




Atherton
CITY COUNCIL AGENDA
May 9, 2001
7:00 P.M.
Town Council Chambers
94 Ashfield Road
Atherton, California

Special Meeting

- 7:00 P.M.** 1. **ROLL CALL** McKeithen, Janz, Carlson, Fisher, Conwell
- 7:05 P.M.** 2. **PUBLIC COMMENTS** (for items which are not on the agenda -
limit of three minutes per person)
- 7:15 P.M.** 3. **CITY COUNCIL REPORTS**
- 7:30 P.M.** 4. **CITY MANAGER REPORT**
- 7:45 P.M.** **CONSENT CALENDAR**
5. **ADOPT RESOLUTION NO. 01-___ RECOMMENDING THAT
THE SAN MATEO COUNTY FLOOD CONTROL DISTRICT
IMPOSE CHARGES FOR FUNDING THE 2001/02 COUNTY-
WIDE NATIONAL POLLUTION DISCHARGE ELIMINATION
SYSTEM (NPDES) GENERAL PROGRAM**
6. **ADOPT RESOLUTION NO. 01-___ RECOMMENDING THAT
THE SAN MATEO COUNTY FLOOD CONTROL DISTRICT
IMPOSE ADDITIONAL CHARGES FOR FUNDING THE
EXPANDED SCOPE OF WORK OF THE 2001/02 COUNTY-WIDE
NATIONAL POLLUTION DISCHARGE ELIMINATION
SYSTEM (NPDES) GENERAL PROGRAM**
7. **ADOPT RESOLUTION NO. 01-___, AUTHORIZING THE
ACCEPTANCE OF SECURITIES DONATED TO THE TOWN OF
ATHERTON**

REGULAR AGENDA

- 7:50 P.M. 8. APPOINTMENTS TO TOWN COMMISSIONS AND COMMITTEES**
- Recommendation: Accept the recommendations of the Screening Committee to fill the vacancies on various Commissions and Committees.**
- 8:00 P.M. 9. CONSIDER MODIFICATIONS TO HOLBROOK-PALMER PARK PLAYGROUND PROJECT**
- 9:00 P.M. 10. DISCUSSION AND POSSIBLE ACTION – FISCAL YEAR 2001/02 BUDGET AND ALARM FEES**
- Recommendation: Consider formalizing the Alarm Fee Assessment for Fiscal Year 2001/02.**
- 10:15 P.M. 11. PUBLIC COMMENTS (for items which are not on the agenda – limit of three minutes per person)**
- 10:25 P.M. 12. ADJOURN**

 *Please contact the City Clerk's office at 752-0529 with any questions*

Dated and Posted 05-04-01



Town of Atherton

CITY COUNCIL STAFF REPORT

TO: HONORABLE MAYOR AND CITY COUNCIL

FROM: RALPH FREEDMAN, INTERIM CITY MANAGER

DATE: FOR THE MEETING OF MAY 9, 2001

SUBJECT: SAN MATEO COUNTY FLOOD CONTROL DISTRICT'S IMPOSITION OF CHARGES FOR FUNDING THE FY2001/2002 COUNTYWIDE NATIONAL POLLUTION DISCHARGE ELIMINATION SYSTEM (NPDES) GENERAL PROGRAM

RECOMMENDATION:

Approve the attached resolution recommending that the San Mateo County Flood Control District impose charges to fund the FY2001/2002 National Pollution Discharge Elimination System General Program.

INTRODUCTION:

The Program's Stormwater Management Plan is an agreement negotiated between C/CAG and the Regional Board, and is divided into six (6) sections which address those stormwater pollution prevention and control measures believed to be most applicable to San Mateo County jurisdictions. The six (6) sections are as follows:

1. Municipal Government Maintenance Activities w/Park and Recreation
2. Control of Pollutants in Stormwater from Commercial and Industrial Businesses
3. Public Information Participation Activities
4. New Development Activities
5. Illicit Discharge Elimination Activities
6. Watershed and Monitoring

The Program is beginning the eighth year of its permit. This year's budget is \$825,155, which is financed by a countywide parcel fee levied against residential land uses, commercial and industrial uses, and miscellaneous land uses. At the current time, residential land uses are assessed at \$3.44 per parcel. Fees generated from these assessments on Atherton parcels totaled \$10,847.04, which is 1.3966% of the total revenues generated by the County assessment.

ANALYSIS:

This assessment allows for the County Flood Control District to generate the needed funds to comply with the Countywide NPDES Municipal Stormwater Permit that is issued by the San Francisco Bay Regional Water Quality Control Board (the Regional Board). It is a continuation of the assessments that have been levied for a number of years on County land uses.

FISCAL IMPACT:

The Town does not have any financial impact because this assessment is levied directly on parcel owners within the Town.

RESOLUTION NO. 01-__

**A RESOLUTION OF THE CITY COUNCIL OF THE TOWN OF ATHERTON
RECOMMENDING THAT THE SAN MATEO COUNTY FLOOD CONTROL
DISTRICT IMPOSE CHARGES FOR FUNDING THE 2001/02 COUNTYWIDE
NATIONAL POLLUTION DISCHARGE ELIMINATION SYSTEM (NPDES)
GENERAL PROGRAM**

WHEREAS, the Environmental Protection Agency, under amendments to the 1987 Federal Clean Water Act, imposed regulations that mandate local governments to control and reduce the amount of stormwater pollutant runoff into receiving waters.

WHEREAS, under the authority of California Porter-Cologne Water Quality Act, the State Water Resources Control Board has delegated authority to its regional boards to invoke permitting requirements upon counties and cities.

WHEREAS, in July 1991, the San Francisco Bay Regional Water Quality Control Board notified San Mateo County of the requirement to submit an NPDES Permit Application by November 30, 1992.

WHEREAS, in furtherance of the NPDES Permit Process, San Mateo County in conjunction with all incorporated cities in San Mateo County has prepared a San Mateo Countywide Stormwater Management Plan which has a General Program as a fundamental component of the Management Plan.

WHEREAS, the San Mateo Countywide Stormwater Management Plan has been submitted to the San Francisco Bay Regional Water Quality Control Board and the Management Plan has been approved by the Board and made part of the NPDES Waste Discharge Permit CA 0029921, issued September 13, 1993 and remaining in effect through June 30, 1998.

WHEREAS, the San Mateo Countywide Stormwater Management Plan and NPDES Waste Discharge Permit CA 0029921 required that San Mateo County submit a renewal application by March 31, 1998 which shall include a Stormwater Management Plan for 1998 through 2003.

WHEREAS, the San Mateo County NPDES Technical Advisory Committee has prepared the San Mateo Countywide Stormwater Management Plan for 1998-2003.

WHEREAS, the Town of Atherton has accepted, adopted and committed to implement the San Mateo Countywide Stormwater Management Plan for 1998-2003 and the renewal application and

Plan was submitted to the San Francisco Regional Water Quality Control Board on March 18, 1998.

WHEREAS, the San Francisco Bay Regional Water Quality Control Board, after Public Hearing, approved the Renewed NPDES Permit effective July 21, 1999 and which expires July 20, 2004.

WHEREAS, the San Mateo County Flood Control District Act, as amended by the State Legislature in 1992 (Assembly Bill 2635), authorized the San Mateo County Flood Control District to impose charges to fund storm drainage programs such as the NPDES Program; Countywide General Program charges for Fiscal Year 2001/02 to fund a \$780,000 Budget are; Single Family Resident: \$3.44/APN; Miscellaneous, Agriculture, Vacant and Condominium: \$1.71/APN; all other land uses a base rate of \$3.44/APN for the first 11,000 square feet plus \$0.3127 per 1,000 additional square feet of parcel area.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the Town of Atherton that:

1. The Town of Atherton respectfully requests the San Mateo County Board of Supervisors, acting as the governing board of the San Mateo County Flood Control District, to impose those charges necessary to fund the Countywide NPDES General Program; and
2. The Town of Atherton respectfully requests that all properties within the territorial limits of said Town be charged the annual charges in accordance with said charges stated above; and
3. The City Clerk is hereby directed to forward a copy of this Resolution to the San Mateo County Board of Supervisors and to the NPDES Coordinator of C/CAG.

* * * * *

I hereby certify that the foregoing Resolution was duly and regularly passed and adopted at a regular meeting of the City Council of the Town of Atherton held on the _____ day of _____, 2001, by the following vote:

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

Dianne M. Fisher,
Mayor

ATTEST:

Sharon Barker, City Clerk

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Town of Atherton

CITY COUNCIL STAFF REPORT

TO: HONORABLE MAYOR AND CITY COUNCIL

FROM: RALPH FREEDMAN, INTERIM CITY MANAGER

DATE: FOR THE MEETING OF MAY 9, 2001

SUBJECT: SAN MATEO COUNTY FLOOD CONTROL DISTRICT'S REQUEST TO IMPOSE ADDITIONAL CHARGES FOR FUNDING THE EXPANDED SCOPE OF WORK IN THE FY2001/2002 COUNTYWIDE NATIONAL POLLUTION DISCHARGE ELIMINATION SYSTEM (NPDES) GENERAL PROGRAM

RECOMMENDATION:

Approve the attached resolution, which recommends that the San Mateo County Flood Control District impose additional charges to fund the expanded scope of work in the FY2001/2002 National Pollution Discharge Elimination System General Program.

INTRODUCTION:

Additional funds are needed by the County Flood Control District to fund future additional mandated requirements of upcoming permits, and to fund the defense of legal challenges to the current permit. Over the past several months, these issues have been discussed in meetings between C/CAG Staff and City Managers and Public Works Directors from throughout San Mateo County. Proposals from these meetings were then taken back to the C/CAG Board of Directors who voted to approve the new levies at their meeting on April 12, 2001.

ANALYSIS:

These increased assessments will allow for the County Flood Control District to generate the needed funds to comply with the new mandates of the Countywide NPDES Municipal Stormwater Permit that is issued by the San Francisco Bay Regional Water Quality Control Board (the Regional Board). The C/CAG Staff has calculated that \$550,00 of additional funds are needed for the following items:

- Monitoring
- Training
- Brochures/Documents for use by all agencies
- C/CAG Presentations to member agencies
- Public Education
- Administration
- Legal Fees
- Election costs

FISCAL IMPACT:

The Town does not have any financial impact because this assessment is levied directly on parcel owners within the Town. Each residential parcel within the County will be assessed an additional \$1.94, or a total of \$5.38 per residential parcel if this surcharge is approved.

RESOLUTION NO. 01- ____

**A RESOLUTION OF THE CITY COUNCIL OF THE TOWN OF ATHERTON
RECOMMENDING THAT THE SAN MATEO COUNTY FLOOD CONTROL
DISTRICT IMPOSE ADDITIONAL CHARGES FOR FUNDING THE EXPANDED
SCOPE OF WORK FOR THE 2001/02 COUNTYWIDE NATIONAL POLLUTION
DISCHARGE ELIMINATION SYSTEM (NPDES) GENERAL PROGRAM**

WHEREAS, the Environmental Protection Agency, under amendments to the 1987 Federal Clean Water Act, imposed regulations that mandate local governments to control and reduce the amount of stormwater pollutant runoff into receiving waters.

WHEREAS, under the authority of California Porter-Cologne Water Quality Act, the State Water Resources Control Board has delegated authority to its regional boards to invoke permitting requirements upon counties and cities.

WHEREAS, in July 1991, the San Francisco Bay Regional Water Quality Control Board notified San Mateo County of the requirement to submit an NPDES Permit Application by November 30, 1992.

WHEREAS, in furtherance of the NPDES Permit Process, San Mateo County in conjunction with all incorporated cities in San Mateo County has prepared a San Mateo Countywide Stormwater Management Plan which has a General Program as a fundamental component of the Management Plan.

WHEREAS, the San Mateo Countywide Stormwater Management Plan has been submitted to the San Francisco Bay Regional Water Quality Control Board and the Management Plan has been approved by the Board and made part of the NPDES Waste Discharge Permit CA 0029921, issued September 13, 1993 and remaining in effect through June 30, 1998.

WHEREAS, the San Mateo Countywide Stormwater Management Plan and NPDES Waste Discharge Permit CA 0029921 required that San Mateo County submit a renewal application by March 31, 1998 which shall include a Stormwater Management Plan for 1998 through 2003.

WHEREAS, the San Mateo County NPDES Technical Advisory Committee has prepared the San Mateo Countywide Stormwater Management Plan for 1998-2003.

WHEREAS, the Town of Atherton has accepted, adopted and committed to implement the San Mateo Countywide Stormwater Management Plan for 1998-2003 and the renewal application and Plan was submitted to the San Francisco Regional Water Quality Control Board on March 18, 1998.

WHEREAS, the San Francisco Bay Regional Water Quality Control Board, after Public Hearing, approved the Renewed NPDES Permit effective July 21, 1999 and which expires July 20, 2004.

WHEREAS, the San Francisco Bay Regional Water Quality Control Board has imposed additional requirements on the NPDES General Program beyond those required in the current Renewed NPDES Permit.

WHEREAS, the San Mateo County Flood Control District Act, as amended by the State Legislature in 1992 (Assembly Bill 2635), authorized the San Mateo County Flood Control District to impose charges to fund storm drainage programs such as the NPDES Program; Countywide General Program additional annual charges for Fiscal Year 2001/02 that, when added to the previously adopted Basic Charges, would be necessary to fund a \$1,334,152 Budget are; Single Family Resident: \$2.44/APN; Miscellaneous, Agriculture, Vacant and Condominium: \$1.22/APN; all other land uses a base rate of \$2.44/APN for the first 11,000 square feet plus \$0.22 per 1,000 additional square feet of parcel area.

NOW, THEREFORE, BE IT RESOLVED BY THE City Council of the Town of Atherton that

1. The Town of Atherton approves the expanded Scope of Work imposed on the NPDES General Program and respectfully requests the San Mateo County Board of Supervisors, acting as the governing board of the San Mateo County Flood Control District, to impose those additional charges necessary to fund the Countywide NPDES General Program; and
2. The Town of Atherton requests that all properties within the territorial limits of said City be charged the additional annual charges in accordance with said additional charges stated above; and
3. The City Clerk is hereby directed to forward a copy of this Resolution to the San Mateo County Board of Supervisors and to the NPDES Coordinator of C/CAG.

* * * * *

I hereby certify that the foregoing Resolution was duly and regularly passed and adopted at a regular meeting of the City Council of the Town of Atherton held on the ___day of _____, 2001, by the following vote:

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

Dianne M. Fisher,
Mayor

ATTEST:

Sharon Barker, City Clerk

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Town of Atherton

CITY COUNCIL STAFF REPORT

TO: HONORABLE MAYOR AND CITY COUNCIL

FROM: RALPH FREEDMAN, INTERIM CITY MANAGER

DATE: FOR THE MEETING OF MAY 9, 2001

SUBJECT: AUTHORIZING THE ACCEPTANCE OF SECURITIES DONATED TO THE TOWN OF ATHERTON

RECOMMENDATION:

Approve the attached resolution, which allows for the Town of Atherton to accept securities when given to the Town as donations.

INTRODUCTION:

During the fundraising efforts by the Playground Committee, several individuals have expressed a desire to donate to this project by giving appreciated securities to the Town. Through the efforts of Alison Ross, a Co-Chairperson of the Playground Committee, contact was made with Morgan Stanley to establish an account to accept these securities, and to sell these securities in order to have the cash for the Playground Project costs. I have been in contact with a representative from Morgan Stanley discussing the specifics of this account, which include the approval of this resolution by the City Council.

It is anticipated that there may be between six (6) and ten (10) donations of stock from individuals for this project. All donations will be handled as outlined below.

ANALYSIS:

All donations of securities will be deposited directly into the account with Morgan Stanley. These donations will not come to the Town. Instructions to Morgan Stanley will be that all securities should be sold on the date of receipt. This will be a standing order that has been conveyed to the representative at Morgan Stanley

FISCAL IMPACT:

There is no direct fiscal impact on the Town by approving this resolution. There is, however, an impact on the fundraising for the Playground Project because some individuals have chosen to donate by giving securities rather than by donating cash to this project. By not approving this resolution, the fundraising efforts would be negatively impacted.

RESOLUTION NO. 01-_____

**A RESOLUTION OF THE CITY COUNCIL OF THE TOWN OF ATHERTON
AUTHORIZING THE ACCEPTANCE OF SECURITIES
GIVEN TO THE TOWN AS DONATIONS**

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

WHEREAS: the persons noted below be and they hereby are, and each of them hereby is, authorized and empowered, for and on behalf of the Town of Atherton (herein called the "Town"), to establish and maintain one or more accounts with Morgan Stanley & Co. Incorporated (herein called "Morgan Stanley") for the purpose of purchasing, investing in, or otherwise acquiring, selling, possessing, transferring, exchanging, or otherwise disposing of, or turning to account of, or realizing upon, and generally dealing in and with any and all forms of securities including, but not by way of limitation, shares, stocks, bonds, debentures, notes, scrip, participation certificates, rights to subscribe, options, warrants, certificates of deposit, mortgages, choses in action, evidences of indebtedness, commercial paper, certificates of indebtedness and certificates of interest of any and every kind and nature whatsoever, secured or unsecured, whether represented by trust, participating and/or other certificates or otherwise.

The fullest authority at all times with respect to any such commitment or with respect to any transaction deemed by any of the said officers and/or agents to be proper in connection therewith is hereby conferred, including authority (without limiting the generality of the foregoing) to give written or oral instructions to Morgan Stanley with respect to said transactions; to bind and obligate the Town to and for the carrying out of any contract, arrangement, or transaction, which shall be entered into by any such officer and/or agent for and on behalf of the Town with or through Morgan Stanley; to pay in cash or by checks and/or drafts drawn upon the funds of the Town such sums as may be necessary in connection with any of the said accounts; to deliver securities or contracts to Morgan Stanley; to order the transfer or delivery thereof to any other person whatsoever, and/or to order the transfer of record of any securities, or contracts, or titles, to any name selected by any of the said officers or agents; to affix the Town seal to any documents or agreements, or otherwise; to endorse any securities and/or contracts in order to pass title thereto; to direct the sale or exercise of any rights with respect to any securities; to sign for the Town all releases, powers of attorney and/or other documents in connection with any such account, and to agree to any terms or conditions to control any such account; to direct Morgan Stanley to surrender any securities to the proper agent or party for the purpose of effecting any exchange or conversion, or for the purpose of deposit with any protective or similar committee, or otherwise; to accept delivery of any securities or contracts; to appoint any other person or persons to do any and all things which any of the said officers and/or agents is hereby empowered to do, and generally to do and take all action necessary in connection with the account, or considered desirable by such officer and/or agent with respect thereto.

WHEREAS: Morgan Stanley may deal with any and all of the persons directly or indirectly by the foregoing resolution empowered, as though they were dealing with the Town directly.

WHEREAS: the City Clerk of the Town be and she is hereby authorized, empowered and directed to certify, under the seal of the Town, or otherwise, to Morgan Stanley:

(a) a true copy of these resolutions;

(b) specimen signatures of each and every person by these resolutions empowered;

(c) a certificate (which, if required by Morgan Stanley, shall be supported by an opinion of the general counsel of the Town, or other counsel satisfactory to Morgan Stanley) that the Town is duly organized and existing, that State law empowers it to transact the business by these resolutions defined, and that no limitation has been imposed upon such powers by the By-laws or otherwise.

WHEREAS: Morgan Stanley may rely upon any certification given in accordance with these resolutions, as continuing fully effective unless and until Morgan Stanley shall receive due written notice of a change in or the rescission of the authority so evidenced and the dispatch of receipt of any other form of notice shall not constitute a waiver of this provision, nor shall the fact that any person hereby empowered ceases to be an officer of the Town or becomes an officer under some other title in any way affect the powers hereby conferred. The failure to supply any specimen signature shall not invalidate any transaction if the transaction is in accordance with authority actually granted.

WHEREAS: in the event of any change in the office or powers or persons hereby empowered, the City Clerk shall certify such changes to Morgan Stanley in writing in the manner hereinabove provided, which notification, when received, shall be adequate both to terminate the powers of the persons theretofore authorized, and to empower the persons thereby substituted.

WHEREAS: that the foregoing resolutions and certificates actually furnished to Morgan Stanley by the City Clerk of the Town pursuant thereto, be and they hereby are made irrevocable until written notice of the revocation thereof shall have been received by Morgan Stanley.

TOWN OF ATHERTON ACCOUNT (Authorizing Trading in Securities)

NOW, THEREFORE BE IT RESOLVED by the City Council of the Town of Atherton, by the undersigned, its Mayor, pursuant to the resolutions, a copy of which, certified by the City Clerk, is annexed hereto, hereby authorizes you to open an account in the name of said Town. This authorization shall continue in force until revoked by the undersigned Town by a written notice, addressed to you and delivered at your office at:

91 Ashfield Road
Atherton, California 94027

By,

Dianne M. Fisher, Mayor

I, _____, City Clerk of the Town of Atherton, hereby certify that the annexed resolution was duly adopted at a meeting of the City Council of the Town of Atherton, duly held on the _____ day of _____, 2001, at which a quorum of said Council was present and acting throughout and that no action has been taken to rescind or amend said resolution and that the same is now in full force and effect. This Resolution was adopted by the following vote:

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

I further certify that each of the following has been duly appointed the authorized agents and attorneys-in-fact of the Town of Atherton with the authority on the behalf of the Town, for its account and risk to act in accordance with this Resolution.

Ralph Freedman
Interim City Manager

Dianne M. Fisher
Mayor

Signature

Signature

I further certify that the Town of Atherton is duly organized and existing and has the power to take the action called for by the resolutions annexed hereto.

IN WITNESS WHEREOF, I have hereunto affixed my hand this ____ day of _____, 2001.

Sharon Barker, City Clerk



Town of Atherton

CITY COUNCIL STAFF REPORT

TO: HONORABLE MAYOR AND CITY COUNCIL
FROM: RALPH FREEDMAN, INTERIM CITY MANAGER
DATE: FOR THE CITY COUNCIL MEETING OF MAY 9, 2001
SUBJECT: COMMISSION/COMMITTEE APPOINTMENTS

RECOMMENDATION:

Approve the recommendations of the Screening Committee for the following appointments:

Planning Commission:	Marion Oster
General Plan Committee:	Alex (Sandy) Kaye Joan Sanders Jim Dobbie
Arts Committee:	Jean Schaaf
Park and Recreation Commission:	Henry Cartan III (reappointment - Holbrook-Palmer Park Foundation representative) Jean Wangsness (reappointment – Dames representative)
Audit Committee:	Alan Kertz (reappointment) Robert O'Donnell (reappointment)
Mid-Peninsula Access Corp.:	Maureen Dickey (reappointment)

ANALYSIS:

Each April the City Council Screening Committee makes recommendations to the City Council to fill the vacancies created when terms expire on Town Commissions and Committees. This year, the Screening Committee, consisting of Vice Mayor Carlson and Council Member McKeithen, has recommended the residents listed above to fill the vacancies.



Town of Atherton

CITY COUNCIL STAFF REPORT

TO: HONORABLE MAYOR AND CITY COUNCIL

FROM: RALPH FREEDMAN, INTERIM CITY MANAGER

DATE: FOR THE MEETING OF MAY 9, 2001

**SUBJECT: CONSIDER MODIFICATIONS TO THE HOLBROOK-PALMER PARK
PLAYGROUND PROJECT**

RECOMMENDATION:

Consider modifications to the Playground Project as it relates to the footprint and to the landscaping adjacent to it.

INTRODUCTION:

Earlier this year, both the Park & Recreation Commission and the City Council approved the proposed layout for the new Playground Area at Holbrook-Palmer Park. This plan had 4,000 square feet dedicated to play areas, and 2,600 square feet dedicated to the patio and picnic areas. The consultant for this project indicated at both the Park & Recreation Commission and City Council meetings that the proposed layout could be accommodated within these parameters. Recently, as the project design was being finalized, the consultant indicated that 7,400 square feet was needed for this project. Shortly thereafter, two of the Co-Chairpersons of the Playground Committee, Michelle Dollinger and Dorothea Collins, met with equipment suppliers. After this meeting, they felt that the play structure needed to be expanded to afford the older kids more activities. By expanding this structure, an additional 880 square feet of space would be needed.

Due to scheduling conflicts on May 2nd, I presented the request of the Playground Committee to the Park & Recreation Commission. This request was for the expansion of the square footage of the new playground from 6,600 square feet to 8,530 square feet due to a more precise calculation by the consultant, and the desire to increase the size of the older children's play structure. The Commission, after considerable discussion, decided that their approval of the Playground Proposal at 6,600 square feet should stand, but they did agree to allow for a reallocation of the 6,600 square feet - up to 4,400 square feet for the play areas and 2,200 square feet of patio and picnic areas. There will be several members of the Commission at the May 9th City Council meeting to personally express their feelings. The Playground Committee also sought approval for planting numerous trees on the west side of the project area to provide shade to the children who will be playing at the new playground. The Commission rejected this proposal because they felt that this would infringe upon the open field in the Park.

The increased square footage does not reflect any deceit or attempt by anyone to misrepresent what was actually needed for this project. It was a mistake in calculations that should and could have been avoided with more careful attention to detail, and the desire by two of the Co-Chairpersons to provide a larger structure for older kids. Had the correct square footage been presented to the Commission and subsequently the City Council, I am confident that we would not be in the position we find ourselves into today. The Co-Chairpersons of the Playground Committee will be at the May 9th meeting to discuss their requests with the City Council.

The cost of any additional trees that have been proposed for planting on the west side of the Playground Area would be borne by the Playground Committee. If approved by the City Council, additional monies would be raised for this purpose. Kathy Hughes-Anderson, the Town Arborist, has indicated that there are several trees within the Park that could be used for this landscaping because they are too close to other trees in the Park. If these trees were used, the Playground Committee would be responsible just for the cost of moving these trees within the Park.

ANALYSIS:

Holbrook-Palmer Park encompasses approximately 22 acres or 958,320 square feet. If approved at 8,530 square feet, this project will encompass less than 1% of the total park acreage. All needed funds have been raised by the Playground Committee to have the Town proceed forward with the proposed project. The consultant has almost completed the necessary documents that will enable the Town to begin the bid process in the next few weeks, pending the City Council's decision.

FISCAL IMPACT:

The modifications will have no significant financial impact on the Town of Atherton since the Playground Committee is paying for all costs. A larger Playground Area will cost the Town a small amount more for maintenance.



Town of Atherton

CITY COUNCIL STAFF REPORT

TO: HONORABLE MAYOR AND CITY COUNCIL

FROM: RALPH FREEDMAN, INTERIM CITY MANAGER

DATE: FOR THE MEETING OF MAY 9, 2001

SUBJECT: DISCUSSION AND POSSIBLE ACTION ON FY2001/2002 BUDGET AND ALARM FEES

RECOMMENDATION:

Consider formalizing the Alarm Fee assessment for FY2001/2002.

INTRODUCTION:

Over the next two months, the Town of Atherton will be discussing the FY2001/2002 Budget for the Town. Under the proposed schedule, the City Council will be discussing the budget on May 16th, June 13th, and June 20th. At a meeting during the last week of June, the City Council will be asked to adopt the appropriate resolutions to finalize next year's budget.

I would recommend that the City Council give direction to the staff on how it plans to address the issue of Alarm Fees during the next fiscal year. We are still in the process of collecting Alarm Fees because of the extensive review and modification of the Police Department's database. At the current time, we have collected \$168,000, and we estimate that we will collect approximately \$200,000 by the end of June. This is vastly different than the \$375,000 that we expected to collect based upon 1250 connections to the Dispatch Center.

Many comments have been received on both sides of the issue on the levying of Alarm Fees. Some residents feel that the fees should remain at the current level of \$300 per year to ensure that the users of this service pay for staff time. Other residents have indicated that users that are directly

connected to the Dispatch Center help keep down crime, thus allowing the Town to having fewer officers. Others feel that this fee was imposed because the Town needed a new revenue stream after the defeat of the Parcel Tax, and it should be eliminated if the Parcel Tax is approved in June. Others feel that the Alarm Fee should be reduced if the Parcel Tax is approved. At the City Council meeting on May 9th, I am sure that we will have a wide range of opinions on this issue.

Whatever the City Council's decision is, I would recommend that the decision be made at the May 9th or May 16th meeting so that voters have a clear understanding of the City Council's intent prior to the June 5th election. With absentee ballots in the mail, I would recommend a decision at the May 9th meeting.

I indicated to the City Council last month that I have instructed Department Heads to prepare their departmental budgets at this year's levels, which means without Parcel Tax monies. We are dealing with the following major items as part of the Budget:

1. We are assuming an average salary increase across the board of 4.5%.
2. Health insurance premiums will increase by 10% on an annualized basis. However, the rate increase goes into effect on January 1, 2002, so we are calculating an increase of 5% for the fiscal year.
3. We will be estimating significant utility cost increases because of the State's energy crisis.
4. Additional monies for the preparation of the Town's Housing Element in order to be in compliance with State directives.
5. Full staffing in all departments as compared to the many vacancies for parts of this fiscal year.

ANALYSIS:

The decision on the Parcel Tax levy will have a significant financial impact on the General Fund. Staff is preparing budgetary scenarios based upon the alternatives that are available to the City Council.

FISCAL IMPACT:

The fiscal impact is unknown at this time because the City Council has not decided at what level Alarm Fees will be levied in the next fiscal year. A decision by the City Council, and the outcome of the Parcel Tax election, will enable Staff to put together the final budget document.