



**Minutes
CITY COUNCIL MEETING**

May 9, 2001

7:00 P.M.

Town Council Chambers

94 Ashfield Road
Atherton, California

Special Meeting

Mayor Fisher called the meeting to order at 7:12 p.m.

1. ROLL CALL

PRESENT:
Kathy McKeithen
James R. Janz
Alan B. Carlson
Dianne M. Fisher
William R. Conwell

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

The Interim City Manager asked that Item No. 9 on the agenda be withdrawn at the request of the Playground Committee. This item will be returned to the Council on the June 13th meeting after further review by the Park and Recreation Commission.

City Attorney Marc Hynes reported the results of the Closed Session held at 6:30 p.m. as follows:

- **Directions were given to the City Attorney relative to the city manager recruitment interviews. Background investigations of the finalist candidates will be conducted by Avery and Associates. A consultant from Avery and Associates will attend the May 16th Council meeting and provide written reports on the background investigations to the Council.**
- **Interviews of the finalist candidates will be held on Thursday, May 17th at 8:30 a.m. by the City Council, on Friday, May 18th at 7:30 a.m. by the Resident Screening Committee, and again on Saturday, May 19th at 8:00 a.m. by the City Council.**

The City Attorney discussed the reasons for using the Safe Harbor designations for closed session agendas. State Statute sets out the exact wording for closed session items which ensures compliance with the Ralph M. Brown Act.

Mayor Fisher asked that an item be added to the agenda for reporting of closed session items by the City Attorney.

Council Members Conwell and McKeithen asked that information on items to be addressed by the City Council in closed session be provided to the Council with the agenda packets.

2. PUBLIC COMMENTS

The following members of the audience spoke:

- John Sisson, Resident Screening Committee**
- Jim Dobbie, 124 James Avenue**
- John Ruggiero, 10 Stockbridge Avenue**

In response to comments by John Sisson, the following motion was made.

MOTION – to add Item 10A to the agenda, Direction to the Resident Screening Committee.

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

3. CITY COUNCIL REPORTS

- Council Member Conwell reported on the Airport Roundtable meeting. The proposed airport runways were discussed. He also reported that the aircraft noise monitor will not be installed in Atherton until next year.**
- Vice Mayor Carlson reported that the Screening Committee has met and created a list of residents recommended for Town Commissions and Committees. He also reported on the progress of the City Manager search.**
- Council Member McKeithen asked for updated sheets from the Koff Study to include PERS contributions made by the Town on behalf of the employees. She also commented that the survey in the Athertonian had no Council input. She asked that in the future the Council be consulted as to survey questions. She requested that the City Attorney provide a draft letter by the next Council meeting regarding the expenditure of Channel District funds.**
- Mayor Fisher reported that the Waste Reduction Committee met last week, and no action was taken. She read a letter from a resident commending Town employee Mike Wasserman.**

4. CITY MANAGER REPORT

Interim City Manager Ralph Freedman reported on the following:

- The Town will receive an allocation of approximately \$21,000 from a State Bond measure for park funding in the next fiscal year.
- Chaplain Program – a memo was provided to the Council on the cost of this service and the benefits of the program.
- LAFCO budget – changes in State law require that the agencies involved be assessed for the cost of operations. Atherton's share will be \$675 for the fiscal year.
- ABAG Power Pool – the electric program will be suspended because of the recent energy problems within the State. ABAG has recommended that cities budget for a 50% rate increase in electric utility costs for FY 2001/2002.
- San Mateo County City Selection Committee – a representative from the Council will need to attend a special meeting of the Committee on May 18th. At that meeting representatives will be selected from the county municipalities to serve on various area agencies.
- Housing Element – under State law, the Town is required to adopt a new housing element by the end of this calendar year. Town Planner Neal Martin will come to the first Council meeting in July to discuss this issue. The cost of updating the housing element will be approximately \$10,000 to \$12,000.
- A request by the Committee for the Parcel Tax for a banner to be posted on Middlefield Road reminding residents to vote in the June 5 election has been approved.

CONSENT CALENDAR

Council Member McKeithen asked that all three items be removed from the Consent Calendar and placed at the end of the agenda.

REGULAR AGENDA

8. APPOINTMENTS TO TOWN COMMISSIONS AND COMMITTEES

MOTION – to approve the recommendations of the Screening Committee and appoint the following residents to Town Commissions and Committees:

Marion Oster
Joan Sanders
Alex (Sandy) Kaye

Planning Commission
General Plan Committee
General Plan Committee

Jim Dobbie	General Plan Committee
Jean Schaaf	Arts Committee
Henry Cartan	Parks and Recreation Commission
Jeanne Wangsness	Parks and Recreation Commission
Arlan Kertz	Audit Committee
Robert O'Donnell	Audit Committee
Maureen Dickey	Mid-Peninsula Access Corporation

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

9. CONSIDER MODIFICATIONS TO HOLBROOK-PALMER PARK PLAYGROUND PROJECT

This item was removed from the agenda.

10. DISCUSSION AND POSSIBLE ACTION – FISCAL YEAR 2001/02 BUDGET AND ALARM FEES

Interim City Manager Ralph Freedman presented General Fund expenditure projections for Fiscal Years 2000-01 and 2001-02. Budget figures were based upon calculations excluding any revenue from the proposed parcel tax. The following members of the audience spoke:

**Jim Dobbie, 124 James Avenue
Marion Oster, 38 Flood Circle
Bob Jenkins, 36 Irving Avenue
Jean Schaaf, 29 Stockbridge Avenue**

Discussion ensued regarding continuing the charges for alarm fees if the parcel tax passes. The Hillsborough alarm program was discussed. Council directed Staff to evaluate methods of charging equitably for alarm fees or false alarm fees, and to bring revenue projections back to the next meeting showing the difference in the revenue stream if alarm fees are eliminated. Staff will also analyze previous years' revenues when only fees for false alarms were charged.

10A. DIRECTION TO RESIDENT SCREENING COMMITTEE

John Sisson, from the Resident Screening Committee, had questions regarding the process of the interviews of the City Manager candidates. He asked if the Resident Committee will receive the finalist candidates' resumes prior to the interview date, and if the background investigations will be made available to the Committee.

MOTION – to have the City Attorney send, along with his letter to the members of the Resident Screening Committee outlining the interview process, a confidentiality agreement to be signed by the each member of the Committee prior to receiving the resumes and background information of the finalist candidates. The background information to be delivered to the Committee members by the Police Department the evening of the meeting on May 16, 2001. Also moved that the background information documents be numbered, and that at the end of the interview session on Friday, they be returned to the City Attorney.

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

The following three items were removed from the Consent Calendar and placed on the Regular Agenda:

- 5. ADOPTION OF RESOLUTION NO. 01-06 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**

Council Member McKeithen had a question regarding the budget figure in the staff report as compared to the figure in the proposed resolution. The Interim City Manager stated that the staff report figure was the latest the CCAG board had received, and the resolution can easily be amended if necessary.

- 6. ADOPTION OF RESOLUTION NO. 01-07 RECOMMENDING THAT THE SAN MATEO COUNTY FLOOD CONTROL DISTRICT IMPOSE ADDITIONAL CHARGES FOR FUNDING THE EXPANDED SCOPE OF WORK OF THE 2001/02 COUNTYWIDE NATIONAL POLLUTION DISCHARGE ELIMINATION SYSTEM (NPDES) GENERAL PROGRAM**

Council Member McKeithen asked why the assessment amount stated in the staff report is different from the proposed resolution. The Interim City Manager stated the total assessment for single family residence is \$5.38. She also asked what the legal fees and election costs were as stated in the staff report. Interim City Manager Ralph Freedman stated that the election costs are for a mail-in ballot.

- 7. ADOPTION OF RESOLUTION NO. 01-08, AUTHORIZING THE ACCEPTANCE OF SECURITIES DONATED TO THE TOWN OF ATHERTON**

This resolution is proposed to allow an account to be set up with Morgan Stanley in the Town's name to allow people to make tax-deductible donations to the

Playground Project. The Playground Committee is not a 501(c)(3) corporation. Instructions will be given to Morgan Stanley to liquidate securities on the date they are received. A separate fund will be set up by the Town to receive donated monies with interest to be posted to the fund.

MOTION – to approve Resolution No. 01-06 and Resolution No. 01-07, with changes to the NPDES resolutions if necessary, and to approve Resolution No. 01-08, authorizing the Town to accept securities donated for the Playground Project.

M/S Conwell/Carlson

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

11. PUBLIC COMMENTS

There were no public comments at this time.

12. ADJOURN

The meeting adjourned at 10:05 p.m.

Respectfully submitted,

Sharon Barker, City Clerk