



**Town of Atherton
CITY COUNCIL/ATHERTON CHANNEL
DRAINAGE DISTRICT**

Agenda

November 15, 2000

7:00 p.m.

TOWN COUNCIL CHAMBERS

94 Ashfield Road
Atherton, California

REGULAR MEETING

- 7:00 P.M. 1. **ROLL CALL** Carlson, Conwell, Dudley, Huber, Fisher
- 7:05 P.M. 2. **PRESENTATIONS**
- A. Annual Tree Awards
- 7:15 P.M. 3. **COUNCIL REPORTS**
- 7:25 P.M. 4. **PUBLIC COMMENTS** (only for items which are not on the agenda – limit of three minutes per person)
- 7:35 P.M. 5. **CITY MANAGER REPORTS**
- 7:45 P.M. 6. **DEPARTMENT HEADS' REPORTS**
- 7:50 P.M. 7. **COMMUNITY ORGANIZATION ROUNDTABLE REPORT** (Directed by Resolution No. 99-6)
- 7:55 P.M. **CONSENT CALENDAR** (Items 8 through 13)
8. **MINUTES OF SPECIAL MEETING OF 10/18/00, AND REGULAR MEETING OF 10/18/00**
9. **BILLS AND CLAIMS FOR OCTOBER 14, 2000 THROUGH NOVEMBER 8, 2000 IN THE AMOUNT OF \$615,692.84**
10. **QUARTERLY INVESTMENT REPORT FOR THE PERIOD ENDING SEPTEMBER 30, 2000**

11. PURCHASE OF TWO POLICE PATROL VEHICLES

Recommendation: Authorize the purchase of two Ford Crown Victoria Police Interceptor patrol cars from Wondries Ford Dealership and authorize the Chief of Police, or his designee, to sign all necessary documentation.

12. ACCEPTANCE OF NOTICE OF COMPLETION CARRIAGE HOUSE PROJECT

Recommendation: Accept work and authorize recordation of a notice of completion for the Foundation Drainage System for Holbrook-Palmer Park Carriage House, Project 00-003.

13. AUTHORIZATION TO AWARD CONTRACT FOR THE REROOFING OF JENNINGS PAVILION

Recommendation: Authorize the Interim City Manager to seek and award a bid for the reroofing of the Pavilion building in Holbrook-Palmer Park to the lowest responsible bidder.

PUBLIC HEARING

8:00 P.M. 14. PUBLIC HEARING – APPEAL OF PLANNING COMMISSION DECISION TO DENY APPLICATION FOR A LOT LINE REDESIGNATION - ONE FAIRFAX AVENUE

Recommendation: Approve the appeal and thereby approve the front property line redesignation for the subject site.

REGULAR AGENDA (Items 15 - 18)

8:15 P.M. 15. AUDIT REPORT 1999/2000 FISCAL YEAR

Recommendation: Accept the Independent Auditors' Reports from Caporicce, Cropper & Larson, LLP for the Town's Fiscal Year 1999/2000, and direct staff to implement the recommendations of the auditors and the Town's Audit Committee.

9:00 P.M. 16. AUDIT COMMITTEE REPORT

9:45 P.M. 17. QUARTERLY FINANCIAL REPORTS

10:00 P.M. 18. APPROVAL OF STAFFING REQUESTS UNDER STATE COPS GRANT

Recommendation: Approve the addition of \$100,000 to the Police Department FY 2000/2001 Budget to reflect the acceptance of a State of California COPS grant to supplement staffing for the current year and approve the creation of a Community Service Officer position and a Police Officer Trainee position.

10:10 P.M. 19. PUBLIC COMMENTS

10:20 P.M. 20. ADJOURN

 *Please contact the City Clerk's Office at 650.752.0529 with any questions*

Dated & Posted 11.09.00



**Minutes
CITY COUNCIL/ATHERTON CHANNEL
DRAINAGE DISTRICT MEETING**

October 18, 2000

7:00 p.m.

Pavilion

**Holbrook-Palmer Park
Atherton, California**

REGULAR MEETING

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

1. ROLL CALL

PRESENT:
Alan B. Carlson
William R. Conwell
Malcolm H. Dudley
Robert E. Huber
Dianne M. Fisher

Interim City Manager Ralph Freedman and City Attorney Marc Hynes were also present.

2. PRESENTATIONS/PROCLAMATIONS

- A. Vice Mayor Fisher presented a plaque to David Palacek of McKinsey and Company in appreciation for their work in developing a program based budget for the Town.**
- B. Vice Mayor Fisher read a proclamation renaming the Carriage House, the “Gen” Merrill Carriage House.**
- C. Vice Mayor Fisher proclaimed the week of October 31 to November 7 as “Get Out The Vote” Week.**
- D. Chet Auckly, Director of Water Quality and Environmental Affairs for California Water Service, gave a short presentation on fluoridation.**

3. COUNCIL REPORTS

- Council Member Carlson asked Police Chief Brennan to report back to the Council with a six month review of the reorganization of the Police Department. He reported that the Audit Committee has met and reviewed the draft audit and will prepare a written report for the Council.**

11. ORDINANCE NO. 518, GUIDELINES FOR SCHOOL MASTER PLANS

Adopted Ordinance No. 518, providing guidelines for school master plans, and waived full reading.

12. ORDINANCE NO. 519, SETBACKS WITHIN THE PUBLIC FACILITIES AND SCHOOLS DISTRICT

Adopted Ordinance No. 519, amending Section 17.32.040 of the Atherton Municipal Code regulating building setbacks within the Public Facilities and Schools District (PFS) in the Town of Atherton, and waived full reading.

15. SERVICE AGREEMENT WITH GOVWORKS

Authorized the Interim City Manager to execute the Services Agreement with GovWorks, Inc. for the collection of Business License fees on the Internet.

17. REROOFING OF ADMINISTRATIVE BUILDING AND POLICE DEPARTMENT

Authorized Interim City Manager Ralph Freedman to seek and award a contract for the reroofing of the Administrative and Police Department buildings to the lowest responsible bidder.

REGULAR AGENDA

The next three items were taken out of order.

16. RESOLUTION NO. 00-28, HOLBROOK-PALMER PARK STUDY

This resolution was proposed at the joint City Council/Park and Recreation Commission meeting held on September 13, 2000. Language was added to the proposed resolution reflecting data the City Manager will provide to the Commission for use in the study.

Mike McPherson, Park and Recreation Commission Chair, spoke regarding the study the Commission is undertaking.

MOTION – to adopt Resolution No. 00-28, directing the Park and Recreation Commission to prepare a report on future maintenance, capital improvements, and uses of Holbrook-Palmer Park.

M/S Carlson/Conwell

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

13. TECHNOLOGY GRANTS FOR THE POLICE DEPARTMENT

Chief Brennan stated that the Town has been granted funds by the State Cops Program for technological upgrades for shared data access and enhancements for front-line law enforcement services. The grants will not require a cash match by the Town.

MOTION – to accept the California Law Enforcement Technology Equipment Purchase Grant in the amount of \$30,000, and the California Law Enforcement Equipment Program Grant in the amount of \$102,601, and augment the Police Department budget by those amounts.

M/S Carlson/Conwell Ayes: 5 Noes: 0 Abstain: 0 Absent: 0

14. APPOINTMENT OF MARGUERETTE SHEPARD PAPONIS TO THE ATHERTON ARTS COMMITTEE

MOTION – to accept the recommendation of the Screening Committee to appoint Marguerette Shepard Paponis to the Atherton Arts Committee.

M/S Conwell/Fisher Ayes: 5 Noes: 0 Abstain: 0 Absent: 0

18. DISCUSSION AND POSSIBLE ACTION – PROPOSED TAX MEASURE FOR MARCH, 2001 BALLOT

Interim City Manager Ralph Freedman presented information on a proposed utility users' tax and discussed the revenue needs of the Town in regards to operations and capital improvements. He discussed the costs of employee recruitment and the necessity of implementing competitive salaries and benefits to retain employees. He recommended setting a public hearing for November 8, 2000, to obtain public input on placing a tax measure on the March, 2001 ballot.

Council Member Carlson said that at this point the discussion should center on establishing revenues for the operating budget and only those capital improvements that will occur over the next several years.

Council Member Dudley stated that he feels going to the voters with two different methods of financing is not advisable. He said funding for operating needs and capital needs can be provided by one revenue source such as the parcel tax. The parcel tax was more attractive to residents because it is tax deductible.

Council Member Huber said it is imperative that all five members of the new Council work together to place a measure before the voters. Neighborhood meetings should be held to seek input from the residents. His concerns centered on setting a parcel tax in an amount that might not be enough to cover the future expenses of the Town.

Council Member Conwell stated that he would support placing a parcel tax on the ballot in order to fund operating expenses.

Vice Mayor Fisher stated that the Town needs information for projections on income and expenditures over an eight to ten year period in order to make a decision on placing a measure on the ballot.

The following members of the audience spoke:

**Eugene Berry, 230 Oak Grove Avenue
Gerta Ungerman, 74 Laburnum
Sandy Crittenden, 117 Heather Drive
Mike McPherson, 123 Watkins Avenue
Gloria Berry, 230 Oak Grove Avenue
John Sisson, 26 Belleau Avenue
Jerry Carlson, 95 Mount Vernon Lane**

City Attorney Marc Hynes stated that a utility users' tax would require a two-thirds vote unless placed on the ballot during an election of members of the City Council.

At this point the Council decided not to place a measure on the March ballot.

19. PUBLIC COMMENTS

Charles Marsala, 33 Emilie Avenue

20. ADJOURN

The meeting adjourned at 10:20 p.m.

Respectfully submitted,

Sharon Barker, City Clerk



Minutes
CITY COUNCIL MEETING
Wednesday, October 18, 2000
5:30 p.m.
Meeting Room
Town Administrative Offices
91 Ashfield Road
Atherton, California

SPECIAL MEETING

Vice Mayor Fisher called the meeting to order at 5:40 p.m.

1. ROLL CALL

PRESENT: Alan B. Carlson
William R. Conwell
Malcolm H. Dudley
Robert E. Huber
Dianne M. Fisher

2. PUBLIC COMMENTS: No comments.

3. CLOSED SESSION The Council adjourned to closed session at 5:45 p.m.

4. RECONVENE TO OPEN SESSION The Council reconvened to open session at 6:50 p.m. The following action was taken:

A. Conference with Legal Counsel – Anticipated Litigation
pursuant to Government Code Section 54956.9(b)
One potential case

The City Council gave instructions to Legal Counsel.

B. Conference with Labor Negotiator – Labor Negotiations
pursuant to Government Code Section 54957.6

Agency Negotiator: Ralph Freedman, Interim City Manager
Employee Organization: Local Union No. 856
Non-management miscellaneous employees

The City Council gave instructions to the Agency Negotiator, Interim City Manager Ralph Freedman.

**C. Conference with Labor Negotiator – Labor Negotiations
pursuant to Government Code Section 54957.6**

**Agency Negotiator: Ralph Freedman, Interim City Manager
Employee Organization: Management**

**The City Council gave instructions to Agency Negotiator, Interim City Manager
Ralph Freedman.**

5. ADJOURN

The meeting adjourned at 6:55 p.m.

Respectfully submitted,

Sharon Barker, City Clerk

TOWN OF ATHERTON

CLAIMS LIST

October 14 through November 8, 2000

Payroll Checks	14468 – 14586	\$ 137,286.82
Electronic Transfers		47,288.49
A/P Checks	19009 – 19172	<u>431,117.53</u>
TOTAL		\$ 615,692.84

I, Ralph Freedman, Interim City Manager of the Town of Atherton, do hereby certify under penalty of perjury that the demands listed above, check numbers 14468 - 14586 (Payroll) and 19009 - 19172 (Accounts Payable), and Electronic Transfers for Employees Federal Payroll Taxes, inclusive, amount to \$615,692.84 are true and correct, and that there are funds for payment.

Ralph Freedman
Interim City Manager

The above claims, Payroll check numbers 14468 – 14586, Accounts Payable check numbers 19009 - 19172 and Electronic Transfers for employees federal payroll taxes, amount to \$615,692.84; and are hereby approved for payment.

Mayor, Town of Atherton

SOURCE OF FUNDS

101	General Fund	\$ 436,766.85
105	Tennis Fund	0
202	Transportation Fund	0
203	Gas Tax Fund	800.00
206	SLESF	0
401	GF Projects	40,275.00
402	Storm Drainage	0
403	Atherton Channel Drainage	72,514.85
441	Releaf Grant	0
611	Computer Maint & Replacem't	838.70
715	Evans Estate	4,094.64
731	M-A Little League	60,402.80
740	Tree Committee Fund	0
TOTAL		\$ 615,692.84



Town of Atherton

CITY COUNCIL STAFF REPORT

TO: RALPH FREEDMAN, INTERIM CITY MANAGER

FROM: HECTOR W. LWIN, INTERIM FINANCE DIRECTOR

DATE: FOR THE MEETING OF NOVEMBER 15, 2000

SUBJECT: TREASURER'S INVESTMENT REPORT FOR THE QUARTER ENDING SEPTEMBER 30, 2000

RECOMMENDATION:

Note receipt and file.

INTRODUCTION:

This is the quarterly status report of the Town's investments in the Local Agency Investment Fund (LAIF) and the San Mateo County Investment Pool (SMCIP) for the quarter ending September 30, 2000.

ANALYSIS:

As of September 30, 2000, the Town had a total investment of **\$6,410,312.37**. The total interest earnings for the quarter ending September 30 is **\$96,251.30**. The funds are invested in the San Mateo County Investment Pool (SMCIP) and the Local Agency Investment Fund (LAIF).

Investment at SMCIP: San Mateo County Investment Pool is created and managed by the County Treasurer. The Pool has total portfolio of \$1.17 billion in market value as of September 30, 2000. The Town had an investment of **\$4,106,756.05** in the pool at the end of the quarter. The total interest earnings on the Town's investment for the quarter is **\$64,629.23**. The copies of the monthly summary report of investments for the quarter are attached herewith for Council review. The reports

reflect the deposits, withdrawals, and the balance of the investment. Month- end balances and net interest earnings rates are as follows:

Month	Month End Balance	Net Earnings Rate
July, 2000	4,536,884.59	5.96%
August, 2000	4,319,449.06	5.99%
September, 2000	4,106,756.05	5.83%

Investment in LAIF: the Local Agency Investment Fund is created and managed by the State Treasurer. The fund had a total portfolio of \$42.7 billion as of September 30, 2000. The Town had an investment of **\$2,303,556.32** invested in the fund at the end of the quarter. The total interest earnings on the Town’s investment for the quarter is **\$31,622.07**. The copies of the monthly statements of investment are attached herewith for Council review. Month-end balances and the effective yields are as follows:

Month	Month End Balance	Effective Yield
July, 2000	1,853,556.32	6.44%
August, 2000	1,953,556.32	6.51%
September, 2000	2,303,556.32	6.50%

CONCLUSION:

The Town’s investment portfolio is reduced by \$12,138.66 during the quarter because of cash flow requirement. The yields on the investments are gradually rising. The interest income for the quarter is \$14,321.90 higher than the previous quarter. All investments are in compliance with law, regulations, and the Town’s Investment Policy. Interest income continues to keep pace or exceed budget projections. All investments are comparably safe and liquid to meet the Town’s cash flow requirements.

ADDITIONAL INFORMATION:

ATTACHMENTS:

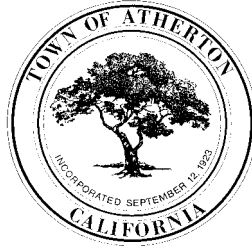
1. Monthly investment account statements from SMCIP and LAIF.

Prepared by,

Approved,

Hector Lwin
Interim Finance Director

Ralph Freedman
Interim City Manager



Town of Atherton

CITY COUNCIL STAFF REPORT

**TO: HONORABLE MAYOR AND CITY COUNCIL
RALPH FREEDMAN, CITY MANAGER**

FROM: ROBERT BRENNAN, CHIEF OF POLICE

DATE: NOVEMBER 15, 2000

SUBJECT: NEW PATROL CAR PURCHASES (2)

RECOMMENDATION:

Authorize the purchase of two Ford Crown Victoria "Police Interceptor" patrol cars from Wondries Ford Dealership and authorize the Chief of Police, or his designee, to sign all necessary documentation. The purchase price will not exceed \$49,569.84 including tax and delivery charges.

INTRODUCTION:

The current fiscal year's budget includes \$59,900.00 for the purchase and outfitting of two new police cars. The Police Department wishes to purchase the vehicles to replace two older vehicles currently in service. Both of the older vehicles are 1995 models with excessive mileage encumbered under "city" driving conditions, which cause greater wear and tear than does "highway" driving. These two vehicles have approached the end of their useful life as police cars, and are beginning to visit our service vendors for frequent repairs. The Atherton Municipal Code requires that expenditures for purchases over \$15,000 be approved by the City Council.

ANALYSIS:

Four Ford Dealerships in the State of California were contacted and requested to submit bids on two 2001 Ford Crown Victoria Police Interceptors. The results of the requests are as follows:

S & C FORD, San Francisco	\$51,682.88
Towne Ford, Redwood City	\$50,711.56
Wondries, Alhambra	\$49,569.84
Downtown Ford, Sacramento	\$54,037.32

CONCLUSION:

Purchasing the new police car through Wondries is the most economical choice, and is in compliance with the Town of Atherton’s purchasing policy.

ALTERNATIVES:

- 1) Approve the staff recommendation.
- 2) Reject the staff recommendation and leave the aging vehicles in the patrol fleet.

FISCAL IMPACT:

Two fully equipped police cars were requested and approved in the FY 00-01 budget. This expenditure is expected and the purchase and equipping of these two cars will fall within the projected amount of \$59,900.00.

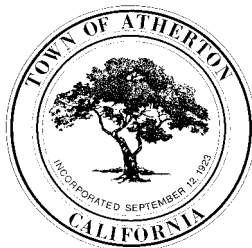
Prepared by:

Approved:

s/ Robert Brennan

Robert Brennan
Chief of Police

Ralph Freedman
City Manager



Town of Atherton

CITY COUNCIL STAFF REPORT

**TO: HONORABLE MAYOR AND CITY COUNCIL
INTERIM CITY MANAGER, RALPH FREEDMAN**

FROM: CLIFF TEMPS, PUBLIC WORKS DIRECTOR

DATE: FOR THE MEETING OF NOVEMBER 15, 2000

**SUBJECT: ACCEPTANCE OF WORK AND AUTHORIZATION TO RECORD NOTICE
OF COMPLETION – FOUNDATION DRAINAGE SYSTEM FOR
HOLBROOK-PALMER PARK CARRIAGE HOUSE, PROJECT 00-003**

RECOMMENDATION

Accept work, and authorize recordation, of a notice of completion for Foundation Drainage System for Holbrook-Palmer Park Carriage House, Project 00-003.

INTRODUCTION

The Council awarded a contract on July 19, 2000 to Trinet Construction to install a perimeter wall and underground drainage around three sides of the Carriage House, and to make structural improvements to provide better earthquake anchorage of the building to its foundation. This work has been completed.

ANALYSIS

The original contract price was \$47,000. In the course of excavating for the perimeter wall and drain line, a badly deteriorated sewer line and various water lines were found to be in the way. A change order was negotiated for \$4,800 to replace the sewer in a new location, and move conflicting water lines. The Holbrook-Palmer Recreation Park Foundation, which is funding the project, was consulted and agreed to the change order. The final contract amount is \$51,800.

In the course of the work, termites and some damage caused by them, was encountered. The Foundation negotiated a price with the termite company to deal with the infestation, and provided labor and materials to replaced damaged wood.

FISCAL IMPACT

Since the contract and termite work is being paid for by the Foundation, the only impact to the Town is the staff time that went into administering the contract. This came out of regular hours.

CONCLUSION:

It is appropriate for the Council to accept the work and authorize recording a Notice of Completion at this time.

Respectfully submitted:

Reviewed/Approved:

Cliff Temps
Public Works Director

Ralph Freedman
Interim City Manager



Town of Atherton

CITY COUNCIL STAFF REPORT

TO: HONORABLE MAYOR AND CITY COUNCIL

FROM: RALPH FREEDMAN, INTERIM CITY MANAGER

DATE: FOR THE MEETING OF NOVEMBER 15, 2000

SUBJECT: AUTHORIZE THE INTERIM CITY MANAGER TO SEEK BIDS FOR THE REROOFING OF THE PAVILION BUILDING IN HOLBROOK-PALMER PARK, AND TO AWARD THE BID TO THE LOWEST RESPONSIBLE BIDDER

RECOMMENDATION:

Authorize the Interim City Manager to seek and award a bid for the reroofing of the Pavilion building in Holbrook-Palmer Park to the lowest responsible bidder.

INTRODUCTION:

The Fiscal Year 2000/2001 Budget approved by the City Council, has within it the expenditure of \$60,000 for the reroofing of three buildings. The Building Official, Michael Hood, has inspected and has recommended to me that the Pavilion building be reroofed as soon as possible to avoid any potential problems this winter. Based upon this recommendation, the Town would issue a RFP for this project, and would award a bid for this work to be done immediately.

ANALYSIS:

Town staff feels that the reroofing of this building should occur immediately rather than postponing this work until the spring. By giving this authorization to the Interim City Manager now, this work does not have to be deferred until City Council approval at the December City Council meeting.

FISCAL IMPACT:

The estimated cost for the reroofing of the Pavilion is approximately \$15,000 to \$18,000.



Town of Atherton

CITY COUNCIL STAFF REPORT

TO: HONORABLE MAYOR AND CITY COUNCIL

FROM: LISA COSTA SANDERS, SENIOR PLANNER

DATE: FOR THE CITY COUNCIL MEETING OF NOVEMBER 15, 2000

**SUBJECT: ONE FAIRFAX AVENUE (APN 060-292-060)
APPEAL - LOT LINE REDESIGNATION**

RECOMMENDATION:

For the reasons outlined in this staff report, Planning Staff recommends that the City Council approve the appeal and thereby approve the front property line redesignation for the subject site based on the following findings:

1. The proposed front property line redesignation for the subject site will not be detrimental or injurious to persons, property or improvement in the vicinity and will not be detrimental to the public health, peace, safety, comfort, general welfare or convenience.
Basis for finding: The redesignation of the front property line will not be detrimental to the neighborhood as it will better fit the existing orientation of the house and will maintain sufficient perimeter setbacks.
2. The proposed front property line redesignation for the subject site is consistent with the Town of Atherton General Plan and the purposes of that plan and the Zoning Code.
Basis for finding: The redesignation of the front property line to Fairfax Avenue is consistent with the General Plan policy for being visually harmonious and compatible with neighborhood character.

INTRODUCTION:

The project site is located at the corner of Fairfax Avenue and Wilburn Avenue (with Wilburn Avenue as the front property line). The applicant requested the Planning Commission redesignate

the property line along Fairfax Avenue as the front property line, thereby designating Wilburn Avenue as the side property line. The Planning Commission, at their September 27, 2000 meeting, voted 5-0 to deny the request. The applicant submitted an appeal of their decision to the City Council.

ANALYSIS:

In determining the front property line for the subject site, Staff references the following Atherton Municipal Code definition:

- “Front lot line” means that boundary of a lot whose narrowest portion abuts a public street or access area in the case of a flag lot, except where a different front has been previously officially designated or recognized by the town.

The applicant may request that the Planning Commission designate a different line as the front property line pursuant to Section 17.60.050 of the Atherton Municipal Code. In order to approve the redesignation request, the Planning Commission must find that the request will not be detrimental to the community and is consistent with the General Plan and Zoning Code. The Commission may impose such reasonable conditions or restrictions as it deems necessary to secure the purposes of the General Plan and Zoning Code.

With the application of current setback requirements, a portion of the existing house is considered non-conforming as it encroaches into the current setback requirements (sheet A2.0). The applicant has indicated that by designating Fairfax Avenue as the front property line, less of the existing building will be considered non-conforming (sheet A2.1).

The existing and proposed setbacks requirements are as follows:

		Required front/rear setback	Required side yard setback	Buildable Area
Existing	Wilburn Avenue as Front property line	26'-6"	32'	+/- 2,405 sq. ft.
Proposed	Fairfax Avenue as Front property line	20'	40'	+/- 3,413 sq. ft.

As noted with the attached plans, the change in front lot line affects the size of the required side and front/rear yards. The required side setback is determined by measuring the width of the lot measured at right angles to its depth at the front line of the building area. Given the unique shape of the lot, redesignating the front lot line reduces the front and rear yard setback requirement and increases the side yard setback requirements.

The current required setback between the subject site and the property line at 76 Wilburn Avenue is 32'. The redesignation will reduce this setback to 20'. The existing house is located approximately

19' from this property line and the neighboring house at 76 Wilburn is located approximately 20' from this property line.

With the application of the current setback, utilizing Wilburn Avenue as the front property line, approximately 562 square feet of the existing residence is considered non-conforming. With the designation of Fairfax Avenue as the front property line, approximately 139 square feet of the existing residence will be considered non-conforming. This redesignation reduces the amount of the house that is constructed within the required setbacks. It could therefore be considered an improvement over the existing situation.

The designation of Fairfax Avenue as the front property line also provides the applicant with a larger, more workable building area for modifications to the residence. The existing building area with the setbacks is a narrow triangle. The redesignation of setbacks reduces the setback adjacent at the neighboring property line at Wilburn Avenue and increases the setback at the neighboring property line at Fairfax Avenue.

The Planning Commission, in denying the request, expressed concern with the impact reduced setbacks would have to the neighboring property at 76 Wilburn Avenue. In their deliberations, Commissioners stated:

- The redesignation would not be compatible with the neighborhood.
- The redesignation will be detrimental to the neighborhood.
- The existing lot is awkward in area. Concerned with the impact the redesignation and future development will have to the neighbor.
- The redesignation will result in not enough space between houses.

The Commission unanimously voted to deny the redesignation request based on the finding that the redesignation is not compatible with the neighborhood and would be detrimental.

CONCLUSION:

It is Planning Staff's professional opinion that the proposed lot line redesignation will be consistent with the existing pattern of development, and that the proposal is consistent with the purposes and intent of the General Plan and Zoning Code.

ALTERNATIVES:

If the Council denies the appeal, they would also deny the redesignation request. Wilburn Avenue would remain as the front property line and the applicant would need to modify the proposed addition to fall within the current setback requirements. The applicant could make minor modifications to the existing non-conforming portion of the first floor and could construct a second floor within the current setback requirements.

FISCAL IMPACT:

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

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 which permits minor alterations in land use limitations.

FORMAL MOTION:

I move that the City Council approve the appeal, thereby approving the Lot Line Redesignation, based on the findings and for the reasons incorporated in the Staff Report and subject to the conditions listed in the Draft Lot Line Redesignation Certificate.

Respectfully submitted,

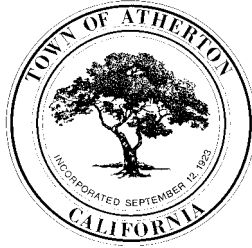
Reviewed/Approved,

Lisa Costa Sanders, Senior Planner

Ralph Freedman, Interim City Manager

Attachments:

1. Draft Lot Line Redesignation
2. Site Plans modified by Staff
3. Letter of Appeal from Glen Dodds, dated October 6, 2000
4. Letter from Craig London dated October 11, 2000 regarding appeal
5. Letter from Craig London to the Planning Commission dated September 20, 2000
6. Letter of Request to the Planning Commission from Glen Dodds, dated September 1, 2000
7. Planning Commission September 27, 2000 meeting minutes
8. Site Plan and Floor Plans dated August 30, 2000



Town of Atherton

CITY COUNCIL STAFF REPORT

TO: HONORABLE MAYOR AND CITY COUNCIL

FROM: RALPH FREEDMAN, INTERIM CITY MANAGER

DATE: FOR THE MEETING OF NOVEMBER 15, 2000

SUBJECT: FISCAL YEAR 1999/2000 AUDIT & AUDIT COMMITTEE REPORT

RECOMMENDATION:

Accept the Independent Auditors' Reports from Caporicci, Cropper & Larson, LLP for the Town's Fiscal Year 1999/2000, and direct staff to implement the recommendations of the auditors and the Town's Audit Committee.

INTRODUCTION:

The Town retained Caporicci, Cropper & Larson as their new auditors earlier this year. To address the concerns of many community members, the Audit Committee was also formed for the following purposes:

1. To establish formal oversight of the annual audit.
2. To provide the auditors with those issues of concern and importance to the Town of Atherton on a yearly basis prior to the commencement of the audit.
3. To meet with the auditors to discuss the Draft Audit Report, and give feedback to them.
4. To present a verbal and written report to the City Council on the audit process, recommendations on how the audit process could be improved in the following year, and how the Town might improve its financial operations to comply with the Auditor's recommendations.
5. To meet throughout the year with staff to discuss financial processes of the Town, and to monitor the implementation of recommendations of the Auditors and the Audit Committee.
6. To make recommendations in the future to the City Council on the selection of a new auditor, and those areas that need to be examined by the auditor in the annual audit.

ANALYSIS:

The combination of the recommendations of the auditors and the Audit Committee provide the Town staff with a solid foundation to improve the financial operations of the Town. In conjunction with these recommendations, Town staff has implemented other changes to improve the Town's operations over the last ten months.

FISCAL IMPACT:

The fiscal impact of implementing the recommendations of the Audit Committee will be between \$19,000 and \$25,000 to do a Fixed Asset Inventory, and to have the auditors do two mini-audits during the course of the year prior to the next annual audit.



Town of Atherton

CITY COUNCIL STAFF REPORT

**TO: HONORABLE MAYOR AND CITY COUNCIL,
RALPH FREEDMAN, CITY MANAGER**

FROM: ROBERT BRENNAN, CHIEF OF POLICE

DATE: NOVEMBER 15, 2000

SUBJECT: FY 2000-01 BUDGET AUGMENTATION - STATE COPS GRANT

RECOMMENDATION:

Approve the addition of \$100,000 to the Police Department FY 2000/2001 Budget. This amount reflects the acceptance of a State of California COPS grant to supplement staffing in the current year. With the acceptance of this grant funding, the Police Department also recommends that Council approve the creation of an additional Community Service Officer position and a Police Officer Trainee position.

INTRODUCTION:

As the mid-year of the current budget cycle approaches, the Police Department is requesting the acceptance of monies given to us by the State of California under the State COPS program. This funding constitutes a total of \$300,000 to be given to each California Police Department over a three-year period. The funding will be dispersed in installments of \$100,000 each fiscal year for the next three years.

The grant does not require any matching funds or agreement that the created positions be retained after the grant terminates after the FY 2002/2003 Budget year. If accepted, the Town agrees not to supplant allocated resources for staffing purposes, but to supplement the existing staffing levels that currently exist.

ANALYSIS:

The reduction in the Department's budget caused the elimination of the School Resource Officer at Menlo-Atherton High School. Our officers' time is spent in the general patrol environment and responding to calls for service. This environment includes both traditional police services, crime reports, arrests, alarms response, traffic, and non-enforcement duties such as traffic trailer deployment, council mail/packet delivery, parking citations, home safety inspections, and ordinance compliance. The addition of a Community Service Officer to respond to non-enforcement duties will free officer time for duties related to proactive enforcement, prevention, and the school liaison that is needed in this community. The Atherton Police Department has responded to over 100 calls for service this fiscal year at Menlo-Atherton High School.

The Police Officer Trainee position is needed to supplement the attrition rate that occurs in any professional environment which is at least 10% a year. With the recruitment, hiring, and training process lasting 18 months before an officer is working in a solo capacity, it is imperative that we have trained staff in a ready position to assume the duties of a solo police officer as vacancies occur.

CONCLUSION:

Acceptance of this grant is in the best interest of the Police Department and the residents of Atherton. Workforce turnover is inevitable, and our Department must take steps to minimize the impact of turnover on Town Police services. In order to create a more stable staffing environment, the Police Department recommends the creation of these two positions to be funded through the COPS grant.

ALTERNATIVES:

To deny this request for Police Officer Trainees will have a severe impact on authorized staffing levels because of the attrition rate and the subsequent lengthy time for hiring new personnel.

If an additional Community Service Officer is not approved, officers will continue to do support tasks not generally associated with enforcement that will result in reduced attention to traffic safety and school violence issues.

FISCAL IMPACT:

None.

Prepared By:

Approved:

s/ Robert Brennan
Robert Brennan
Chief of Police

Ralph Freedman
City Manager