



Item No. 6 Town of Atherton

CITY COUNCIL STAFF REPORT – MANAGER’S REPORT

TO: HONORABLE MAYOR AND CITY COUNCIL

FROM: GEORGE RODERICKS, CITY MANAGER

DATE: AUGUST 21, 2013

SUBJECT: CITY MANAGER WRITTEN REPORT

NEED FEEDBACK

Watkins House (formerly City Manager’s House)

At the August 7 Study Session during the discussion of events at the Park and fees, Council Member Dobbie broached the question of the rental of the Watkins House. Staff advised that at this time the house would be considered as a “facility” in conjunction with the ongoing Park Master Plan and that a recommendation for its use would come from that analysis. Council Member Dobbie suggested that the house could be rented as a residence and the Town could view the property as a revenue source beyond use as a venue.

Feedback from the Council on this issue was mixed and staff is now seeking clarity from the Council as to whether staff should remove the house from consideration as a venue as part of the Park Master Plan and evaluate the possibility of renting it out as a private residence; or, let the Park Master Plan proceed with the house as a “facility” and return to the Council upon completion of the Master Plan with feedback from the consultant on its potential use.

ADMINISTRATION

APOA Meet & Confer

As the Council is aware, the APOA Memorandum of Understanding (MOU) expires in September 2013. Staff continues with negotiations for a successor MOU and expects to have a formal agreement for the Council’s action soon.

Construction Time Limit Ordinance

One of the goals discussed during the Goals Workshop was enforcement of the Town’s Construction Time Limit Ordinance. The Building Official went back through the Town’s *new home* permits for the last 4 years in an attempt to identify any that would have triggered a construction time limit penalty and those that may soon do so.

Of the list of over 100 permits, only one appears to be within the penalty zone. However, upon field inspection, staff determined that all work has been completed on the project and the issue is one of record-keeping and not actual construction.

There are another 5 to 10 permits outstanding that will enter the penalty phase in the coming months. Staff will be advising these permit holders of the Town's requirements.

Going forward, **all** new permits issued will include a signed acknowledgement of the potential for construction time limit penalties and an awareness of the timelines connected to their project. Approximately 90 days before penalties might begin to accrue staff will notify the permit holder in writing of the deadline.

In brief summary, projects encompassing 2,000 square feet or less have 12 months to complete, projects from 2,001 to 4,000 square feet have 24 months and projects more than 4,000 square feet have 36 months.

If a project reaches its deadline without final sign-off from the building department a penalty deposit is required – initially \$30,000 but up to \$220,000 over time. There is a 30-day grace period but after 30-days, penalties accrue at the following rates: 31 to 60 days - \$200 per day, 61 to 120 days - \$400 per day, and 121 days or more - \$1,000 per day up to a maximum of \$250,000 penalty.

Athertonian Newsletter

The Fall Athertonian is approaching. Deadlines for articles is September 3. Staff is working on a number of Fall articles to include articles on Police Services, Public Safety, Capital Projects, and the November 2013 Election.

Legislative Action

The Legislature has reconvened from summer recess with September 30 being the last day of the legislative session. The League of California Cities is encouraging cities to submit letters of support/opposition on several bills.

A couple of bills have the possibility of local influence. These include:

- SB 33 (Wolk) – Infrastructure Financing Districts. SB33 provides clarifications and improvements to Infrastructure Financing District Law to enable local agencies to use this tool for a wide variety of local infrastructure needs. **Support.**
- AB 325 (Alejo) – Land Use and Planning: Cause of Action: Time Limitations. AB 325 significantly expands the current statute of limitations to sue jurisdictions on both the adoption of a housing element and on the adoption of local ordinances relative to housing. **Oppose.**
- AB 537 (Bonta) – Meyers-Millias-Brown Act: Impasse Procedures. AB 537 mandates one-sided involuntary mediation in the event of an impasse during the collective bargaining process and makes other significant changes to the MMBA. **Oppose.**

- AB 616 (Bocanegra) – Local Public Employee Organizations: Dispute: Fact Finding Panel. AB 616 delays local public employee and employer collective bargaining negotiations by amending existing law to provide the Public Employment Relations Board with the authority to determine whether an impasse exists prior to Fact Finding. **Oppose.**

Absent objection from the City Council, staff will prepare letters for the above.

SBWMA Rate Setting Process

Recology has produced their 2014 Compensation Application and provided it to the SBWMA and SBWMA Board Members. The SBWMA staff are reviewing the Application and will provide some initial feedback. Member agencies, including Atherton, have until approximately August 30 to provide feedback/comments to the SBWMA staff to include in their final Compensation Report due to the full SBWMA Board at the September Board meeting. The City Council Subcommittee (Council Member Widmer and Vice Mayor Wiest) will meet the last week of August to review and provide comments.

After the SBWMA Board adopts the Compensation Report in September, that Report sets the compensation that the hauler is entitled to receive. At that point, the control returns to the member agencies (Atherton) to set local rates. Based on the results of the adopted Compensation Report, the Town can choose to reduce rates, leave them as static, or increase them. The Town can choose to adjust rates specifically and/or adjust the Franchise Fee. Adjustments to the Franchise Fee are pass thru costs that are returned to the Town's General Fund. Adjustments to rates go toward the Compensation Account. If the rates are insufficient to meet the requirements of the Compensation Report adopted by the SBWMA and the Town does not adjust the rates accordingly, the Town will be obligated to "true-up" the compensation at year end (plus interest). If the reverse is true, the "true up" goes in reverse to a compensation account trust fund on the Town's behalf (with interest).

The Town has from September to December to take action on the rates. If we take no action, the rates stay static. If we desire to increase the rates, the Town must schedule and notice a Proposition 218 mail-in vote. This is a minimum 45-day process typically requires a notice, a public hearing, a response period, and a final adoption of a resolution setting the rates.

Any rate changes are targeted as effective January 2014.

New Police Vehicles

The two new police vehicles should be on-site in the coming weeks. The new vehicles need to be outfitted for use and the older vehicles need to be stripped of older equipment. Equipment that can be cannibalized will be. In staff's evaluation of the service to be delivered at this stage by the Redwood City Corporation Yard staff questioned the cost of outfitting the new vehicles. The cost to outfit the new vehicles is nearly \$16k per vehicle – a cost that does not even include the stripping of equipment from the older vehicles. Because police vehicles are specialty vehicles the work must be accomplished via specified vendors. Staff identified a secondary vendor and received an estimate from Priority 1 in Belmont that provides the exclusive service.

Moving the outfitting portion of the work to Priority 1 will save the Town approximately \$5,400 *per vehicle*. Nice work by the Police Department staff in identifying this savings opportunity.

FINANCE DEPARTMENT

The Finance Department is continuing to work on the Fiscal Year end 12-13 close in preparation for the Financial Audit. We are still receiving revenues for FY 12-13 as well as accruing expenditures from vendors.

The Town Master Fee Schedule is finalized. At the August 7th City Council study session Dan Edd's from Capital Accounting Partners presented and reviewed the master fee study in detail. Discussion included the process of the cost allocation plan, the hourly rate calculation and the user fee study. The Master Fees Schedule is set to go before City Council for approval.

At the July 23 Finance Committee meeting staff began a discussion to review and recommend alternatives to the City Council for consideration regarding the Town's Annual Budget Reserve Policy with regard to:

- Pension and Other Post-Employment benefit (OPEB) Liabilities
- Contribution Toward Capital Projects
- Town Reserve Policy

The Finance Committee is evaluating and researching these options. Recommendations will be applied to FY 2014-15 and forward. Also at the July Finance Committee meeting a discussion was held on a CALPERS sensitivity analysis on pension obligations. This analysis would review the impact of lesser rates of return than the CALPERS applied discount rate. It was determined that discount rates of 5.5%, 6.5% and 7.5% would be used in the analysis. This would allow the Town to assess the benefits of setting up an internal side fund to pay the difference, if necessary. The sensitivity analysis will also study the impact of the CALPERS 5-year smoothing policy of 1.1% which begins in FY15-16. Staff is working on creating an RFP for this sensitivity analysis.

COMMUNITY SERVICES DEPARTMENT
(Including Building & Planning)

See Attachment

POLICE DEPARTMENT

Police Activity

There were 83 criminal investigations for the month of July. 55 offenders were cited, arrested or referred to the San Mateo County District Attorney's Office for prosecution. 44 of those cases were for vehicle code violations that include driving without a license, driving on a suspended license, and driving under the influence of alcohol. The other cases were warrant arrests, public intoxication, possession of stolen property, and possession of a device used to smoke a controlled substance.

On July 25, a resident on Middlefield Rd called Police to report someone attempting to break into her home. The victim observed someone she didn't know approach a window to her bedroom. The victim surprised the suspect when she asked what he was doing and he fled. Police Officers were provided a description of the suspect and stopped a man matching the description not far from the residence within minutes of the victim calling. The victim identified the man as the prowler. Because prowling is a misdemeanor and the crime was not committed in the Officers' presence, the suspect was identified and released and the case forwarded to the San Mateo County District Attorney for prosecution.

Of the 1,906 total police incidents for the month of July, 665 were officer initiated incidents, which resulted in 533 citations being issued for vehicle code violations. Officers also initiated 225 other types of incidents that included contacting suspicious people on the street or in cars, as well as security checks at schools and Holbrook Palmer Park.

Holbrook Palmer Park had 21 incidents this reporting period, 5 of which were security checks by officers.

Other police activity at the park included suspicious vehicles, off leash dogs, illegally parked vehicles, an MCE worker found a live .40 caliber bullet inside a broken sprinkler head, and traffic enforcement.

1,419 House/Vacation checks were completed during the month of July.

Officers responded to 18 ordinance violation calls this month. These calls were for fireworks, recycling cans left out after pick up, after hours construction, construction vehicles parked illegally, leash law violators, a loud party, loud music, and an illegal solicitor.

School Incidents

Officers responded to 36 school incidents during this reporting period. The incidents involved a battery, alarms, traffic issues, suspicious vehicles, security checks, and traffic enforcement. The following depicts the number of incidents per school:

SCHOOL	TRAFFIC	OTHER	TOTAL
ENCINAL SCHOOL	0	0	0
LAS LOMITAS SCHOOL	0	0	0
LAUREL SCHOOL	0	1	1
MENLO-ATHERTON HIGH	2	12	14
MENLO COLLEGE	2	2	4
MENLO SCHOOL	1	2	3
SACRED HEART PREP	1	2	3
ST. JOSEPH'S	0	0	0
SELBY LANE SCHOOL	3	8	11

Response Times

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

Disaster Preparedness

Nothing to report.

Special Events and Community Activities

Effective July 1, CitizenRIMS provides interested users detailed information about police activity. Visitors to CitizenRIMS can view a map of all of the incidents where officers responded. It offers a detailed view and allows users to filter incidents by date ranges and incident types. In addition to our routine incidents, CitizenRIMS will show recent criminal activity and information about arrested persons, missing persons, and stolen vehicles. We will also publish a list of people for whom we hold arrest warrants.

CitizenRIMS includes a feature that allows users to receive a daily email summarizing all of the incidents and listing all of the recently approved crime reports in Atherton.

The website is available at this link: <http://apd.crimegraphics.com>

On July 8, 2013, Sergeant Alfredo Guarducci joined the organization with 19+ years of experience with the San Jose Police Department. He is currently assigned as the Detective Sergeant in charge of the Investigations Division.

On July 9, 2013, Officer Chris Vigil was promoted to the rank of Sergeant. Chris was hired by Atherton in 2012 from the Santa Cruz Police Department where he had 5+ years of police experience.

Training

The following police personnel attended training in July for a total of 24 hours:

NAME	TRAINING/HOURS	DATES
B. Mills A. Guarducci	Intro to WEB EOC/San Mateo Fire/2 hours	July 23
K. Haselbach	Search Warrants/HIDTA/ 16 hours	July 25-26
D. Metzger	Train the Trainer/Range/SJPD/4hours	July 31

PUBLIC WORKS DEPARTMENT

- Sweep contracted monthly streets :

JUNE 2013	98 Miles	12 cu. yards	13.08 tons (all streets)
JULY 2013	47 Miles	15.8 cu. yards	6.58 tons
- Service requests –
 - o Stuck window – Knox Preschool
 - o Move tire rack for police department
 - o Repair dangling light in Town Hall lobby restroom
 - o Install new light fixtures in Town Hall
 - o Illegal dumping – 219 Stockbridge
 - o Illegal dumping – Middlefield/Placitas
 - o Graffiti abatement – Bay Road/Timothy
 - o Broken sprinkler – ECR median
 - o Move exercise equipment at PD
 - o Landscape plants blocking view – ECR/Almendral
- Weekly litter removal on ECR (Fridays 2 staff, 2 hours).
- Litter Marsh Road, Middlefield Road and Alameda.
- General duties – Garbage cans, town wide and ECR litter, Town Center landscape, ECR landscape, corp yard clean-up, vehicle/tool maintenance.
- Tennis Courts – resurface courts 1,5 and 6 at HP Park.
- Remove, clean up and re-key the tennis court bulletin board
- Order new chimes at the children's playground
- New wood chips/flowers at Pavilion patio
- Rebuild tree planters at LL field.
- Pruned along all park pathways.
- Town center parking lot maintenance
- Irrigation repair and maintenance (park and streets)
- Repaired another large (4") irrigation break at park.
- Corp Yard Maintenance – interior of street corp yard. Recycle
- Park General daily duties – mowing, empty garbage/recycling, restroom oversight, fire extinguishers (checked/re-charged), playground inspections, elevator inspections, open/close buildings, meeting room set-ups/tear downs.



Tennis Bulletin Board

Pavilion Clean-up & Refresh

Rebuilt Tree Planters(3)

SUMMARY OF PARK EVENTS

REVENUES VERSUS EXPENDITURES FOR FY 12-13

Month	Revenue	MCE Cost
Jul-12	\$ 5,525.00	\$1,978.00
Aug-12	\$ 1,600.00	\$1,195.00
Sep-12	\$ 8,775.00	\$4,111.62
Oct-12	\$ 4,525.00	\$3,330.00
Nov-12	\$ 5,075.00	\$3,070.00
Dec-12	\$ 1,000.00	\$2,823.00
Jan-13	\$ 1,000.00	\$1,711.78
Feb-13	\$ 800.00	\$817.17
Mar-13	\$ 2,187.50	\$2,574.00
Apr-13	\$ 2,275.00	\$2,642.00
May-13	\$ 7,887.00	\$3,226.00
Jun-13	\$ 8,325.00	\$2,734.31
Total FY 12-13	\$48,974.50	\$30,212.88

EVENT BOOKINGS FOR AUGUST 2013

DATE/TIME	FACILITY	EVENT/CONTACT	SEATING SET-UP
August 2, 2013/ 9:00 am – 6:00 pm	Carriage House/North Meadow	Diane Briones 854-3927	No set up needed – Please open room by 9:00 am - Using room for storage only
August 3, 2013 12 noon – 11:00 pm	Carriage House	Jonathan Fuller 801-541-6895	Emailed set up 7-29- 13
August 5, 2013/	Main House	Mtg./ M. Kashiwagi	U shape seating for 15

City Manager's Written Report

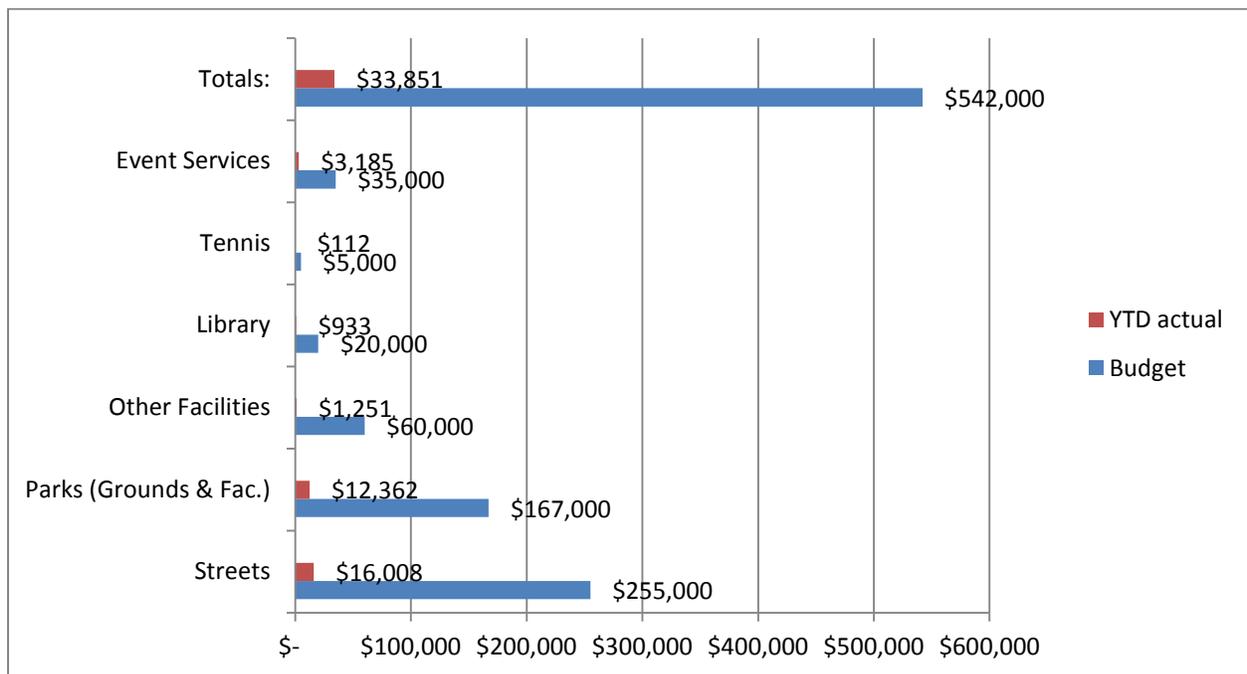
August 21, 2013

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DATE/TIME	FACILITY	EVENT/CONTACT	SEATING SET-UP
11 am – 1 pm			
August 6, 2013/ 9 am – 3:30 pm	Carriage House/Pavilion	Debbie Belluomini 591-9623	Emailed set up 7-29-13
August 7, 2013/ 6:30 pm – 8:00 pm	Main House	Park & Rec meeting Steve Tyler	U-shape seating for 7 Audience – 12 chairs
August 7, 2013/ 9:00 am – 12:00	Carriage House	Brigitte Lindsey 493-4430 x 229	Emailed set up 7-29-13
August 10, 2013/ 10:00 am – 5pm	Carriage House/North Meadow	Monika Vhatnager 925-577-9043	Emailed set up 7-29-13
August 17, 2013/ 10:00 am – 5:00 pm	Carriage House	Too Much Fun 510-489-5791	Awaiting set up.
August 17, 2013/ 5:00 pm – 12:00	Pavilion	Chris Strachan 815-6710	Awaiting set up.
August 19-20, 2013/ 06:45 am - 6:30 pm	Pavilion	Claudia Satulovsky 569-2285	Emailed set up 7-29-13
August 20, 2013/ 9:00 am – 5 pm	Carriage House	Jennie Lang 868-8070	Awaiting set up.
August 22, 2013/ 11:00 am – 4 pm	Carriage House	Jane Stahl 736-0501	Awaiting set up
August 24, 2013/ 5 pm – 12:00	Pavilion	Gabriela Morillo 776-9135	Awaiting set up
August 24, 2013/ 10:00 am – 4pm	Carriage House/North Meadow	Renee Reyna 530-400-4845	Awaiting set up
August 29, 2013/ 9:00 am – 5 pm	Carriage House	Kathy Haller 569-5611	Awaiting set up
	CLASS	FACILITY/DAYS USED	
	DISCUSSION MEETINGS	CM HOUSE/CH – FRIDAYS 0700 – 0800; SUNDAYS 0800-0900	
	ATHERTON LACROSSE	none	
	AYSO	none	
	BARI HALPERIN – DOG CLASSES	NO August dates - 6:30 – 8:30 pm	
	FREDDIE JACKSON – DOG CLASSES	NM –8/1,6,8,13,15,20,22 2 – 4 pm	
	FOLK DANCE	CH – August 14/21	
	MENLO-ATHERTON YOUTH LACROSSE	none	
	BAY AREA COUNTRY DANCE SOCIETY	CH –August 13 – 8pm – 10 pm	
	TENNIS	TENNIS COURTS – DATES/TIMES VARY	

**Town of Atherton
 MCE Corporation/Public Works Maintenance
 Revenue versus Expenditures – July 2013**

Short Code	Acct'g Code	Description	Budget Dollars	Actual Dollars	% used
A01	101-53-52031-053	Streets	\$ 255,000	\$ 16,008	6.28
A02	101-57-52031-057	Parks (Grounds & Fac.)	\$ 167,000	\$ 12,362	7.40
A03	101-59-52031-059	Other Facilities	\$ 60,000	\$ 1,251	2.09
A04	213-30-52031-000	Library	\$ 20,000	\$ 933	4.67
A05	101-58-52031-000	Tennis	\$ 5,000	\$ 112	2.24
E06	101-58-52031-058	Event Services	\$ 35,000	\$ 3,185	9.10
Totals:			\$ 542,000	\$ 33,851	6.25





Town of Atherton

**Building Department
91 Ashfield Road
Atherton, California 94027
Phone: (650) 752-0560**

Community Services Monthly Report July 2013

Submitted by:
Mike Kashiwagi, PE
Director of Community Services

Town of Atherton Building Safety & Inspection

*Construction and Permit Summary
July 1, 2013 to July 31, 2013*

	July	Fiscal Year 2013-14
Total Construction Valuation¹:	\$9,204,594	\$9,204,594

REVENUE

Plan Check Fees Collected:	\$34,805	\$34,805
Permit Fees Collected:	\$74,268	\$74,268
Other Fees Collected:	\$3,116	\$3,116
TOTAL:	\$112,189	\$112,189

PLAN CHECK

Applications Received:	70	70
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PERMITS

<u>Residential:</u>		
New Single Family Residential Permits Issued:	2	2
New Accessory Structures Issued:	16	16
Addition / Alteration Permits Issued:	11	11
Reroof / Water Well / Grading Permits Issued:	17	17
Plumbing/Mechanical/Electrical Permits Issued:	11	11
Demolition Permits Issued:	5	5
<u>Non-Residential:</u>		
New Permits Issued:	2	2
TOTAL Permits Issued:	64	64

Total Open Permits as of 5/31/13	300
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INSPECTIONS

Inspections Performed:	519	519
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Footnotes:

¹Valuation: For permitted projects during this period.

**Town of Atherton
Building Safety & Inspection**

Code Enforcement Activity Summary

July 1, 2013 to July 31, 2013

CE responded to the following types of cases:

1. Dangerous Trees	1o/1c	10. Early Set Out-trash	1o/1c
2. Construction Law	13o/8c	11. Neighbor Law	1o/1c
3. Dog Barking	3o	12. Animal	0
4. Building without permits	7o/3c	13. Litigation	3o
5. Encroachments	10o/2c	14. Vehicles	0
6. Fence Violations	0	15. Unsecured Prop	0
7. Accessory Bld.	1o	16. HOA Contact	0
8. Refuse	2o	17. Admin/finance	1o
9. Zoning	6o	18. Admin/ordinance	0
		19. Public Nuisance	7o/3c
Number of Cases Closed = 19		Number of Cases Still Open = 56	

c: Closed

o: Open

Planning Projects

July 1, 2013 to July 31, 2013

	This Month Activity	Fiscal Year to Date Activity
Staff Level Reviews	23	23
Planning Commission Items	3	3

At the July 24, 2013 Planning Commission meeting the following items were considered:

- 1) 150 Watkins, Little League- the Planning Commission will consider the letter to be sent to the City Council regarding recommendations for improvements to the Little League field. The Planning Commission authorized the Chair to sign the letter and transmit the recommendations to the City Council for its consideration with the Use Agreement for the Little League improvements to the baseball field. Vote: 3-1-1 (Tonelli-excused, Widmer- abstain)
- 2) 4 Heritage Court, a Conditional Use Permit for an exception to the side setback (accessibility reasons).- This item was continued to the August Meeting. The Planning Commission asked the applicants to rework the design so that the encroachment will be no more than 20% of the required side setback.
- 3) 150 Valparaiso, Sacred Heart Schools CUP Amendment substituting TDM for Intersection improvements. The Planning Commission voted to suspend the implementation date of the CUP until August 31, 2015, continue the TDM program as proposed by Sacred Heart, and approve the release of a bond currently on deposit with the Town. Vote 3-1-1 (Tonelli excused, Christensen-recused)

The following items are tentatively scheduled for the August 28, 2013 Planning Commission meeting

- 1) 4 Heritage Court, a Conditional Use Permit for an exception to the side setback (accessibility reasons). Continued from 7/24 meeting
- 2) 555 Middlefield, Menlo-Atherton High School, Conditional Use Permit for New cell Antennas and associated equipment on an existing pole.
- 3) 1000 El Camino, Cartan Field, EIR Hearing

Arborist Activity Summary

July 1, 2013 to July 31, 2013

	Site Visits			Plan Review
	Tree Removal	Inspections	Info. / Consu.	
TOTAL	23	9	27	29

Town of Atherton Building Inspection & Plan Check

Summary of New Single Family Residential Permits Issued by

Month	2013	2012
January	2	2
February	1	0
March	1	2
April	3	2
May	1	4
June	5	3
July	2	3
August		2
September		3
October		4
November		1
December		4
Total New SFD Permits:	15	30

Plan Check Performance

July 1, 2013 to July 31, 2013

Project Type	Cycles	No of Plan Checks	Target **	Average Review Days	Overdue Plan Checks
Major Plan Check	1st Review	54	10	6	0
	Subsequent Rev.	47	5	3	0
Minor Plan Check	1st Review	11	3	2	0
	Subsequent Rev.	2	2	1	0
Total Number of Plan Checks		114			

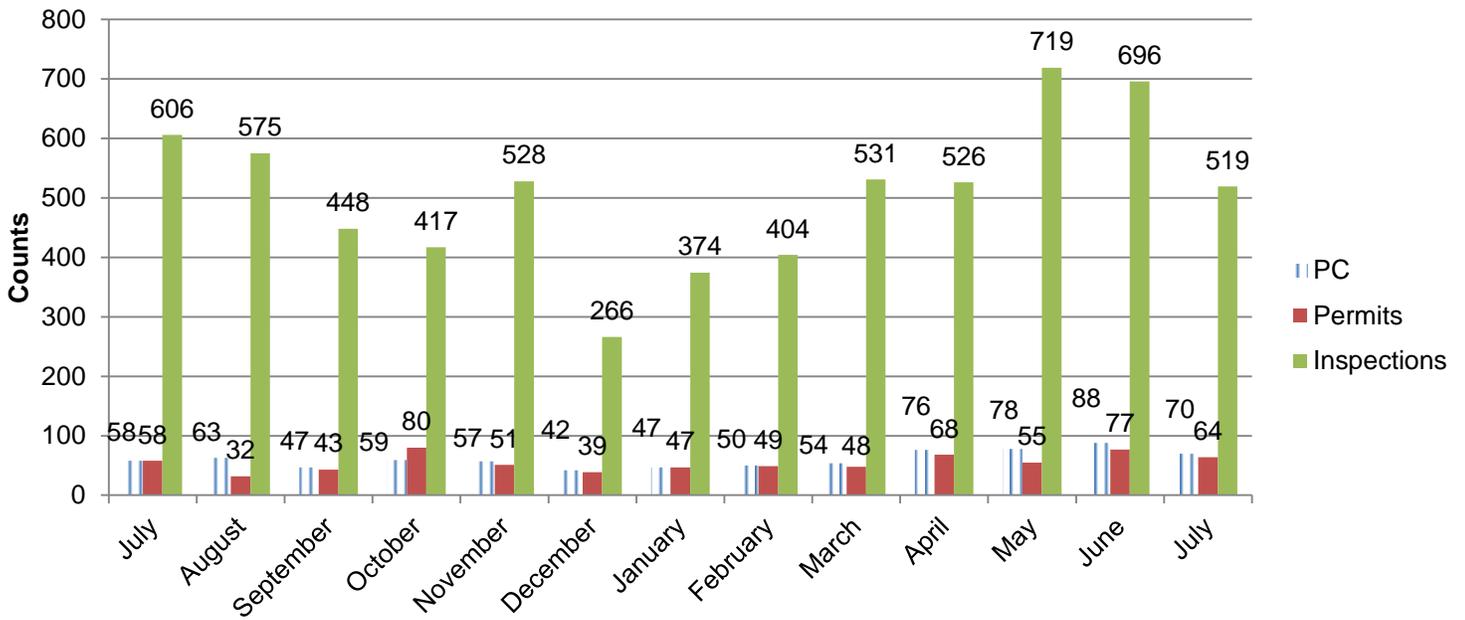
** Target: in working days

Major Plan Check: New Houses, New Accessory Structures, New non-Residential

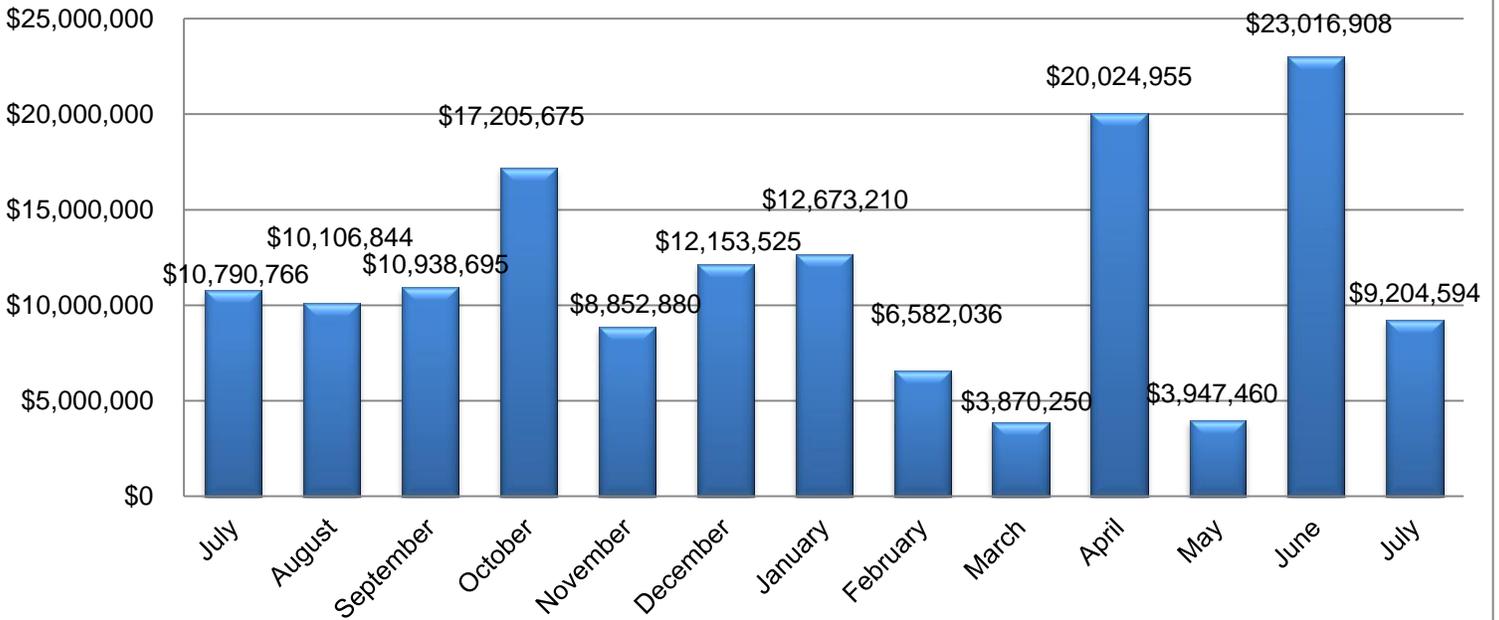
Minor Plan Check: Small Additions, Reroof, Alterations, Misc.

Summary Graphs

Plan Checks, Permits, Inspections



Valuation



Summary Graphs

