



**Minutes**  
**CITY COUNCIL MEETING**  
**June 13, 2001**  
**7:00 P.M.**  
**Town Council Chambers**  
94 Ashfield Road  
Atherton, California  
**Special Meeting**

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

**1. ROLL CALL**

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

**2. CITY ATTORNEY REPORT ON CLOSED SESSION**

**City Attorney Marc Hynes reported out of the 5:00 p.m. closed session.**

**3. PUBLIC COMMENTS**

**There were no public comments.**

**3A. PRESENTATIONS**

**Mayor Fisher presented certificates of recognition to the Menlo College Football Team and Quarterback Zamir Amin for outstanding performances in the 2000 season. Wide Receiver Nate Jackson, who was not present, also received a certificate for outstanding performance in the 2000 season. The Mayor was presented with a signed football.**

**4. CITY COUNCIL REPORTS**

- Council Members Conwell and Janz attended a Council of Cities dinner last month. Providing affordable housing in the County was discussed. The Criminal Justice Commission will meet next week. Council Member Conwell reported that he has been speaking at local elementary schools.**

- **Council Member Carlson asked the Chief of Police for information on guidelines for what constitutes a false alarm.**
- **Council Member Janz reported that the City Selection Committee will meet next week. He has submitted his name for appointment to the ABAG Board.**
- **McKeithen has asked the City Attorney to look into businesses advertising that they are in Atherton, and whether the Town can derive any revenue from the businesses. She also asked to delay consideration of the Channel District issue until September so the new City Manager will have time to become familiar with this. She asked that staff report back next meeting on the increased BFI rates, and to determine if the adopted resolution correctly reflects the new rates. She asked that something be put in the Athertonian and on the Town web site explaining how the Council arrived at the rate adjustment to cover reported shortfalls in the current and previous years. She has been asked by residents to see if the Town is interested in purchasing the house next to the Administrative offices.**
- **Mayor Fisher asked that the item regarding the purchase of the house be put on the agenda for next week. She reported that the Library JPA met last week and that the County has asked for an increase in the budget for the Library building. More discussion will be held on this budget request. She reported that of the two library initiatives on the ballot last week, Millbrae's passed and San Bruno's did not. She reported on the General Plan Committee meeting where Philip Lively was chosen Chair, and Shirley Carlson Vice Chair. The limitation for basement areas will go on the next Planning Commission agenda, and the Heritage Tree ordinance will go before the General Plan Committee at their next meeting.**

## **5. CITY MANAGER REPORT**

**Interim City Manager Ralph Freedman reported on the following:**

- **A proposed Agreement with Menlo School will come before the Council at the next meeting. This would allow the Arts Committee to hold approximately twelve events per year using the School facilities.**
- **Complaints have been made about traffic speed in Holbrook-Palmer Park. After discussions with the Police Chief and the Public Works Director, a recommendation was made to add six more speed bumps with appropriate signage. This was approved by the Park and Recreation Commission last week. The estimated cost is \$2500. Council requested that only three new speed bumps be added.**
- **The Interim City Manager corrected an erroneous report which appeared in the Almanac regarding the flex spending plan for child care. He stated that this was not paid for by the Town, but deducted from the Interim City Manager's paycheck.**

- **Radio alarm equipment update– FCC granted a frequency to the Town so transmitters can be placed in residences. The new equipment will enable the monitoring of over 200 zones in a house. The transfer of data to the new equipment will be done next week. Homeowners will be notified of this available service. It will be at the homeowner’s cost. Physical improvements to dispatch center will be done next fiscal year.**
- **Commended the Playground Committee and specifically Michelle Dollinger, Allison Ross, and Dorthea Collins, for raising over \$300,000 for the playground project.**

**CONSENT CALENDAR**

**MOTION – approve the consent agenda as presented with the exception of Items 8 and 11 which will be placed on the regular agenda, approve Item No. 7 with the changes as submitted by the Public Works Director, approve Item No. 10 providing that the City Attorney has reviewed and signed off on the Disadvantaged Business Enterprise draft, approve Item No. 12 with the changes submitted by Interim Finance Director Bill Yeomans.**

**M/S McKeithen/Janz**

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

**6. ADOPTED RESOLUTION NO. 01-09, DECLARING THE RESULTS OF THE JUNE 5, 2001 SPECIAL PARCEL TAX ELECTION**

**7. ADOPTED RESOLUTION NO. 01-10, AUTHORIZING THE APPLICATION FOR ALL AVAILABLE GRANTS UNDER THE CALIFORNIA OIL RECYCLING ENHANCEMENT ACT**

**9. INTERIOR LIGHTING IMPROVEMENTS AT ATHERTON LIBRARY**

**Approved interior lighting improvements at the Atherton Library in the amount of \$1,282, using donor monies.**

**10. APPROVED DISADVANTAGED BUSINESS ENTERPRISE (DBE) PROGRAM AND GOAL FOR FEDERAL FISCAL YEAR 2000/01**

**12. FY 2000/01 BUDGET ADJUSTMENTS**

**Approved adjustments to the Fiscal Year 2000/01 Budget as presented by the Interim Finance Director.**

**REGULAR AGENDA**

**11. HOLBROOK-PALMER PARK PLAYGROUND – REPLACEMENT OF EQUIPMENT AND EXPANSION OF THE PLAYGROUND AREA**

Vice Mayor Carlson asked that this item be removed from the Consent Agenda for clarification. Interim City Manager Ralph Freedman explained that this item went to the Park and Recreation Commission in May, and subsequently to the City Council. It was proposed that the size of the playground would be 6600 square feet. During the course of the planning process, there were modifications proposed which pushed the project size to 8500 square feet. The proposal went back to the Park and Recreation Commission in June. It was approved that the playground should remain at 6600 square feet but that the area could be reallocated to allow for added square footage for the Sand Play Area and four trees.

**MOTION - McKeithen/Carlson                      Ayes: 5   Noes: 0   Abstain: 0   Absent: 0**

**13. AUTHORIZATION OF VALPARAISO CORRIDOR STUDY TO BE CONDUCTED JOINTLY WITH CITY OF MENLO PARK**

Public Works Director Cliff Temps presented this item. Atherton Staff proposed to Menlo Park Staff a study to look globally at the Valparaiso Corridor, rather than just at individual projects. The study would address traffic and development issues affecting the boundary area between the two communities. Improvements to the intersection at Valparaiso and El Camino Real, and a signal light at University will also be considered. Menlo Park approved this study at their last meeting. The Interim City Manager has approached Menlo School and Sacred Heart to request that they fund some of the study. During the course of the study, the consultants will look into impacts the schools have on Valparaiso. Joint public hearings are planned.

Phil Lively spoke from the audience.

**MOTION – to authorize Staff to work with Menlo Park Staff to select a consultant to perform the study, and authorize the expenditure at a cost not to exceed \$35000 for the consultant contract.**

**M/s McKeithen/Conwell                      Ayes: 5   Noes: 0   Abstain: 0   Absent: 0**

**14. DISCUSSION – FISCAL YEAR 2001/02 BUDGET**

Interim City Manager Ralph Freedman presented the proposed General Fund Operating Budget for Fiscal Year 2001/02. A public hearing is scheduled for next week's meeting. The Special Funds and Capital Improvements budgets will be presented at that time. The Department Heads highlighted changes in the departmental budgets over last year. Revenue and expenditure summaries were

provided along with information on authorized positions, expenditures for contract services, and comparisons to prior years.

Vice Mayor Carlson asked Staff to return with contingency plans that were in place to balance the budget in the absence of the parcel tax.

Gene Berry and Jean Schaaf spoke from the audience.

**15. CONSIDER MODIFICATIONS TO ALARM FEES FOR FISCAL YEAR 2001/02**

Interim City Manager Ralph Freedman provided sample data to the Council on false alarm calls. Alternatives for alarm fees were presented, along with the Hillsborough model where homeowners with an alarm system pay a permit fee to the Town of \$60 per year. Revenue estimates were given for alternative methods. Discussion ensued regarding implementing a blended fee. The Council expressed concern that any changes in the alarm fees not affect next year's budget in which \$200,000 in alarm fee revenue is estimated. The Council directed the City Attorney to review the legality of expending building permit fees for general fund purposes if alarm fee revenues are reduced. Stanley Bernhard, Gene Berry, and John Sisson spoke from the audience. This item will be placed on next week's agenda.

**16. CITY MANAGER ANALYSIS OF KOFF AND ASSOCIATES CLASSIFICATION AND COMPENSATION STUDY**

Interim City Manager Ralph Freedman explained how benchmarking was done in the Koff Study, and how the omission of the PERS contribution affected the survey. Discussion ensued as to how salaries were arrived at using the total compensation figures. The Council asked for the Interim City Manager to return to the Council with how current salaries were calculated when using total compensation.

**17. RATIFICATION OF AGREEMENT FOR LEGAL SERVICES – TAX OPINION ON CITY MANAGER'S RESIDENCE**

The City Council decided not to sign a retainer agreement with Coblenz, Patch, Duffy & Bass, LLP, and directed staff to pay the invoice when it is submitted.

**8. APPROVAL OF TENNIS AGREEMENT WITH ALAN MARGOT FOR FY 2001/02**

Vice Mayor Carlson asked that this item be removed from the Consent Agenda. He had questions regarding the number of people with tennis keys. Less than 40

**people have keys to the courts. He has concerns with improving the courts when the general public is excluded from using them.**

**MOTION: to approve the agreement with changes in the notice provision, the payment of the audit amount, and the automobile liability insurance, as made by the City Attorney.**

**M/S McKeithen/Conwell**

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

**18. PUBLIC COMMENTS**

**There were no public comments at this time.**

**19. ADJOURN**

**The meeting adjourned at 12:05 a.m.**

**Respectfully submitted,**

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**Sharon Barker, City Clerk**