Revenues									
	Secured	4,299,782	3,224,837	2,607,225		2,607,225	80.8%	1,692,557	60.6%	2,373,487
	Unsecured	268,806	201,605	276,459		276,459	137.1%	(7,653)	102.8%	249,861
	SB813 Redemption	65,000	48,750	77,018		77,018	158.0%	(12,018)	118.5%	99,119
	Home Owners Prop Tax Re	31,500	23,625	15,876		15,876	67.2%	15,624	50.4%	15,791
	Local Sales & Use Tax	85,000	63,750	67,948		67,948	106.6%	17,052	79.9%	94,189
	Public Safety Sales Tax	54,000	40,500	38,148		38,148	94.2%	15,852	70.6%	51,612
	IN LIEU SALES TAX/TRIPLE FLIP	31,235	23,426	15,764		15,764	67.3%	15,471	50.5%	27,118
	Franchise Taxes-PG&E	225,000	168,750			-	0.0%	225,000	0.0%	
	Franchise Tax-Cal Water	84,000	63,000	72,912		72,912	115.7%	11,088	86.8%	62,456
	Franchise Tax-BFI	173,000	129,750	100,043		100,043	77.1%	72,957	57.8%	130,429
	Franchise Taxes-Cable	110,000	82,500	101,138		101,138	122.6%	8,862	91.9%	62,431
	Document Trsf Tax	200,000	150,000	106,983		106,983	71.3%	93,017	53.5%	184,115
	Motor Vehicle In-Lieu	623,670	467,753	311,835		311,835	66.7%	311,835	50.0%	310,291
	Motor Veh. Lic Fees (MVLf)	25,000	18,750	13,766		13,766	73.4%	11,234	55.1%	
	Business Licenses	161,800	121,350	135,063		135,063	111.3%	26,737	83.5%	445,165
	Bus Lic Refund -FY 06/07	(217,100)	(162,825)			-	0.0%	(217,100)	0.0%	
	Bus Lic Refund -FY 07/08	(462,900)	(347,175)	(6,129)		(6,129)	1.8%	(456,771)	1.3%	
	Bus Lic Refund -FY 08/09	(136,800)	(102,600)	(6,858)		(6,858)	6.7%	(129,942)	5.0%	
	Home Occupation	3,000	2,250	1,950		1,950	86.7%	1,050	65.0%	6,270
	Building Permit	800,000	600,000	496,305		496,305	82.7%	303,695	62.0%	831,384
	Encroachment	170,000	127,500	138,952		138,952	109.0%	31,049	81.7%	102,165
	Other Licenses & Permit	500	375	425		425	113.3%	75	85.0%	200
	Landscape Fee	4,000	3,000	(5,000)		(5,000)	-166.7%	9,000	-125.0%	2,950
	Vehicle Code Fines	30,000	22,500	15,400		15,400	68.4%	14,600	51.3%	2,761
	Other Fines & Forfeit	11,000	8,250	5,656		5,656	68.6%	5,344	51.4%	21,082

Town of Atherton										
General Fund										
Financial Report for the Nine Months Ended March 31, 2009										
(Excl. Encumbrances)										
Dept	Description	Amended Budget FY08/09	9/12 of Budget	Actual Jul 08 thru Mar 09	Accrual	Adj. Actual Jul 08 thru Mar 09	% of 9/12 Budget	Year-To-Date Variance	% of Annual Budget	Actual Jul 07 thru Mar 08
		(a)	(b)	(c)	(d)	(e)	(e/b)	(a-e)	(e/a)	(f)
			75.0%							
	Parking Violations			4,602		4,602	100.0%	(4,602)	100.0%	7,028
	ERAF Subvention	547,368	410,526	543,116		543,116	132.3%	4,252	99.2%	489,941
	POST Reimb	20,000	15,000	8,072		8,072	53.8%	11,928	40.4%	6,550
	Other Reimbursements	60,000	45,000	17,232		17,232	38.3%	42,768	28.7%	49,250
	SB 90 reimbursement	-	-	-		-	0.0%	-	0.0%	6,812
	Grants	40,000	30,000	54,556		54,556	181.9%	(14,556)	136.4%	96,930
	React Task Force Reimb	55,820	41,865	55,819		55,819	133.3%	1	100.0%	27,321
	Elections Processing Fee	2,000	1,500	2,000		2,000	133.3%	-	100.0%	
	Document/Research Fee	400	300			-	-100.0%	400	-100.0%	858
	Photocopy Fee	6,000	4,500	6,401		6,401	142.2%	(401)	106.7%	3,249
	Alarm Sign Fees	600	450	780		780	173.3%	(180)	130.0%	600
	Vehicle Release	2,500	1,875	2,200		2,200	117.3%	300	88.0%	1,180
	Fingerprinting Fee			30		30	100.0%	(30)	100.0%	5
	Affidavit of Cost			3,827		3,827	100.0%	(3,827)	100.0%	
	Police Report	3,000	2,250	2,100		2,100	93.3%	900	70.0%	2,160
	Special Service Fee	2,000	1,500	372		372	24.8%	1,628	18.6%	3,899
	Post Office	55,000	41,250	39,037		39,037	94.6%	15,963	71.0%	38,822
	Application Fee	-	-	450		450	100.0%	(450)	100.0%	641
	Zoning & Planning Fees	82,000	61,500	54,750		54,750	89.0%	27,250	66.8%	27,600
	Plan Check	365,000	273,750	322,144		322,144	117.7%	42,856	88.3%	270,391 B
	Social Fees	35,000	26,250	87,968		87,968	335.1%	(52,968)	251.3%	61,450 C
	Meeting Fees	65,000	48,750	37,929		37,929	77.8%	27,071	58.4%	39,621
	Class Fees	16,000	12,000	9,953		9,953	82.9%	6,047	62.2%	12,963
	Weddings	90,000	67,500	40,473		40,473	60.0%	49,528	45.0%	
	Misc. Use Fee	500	375	449		449	119.8%	51	89.8%	4,750
	Interest Income	200,000	150,000	104,631		104,631	69.8%	95,369	52.3%	225,576 D

Town of Atherton										
General Fund										
Financial Report for the Nine Months Ended March 31, 2009										
(Excl. Encumbrances)										
Dept	Description	Amended Budget FY08/09	9/12 of Budget	Actual Jul 08 thru Mar 09	Accrual	Adj. Actual Jul 08 thru Mar 09	% of 9/12 Budget	Year-To-Date Variance	% of Annual Budget	Actual Jul 07 thru Mar 08
		(a)	(b)	(c)	(d)	(e)	(e/b)	(a-e)	(e/a)	(f)
			75.0%							
	Cellular One	36,000	27,000	27,041		27,041	100.2%	8,959	75.1%	28,563
	Property Rental-Playscl	75,000	56,250	51,977		51,977	92.4%	23,023	69.3%	49,632
	Sale of Property	-	-	1,514		1,514	100.0%	(1,514)	100.0%	720
	Donations/Contributions	36,151	27,113	12,176		12,176	44.9%	23,975	33.7%	1,588
	Miscellaneous Income	10,000	7,500	7,495		7,495	99.9%	2,505	74.9%	43,008
	Trsf in from Spec Parcel Tax	350,000	262,500	350,000		350,000	133.3%	-	100.0%	E
	Transfers in from Gas Tax	100,000	75,000	75,000		75,000	100.0%	25,000	75.0%	100,000
	Transfers in from GFClP	150,000	112,500	112,500		112,500	100.0%	37,500	75.0%	
	Total Revenues	9,044,832	6,783,624	6,617,473	-	6,617,473	97.6%	2,427,359	73.2%	6,673,984
	EXPENDITURES									
City Council	Advertising/Publishing	-	-	-		-				
	Other Contract Services	9,000	6,750	9,400		9,400	139.3%	(400)	104.4%	8,449
	Office Supplies	600	450	4,712		4,712	1047.1%	(4,112)	785.3%	
	Membership/Dues	18,000	13,500	14,804		14,804	109.7%	3,196	82.2%	16,507
	Travel & Meetings	6,000	4,500	6,059		6,059	134.6%	(59)	101.0%	7,392
	Special Events & Awards	1,000	750	438		438	58.3%	562	43.8%	50
	Administrative Services	381	286	286		286	100.0%	95	75.0%	191
	Computer Services Charge	796	597	597		597	100.0%	199	75.0%	398
	City Council Totals:	35,777	26,833	36,295	-	36,295	135.3%	(518)	101.4%	32,987 F
(City Manager	Salaries & Benefits	555,121	416,341	387,710	20,005	407,714	97.9%	147,407	73.4%	317,079
City Clerk	Contract Services	84,000	63,000	89,210		89,210	141.6%	(5,210)	106.2%	46,773
Personnel)	Supplies & Materials	7,700	5,775	3,137		3,137	54.3%	4,563	40.7%	7,387
	General Expenses	57,500	43,125	49,390	296	49,687	115.2%	7,813	86.4%	19,231
	Reimbursements	30,315	22,736	22,736		22,736	100.0%	7,579	75.0%	15,158

Town of Atherton										
General Fund										
Financial Report for the Nine Months Ended March 31, 2009										
(Excl. Encumbrances)										
Dept	Description	Amended Budget FY08/09	9/12 of Budget	Actual Jul 08 thru Mar 09	Accrual	Adj. Actual Jul 08 thru Mar 09	% of 9/12 Budget	Year-To-Date Variance	% of Annual Budget	Actual Jul 07 thru Mar 08
		(a)	(b)	(c)	(d)	(e)	(e/b)	(a-e)	(e/a)	(f)
			75.0%							
	City Manager Totals:	734,636	550,977	552,184	20,301	572,485	103.9%	162,151	77.9%	405,628
City Attorney	Contract Services	298,000	223,500	236,155	58,452	294,607	131.8%	3,393	98.9%	476,108
Legal Services	General Expenses	2,000	1,500	53		53	3.5%	1,947	2.6%	
	Reimbursements	6,228	4,671	4,671		4,671	100.0%	1,557	75.0%	3,114
	City Attorney Totals:	306,228	229,671	240,879	58,452	299,330	130.3%	6,898	97.7%	479,222
(Finance Post Office)	Salaries & Benefits	348,040	261,030	251,031	9,030	260,061	99.6%	87,979	74.7%	243,324
	Contract Services	50,000	37,500	16,578		16,578	44.2%	33,422	33.2%	116,687
	Supplies & Materials	11,000	8,250	5,231		5,231	63.4%	5,769	47.6%	2,961
	General Expenses	3,600	2,700	960	395	1,355	50.2%	2,245	37.6%	755
	Rents & Leases		-	590		590	100.0%	(590)	0.0%	
	Facility & Equipment	7,500	5,625	330		330	5.9%	7,170	4.4%	
	Reimbursements	19,616	14,712	14,712		14,712	100.0%	4,904	75.0%	9,808
	Finance Totals:	439,756	329,817	289,431	9,425	298,856	90.6%	140,900	68.0%	373,535
(Building Planning)	Salaries & Benefits	864,441	648,331	569,915	27,739	597,654	92.2%	266,787	69.1%	549,688
	Contract Services	492,837	369,628	300,878	30,000	330,878	89.5%	161,959	67.1%	608,325
	Supplies & Materials	21,000	15,750	14,521		14,521	92.2%	6,479	69.1%	13,709
	General Expenses	10,000	7,500	9,245	462	9,707	129.4%	293	97.1%	2,807
	Facility & Equipment	1,500	1,125	436		436	38.8%	1,064	29.1%	501
	Reimbursements	48,358	36,269	36,269		36,269	100.0%	12,090	75.0%	55,090
	Building Totals:	1,438,136	1,078,602	931,262	30,462	989,464	91.7%	448,672	68.8%	1,230,120
Non-Dept	Retiree Health Care	97,200	72,900			-	0.0%	97,200	0.0%	
	Contract Services	23,745	17,809			-	0.0%	23,745	0.0%	

Town of Atherton										
General Fund										
Financial Report for the Nine Months Ended March 31, 2009										
(Excl. Encumbrances)										
Dept	Description	Amended Budget FY08/09	9/12 of Budget	Actual Jul 08 thru Mar 09	Accrual	Adj. Actual Jul 08 thru Mar 09	% of 9/12 Budget	Year-To-Date Variance	% of Annual Budget	Actual Jul 07 thru Mar 08
		(a)	(b)	(c)	(d)	(e)	(e/b)	(a-e)	(e/a)	(f)
	Building Totals:	120,945	90,709	-	-	-	0.0%	120,945	0.0%	-
Police	Salaries & Benefits	4,092,933	3,069,700	2,900,352	128,870	3,029,222	98.7%	1,063,711	74.0%	3,003,025
	Contract Services	260,670	195,503	189,522	89	189,611	97.0%	71,059	72.7%	179,388
	Supplies & Materials	171,002	128,252	93,773	5,000	98,773	77.0%	72,229	57.8%	119,734
	General Expenses	103,483	77,612	61,933	2,535	64,469	83.1%	39,014	62.3%	47,244
	Facility & Equipment	125,156	93,867	60,919	551	61,470	65.5%	63,686	49.1%	48,399
	Reimbursement	141,886	106,415	106,415		106,415	100.0%	35,472	75.0%	107,468
	Police Totals:	4,895,130	3,671,348	3,412,914	137,045	3,549,959	96.7%	1,345,171	72.5%	3,505,257
(Public Works	Salaries & Benefits	1,463,828	1,097,871	1,096,059	43,130	1,139,189	103.8%	324,639	77.8%	996,395
Parks & Recr)	Contract Services	446,650	334,988	330,042	61	330,102	98.5%	116,548	73.9%	282,124
	Supplies & Materials	95,300	71,475	42,399	916	43,315	60.6%	51,985	45.5%	48,886
	General Expenses	97,000	72,750	99,935	490	100,425	138.0%	(3,425)	103.5%	83,839
	Rent & Leases	42,068	31,551	31,213		31,213	98.9%	10,855	74.2%	12,408
	Facility & Equipment	32,500	24,375	4,311		4,311	17.7%	28,189	13.3%	30,338
	Reimbursements	58,705	44,029	44,029		44,029	100.0%	14,676	75.0%	19,718
	Public Works Totals:	2,236,051	1,677,038	1,647,987	44,597	1,692,584	100.9%	543,467	75.7%	1,473,707
	Total Expenditures	10,206,659	7,654,994	7,110,953	300,281	7,438,973	97.2%	2,767,686	72.9%	7,500,456
	Excess (Deficiency) of Revenues over Expenditures	(1,161,827)	(871,370)	(493,480)	(300,281)	(821,500)	94.3%	(340,327)	70.7%	(826,472)
	Beg. Fund Balance	7,882,853				7,882,853				
	Proj. Ending Fund Balance	6,721,026				7,061,353				

Town of Atherton
Financial Report for the Nine Months Ended March 31, 2009
Revenue Variance Explanation

A. Business License

New accounts added to track refund of business license tax by the year when the payment was received.

B. Building Permits & Plan Check

It seems that the combined income of building permits and plan check for the nine months ended FY 2008-09 as compared to the same period in FY 2007-08 showed a decrease of about \$270,000.

C. Social Fees

This revenue as of 3/31/2009 showed to exceed budget by \$52,968. The reason is due to the revenue budget was projected low. The Parks program budget will be fine tuned in FY 2009-10 to more accurately reflect the operation.

D. Interest Income

Finance Department was able to complete the bank reconciliation and recorded the actual allocated interest income for July to December 2009.

E. Transfer in from Special Parcel Tax Fund

\$350,000 was approved by City Council in March 2009 to help balance the FY 2008-09 General Fund budget.

Town of Atherton

Financial Report for the Nine Months Ended March 31, 2009

Expenditure Variance Explanation

F. City Council Department

This dept is showing actual exceed budget due to one-time purchase of furniture & equipment.

G. City Attorney Department

With the additional \$100,000 to the City Attorney Dept during mid-year budget review, the legal costs continued to exceed budget. Further appropriation will be needed to finish the fiscal year.

PROCLAMATION

DECLARING MAY

AS

BETTER HEARING AND SPEECH MONTH

Whereas, hearing loss is the most common birth defect in the U.S. with one out of every 300 newborns annually affected by hearing loss;

Whereas, congenital hearing loss can result in pervasive, severe, lifelong limitations in speech and language that affect the individual with the loss and their families along with posing a large financial impact to society;

Whereas, children with hearing loss who do not receive appropriate early intervention services, the resulting special education costs average \$420,000 per child, and the lifetime cost to society tops \$1 million per individual;

Whereas, only 20% of infants with hearing loss born in the U.S. are being properly assessed and followed by 6 months of age;

Whereas, in response to this critical need, the Let Them Hear Foundation (LTHF) was formed as a 501(c)(3) organization in 2002 to bring the miracle of hearing to those who choose not to live in silence. As a core component of the agency's mission, LTHF provides access to medical care for all, regardless of income, insurance provider, or country of residence;

Whereas, on both a national and international level, LTHF is dedicated to expanding access to educational support, medical services and equipment related to hearing loss. Through active advocacy in the United States and service-related missions to other countries, LTHF provides enhanced coverage and support for people with hearing loss.

Whereas, the month of May is recognized as Better Hearing & Speech Month

NOW THEREFORE, I, Jerry Carlson, Mayor of the Town of Atherton, and on behalf of the City Council, do hereby proclaim May as **Better Hearing and Speech Month** and Atherton also

- (1) supports Let Them Hear Foundation's work helping children affected by hearing loss; and
- (2) encourages the promotion of Let Them Hear Foundation's programs dedicated to offering financial assistance to those unable to afford adequate healthcare
- (3) applauds the initiative of Let Them Hear Foundation and their dedication to helping bring the gift of hearing to children who are hearing impaired
- (4) should recognize "Better Hearing & Speech Month" to support and further encourage such efforts
- (5) commends the Let Them Hear Foundation for their exceptional work in the treatment and care of children with hearing loss.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the Town of Atherton to be affixed this 18th day of March, 2009.

Jerry Carlson, MAYOR
Town of Atherton

PROCLAMATION

OF THE CITY COUNCIL OF THE TOWN OF ATHERTON
Declaring
ARBOR DAY - APRIL 25, 2009

WHEREAS, in 1872, J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees; and

WHEREAS, this holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska; and

WHEREAS, Arbor Day is now observed throughout the Nation and the world; and

WHEREAS, the purpose of the designation of this day is to encourage the planting of shade and forest trees to protect our forests, as well as their wildlife; and

WHEREAS, trees can reduce the erosion of our most precious topsoil by wind and water, cut heating and cooling costs, moderate the temperature, clean the air, produce oxygen and provide habitat for wildlife; and

WHEREAS, trees are a renewable resource giving us paper, wood for our homes, fuel for our fires, and countless other wood products; and

WHEREAS, trees in our Town increase property values and beautify our community; and

WHEREAS, trees, wherever they are planted, are a source of joy and spiritual renewal.

NOW, THEREFORE, as Mayor of the Town of Atherton, I do hereby proclaim April 25, 2009 as Arbor Day in the Town of Atherton, and urge all citizens to celebrate Arbor Day and to support efforts to protect our trees and woodlands, and further urge all citizens to plant trees to gladden the heart and promote the well-being of this and future generations.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the Town of Atherton to be affixed this 15th day of April 2009.

Jerry Carlson, Mayor
Town of Atherton

PROCLAMATION

*Of the Town of Atherton City Council
Declaring*

*WEST NILE VIRUS AND MOSQUITO AND VECTOR CONTROL AWARENESS WEEK
APRIL 20, 2009 THROUGH APRIL 26, 2009*

WHEREAS, in the last year West Nile virus has killed 15 people in California and sickened nearly 438 others and the State Department of Public Health and the Centers for Disease Control predicts West Nile virus will again pose a grave public health threat in California in 2009; and

WHEREAS, adequately funded mosquito and vector control, disease surveillance, and public awareness programs are the best ways to prevent outbreaks of West Nile Virus and other diseases borne by mosquitoes and other vectors; and

WHEREAS, mosquitoes and other vectors continue to be a source of human suffering, illness, death, and a public nuisance in California and around the world; and

WHEREAS, Professional mosquito and vector control based on scientific research has made great advances in reducing mosquito and vector populations and the diseases they transmit; and

WHEREAS, San Mateo County Mosquito and Vector Control District work with other local and state public health agencies to reduce pesticide risks to humans, animals, and the environment while protecting human health from mosquito and vector-borne diseases and nuisance attacks; and

WHEREAS, West Nile Virus and Mosquito and Vector Control Awareness Week will increase the public's awareness of threat of West Nile virus and other diseases and the activities of the various mosquito and vector research and control agencies working to minimize the health threat within California, and will highlight the educational programs currently available; and

WHEREAS, The Mosquito and Vector Control Association of California has designated the week of April 20 through April 26, 2009, as West Nile Virus and Mosquito and Vector control Awareness Week in the State of California.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the Town of Atherton to be affixed this 17th day of February, 2009.

Jerry Carlson, MAYOR
Town of Atherton



Town of Atherton

CITY COUNCIL STAFF REPORT

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

FROM: NEAL J. MARTIN, TOWN PLANNER

DATE: FOR THE MEETING OF APRIL 15, 2009

SUBJECT: SET A DATE FOR A PUBLIC HEARING FOR AN APPEAL
OF THE PLANNING COMMISSIONS DECISION
REGARDING DENIAL OF APPLICATION TO REMOVE
ONE HERITAGE TREE AT 54 BARRY LANE

RECOMMENDATION:

Set May 20, 2009 as date of public hearing to consider appeal of Planning Commission denial of application to remove one heritage tree at 54 Barry Lane.

INTRODUCTION: or BACKGROUND:

On March 25, 2009 the Planning Commission held a public hearing on the application to allow removal of a heritage tree at this address. At the conclusion of the public hearing the Planning Commission denied the application. The applicant has appealed the decision to the City Council.

ANALYSIS:

The Atherton Municipal Code provides that the City Council shall set a date for a public hearing to consider the appeal at its next regular meeting following the receipt of a complete application. It further provides that the public hearing shall be held within forty days.

FISCAL IMPACT:

All costs associated with the application and appeal are paid for by the applicant.

FORMAL MOTION:

I move that the City Council set May 20, 2009 as the date of a public hearing to consider the appeal of the Planning Commission to deny the application to remove one heritage tree at 54 Barry Lane.

Prepared By:

Approved by:

Neal Martin
Town Planner

Jerry Gruber
City Manager

03-31-09 P01:49 IN

TD Revd Town of Atherton

March 30th 2009

Appeal of planning commission's decision.

Dear Town of Atherton official,

I hereby submit this formal request to appeal the planning commission decision made on March 25th, 2009, denying the removal of a pine tree on my property located at 54 Barry Lane., Atherton CA 94027

The bases for this appeal are consistent with the facts on which the original permit application was filled.

The subject tree is a pine tree, which is leaning and may topple anytime and as such poses a safety risk.

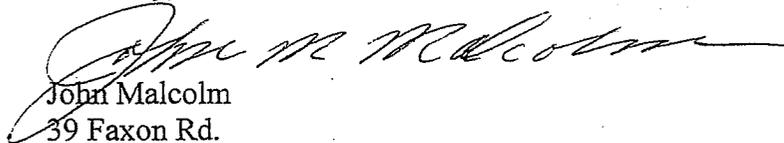
Furthermore, the specific tree does not harbor any nests so the impact on local ecosystem is non-existent. In addition, the tree has no screening capacity and its foliage is uneven and unsightly. As such, it is not consistent with our current screening plan that provides for much denser and lush foliage improving the screening and the street appeal.

Lastly, the opposition towards the removal of specified tree came from a sole neighbor, who was mostly concerned with a possibility that the tree provides a nesting location for birds. As we specified before there are no nests in the tree, so we do not believe removal poses a risk to the local ecosystem.

Based on all of the above we are confident that we deserve acceptance of our appeal.

Please let us know if there is anything else that would assist our appeal process.

Sincerely,



John Malcolm
39 Faxon Rd.
Atherton, CA 94027

c- Zach Sohns (superintendent)
~~XXXXXXXXXX~~



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 APRIL 15, 2009

**SUBJECT: APPROVE A CONTRACT WITH THE TOWN OF
WOODSIDE TO EXCHANGE ATHERTON ROAD IMPACT
FUNDS FOR WOODSIDE ECONOMIC STIMULUS FUNDS
IN THE AMOUNT OF \$185,000**

RECOMMENDATION:

Approve a contract with the Town of Woodside to exchange Atherton Road Impact Funds for Woodside Economic Stimulus Funds in the amount of \$185,000.

INTRODUCTION:

Federal Economic Stimulus (ES) funding for transportation projects has been allocated to the Town of Atherton. The City County Association of Governments (CCAG) and the Metropolitan Transportation Commission (MTC) have evaluated the federal formula and determined that Atherton will receive \$207,000 and Woodside will receive \$185,000.

Staff has been working with CCAG, MTC and Caltrans to determine the process for receiving the funds and getting project approval within the timeline of the federal legislation. Caltrans and MTC have agreed on requirements to streamline the approval process through Caltrans. One significant requirement is that only projects over \$500,000 will be accepted for processing.

Existing federal processing requirements are not being relaxed for the ES projects. One significant requirement is that federal funds must be at least 50% of the funding of the project. This means that in order to receive funds, a project must have at least \$250,000

in federal funds. Neither Atherton nor Woodside is likely to be allocated that much in federal funding.

CCAG called a meeting of all the Public Works Directors in San Mateo County on January 26, 2009 at San Mateo City Hall. At that meeting, CCAG asked which cities could work together to fund projects that met the requirements. Atherton, Woodside and Portola Valley, being three of the smaller jurisdictions in the County, determined to try to work together to fund a joint project.

ANALYSIS:

Because Atherton had achieved significant savings on the two street reconstruction projects recently completed, Parcel Tax funds are available for additional street reconstruction work. Atherton therefor proposed to Woodside and Portola Valley that Atherton could use all their federal funds, and in exchange would reimburse them with Parcel Tax funds. Portola Valley determined not to participate for reasons that have not been expressed.

One reason Atherton is a better candidate to use the federal funds is that Atherton recently successfully completed a similar federally funded project on Valparaiso Avenue as a joint project with Menlo Park. Because of this, Atherton staff is familiar with the most recent requirements for federal projects and will be able to expeditiously process the project through Caltrans. Staff is also familiar with the requirements of funding a joint project.

Atherton Avenue was chosen because it is the only street that is eligible for federal funding with valley gutter which allows it to be reconstructed with absolutely no environmental impacts. Only streets on the California Road System (CRS), primarily arterials and collectors, are eligible for federal funding. Streets with environmental impacts are likely to be held up in the Caltrans process and be unable to meet the timelines of the federal funding.

CCAG requested that the cities develop a Letter of Intent (LOI) for this exchange so the CCAG can plan the use of funds. The LOI was developed before the exact amounts of funding were known. The LOI was approved by Council on February 18, 2009. Now that the Economic Stimulus funding amounts are known, the LOI needs to be followed up with a contract. The contract was drafted by Woodside and reviewed by the Atherton City Attorney. It provides that Atherton will disperse road funds to Woodside when Atherton receives economic stimulus funds which would otherwise have been allocated to Woodside.

FISCAL IMPACT:

There will be no fiscal impact to the Town of Atherton for this exchange. The Town will exchange \$185,000 of Road Impact funds for \$185,000 of Economic Stimulus funds, to be used for the same restricted purpose as the street funds. \$100,000 in Road Impact

funds were saved on the Stevick Drive Project, and \$123,483 in Road Impact funds were saved on the Street Reconstruction 4 project, for an available \$223,483 in restricted street funds to be used for the exchange.

The engineer's estimate for the Atherton Avenue project is \$592,000. The bid environment is currently still aggressive, so lower bids can be expected. The remaining \$200,000 (or less if bids are lower) will come from other restricted funds, including Measure A, Proposition 1B, Proposition 42 and additional savings on Road Impact funded projects. Alternatively, at the time of bid award, the project length can be reduced to fit just the federal funds (\$392,000).

Prepared By:

Approved:

/s/ Duncan L. Jones

Duncan L. Jones, P.E.
Public Works Director

Jerome D. Gruber
City Manager

Attachments: Agreement between Towns of Woodside and Atherton

**AGREEMENT BETWEEN
THE TOWN OF ATHERTON AND THE TOWN OF WOODSIDE
REGARDING EXCHANGE OF FUNDS FOR STREET IMPROVEMENTS**

THIS AGREEMENT, entered into this ____ day of _____, 2009 by and between the TOWN OF ATHERTON ("ATHERTON"), a Municipal Corporation within the County of San Mateo, State of California and the TOWN OF WOODSIDE ("WOODSIDE"), a Municipal Corporation within the County of San Mateo, State of California.

WITNESSETH

WHEREAS, the City/County Association of Governments of San Mateo County (C/CAG) and the Metropolitan Transportation Commission (MTC) have made available certain federal stimulus funds under the American Recovery and Reinvestment Act of 2009 (ARRA) for roadway projects in the County of San Mateo that can be awarded within 90 days of bill signing.

WHEREAS, ATHERTON has identified an eligible ARRA construction project entitled Atherton Avenue ("Project"); and

WHEREAS, said Project qualifies for the use of ARRA funds, and such funds will help to provide economic stimulus through the use of private contractors for the construction of this Project; and

WHEREAS, WOODSIDE must identify and complete a qualifying project or relinquish ARRA funds; and

WHEREAS, ARRA Funds are project specific and therefore more difficult to utilize in limited amounts, whereas local funds may be more broadly applied to eligible projects; and

WHEREAS, WOODSIDE wishes to transfer its ARRA funds to ATHERTON'S Project; and

WHEREAS, ATHERTON wishes to transfer an equal portion of ATHERTON'S local funds to WOODSIDE.

NOW, THEREFORE, THE PARTIES HEREBY AGREE AS FOLLOWS:

1. WOODSIDE agrees to transfer its allocation of \$185,000 (One Hundred Eighty Five Thousand and No/100 Dollars) in Federal ARRA Funds to ATHERTON. Further, ATHERTON agrees to spend said funds for an ARRA eligible project, to utilize the funds in accordance with the legal requirements for expenditure of such funds, and to be solely responsible for ensuring said compliance.

2. In consideration thereof, ATHERTON agrees to transfer \$185,000(One Hundred Eighty Five Thousand and No/100 Dollars), in local funds to WOODSIDE. Further, WOODSIDE agrees to spend said funds for WOODSIDE roadway purposes.

3. The funds transferred between the parties shall be exchanged without interest applied.

4. The parties acknowledge and understand that MTC and C/CAG are empowered to make disposition of the apportionments to the parties participating in this agreement in accordance with the terms of this agreement. The MTC and/or C/CAG shall disperse to ATHERTON, ARRA funds that would have otherwise gone to WOODSIDE. ATHERTON shall disperse local funds to WOODSIDE upon receipt of ARRA funds that would have gone to WOODSIDE.

IN WITNESS WHEREOF, the parties hereto have caused this AGREEMENT to be executed by their duly authorized officers on the day and year first above written.

TOWN OF WOODSIDE

_____, 2009
Council Action Dated

By: _____
Susan George, Town Manager

Attest: _____
Janet Koelsch, Town Clerk

Approved as to form:

Town Attorney, Jean Savaree

TOWN OF ATHERTON

_____, 2009
Council Action Dated

By _____
Jerry Gruber, City Manager

Approved as to form:

Attest: _____
City Clerk

Wynne Furth, City Attorney,



Town of Atherton

CITY COUNCIL STAFF REPORT

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

FROM: DUNCAN JONES, PUBLIC WORKS DIRECTOR

DATE: FOR THE MEETING OF APRIL 15, 2009

**SUBJECT: APPROVAL OF PLANS AND SPECIFICATIONS AND
AUTHORIZATION FOR SOLICITATION OF BIDS FOR THE
FLETCHER/RIDGEVIEW DRAINAGE PROJECT NUMBER 08-
010**

RECOMMENDATION:

Approve the plans and specifications and authorize advertisement for bids for the Fletcher Ridgeview Drainage and Street Project, Project No. 08-010.

INTRODUCTION:

The FY 2008-09 adopted Capital Improvement Program includes funds for constructing the Fletcher Ridgeview Drainage Project. The need for the drainage project resulted from the 2000 Townwide Drainage Study (the Nolte Study). When the 2008 Pavement Condition Report came out, it was determined that Ridgeview Drive is the fifth worst street in the Town with a PCI of 39. This PCI, in the fair condition category, makes Ridgeview a candidate for reconstruction. Fletcher Drive, which has a PCI of 71 (normally just a slurry seal candidate), has several trench cuts across the streets at angles from a previous water and sewer replacement projects, and will have additional cuts from the storm drain project. In addition, both streets, especially Fletcher Drive, have irregular street widths and geometry. For these reasons, staff recommends that both streets be reconstructed as a part of the storm drain project.

ANALYSIS:

The Fletcher Ridgeview Drainage and Street Project will construct a storm drainage system from the corner of Fletcher Drive and Alta Vista Drive, down Fletcher Drive to

Ridgeview Drive , and down Ridgeview Drive to Sutherland Drive, where it will connect to the existing outfall to the Atherton Channel. In order to not exceed the capacity of the outfall, and to avoid an increase in flow in the Atherton Channel, a detention structure will be constructed south of the Ridgeview/Sutherland intersection.

Both streets will be reconstructed using the normal Town standards of milling and full depth asphalt paving. Failed sections of valley gutter will be replaced. Locations currently with no valley gutter will have valley gutter installed, with the runoff directed via catch basins into the drainage system. Ditches and asphalt berms along the roadside will thus be eliminated, creating a safer walking and driving environment.

The project is budgeted for construction in FY 2008-09. Wilsey Ham prepared the design for the project. The Fletcher Ridgeview Drainage and Street Project plans and specifications are ready to be advertised for construction.

FISCAL IMPACT:

Parcel Tax funds in the amount of \$1,000,000 are budgeted for the drainage portion of the project in FY 2008-09. Road Impact Fee Funds in the amount of \$500,000 are budgeted for the street portion of the project in FY 2008-09. An additional \$287,416 in Road Impact Fee funds is available for projects due to savings on earlier projects. The total available funding for the project is \$1,787,416.

The Engineer's Estimate for the Fletcher Ridgeview Project is \$1,558,742. In addition, a 10% construction contingency of \$155,874 would bring the total estimate to \$1,714,616. The project is scheduled to receive bids in May 2009 and award the contract at the June 17, 2009 City Council meeting.

Prepared By:

/s/ Duncan L. Jones

Duncan L. Jones, P.E.
Public Works Director

Approved:

Jerome D. Gruber
City Manager



Town of Atherton

CITY COUNCIL STAFF REPORT

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

FROM: DUNCAN JONES, PUBLIC WORKS DIRECTOR

DATE: FOR THE MEETING OF APRIL 15, 2009

**SUBJECT: APPROVAL OF APPROVE PLANS AND SPECIFICATIONS AND
AUTHORIZATION FOR SOLICITATION OF BIDS FOR LAS
LOMITAS SAFE ROUTES TO SCHOOL PROJECT NUMBER
08-028**

RECOMMENDATION:

Approve the plans and specifications and authorize advertisement for bids for the Safe Route to School for the Las Lomitas Elementary School Project, Project No. 08-028.

INTRODUCTION:

Established in 1999 and administered by the Department of Transportation (Caltrans), the SR2S program came into effect from the passage and signing of Assembly Bill 1475. Several bills have been enacted to extend the program, the most recent bill is AB 57, which extends the program indefinitely.

Section 2333.5 of the Streets and Highways Code calls for Caltrans, in consultation with the California Highway Patrol, to make the SR2S grants available to local government agencies through a statewide competition.

The goals of the SR2S program are to reduce injuries and fatalities to school children and to encourage increased walking and bicycling among students. The program achieves these goals by constructing facilities that enhance safety for pedestrians and bicyclists on pathways, trails, sidewalks, and street crossings.

The Town of Atherton submitted a state Safe Routes to School (SR2S) grant application in November 2007. The applications were granted in March 2008 and staff applied for

funding allocation in August 2008. Funding allocation and approval to proceed with the projects was received on August 27, 2008.

ANALYSIS:

The proposed plan includes improvements along Camino Al Lago and on Las Lomas School property. The improvements are designed to remove obstacles to safe walking and biking to school. The improvements include:

1. A speed table on Camino Al Lago;
2. Concrete sidewalk along the School's right of way;
3. Addition of school cross walk signs.

Staff has prepared the design for the project. The Safe Route to School for the Las Lomas Elementary School Project plan and specification are ready to be advertised for construction.

FISCAL IMPACT:

There will be no fiscal impact to the Town of Atherton. Safe Route to School will provide 90% and the Las Lomas School District will provide 10% of the funds required for this project.

Prepared By:

/s/ Duncan L. Jones

Duncan L. Jones, P.E.
Public Works Director

Approved:

Jerome D. Gruber
City Manager



Town of Atherton

CITY COUNCIL STAFF REPORT

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

FROM: DUNCAN JONES, PUBLIC WORKS DIRECTOR

DATE: FOR THE MEETING OF APRIL 15, 2009

**SUBJECT: AWARD OF CONTRACT TO CASEY CONSTRUCTION FOR THE
HOLBROOK-PALMER SEWER IMPROVEMENT PROJECT NUMBER
08-027 IN AN AMOUNT OF \$44,700.00, PLUS A TEN PERCENT
CONSTRUCTION CONTINGENCY, FOR A TOTAL AUTHORIZATION
OF \$49,170.00.**

RECOMMENDATION:

Pass a motion to award the contract for Holbrook-Palmer Sewer Improvement Project, project number 08-027 to Casey Construction, the low bidder on the April 9, 2009 bids, for \$44,700.00, with a 10% construction contingency of \$4,470, for a total authorization of \$49,170.00; and to authorize the City Manager to sign the contract on behalf of the Town.

INTRODUCTION:

The main sewer at Holbrook-Palmer Park experienced significant backups during heavy patronage events during November and December 2008. Public Works had Waterworks, the Town's regular plumber, unclog and video the line to determine the cause of the backups. The video showed that there were numerous deficiencies, including sags that held water, separations and areas where there was no bottom left in the pipe.

The recommendation at the time was to clean the line so it would work until a replacement could be budgeted. Public Works crews cleaned the line with the Vactor truck we were renting to clean storm drains. The hydrojet that provides the high pressure water to clean the pipe was unable to pass through the segment of pipe under the Atherton Channel due to offsets in the pipe. A few weeks later, an even more serious backup occurred when this segment clogged. Overflows occurred throughout the park.

It has been determined that the only viable solution is to replace the main sewer line as expeditiously as possible. The new line will be on a different alignment and grade, making it shorter and with a better gradient to prevent clogging.

ANALYSIS:

11 bids were received for the Holbrook-Palmer Sewer Improvement Project as follows:

<u>CONTRACTOR</u>	<u>LOCATION</u>	<u>BID</u>
Casey Construction	Emerald Hills	\$44,700.00
Nexgen	East Palo Alto	\$61,211.00
Conquest	San Francisco	\$82,800.00
KJ Wood	San Francisco	\$88,360.00
Stoloski & Gonzales	San Francisco	\$89,420.00
Darcy & Hardy	San Francisco	\$91,560.00
J. Howard Engineering	Burlingame	\$92,000.00
Platinum Pipeline	Dublin	\$93,700.00
A1 Septic Construction	Castro Valley	\$99,400.00
McNamara & Smallman	Livermore	\$109,900.00
Pacific Underground Const.	San Jose	\$110,220.00

FISCAL IMPACT:

Parcel Tax funds in the amount of \$300,000.00 are budgeted for this project in FY 2008-09. Bids were received for the project on April 9, 2009. Casey Construction was the low bidder at \$44,700.00. This bid was 74.2% below the engineer's estimate prepared by staff, the designer of the project, of \$173,183.89. A 10% construction contingency of \$4,470.00 would bring the total authorization to \$49,170, which is \$250,830.00 (83.6%) below the FY 2008-09 budget.

Prepared By:

/s/ Duncan L. Jones

Duncan L. Jones, P.E.
Public Works Director

Approved:

Jerome D. Gruber
City Manager



Town of Atherton

CITY COUNCIL STAFF REPORT

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

FROM: CHIEF GLENN NIELSEN

DATE: FOR THE MEETING OF APRIL 15, 2009

SUBJECT: POLICE DEPARTMENT VEHICLE PURCHASE

RECOMMENDATION:

Staff recommends that Council authorize the purchase of one unmarked police vehicle for a cost not to exceed \$24,976.44 from Towne Ford in Redwood City.

INTRODUCTION:

The history of replacing vehicles in the Police Department has been to rotate out the patrol car(s) with the highest maintenance costs and/or accumulated mileage. Over the past few years and in light of budgetary concerns, the Police Department has reduced the number of vehicles purchased from three annually to only one in FY 08/09. This has now presented us with a fleet of vehicles that are aged and have accumulated many miles.

ANALYSIS:

It was the intent of the Atherton Police Department to purchase only one vehicle in FY 08/09. However, purchasing fewer vehicles has had a direct negative impact upon the fleet of vehicles used by the police department. Of the eight marked patrol vehicles we have in service, only two of them have less than 40,000 miles registered on the odometer and one of them is currently in our contract repair facility experiencing transmission problems (won't go into reverse). Two of them have transmission problems and another two are experiencing engine problems. The addition of the Ford Expedition (from the Atherton Disaster Preparedness Committee) to our fleet later this summer will help us make it through this FY in regards to marked patrol vehicles.

In March, we lost one of our unmarked police vehicles. The transmission on this 2002 Ford Crown Victoria with over 81,000 miles on it has failed (also won't go into reverse) and the fuel pump failed. It was towed away and the recommendation of the City of Redwood City's Corporation Yard is that the vehicle's serviceable life is too short to justify any repairs.

The remaining unmarked police vehicles are showing their age. One unmarked police vehicle has over 93,000 miles on it and the brakes are going bad. Another has over 76,000 miles on it and was just diagnosed with a leaking intake manifold.

The last time the PD purchased an unmarked police vehicle, we elected a Ford Taurus rather than the Crown Victoria vehicles we purchased in prior years. The Taurus is less expensive and gets better gas mileage (lowest bid on a Crown Victoria we found was \$27,197.19). The Taurus has been a successful addition to our fleet.

FISCAL IMPACT:

In an effort to reduce the cost of this purchase, PD solicited bids and requested dealerships identify 2008 Taurus vehicles rather than the newer 2009 or soon to be released 2010 vehicles. Three dealerships each reported one 2008 left of their lots. Results are below:

<u>Dealership</u>	<u>Vehicle</u>	<u>Total Cost</u>
Towne Ford	2008 Taurus	\$24,976.44
SF Ford Mercury	2008 Taurus	28,754.43
Walnut Creek Ford	2008 Taurus	33,452.35
Towne Ford	2009 Taurus	25,338.05
SF Ford Mercury	2010 Taurus	34,094.75

The cost to the Town for this unmarked police vehicle including tax and tire fees will not exceed \$24,976.44. The Vehicle Replacement Fund is the designated source of these funds. The Finance Manager reports that there are sufficient funds available in this account.

Prepared By:

Approved:

/s/ Glenn Nielsen

Glenn Nielsen
Chief of Police

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 APRIL 15, 2009

SUBJECT: APPROVAL OF AMENDMENT NO. 1 TO THE CONSULTANT SERVICES AGREEMENT DATED JANUARY 29, 2009, BETWEEN MUNISERVICES, LLC AND THE TOWN OF ATHERTON FOR BUSINESS LICENSE TAX MANAGEMENT AND ADMINISTRATION

RECOMMENDATION

Approve Amendment No. 1 to the consultant services agreement dated January 29, 2009, with MuniServices LLC; and authorize the City Manager to execute the amendment.

DISCUSSION

To improve efficiency in the collection and administration of the Town's business license requirement, the City Council approved a consultant services agreement with MuniServices on January 21, 2009. The agreement called for a bank account to be established by the Town for MuniServices to make direct deposits and for MuniServices to receive an annual fee of \$25 per maintained account. The maintained account is defined to be any account for which a license has been issued or any account maintained by MuniServices. The agreement would work well in most jurisdictions. However, because of the composition of the Town's business license taxpayers (mostly general contractors and subcontractors), a usually large percentage of licenses are not renewed. Therefore, paying MuniServices \$25 for each maintained account which may or may not renew the business license annually is expensive.

To address this challenge and the lack of a consistent database, staff and MuniServices would like to amend the agreement so that the Town will not incur excessive fees and MuniServices will be compensated for their efforts in mailing out renewal notices plus a follow-up mailing. Amendment No. 1 will change the direct deposit to the Town's bank account to a bank account to be held by MuniServices from which MuniServices will remit monthly payment (net of the

processing fees) to the Town. MuniServices will agree to be compensated \$25 annually for each business license certificate issued only. The “net remit” will allow MuniServices to save some processing time and earn a very small amount of interest to compensate for the possibility that the account will not renew. The Town also saves expense by not having to pay for banking services.

The control of the fund is turned over to MuniServices. To protect the Town’s funds, MuniServices will provide \$100,000 of insurance coverage against employee theft of Town’s property. MuniServices also will not treat the fund as MuniServices’ own asset. Overall, the Town’s business license income for a fiscal year is estimating to be about \$150,000. The insurance should be sufficient to cover. Staff evaluated the risk and is comfortable with the net remit process. The Amendment No. 1 has also been reviewed by the City Attorney.

FISCAL IMPACT

None. If Amendment No. 1 is not acceptable, there will be additional costs incurred.

Prepared by:

Approved by:

Louise Ho
Finance Director

Jerome Gruber
City Manager

Attachment: Consultant Services Agreement dated January 29, 2009
Amendment No. 1

ORDINANCE _____

**AN ORDINANCE OF THE CITY COUNCIL OF THE TOWN OF
ATHERTON AMENDING SECTION 15.32.040 OF THE
ATHERTON MUNICIPAL CODE REGULATING DEPOSITS FOR
PREPARATION OF ENVIRONMENTAL IMPACT REPORTS**

The City Council of the Town of Atherton does hereby ordain as follows:

SECTION 1: Section 15.32.040 of the Atherton Municipal Code is hereby amended to read in its entirety as follows:

15.32.040 Deposit.

Such person, partnership, corporation or public agency shall deposit with the town a sum equal to the city manager's estimate of the cost of preparation of, and public notices for hearing concerning, any environmental impact report for such project, including time spent by city employees and fees of city engineer, city attorney, or other experts. Prior to paying the deposit, the applicant shall enter into a reimbursement agreement with the town in a form satisfactory to the city manager and city attorney which may provide for installment payments of the costs. Following completion of the proceedings under this chapter, the city manager shall compute the costs of such environmental impact report and of any further services in connection therewith, and shall either return the balance of such deposit or bill such person, partnership, corporation or public agency for any such additional amount.

SECTION 2: That the City Council hereby declares that it would have passed this Ordinance sentence by sentence, paragraph by paragraph, and section by section, and does hereby declare that any provisions in this Ordinance are severable and, if for any reason any sentence, paragraph or section of this Ordinance shall be held invalid, such decision shall not effect the validity of the remaining parts of this Ordinance.

SECTION 3: This Ordinance shall take effect and be in force from and after 30 days after its passage and adoption.

SECTION 4: The City Clerk shall certify to the passage and adoption of this Ordinance and cause the same to be published or posted according to law.

PASSED, APPROVED AND ADOPTED this 15th day of April, 2009.

Jerry Carlson, Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:

Wynne Furth
City Attorney

15.32.010 Notice of proposed project—Determination by town.

A. Any person, partnership, corporation or public agency planning a project within the geographical limits of the town not exempted from the application of the Environmental Quality Act of 1970, as amended, shall, prior to commencement thereof, notify the city manager in writing of such proposed project, giving a full, true and correct description thereof, and submitting such plans and specifications as may be necessary to understand the significance of such project. No such person, partnership, corporation or public agency shall commence any project (other than to apply for approval thereof under this chapter) without making such report, nor, if such project is determined by the city manager not to be exempt from the Environmental Quality Act of 1970, as amended, without the filing of a determination of approval of such project under the provisions of Section [15.32.090](#) of this chapter. Upon receipt of such report the city manager shall determine whether or not such project is exempted from the application of the Environmental Quality Act of 1970, as amended. The city manager may require submission of such further information as may be necessary to facilitate such determination. Exemptions from the application of the act shall be those specified in guidelines established by the Resources Agency of California, as amended.

B. In the event the city manager shall determine that such project is not exempted from the requirement of an environmental impact report he shall direct such person, partnership, corporation or public agency to proceed under the provisions of this chapter and of the Environmental Quality Act of 1970, as amended. (Ord. 317 Ch. 12(b) § 1, 1973)

15.32.020 Applicability to town project.

In the event the town should plan a project not exempted from the application of the Environmental Quality Act of 1970, as amended, it shall proceed under the provisions of this chapter and of the Environmental Quality Act of 1970, as amended. (Ord. 317 Ch. 12(b) § 2, 1973)

15.32.030 Submission of required information.

The detailed information required under the provisions of Section 21100 of the Public Resources Code of the state shall be submitted to the city manager concerning all projects not exempted under this chapter, or assembled by him, in the case of such projects initiated by the town. The city manager may require submission of such further information, in accordance with Section 21160 of the Public Resources Code of the state, as may be necessary to enable the determination of the factors set forth in Section 21100 of the code. (Ord. 317 Ch. 12(b) § 3, 1973)

15.32.040 Deposit.

Such person, partnership, corporation or public agency shall deposit with the city manager a sum of not less than two hundred dollars, nor more than two thousand dollars, the exact amount to be determined by the city manager on the basis of a written estimate by the city manager of the cost of preparation of, and

Chapter 15.32
ENVIRONMENTAL REVIEW

publication of notices of hearing concerning, any environmental impact report for such project, including time spent by city employees and fees of city engineer, city attorney, or other experts. Following completion of the proceedings under this chapter, the city manager shall compute the costs of such environmental impact report and of any further services in connection therewith, and shall either return the balance of such deposit or bill such person, partnership, corporation or public agency for any additional amount. Such person, partnership, corporation or public agency shall pay to the town the reasonable cost of services rendered in the preparation and evaluation of such report. (Ord. 317 Ch. 12(b) § 4, 1973)

15.32.050 Submittal of report to planning commission.

Within sixty days after receipt of all such information and such deposit as required under Section [15.32.040](#), the city manager shall prepare and submit to the planning commission an environmental impact report concerning such project. The planning commission may, upon application, grant reasonable extensions of such time in its discretion. The city manager may employ such assistance, including the services of the city engineer and city attorney, as may be reasonably necessary in preparation of such report. (Ord. 317 Ch. 12(b) § 5, 1973)

15.32.060 Initial hearing—Date—Notice.

A. At its next meeting following receipt of such environmental impact report, the planning commission shall set a public hearing concerning such project and such report on a date not later than its next following regular meeting.

B. Notice of such initial hearing before the planning commission shall be published not less than five days prior thereto in a newspaper circulated within the limits of the town. (Ord. 317 Ch. 12(b) §§ 6, 7, 1973)

15.32.070 Determination of planning commission.

For good cause the planning commission may at its discretion at the hearing continue the same to its next meeting. Following such public hearing or hearings, the planning commission shall recommend approval, amendment or disapproval of such environmental impact report and shall then recommend approval, amendment, or disapproval of such project. It shall thereupon submit its recommendation to the city council. (Ord. 317 Ch. 12(b) § 8, 1973)

15.32.080 Final hearing—Date—Notice.

A. The city clerk shall place the subject matter of the report and the project on the agenda for public hearing at the next regular meeting of the city council.

B. Notice of such hearing before the city council shall be published not less than five days prior thereto in a newspaper circulated within the limits of the town. (Ord. 317 Ch. 12(b) §§ 9, 10, 1973)

15.32.090 Determination of city council.

For good cause the city council may at its discretion at the hearing continue the same to its next meeting. Following such public hearing or hearings, the city council shall approve, amend or disapprove such environmental impact report

Chapter 15.32
ENVIRONMENTAL REVIEW

and shall then approve or disapprove such project. The city clerk shall file notice of determination of the city council under the provisions of this chapter with the county clerk. (Ord. 317 Ch. 12(b) § 11, 1973)

15.32.100 Threshold of significance for the removal of heritage trees.

The city council declares that the removal of the following heritage trees could potentially have a significant impact on the environment and that an initial study and mitigated negative declaration or environmental impact should be prepared:

A. More than two heritage trees on parcels of land with an area less than one acre. The removal of two or fewer heritage trees is exempt from further environmental review.

B. More than five heritage trees on parcels of land with an area of one acre, but less than two acres. The removal of five or fewer heritage trees is exempt from further environmental review.

C. More than seven heritage trees on parcels of land with an area greater than two acres. The removal of seven or fewer heritage trees is exempt from further environmental review.

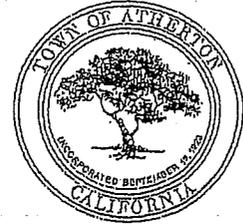
D. More than three heritage trees within a grove, screen, stand or closely planted area. The removal of three or fewer heritage trees in such situation is exempt from further environmental review.

The applicable environmental determination shall be valid for a period of five years.

In compliance with the California Environmental Quality Act (CEQA), the city council finds that heritage trees located outside of the tree preservation area can be removed as a matter of right and that such removal is therefore considered to be a ministerial act, statutorily exempt from CEQA, and the city council further finds that dead or dangerous heritage trees may be considered categorically exempt from CEQA. (Ord. 545 § 2, 2003)

ITEM 22

TOWN OF ATHERTON
APPLICATION FOR TOWN ACTION – Planning Commission



Type of Application (Please check all that apply):

- Variance Exception Heritage Tree Removal Excessive Height
 Negative Declaration/EIR Conditional Use Permit Other
 General Plan Amendment and Rezoning

Provide a brief description of the proposed project: (1) Parcel 2 (98 Leon Way): Amend land use element of General Plan to redesignate from existing Public Facilities & Schools (PFS) to low density single family residential (R-1A) and rezone parcel from PFS to R-1A (2) Parking lot area. (NE end of Menlo School parking lot adjacent to Valparaiso): Amend land use element of General Plan to redesignate from existing low density single family residential (R-1A) to Public Facilities & Schools (PFS) and rezone area from R-1A to PFS

PROPERTY OWNER

APPLICANT

Name Menlo School and Menlo College Name Menlo School, Attn: David P. McAdoo
 Phone # (408) 293-4341 Phone # (650) 333-2001 Ext. 2561
 Site Address 50 Valparaiso Ave. Mailing Address 50 Valparaiso Ave.
 APN 070-360-070-0 Atherton, CA 94027
 Email vickigroom@aol.com Email dmcadoo@menloschool.org

Owner Signature [Signature] Date _____
 Applicant Signature [Signature] Date _____

FOR CITY COMPLETION:

Description of Request _____ Received by: _____

Fee. \$ _____ Received by: _____

Plans & Reduced Plans # Sets & Sizes _____

 Notices Sent: Yes _____ No _____ Date _____

Planning Commission/City Council Hearing Date _____

Staff Recommendation _____

Appeal Deadline _____ Action Approved _____ Action Denied _____

Signature _____

APPLICATION PROCEDURE

An application packet (deemed complete) must be received at least *19 days* before the next regular meeting date of the Planning Commission and include the following:

- _____ 1. This form filled out completely & signed by the owner
- _____ 2. A separate, complete written description of request addressed to the Planning Commission
- _____ 3. Non-refundable fee of \$750.00
- _____ 4. Minimum deposit of \$2,500.00 if an environmental assessment is required
- _____ 5. Fifteen (15) copies of site plan clearly drawn, detailed, and scaled, which also includes:
 - a) _____ Existing & proposed use(s) including all buildings, parking areas, driveways & heritage trees
 - b) _____ Floor plan elevations
 - c) _____ Lot data (size, allowable square footage, & setbacks)
 - d) _____ Plans shall be at least 11" X 17"

- _____ 6. Conceptual Landscape Plan (if required)
- _____ 7. Arborist Report (if required)
- _____ 8. Such additional information the staff deems appropriate to complete application

HEARING DATE

Once staff deems the application complete, the request will be placed for Public Hearing on the agenda of the next available Planning Commission meeting. Currently the meetings are scheduled for the fourth Wednesday of each month at 6:00 p.m. in the Town Hall. The Planning Commission may continue any hearing from time to time.

EFFECTIVE DATE

A Planning Commission approval will be effective 10 days following the date of decision, during which time an appeal may be filed. The permit will be considered void if not used within one year.



Town of Atherton

CITY COUNCIL STAFF REPORT

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

FROM: NEAL MARTIN, TOWN PLANNER

DATE: FOR THE MEETING OF APRIL 15, 2009

SUBJECT: GENERAL PLAN AMENDMENT AND REZONING
APPLICATION FROM MENLO SCHOOL AND COLLEGE

RECOMMENDATION:

It is recommended that the City Council adopt the proposed General Plan amendment and rezoning.

Finding: The proposed zoning ordinance amendment is required to achieve the objectives of the General Plan and the provisions of Atherton Municipal Code Title 17 (the Zoning Title).

Basis for Finding: The Land Use Element of the General Plan contains the statement that “The single family low density designation is applied to all residential land in Atherton. This land use density is intended to minimize environmental damage to sensitive, scenic and open space areas. The conventional single family detached home is the standard structural type planned for these areas.” The residence at 98 Leon Way is an occupied single family detached home, the primary use of which is residential. Therefore, the General Plan amendment to residential designation and rezoning to R-1A of this parcel is required to achieve this General Plan objective.

The Land Use Element of the General Plan characterizes private schools as a “Public and Quasi-public Land Use.” It contains the statement that “Such uses include utilities such as water, sewer and power, basic facilities such as local government and schools, and services such as police and fire protection. Lands designated for public and quasi-public use on the General Plan Map are zoned PFS.” The Menlo School parking lot is an

integral part of that private school facility. Therefore, the General Plan amendment to Public Facilities and Schools designation and rezoning to PFS of the northeast portion of the parking lot is required to achieve this General Plan objective.

INTRODUCTION:

On January 21, 2009 the City Council approved an application for a Tentative Parcel Map allowing the division of the 43.7 acre property owned by Menlo School and College into four parcels. During the review proceedings it was noted that two areas within the Menlo School and College property were inappropriately zoned for their existing and intended use. Those areas are 98 Leon Way¹ (shown as Parcel 2 on the map accompanying the application) containing 0.7± acre, , known as the “President’s House” and the “Legacy” Parcel² (northeast portion of 50 Valparaiso Avenue) containing 1.0± acre, at the northeast end of the Menlo School parking lot adjacent to Valparaiso Avenue. Condition #32 of the Tentative Parcel Map approval requires:

“The applicant shall apply to the Town to amend its General Plan and rezone Parcel 2 from PFS to R-1A Zoning District and an approximate 1 acre portion of the Menlo School parking lot on Valparaiso Avenue from R-1A to PFS Zoning District prior to recordation of the Parcel Map.”

A review of the General Plan Land Use Element revealed that the General Plan designation of these parcels should also be amended to be consistent with the proposed rezoning.

Consequently, Menlo School and College has made application for the General Plan amendment and rezoning in order to comply with this condition.

On March 25, 2009 the Planning Commission reviewed the application, held a public hearing and subsequently adopted the attached resolution recommending City Council adoption of the proposed General Plan amendment and rezoning.

PROJECT DESCRIPTION:

The project consists of the components listed below:

1. Parcel 2 (98 Leon Way): Amend the Land Use Element of General Plan to redesignate the parcel from Public Facilities and Schools to Low Density Single Family Residential and rezone it from PFS to R-1A.
2. “Legacy” Parcel (northeast end of Menlo School Parking Lot adjacent to Valparaiso Avenue): Amend the Land Use Element of General Plan to redesignate the parcel from Low Density Single Family Residential to Public Facilities and Schools and rezone it from R-1A to PFS.

¹ 98 Leon Way does not have a separate Assessor’s Parcel Number. It is part of the Menlo School and College property APN 070-360-070.

² The “Legacy” Parcel does not have a separate Assessor’s Parcel Number. It is part of the Menlo School and College property APN 070-360-070.

A map showing the location of the two areas accompanies the application.

ANALYSIS:

Parcel 2 located at 98 Leon Way is the site of the Menlo College President's House. This is a single family detached home that is primarily the residence of the College President. The College has confirmed that the property is occupied by the College President as his residence. As stated in the application, the residence is also used for a wide variety of social and professional functions related to the advancement of the College consistent with its past use. The home is similar to other single family residential uses that front on Leon Way. The residential use is proposed to continue into the future. All of the other residences on Leon Way and in the Victoria Manor neighborhood are designated Low Density Single Family Residential on the General Plan and are zoned R-1A. The current General Plan designation of Public Facilities and Schools and the current zoning of PFS of Parcel 2 were probably based on its ties to the College and its ownership by Menlo School and College. However, it would be more appropriate to base the General Plan designation and zoning on the land use rather than institutional ties and ownership. Therefore, the proposal to amend the Land Use Element of General Plan to redesignate the parcel from Public Facilities and Schools to Low Density Single Family Residential and rezone the parcel from PFS to R-1A is appropriate. The new designation will also provide better land use protection to adjacent non-school uses.

The "Legacy" Parcel located at the northeast end of Menlo School Parking Lot adjacent to Valparaiso Avenue is a part of the large main parking lot for Menlo School. The area has been part of the main parking lot for many years and that use is proposed to continue into the future. The basis for the current General Plan designation of Low Density Single Family Residential and its current zoning of R-1A is unknown; although it could be related to the General Plan designation and zoning of the adjacent Victoria Manor neighborhood. Again, it would be more appropriate to base the General Plan designation and zoning on the current and future land use; that is an accessory use (parking) of a private school. Therefore, the proposal to amend Land Use Element of General Plan to redesignate the parcel from Low Density Single Family Residential to Public Facilities and Schools and rezone the parcel from R-1A to PFS is appropriate. The new designation will also provide the same or better land use protection to adjacent non-school uses.

The Master Plans of the two schools, as filed with the Town of Atherton, were reviewed to determine their consistency with the proposed General Plan amendment and rezoning. The latest update of the Menlo College Master Plan (2004 and update letter of 2008) shows the house at 98 Leon Way as the President's House and that use is planned to be continued in the future. The latest update of the Menlo School Master Plan (2007 and update letter of 2008) shows the "Legacy" parcel as the main parking lot for Menlo School and that use is planned to be continued in the future. Therefore, the proposed General Plan amendment and rezoning is consistent with the school master plans.

CONCLUSION:

It is Planning Staff’s professional opinion that the proposed General Plan amendment is necessary in order to attain consistency between existing and planned uses of the subject parcels and their General Plan designation. In addition, the zoning ordinance amendment will further the objectives of the Atherton General Plan by zoning the properties to a zoning district that is consistent with the new General Plan designations.

ENVIRONMENTAL IMPACT:

The proposal has been determined to be exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to CEQA Sections 15305, Class 5 Minor Alterations in Land Use Limitations. This exemption class consists of minor alterations in land use limitations in areas with an average slope of less than 20%, and which do not result in any changes in land use or density. The subject property has an average slope substantially less than 20% and the project would not result in any changes in land use or density.

FISCAL IMPACT:

All costs covering the processing of this application are paid for by the applicant.

ALTERNATIVES:

The City Council could deny the proposed General Plan amendment and rezoning application. In that case, the present General Plan designations and zoning would remain unchanged and inconsistencies would continue between the land use and the General Plan designations and zoning.

FORMAL MOTION:

I move that the City Council adopt the resolution entitled “A Resolution of the City Council of the Town of Atherton Adopting a General Plan Amendment for Portions of the Menlo School and College Property”. I further move that the City Council introduce Ordinance No. ____, “An Ordinance Of The City Council Of The Town Of Atherton Amending Section 17.16.020 Of The Atherton Municipal Code Rezoning Parcel 2 And The Legacy Parcel Of Menlo School And College” and waive further reading.

Prepared By:

Approved by:

Neal J. Martin
Town Planner

Jerry Gruber
City Manager

Attachments:

1. Letter from Menlo School & Menlo College, *Re: Petition for Amendment of the Atherton General Plan and Zoning Map – Menlo School and Menlo College (the “Menlo Property”*, March 6, 2009
2. Map, *Exhibit A, Parcel 2 and Parking Lot Area*, March 2, 2009
3. Resolution, *A Resolution of the Planning Commission of the Town of Atherton Recommending City Council Adoption of the General Plan Amendment and Rezoning of Portions of the Menlo School and College Property*, March 25, 2009
4. Draft Resolution, *A Resolution of the City Council of the Town of Atherton Adopting a General Plan Amendment for Portions of the Menlo School and College Property*
5. Draft Zoning Ordinance Amendment
6. Planning Commission minutes, March 25, 2009

MENLO SCHOOL & MENLO COLLEGE



March 6, 2009

City Council
Atherton Town Hall
91 Ashfield Road
Atherton, CA 94027

Re: Petition for Amendment of the Atherton General Plan and Zoning Map – Menlo School and Menlo College (the “Menlo Property”).

To the members of the City Council:

Menlo School and Menlo College, a California nonprofit public benefit corporation (the “Supporting Charity”), is the owner of the above-referenced Menlo Property. Menlo College, a California nonprofit public benefit corporation, operates a four-year baccalaureate college commonly known as Menlo College on the Property, and Menlo School, a California nonprofit public benefit corporation, operates a middle school and a high school on the Menlo Property as well.

On January 21, 2009, the City Council approved a Tentative Parcel Map for the Menlo Property which provides for the division of the Menlo Property into four parcels. The Tentative Parcel Map was approved subject to a number of conditions set forth in the Tentative Parcel Map Certificate. These conditions include the requirement that, prior to the recording of the final map, applicant shall apply to the Town to amend its General Plan to (i) rezone Parcel 2 from Public Facilities and Schools (PFS) to Residential District (R-1A) zoning district, and (ii) to rezone an approximately one-acre portion of the Menlo School parking lot on Valparaiso Avenue (the “Parking Lot Area”) from R-1A to PFS. Parcel 2 and the Parking Lot Area are depicted on Exhibit A attached hereto.

On behalf of the Supporting Charity, College and School, and in accordance with Chapter 17.60 of the Atherton Municipal Code, we hereby submit this petition to the City Council requesting the following amendments to the Land Use Element of the Atherton General Plan and the Zoning Map:

1. Parcel 2 (98 Leon Way – Menlo College President's House).
 - (i) General Plan: Amend the General Plan to redesignate the property from PFS to Low Density Single Family Residential.

1000 El Camino Real
Atherton, California 94027-4301
(415) 688-3725

- (ii) Zoning Map: Amend the Zoning Map to rezone the property from PFS to R-1A.

2. Parking Lot Area.

- (i) General Plan: Amend the General Plan to redesignate the property from Low Density Single Family Residential to PFS.
- (ii) Zoning Map: Amend the Zoning Map to rezone the property from R-1A to PFS.

Parcel 2 is the site of the College President's residence. The home is provided by the College as the official residence of the President of the College. The home is also used as the location for a wide variety of social and professional functions related to the advancement of the College and will continue to be used for such purposes following the amendment of the General Map and Zoning Map.

The Parking Lot Area is part of the main School parking lot which is used for faculty, staff and student parking and will continue to be used for such purposes following the amendment of the General Map and Zoning Map.

This Petition may be signed in counterparts each of which is an original and all of which together shall constitute one document.

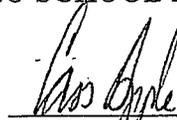
Thank you for your consideration. Please contact David McAdoo at Menlo School (650-330-2001 X 2561) with any questions or if you require any additional information.

Sincerely,

Supporting Charity:

MENLO SCHOOL AND MENLO COLLEGE

By:



Cass Apple

Its: Trustee

School:

MENLO SCHOOL

By:



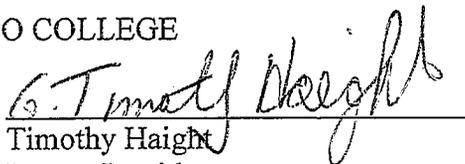
Norman M. Colb

Its: Head of School

College:

MENLO COLLEGE

By:

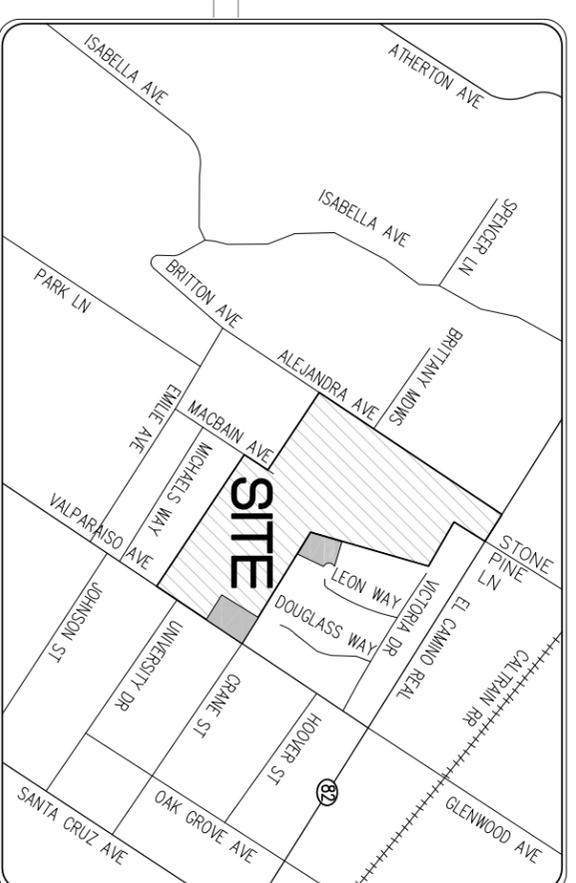
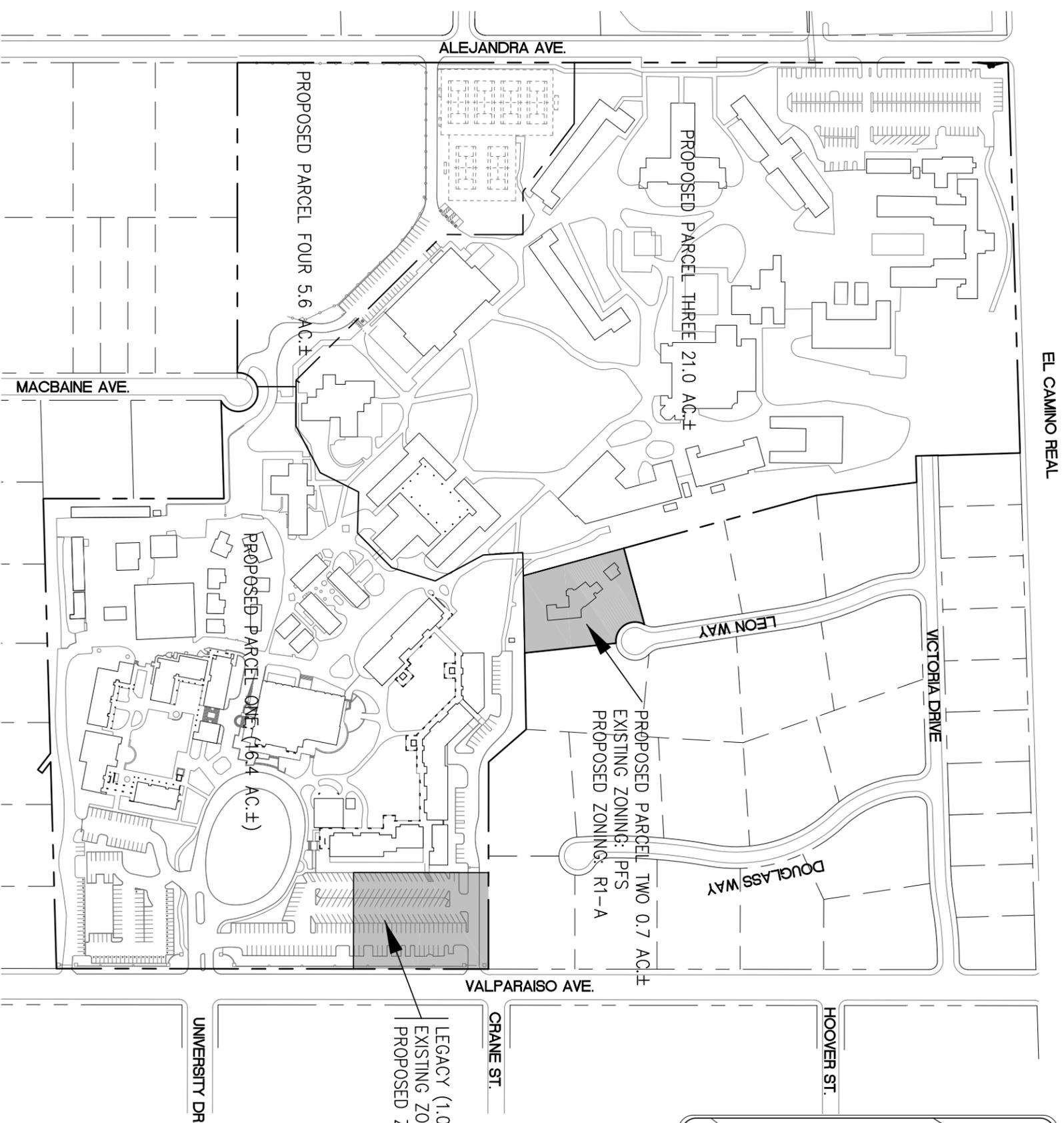


Timothy Haight

Its: President

cc. Lisa Costa Sanders, Deputy Town Planner

Enclosures – Exhibit A (Fifteen (15) copies)



NOTE:
 PFS INDICATES PUBLIC FACILITIES AND SCHOOLS
 R-1A INDICATES RESIDENTIAL TYPE 1A RESIDENTIAL DISTRICT

SANDIS CIVIL ENGINEERS
 PLANNERS
 605 Castro Street | Mountain View, CA 94041 | P. 650.969.6900 | F. 650.969.4772 | www.sandis.net
 MOUNTAIN VIEW
 ROSEVILLE
 OAKLAND

DATE: 3-2-09
 SCALE: AS SHOWN
 DRAWN BY: JHA
 APPROVED BY: LJC
 DRAWING NO: 201191

No.	REVISION	DATE	BY

PROPOSED REZONING EXHIBIT
 PARCELS 1 AND 2
 MENLO SCHOOL
 ATHERTON

SHEET
1
 OF 1 SHEETS

RESOLUTION 09-12

A RESOLUTION OF THE CITY COUNCIL OF THE TOWN OF ATHERTON ADOPTING A GENERAL PLAN AMENDMENT FOR PORTIONS OF THE MENLO SCHOOL AND COLLEGE PROPERTY

WHEREAS, Menlo School and College has made application to the Planning Commission of the Town of Atherton for a General Plan amendment and rezoning of two parcels within the property owned by the School and College. The Proposed Project consists of the parcels listed below:

1. Parcel 2 (98 Leon Way): Amend Land Use Element of General Plan to redesignate from Public Facilities and Schools to Low Density Single Family Residential and rezone the parcel from PFS to R-1A.
2. "Legacy" Parcel (northeast end of Menlo School Parking Lot adjacent to Valparaiso Avenue): Amend Land Use Element of General Plan to redesignate from Low Density Single Family Residential to Public Facilities and Schools and rezone the parcel from R-1A to PFS; and

WHEREAS, the General Plan amendment and rezoning application are a condition of approval of a Tentative Parcel Map permitting the division of a portion of the Menlo School and College property; and

WHEREAS, the proposal has been determined to be exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to CEQA Sections 15305, Class 5 Minor Alterations in Land Use Limitations.; and

WHEREAS, the Planning Commission conducted a public hearing on the General Plan amendment and rezoning application on March 25, 2009 at which time all individuals desiring to comment on the proposals were heard; and

WHEREAS, the Planning Commission, at the conclusion of the public hearing found that the proposed General Plan amendment was in the public interest and recommended its adoption to the City Council, and

WHEREAS, the City Council conducted a public hearing on the General Plan amendment and rezoning application on April 15, 2009 at which time all individuals desiring to comment on the proposals were heard; and

WHEREAS, the City Council, at the conclusion of the public hearing found that the proposed General Plan amendment was in the public interest, and

WHEREAS, the location of Parcel 2 and the Legacy Parcel are shown on the map entitled "Exhibit A" incorporated herein and made a part hereof.

NOW THEREFORE BE IT RESOLVED that the City Council of the Town of Atherton hereby adopts the General Plan amendment to redesignate Parcel 2 from Public Facilities and Schools to Low Density Single Family Residential and to redesignate the Legacy Parcel from Low Density Single Family Residential to Public Facilities and Schools as shown on the map entitled "Exhibit A".

* * * * *

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 15th day of, 2009, by the following vote:

<i>AYES:</i>	<i>CITY COUNCIL MEMBERS:</i>
<i>NOES:</i>	<i>CITY COUNCIL MEMBERS:</i>
<i>ABSENT:</i>	<i>CITY COUNCIL MEMBERS:</i>
<i>ABSTAIN:</i>	<i>CITY COUNCIL MEMBERS:</i>

Jerry Carlson, Mayor

ATTEST:

Eileen Wilkerson, City Clerk

APPROVED AS TO FORM:

Wynne S. Furth, City Attorney

RESOLUTION 09-

**A RESOLUTION OF THE CITY COUNCIL OF THE TOWN OF ATHERTON
ADOPTING A GENERAL PLAN AMENDMENT FOR PORTIONS OF THE
MENLO SCHOOL AND COLLEGE PROPERTY**

WHEREAS, Menlo School and College has made application to the Planning Commission of the Town of Atherton for a General Plan amendment and rezoning of two parcels within the property owned by the School and College. The Proposed Project consists of the parcels listed below:

1. Parcel 2 (98 Leon Way): Amend Land Use Element of General Plan to redesignate from Public Facilities and Schools to Low Density Single Family Residential and rezone the parcel from PFS to R-1A.
2. “Legacy” Parcel (northeast end of Menlo School Parking Lot adjacent to Valparaiso Avenue): Amend Land Use Element of General Plan to redesignate from Low Density Single Family Residential to Public Facilities and Schools and rezone the parcel from R-1A to PFS; and

WHEREAS, the General Plan amendment and rezoning application are a condition of approval of a Tentative Parcel Map permitting the division of a portion of the Menlo School and College property; and

WHEREAS, the proposal has been determined to be exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to CEQA Sections 15305, Class 5 Minor Alterations in Land Use Limitations.; and

WHEREAS, the Planning Commission conducted a public hearing on the General Plan amendment and rezoning application on March 25, 2009 at which time all individuals desiring to comment on the proposals were heard; and

WHEREAS, the Planning Commission, at the conclusion of the public hearing found that the proposed General Plan amendment was in the public interest and recommended its adoption to the City Council, and

WHEREAS, the City Council conducted a public hearing on the General Plan amendment and rezoning application on April 15, 2009 at which time all individuals desiring to comment on the proposals were heard; and

WHEREAS, the City Council, at the conclusion of the public hearing found that the proposed General Plan amendment was in the public interest, and

WHEREAS, the location of Parcel 2 and the Legacy Parcel are shown on the map entitled “Exhibit A” incorporated herein and made a part hereof.

NOW THEREFORE BE IT RESOLVED that the City Council of the Town of Atherton hereby adopts the General Plan amendment to redesignate Parcel 2 from Public Facilities and Schools to Low Density Single Family Residential and to redesignate the Legacy Parcel from Low Density Single Family Residential to Public Facilities and Schools as shown on the map entitled "Exhibit A".

* * * * *

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 ____ day of _____, 2009, by the following vote:

*AYES: CITY COUNCIL MEMBERS:
NOES: CITY COUNCIL MEMBERS:
ABSENT: CITY COUNCIL MEMBERS:
ABSTAIN: CITY COUNCIL MEMBERS:*

Jerry Carlson, Mayor

ATTEST:

Teresa della Santa, City Clerk

APPROVED AS TO FORM:

Wynne S. Furth, City Attorney

ORDINANCE _____

**AN ORDINANCE OF THE CITY COUNCIL OF THE TOWN OF ATHERTON
AMENDING SECTION 17.16.020 OF THE ATHERTON MUNICIPAL CODE
REZONING PARCEL 2 AND THE LEGACY PARCEL OF MENLO SCHOOL
AND COLLEGE**

The City Council of the Town of Atherton does hereby ordain as follows:

SECTION 1: Section 17.16.020 of the Atherton Municipal Code, the “Atherton Zoning Plan” is hereby amended as follows and as shown on Exhibit A attached and made a part of this Ordinance:

- a. Parcel 2 (98 Leon Way) is rezoned from PFS (Public Facilities and Schools) District to R-1A (Residential) District.

- b. “Legacy” Parcel (northeast end of Menlo School Parking Lot adjacent to Valparaiso Avenue) is rezoned from R-1A (Residential) District to PFS (Public Facilities and Schools) District.

SECTION 2: That the City Council hereby declares that it would have passed this Ordinance sentence by sentence, paragraph by paragraph, and section by section, and does hereby declare that any provisions in this Ordinance are severable and, if for any reason any sentence, paragraph or section of this Ordinance shall be held invalid, such decision shall not effect the validity of the remaining parts of this Ordinance.

SECTION 3: This Ordinance shall be posted in at least three public places according to law and shall take effect and be in force from and after 30 days after its passage and adoption.

* * * * *

I hereby certify that the foregoing Ordinance was introduced at a regular meeting of the City Council held on _____ and was thereafter, at a regular meeting held on _____ passed and adopted by the following vote:

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

Mayor

ATTEST:

City Clerk

**PLANNING COMMISSION
DRAFT MINUTES**

**TOWN OF ATHERTON
March 25, 2009
6:00 P.M.
TOWN COUNCIL CHAMBERS
94 ASHFIELD ROAD**

1. ROLL CALL:

**PRESENT: Philip Lively
William Grindley
Herman Christensen Jr.
Marion Oster
Kristi Waldron**

Assistant City Attorney Ben Winig, Deputy Town Planner Lisa Costa Sanders and Town Arborist Kathy Hughes- Anderson were also present.

2. APPROVAL OF MINUTES

**MOTION to approve the minutes of the February 25, 2009 meeting as corrected.
M/S Grindley/Waldron Ayes: 5 Noes: 0**

3. PUBLIC COMMENTS- none

4. COMMISSIONERS REPORTS

Commissioner Lively reported that the Planning Commission subcommittee met with representatives from most of the schools and some of the sports organizations. He anticipates having a preliminary report back to the Commission in April.

Commissioner Grindley reported that Blue Ribbon Task Force met again and will be preparing a report to the Council in June.

5. GENERAL PLAN COMMITTEE REPORTS

Commissioner Christensen reported that the General Plan Committee will meet on April 1, 2009 to continue their discussion on the Housing Element.

6. STAFF REPORTS

Lisa Costa Sanders reported on the Council's action to deny the request to initiate rezoning of Parker Avenue.

PUBLIC HEARING

General Plan and Zoning Plan Amendment – 50 Valparaiso and 98 Leon Way –
Amendment to the Atherton general Plan and Zoning Plan to redesignate parcel 2, 98 Leon Way from Public Facilities and Schools to Low Density Single Family Residential and rezone the parcel from PFS to R1-A and amendment to the Atherton General Plan and Zoning Plan to redesignate the “Legacy” parcel (northeast end of Menlo School Parking Lot adjacent to Valparaiso Avenue) from Low Density Single Family Residential to Public Facilities and school and rezone the parcel from R1-A to PFS. Atherton Municipal Code Section 17.16.020.

Deputy Town Planner, Lisa Costa Sanders presented the staff report.

OPEN PUBLIC HEARING

David McAdoo, representing the School and College was available to respond to any questions.

CLOSE PUBLIC HEARING

MOTION to adopt Resolution 09-01, recommending the City Council adopt the proposed General Plan amendment and rezoning:

M/S Lively/ Grindley Ayes: 5 Noes: 0
Finding:

1. The proposed zoning ordinance amendment is required to achieve the objectives of the General Plan and the provisions of Atherton Municipal Code Title 17..

ADOURN

M/S Grindley/Lively to adjourn meeting at 6:46 pm. Motion passed.

Respectfully submitted,

Lisa Costa Sanders, Deputy Town Planner



Town of Atherton

CITY COUNCIL STAFF REPORT

TO: HONORABLE MAYOR AND CITY COUNCIL

FROM: JEROME D. GRUBER, CITY MANAGER.

DATE: FOR THE MEETING OF APRIL 15, 2009

SUBJECT: AMENDMENT TO RESOLUTION 09-09 TO INCREASE
TRANSPORTATION COMMITTEE FROM FIVE (5)
MEMBERS TO SEVEN (7) MEMBERS

RECOMMENDATION:

It is recommended that the Transportation Committee membership be increased by two (2) resident positions by adopting an amendment to Resolution 09-09 Governing Town Committees and Commissions.

BACKGROUND:

At the April 7, 2009 Special Meeting of the Council the Council indicated a desire to discuss increasing the membership of the Transportation Committee by two (2) resident positions.

FISCAL IMPACT:

There is no fiscal impact.

RESOLUTION NO. 09-09
AMENDED April 15, 2009

A RESOLUTION OF THE CITY COUNCIL OF THE TOWN OF ATHERTON
GOVERNING TOWN COMMITTEES AND COMMISSIONS

The City Council of the Town of Atherton hereby resolves as follows:

Section 1. Establishment of Committees. The following committees and commissions are established for the Town of Atherton:

1. Arts Committee
2. Atherton Rail Committee
3. Audit Committee
4. Environmental Programs Committee
5. Finance Committee
6. General Plan Committee
7. Park and Recreation Commission
8. Town Center Committee
9. Transportation Committee

Section 2. City Council Rules of Procedure – Staffing – Minutes - Reports.

- All committees and commissions shall follow the City Council Rules of Procedure and the provisions of the California Open Public Meeting Law (Brown Act).
- Each committee or commission shall annually select one of its members to act as Chair and one of its members to act as Vice Chair. In the event a committee or commission is unable to appoint a Chair and/or Vice Chair, the Mayor shall have the authority to make such appointment.
- The City Manager shall have the authority to appoint any Town staff member(s) to serve Town committees and commissions.
- All committees and commissions shall prepare action minutes for the City Council. Draft minutes, that is, unapproved minutes, shall be presented to the City Council as soon as possible following the meeting they report.
- Members of committees and commissions are encouraged to advocate to the City Council their position on matters under the purview of their committee or commission. Otherwise, no committee or commission or any of its members shall represent itself or themselves as speaking on behalf of the Town, City Council, and/or committee or commission without prior approval of the City Council. Statements of previously approved City Council policy may be made without additional City Council approval.
- Committees and commissions may provide educational materials to the public regarding the functions and actions of the committee or commission, but shall not engage in advocating to the public any particular position which is contrary to City Council policy.
- Upon request, an annual report shall be provided to the City Council of committee and commission activities for the preceding year.

Section 3: Appointment of Voting Members to Committees and Commissions.

Members other than City Council Members shall be appointed following approval by the City Council. All appointed members shall be registered voters in the Town. Members shall serve at the pleasure of the City Council, or until the expiration of their terms set out below. Vacancies in any committee or commission arising from any reason, including expiration of term, shall be filled by appointment of the City Council.

Section 4. Powers and Duties – Composition - Terms.

The powers and duties, along with the composition and terms of the Town's committees and commissions, shall be as described below:

- City Council representatives and any alternates on committees are selected by the Mayor and approved by the City Council to serve a one (1) year term. Alternates will participate on committees in the absence of the appointed Council Members.
- Appointed members shall serve no more than two full consecutive terms on the committee or commission to which they are appointed. A member may be reappointed to the committee or commission following a minimum two (2) years hiatus.
- Each January, an annual report shall be provided to the City Council of attendance at committee and commission meetings for the preceding calendar year.
- Unexcused absences of members, other than City Council Members, from two or more consecutively scheduled meetings shall result in the automatic vacation of the member's office.
- In the event funding for the committees or commissions is desired, a budget shall be prepared and presented to the City Council for review and approval as part of the Town's regular budget process.
- Any requests by a committee or commission for staff work, information, or assistance from Town Staff shall be made to the City Manager.
- Changes in the dates or time of meetings from the established schedule may be made by majority vote of the committee or commission.

1. Arts Committee.

The Arts Committee shall have the following powers and duties:

- a. 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:
 - i. Fulfill the requirements of the Rita Corbett-Evans estate;
 - ii. Develop a unique arts program specific to the needs of Atherton and the surrounding community;
 - iii. Provide a base and focal point for arts programs in Atherton;
 - iv. Include a multi-disciplinary range of artistic endeavors including fine, performing, and literary arts as well as crafts.

The Arts Committee shall have the following composition and terms:

Consists of up to ten (10) appointed members. The term of office shall be as follows: Five (5) of the members shall be appointed to a four (4) year term commencing 2008 and ending on April 30, 2012. The remaining members' terms shall be three (3) years commencing 2008 and ending on April 30, 2011. Thereafter, each term of office shall be four (4) years. The Committee meets on the 4th Tuesday of each month at 1:00 p.m. in the Holbrook-Palmer Park Garden Room unless a special meeting in compliance with the provisions of the Brown Act is called by the committee chair.

2. Atherton Rail Committee.

The Atherton Rail Committee shall have the following powers and duties:

- a. Act in an advisory capacity to the City Council upon request in all matters pertaining to rail service in and through the Town;
- b. Research and address the specific impacts that high-speed rail and other rail improvements may have on the Town.

The Atherton Rail Committee shall have the following composition and terms:

Consists of up to twelve (12) members including two (2) Council Members and up to ten (10) appointed members. The term of office for appointed members shall be a four (4) year term commencing 2007 and ending on April 30, 2011. Thereafter, each term of office shall be four (4) years. The committee meets on the first Tuesday of every other month at 6:00 p.m. in the City Council Chambers unless a special meeting in compliance with the provisions of the Brown Act is called by the committee chair. In addition to other members, persons appointed to the Atherton Rail Committee may be appointed to represent and further the interests of Atherton homeowners and particularly those with properties on and along the Caltrain right-of-way. This declaration is made with specific recognition of the provisions of 2 California Code of Regulations Section 18707.4.

3. 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.

4. Environmental Programs Committee.

The Environmental Programs Committee shall have the following powers and duties:

- a. Act in an advisory capacity and make recommendations (programmatic and legislative) to the City Council upon request on all matters pertaining to the Town's natural and built environment and the Town's regional role and responsibilities as one of the communities on the San Francisco Bay Peninsula.
- b. Develop and propose to the City Council timely and appropriate action plans for the Town to:
 - (i) environmental issues or threats that become matters of concern for the community;
 - (ii) any regulatory statute or legislative changes or policies coming from the county, state or Federal governments on matters of environmental protection or performance; and
 - (iii) technological advancements that can help the Town address environmental issues, threats or legislative requirements. Such issues would include but not be limited to global warming and carbon dioxide emissions, green building guidelines, conservation and diversion, ABAG policies, PG&E and Allied Waste programs or services, e-waste collection and Earth Day and other environmental events.
- c. Create pro-active community engagement programs for residents, commercial and public enterprises active within the Town's jurisdiction for presentation to and consideration and approval by, the City Council.

The Environmental Programs Committee shall have the following composition and terms:

Consists of up to twelve (12) members including two (2) Council Members and ten (10) residents of the Town. The term of office shall be as follows: Five (5) of the appointed members shall be appointed to a two-year term commencing 2007 and ending April 30, 2009. The remaining members' terms shall be four (4) years commencing 2007 and ending April 30, 2011. Thereafter, each term of office shall be four (4) years. The committee meets quarterly on the first Wednesday of the month at 10:00 a.m. in the Conference Room of the Town Administrative Offices unless a special meeting in compliance with the provisions of the Brown Act is called by the committee chair.

5. Finance Committee.

The Finance 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 Town finances;
- b. Consult with the City Manager on matters pertaining to the budget, capital spending plan and the long range financial plan for the Town;

The Finance Committee shall have the following composition and terms:
Consists of two (2) Council Members. The Members also serve on the Audit Committee. The committee meets on an as needed basis in the Conference Room of the Town Administrative Offices.

6. General Plan Committee.

The General Plan 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 Town planning;
- b. Review the General Plan and make recommendations to the City Council, Planning Commission and Town staff regarding the operation of the ordinances and policies on the subject of Town planning.

The General Plan Committee shall have the following powers and duties:

Consists of two (2) Council Members, two (2) Planning Commissioners and up to five (5) appointed members who are not members of the City Council or Planning Commission. The term of office shall be four (4) years. Planning Commission representatives are selected by the Planning Commission to serve for a term of one (1) year. The committee meets quarterly or more frequently if required on the first Wednesday of the month at 6:00 p.m. in the Town Council Chambers unless a special meeting in compliance with the provisions of the Brown Act is called by the committee chair.

7. Park and Recreation Commission.

The Park and Recreation Commission 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 parks and public recreation and to cooperate with other governmental agencies and public and private groups in the advancement of park and recreation planning and programming;
- b. Develop and maintain a master plan for parks within the Town and, annually, in the month of April, present a report to the City Council.
- c. Review the annual budget for parks and recreation during the process of its preparation and make recommendations with respect thereto to the City Council. This includes recommendations regarding the setting of fees. The budget should contain estimates and recommendations for such long-term capital outlay projects as may be necessary to provide for orderly development of park and recreation areas, buildings and facilities;
- d. Study and make recommendations on the acquisition and development of recreation areas, activities and facilities such as playgrounds, buildings, parks, open space and other centers of recreation;
- e. Assist Town staff in the planning of recreation programs for the community, and promote and stimulate public interest therein.

The Park and Recreation Commission shall have the following composition and terms:

Consists of seven (7) appointed members. One member shall be a representative of the Holbrook-Palmer Park Foundation. One member shall be a representative of the Atherton Dames. Each of the foregoing representatives shall serve a term of two (2) years. The term of office for the two (2) members ending April 30, 2008 shall be four (4) years. The term of office for the remaining members shall be four (4) years. Thereafter, each term of office shall be four (4) years. The Park and Recreation Commission meets on the first Wednesday of each month at 6:30 p.m. in Holbrook-Palmer Park unless a special meeting in compliance with the provisions of the Brown Act is called by the committee chair.

8. The Town Center Committee.

The Town Center Committee, an ad hoc committee, shall have the following powers and duties:

- a. Assist the City Council in developing a vision and goals for the Town Center which includes facilities for City Council chambers, Police, Administration, Building, Public Works, Planning and Library functions;
- b. Upon approval of the City Council, the committee may engage Town residents and outside professional services to aid in the visioning process;
- c. Upon approval of the City Council assist in obtaining funds for Town Center improvements.

The Town Center Committee, an ad hoc committee, shall have the following Composition and terms:

Consists of two (2) Council Members. The committee meets on an as needed basis in the Conference Room of the Town Administrative Offices.

9. Transportation Committee.

The Transportation 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 transportation within the Town.

The Transportation Committee shall have the following composition and terms:

Consists of ~~five (5)~~ seven (7) members including two (2) Council Members and five appointed members. The term of office shall be four (4) years. The committee meets on the second Tuesday of every other month at 6:00 p.m. in the City Council Chambers unless a special meeting in compliance with the provisions of the Brown Act is called by the committee chair.

This Resolution shall be effective immediately upon adoption. ~~Resolution No. 08-24~~ Resolution No. 09-09 is hereby amended.

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 15th day of April, 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

TO: HONORABLE MAYOR AND CITY COUNCIL

FROM: JEROME D. GRUBER, CITY MANAGER.

DATE: FOR THE MEETING OF APRIL 15, 2009

SUBJECT: APPOINTMENTS TO TRANSPORTATION COMMITTEE,
AUDIT COMMITTEE, GENERAL PLAN COMMITTEE, AND
PLANNING COMMISSION

RECOMMENDATION:

It is recommended that appointments to the Transportation Committee, Audit Committee, General Plan Committee, and Planning Commission be approved.

BACKGROUND:

At the April 4, 2009 Special Meeting of the Council the Council made recommendations for each Committee through interviews with applicants. The following recommendations were made:

Transportation: Louis Paponis, John Ruggeiro, Larry Sweeney,
Erv Ericksen, Joan Solari

Term of office for all 5 appointed members shall take effect immediately and expire on April 30, 2012

Audit: Rose Hau and Jim Massey

Term of office shall take effect immediately and expire on April 30, 2012

Sam Goodman

Term of office shall take effect immediately and expire on
April 30, 2010

General Plan:

David Henig

Term of office shall take effect immediately and expire on
April 30, 2010

Planning:

Paul Quinlan

Term of office shall commence on May 1, 2009 and expire
on April 30, 2013

FISCAL IMPACT:

There is no fiscal impact.



Town of Atherton

CITY COUNCIL STAFF REPORT

TO: HONORABLE MAYOR AND CITY COUNCIL

FROM: JEROME D. GRUBER, CITY MANAGER.

DATE: FOR THE MEETING OF APRIL 15, 2009

SUBJECT: APPOINTMENT OF TWO COUNCIL MEMBERS FOR
AD HOC COMMITTEE TO ADVISE CONSULTANTS IN
DEVELOPMENT OF A PROFESSIONAL OPINION
RESEARCH SURVEY OF ATHERTON VOTERS

RECOMMENDATION:

It is recommended that two Council Members be appointed to an Ad Hoc Committee to assist the Town's consultants in developing a professional opinion research survey of Atherton voters.

BACKGROUND:

At the April 7, 2009 Special Meeting of the Council a presentation by GODBE Research was heard regarding the development a professional opinion research survey of Atherton voters. As part of the survey development it is beneficial to the Town for the consultant to have access to Council Members as sources of information about the Town and the information needed by the Council as it plans for the Town's future.

FISCAL IMPACT:

There is no fiscal impact.

CITY COUNCIL STAFF REPORT

TO: HONORABLE MAYOR AND CITY COUNCIL

FROM: KATHY HUGHES ANDERSON, TOWN ARBORIST

DATE: FOR THE MEETING OF APRIL 15, 2009

SUBJECT: APPROVAL OF RESOLUTION ADOPTING SAN MATEO COUNTY ENERGY STRATEGY 2012 AND SELECTION OF CITY COUNCIL LIAISON

RECOMMENDATION:

Approve Resolution xx-09 adopting the San Mateo County Energy Strategy 2012 and select a council member to serve as the Town's liaison for the San Mateo County Energy Strategy program.

INTRODUCTION:

In late 2005, President of the Board of Supervisors, Jerry Hill proposed the need for a countywide task force to investigate and recommend how best to meet the County's current and future energy needs.

A November 2005 Board report recommended that San Mateo County's Department of Public Works, Environmental and Waste Management Section (Recycle Works), and staff for City and County Association of Governments (C/CAG), bring forward the idea of an energy strategy development process to C/CAG's committee for discussion.

BACKGROUND:

In February 2006, the Congestion Management and Air Quality Committee (CMAQ) authorized the creation of an ad hoc energy working group to develop an energy strategy for San Mateo County. The group was chartered to consider the County's future energy and infrastructure needs and to recommend how to address these needs in an economically, socially and environmentally responsible manner.

This working group became the Utility and Sustainability Task Force (USTF), an ad hoc committee of the Congestion Management and Environmental Quality Committee (CMEQ) of the C/CAG. Comprised of six elected officials and six stakeholder representatives, the USTF first met in June 2006 and began work on the energy strategy with a project consultant and County staff.

The draft County Energy Strategy was completed in July 2008. The Executive Summary was presented to the C/CAG Technical Advisory Committee (TAC), the C/CAG Congestion Management and Environmental Quality Committee, and the C/CAG Board of Directors in July and August 2008. The

complete draft of the Energy Strategy was reviewed and approved by the County Board of Supervisors in September 2008. Both C/CAG and the Board of Supervisors authorized the distribution of the Energy Strategy to the cities in the county for comment.

A complete draft copy of the Energy Strategy was sent to all City Managers and Mayors via mail and e-mail on September 18, 2008. Cities were invited to submit comments to the County for consideration until October 15, 2008. The County received comments from several cities and was able to incorporate many of the comments. Overall, the feedback was positive; cities said that the Energy Strategy would support their own climate action goals and efforts.

The current County Energy Strategy was reviewed and approved by the C/CAG Board of Directors, Board of Supervisors, USTF, C/CAG Technical Advisory Committee (TAC), the C/CAG Congestion Management and Environmental quality (CMEQ) Committee in November and December 2008 and is ready for adoption by all the cities in the County. The Energy Strategy is a working document and will be updated periodically.

The San Mateo County Energy Strategy is one piece of a concerted effort countywide called “Co2 San Mateo County” to reduce greenhouse gas emissions and take action on climate change. Other efforts include a new (partially grant funded) County staff person to provide support to the Cities, volunteer staff support for Cities, financial support for greenhouse gas inventories that has already been offered by C/CAG, a new partnership with PG&E to fund energy efficiency projects for the cities in the county (“San Mateo County Energy Watch”), and other resources available to Cities from several nonprofit organizations.

DISCUSSION/ANALYSIS

The main objective of the San Mateo County Energy Strategy is to bring together the cities in the county to work collaboratively on energy and water- related issues; to define goals, to propose strategies and actions; and to provide resources. The Strategy includes five main goals with associated strategies, actions, and best practices to support them. These goals address renewable energy and energy efficiency, water conservation, and new sources of water, collaboration between cities and utilities, economic development opportunities, and the promotion of leadership on these issues in the county. The five goals as stated in the Energy Strategy are:

- To support the state’s greenhouse gas emission reduction targets, San Mateo County will reduce the amount of power it purchases from utilities to 25% below 2005 levels through conservation, efficiency and increased local production of clean energy.
- The San Francisco Public Utilities Commission estimates that San Mateo County will need an additional 5 million gallons of water per day by 2018 to meet projected demands. In order to meet this demand, San Mateo County will need to implement cost-effective and feasible water conservation and recycling programs and develop other local water supplies. San Mateo County will also need to strongly support local water utilities’ efforts towards the goal of meeting local water demand.
- San Mateo County will partner with the public utilities and work across boundaries to address environmental challenges more effectively and efficiently.
- Support the clean technology sector to strengthen the long-term economic health of San Mateo County.

- San Mateo County will encourage environmental leadership from the top in the public sector, the business community and with its residents to achieve the goals of the Energy Strategy.

The Energy Strategy's goals for energy and water usage are consistent with the current institutional thinking in our region and the State: the energy goal is related to current state legislation (AB32), and the water goal is based on current projections by the Bay Area Water Supply and Conservation Agency and contracts with the San Francisco Public Utilities Commission. Although these topics are very important, the Energy Strategy does not specifically include transportation or solid waste because these topics were not included in the scope of work of the USTF committee. The San Mateo County Energy Strategy is intended to be a working document and will be updated over time with resources and current data and could include these other important topics in a future update.

Collaborating with other cities facing similar challenges in the county will save the town time and resources and reduce the risk of implementation pitfalls. Cities will learn about and share best practices and will be able to take advantage of staff support, training and even bulk purchasing opportunities for items such as solar by having a greater connection with other cities in San Mateo and Santa Clara counties. Eleven cities in the county have already adopted the Energy Strategy, and others have it on future agendas.

The Environmental Program Committee reviewed the San Mateo County Energy Strategy at its March 3, 2009 meeting. The EPC voted to recommend to the City Council to adopt the resolution to adopt the San Mateo County Energy Strategy. The Committee felt that by adopting the Energy Strategy, the Town would have access to tools and resources that complement the Committee's goal of developing a local action plan for reducing carbon emissions in our community. The San Mateo Energy Strategy contains an Appendix D, *Resources*, which cities and towns are encouraged to review. The EPC stated it did not endorse adoption of an energy efficiency ordinance that would require that a certain percentage or the total sales price or cost of a remodel be invested in specific energy retrofits, as described on page 79 of Appendix D. Staff notes that the Council would not be endorsing any of the specific items listed in the Appendix by adopting the proposed resolution.

By adopting this resolution, the Town will be adopting the goals of the San Mateo County Energy Strategy and committing to pursuing the next steps recommended by the Strategy:

- Commit to working collaboratively with other cities and the County
- Release utility and water utility data to the County and C/CAG for the purposes of tracking countywide energy use and emission reduction goals

The Town will assign one staff person and one elected official to be the main contact for the Town's climate action program for the County and C/CAG. C/CAG and the County need Town contacts for the purposes of routing information about the Energy Strategy, not for purposes of establishing a new C/CAG committee. If the Town does not assign these contacts, the Town's existing C/CAG Board member and TAC member will become the contacts for this program. Quarterly workshops will be held hosted by C/CAG and the County.

By adopting the Energy Strategy, the Town is not required to adopt and implement every action suggested in the Energy Strategy. Some actions in the Strategy may not work for the Town or may conflict with the Town's recommendations for a climate action plan. The intention of the Energy Strategy is to support city efforts, to provide resources and to promote collaboration. Some steps

outlined in the Energy Strategy are we have already undertaken, such as the ICLEI government operations inventory.

FISCAL IMPACT:

There is no membership fee to adopt the San Mateo County Energy Strategy, so there is no financial impact at this time. Some actions recommended by the Strategy may require Town funding and would be evaluated by the Town on a case-by-case basis. There could be future fiscal impact if the Town decided to implement a particular program or policy, but there could be cost savings as well. Other actions may be funded through rebates, grants or partnerships. One of the objectives of the Strategy is to save cities money by sharing resources, expertise and purchasing power.

LEGAL IMPACT:

If the Town adopts the San Mateo County Energy Strategy, there is no requirement to implement all the actions suggested in the Strategy. The San Mateo Energy Strategy does not create any penalties for not meeting targets by specific deadlines.

Prepared by:

/s/ Kathy Hughes Anderson

Kathy Hughes Anderson
Town Arborist

Approved by:

Jerome Gruber
City Manager

RESOLUTION NO. 09-xx

RESOLUTION OF THE CITY COUNCIL OF THE TOWN OF ATHERTON TO ADOPT THE SAN MATEO COUNTY ENERGY STRATEGY 2012

WHEREAS, the Town of Atherton is committed to reducing greenhouse gas emissions and taking action on climate change; and

WHEREAS, the San Mateo County Energy Strategy 2012 identifies five main goals with associated actions related to renewable energy and energy efficiency, water conservation and new sources of water, collaboration among cities and with utilities, economic development opportunities, and promoting leadership; and

WHEREAS, the Utility and Sustainability Task Force, an ad hoc committee of the Congestion Management and Environmental Quality Committee of the City/County Association of Governments (C/CAG), was chartered in 2006 to develop a countywide energy strategy that would consider the county's future energy and infrastructure needs and recommend how to address these needs in an economically, socially, and environmentally responsible manner; and

WHEREAS, the Town received a draft County Energy Strategy in September 2008 for comment; and

WHEREAS, comments from cities and towns were incorporated, and the County Energy Strategy was approved by the County Board of Supervisors and C/CAG Board of Directors in December 2008; and

WHEREAS, the County Energy Strategy is a working document that will be updated periodically; and

WHEREAS, the County Energy Strategy is one piece of a concerted effort countywide called "CO2 San Mateo County" to take action on climate change, including a new County staff person to provide support to the cities, a new partnership with PG&E called San Mateo County Energy Watch to fund energy efficiency projects in the county, and other resources available to cities from several nonprofit organizations.

NOW, THEREFORE, BE IT RESOLVED that the Council of the Town of Atherton adopts the San Mateo County Energy Strategy 2012.

BE IT FURTHER RESOLVED that the Town commits to pursuing the next steps recommended by the Strategy: committing to working collaboratively with other cities and the County towards the goals of the Energy Strategy and releasing energy and water utility data to the County and C/CAG for tracking purposes

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 February, 2009, by the following vote:

*AYES: COUNCIL MEMBERS:
NOES: COUNCIL MEMBERS:
ABSENT: COUNCIL MEMBERS:
ABSTAIN: COUNCIL MEMBERS:*

Jerry Carlson, Mayor

ATTEST:

Eileen Wilkerson, City Clerk



Item No. 27

DATE: FOR THE CITY COUNCIL MEETING OF APRIL 15, 2009

TO: THE HONORABLE MAYOR AND CITY COUNCIL

FROM: NEAL J. MARTIN, TOWN PLANNER

**SUBJECT: 2008 ANNUAL REPORT TO THE CITY COUNCIL ON THE ATHERTON
GENERAL PLAN IMPLEMENTATION**

RECOMMENDATION:

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

BACKGROUND:

The State of California Statutes of 2005 (effective January 1, 2006) require the preparation of an annual report to the local legislative body, the California Governor's Office of Planning and Research (OPR) and the California Department of Housing and Community Development (HCD) describing the following:

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

2006 ANNUAL REPORT:

Status of the Atherton General Plan and Progress in its Implementation

The Atherton General Plan was updated in 2002 and adopted by the City Council on November 20, 2002. It contains Land Use, Circulation, Housing, Open and Conservation, Noise, and Community Safety Elements. The Housing Element, which is the only element required to be reviewed by HCD, has been found to be "not in compliance" with the HCD review criteria. However, the Atherton City Council adopted the Housing Element pursuant to CGC Section 65585(f)(2) and included in its resolution of adoption written findings that explain the reasons the City Council

believed that the element substantially complies with the requirements of the statute despite the findings of HCD.

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

Progress in meeting Atherton's Share of Regional Housing Needs

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

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

OPR adopted General Plan Guidelines in 2003 for use by local jurisdictions in the preparation of their general plans. The Guidelines are permissive, not mandatory and are quite extensive. Staff has prepared an analysis of the Atherton General Plan compared to the general criteria included in the Guidelines along with an evaluation of the degree to which the Atherton General Plan complies with the OPR Guidelines. That analysis is provided in Attachment 2. The analysis shows that the Atherton General Plan is in substantial compliance with the adopted OPR Guidelines with a few exceptions. During FY 2008-09 the City Council included funds in the City Budget to prepare amendments to the General Plan in order to achieve compliance with the adopted OPR Guidelines. Those draft amendments have been completed by Staff and are awaiting review and recommendation by the General Plan Committee.

Date of the Last Revision to the Atherton General Plan

The last revision to the Atherton General Plan was adopted by the City Council on November 20, 2002.

ALTERNATIVES:

1. Accept the Annual Report.
2. Provide direction to Staff for modification to the Annual Report.
3. Take no action.

FINANCIAL IMPACT:

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

RECOMMENDATION:

It is recommended that the City Council accept the Annual Report and authorize its transmittal to the California Governor's Office of Planning and Research and the California Department of Housing and Community Development pursuant to Section 65400 of the California Government Code (CGC).

FORMAL MOTION:

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

/s/ Neal J. Martin

Neal J. Martin, Town Planner

Attachments:

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



Town of Atherton

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Draft

April ____, 2009

State of California
Governor's Office of Planning and Research
P. O. Box 3044
Sacramento, CA 95812-3044

State of California
Department of Housing and Community Development
1800 Third Street
Sacramento, CA 95811-6942

Enclosed please find the Annual Report for calendar year 2008 on the Status of the Atherton General Plan and Progress in its Implementation as required by California Government Code Section 65400. This report consists of the items listed below.

- Annual report to the Atherton City Council (legislative body) on the status of the Atherton General Plan and progress in its implementation.
- Annual Element Progress Report – Housing Element Implementation:
January 1 – December 31, 2008 (Tables A, B & C)
- Analysis of Atherton General Plan with Adopted Office of Planning and Research Guidelines.

Please accept this report for filing.

Very truly yours,

Neal J. Martin, Town Planner

Town of Atherton

Annual Element Progress Report - 2008

Housing Element Implementation

Reporting Period: January 1 - December 31, 2008

Table C

Program Implementation Status

Note: The programs, objectives and deadlines described in this Table reflect those of the Adopted Atherton Housing Element for the 1999-2006 RHNA Planning Period. These will be updated when the 2007-2014 Atherton Housing Element is adopted.

Program Description (by Housing Element Program Names)	Describe progress of all programs including progress in removing regulatory barriers as indentified in the Housing Element.		
Name of Program	Objective	Deadline in H.E.	Status of Implementation
§3.410 Market Rate Housing Construction	107 New Above Market Units	2006	Net 1 new unit constructed. Market has limited residential construction to reconstruction of 1 unit for each demolished unit.
§3.420 Second Dwelling Unit Program	10 New Low Income Units	2006	One new unit constructed.
§3.430 Faculty and Student Housing Program	27 New Faculty Units and 58 New Student Units in very low, low and moderate income ranges	2006	Market failed to construct any faculty or student units during the planning period.
Removal of Use Permit requirement for second dwelling units	Amend Zoning Ordinance to eliminate requirement	2006	Requirement eliminated in 2003.
Shared Housing Program implemented by the Human Investment Prog.	Continued placement of renters with willing providers	2006	One renter was placed in one Atherton home. Address is confidential.

Analysis of Atherton General Plan (AGP) with Adopted Office of Planning and Research (OPR) Guidelines
 March 29, 2009

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

¹ Language from the OPR Guidelines.

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

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

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

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