



**Town of Atherton
CITY COUNCIL AGENDA
November 17, 1999
5:00 p.m. – 7:00 p.m.
TOWN COUNCIL CHAMBERS
94 ASHFIELD ROAD
Special Meeting**

1. **ROLL CALL** Carlson, Conwell, Dudley, Fisher, Chapman
2. **PUBLIC COMMENTS**
3. **CLOSED SESSION**
 - A. **PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE pursuant to Government Code Section 54957**
4. **RECONVENE TO OPEN SESSION**

Report of action taken in closed session.
5. **ADJOURN**

 *Please contact the City Clerk's office at (650) 752-0529 with any questions*

DISORDERLY CONDUCT

Any member or other person using loud or boisterous language at any meeting, or interrupting the proceedings, and who refuses to be seated or keep quiet who ordered to do so by the Mayor or the Vice Mayor will be asked to leave. It shall be the duty of the Chief of Police or his/her designee, upon order of the presiding officer, to eject any such member or person from the meeting room..

Town of Atherton City Council Agenda, Special Meeting, November 17, 1999, 5:00 p.m.

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**Town of Atherton
CITY COUNCIL AGENDA**

November 17, 1999

7:00 p.m.

TOWN COUNCIL CHAMBERS

**94 ASHFIELD ROAD
ATHERTON, CALIFORNIA**

REGULAR COUNCIL MEETING

1. **ROLL CALL** Carlson, Conwell, Dudley, Fisher, Chapman
2. **COUNCIL REORGANIZATION**

REGULAR AGENDA (Item 3)

3. **DISCUSSION – SOUTH BAYSIDE WASTE MANAGEMENT AUTHORITY RESOLUTIONS FOR PURCHASE AGREEMENT, OPERATION AGREEMENT, AND BFI FRANCHISE AGREEMENT – Robert Hilton, Consultant**

APPROVAL OF RESOLUTION NO. 99-_____, A RESOLUTION OF THE CITY COUNCIL OF THE TOWN OF ATHERTON APPROVING THE PURCHASE AGREEMENT FOR THE ACQUISITION OF THE REAL PROPERTY AND PERSONAL PROPERTY KNOWN AS THE SAN CARLOS TRANSFER STATION AND SAN MATEO RECYCLERY

Recommendation: Adopt Resolution No. 99-_____, a resolution of the City Council of the Town of Atherton approving the purchase agreement for the acquisition of the real property and personal property known as the San Carlos Transfer Station and San Mateo Recyclery.

APPROVAL OF RESOLUTION NO. 99-_____, A RESOLUTION OF THE CITY COUNCIL OF THE TOWN OF ATHERTON APPROVING THE OPERATION AGREEMENT FOR THE SOUTH BAYSIDE WASTE MANAGEMENT FACILITIES

Recommendation: Adopt Resolution No. 99-_____, a resolution of the City Council of the Town of Atherton approving the operation agreement for the South Bayside Waste Management Facilities.

REGULAR AGENDA Continued

APPROVAL OF RESOLUTION NO. 99-____, A RESOLUTION OF THE CITY COUNCIL OF THE TOWN OF ATHERTON APPROVING THE FRANCHISE AGREEMENT WITH BFI WASTE SYSTEMS OF NORTH AMERICA, INC. FOR SOLID WASTE, RECYCLABLE MATERIALS AND PLANT MATERIALS COLLECTION SERVICES

Recommendation: Adopt Resolution No. 99-____, a resolution of the City Council of the Town of Atherton approving the franchise agreement with BFI Waste Systems of North America, Inc. for solid waste, recyclable materials and plant materials collection services.

4. PRESENTATIONS/RECOGNITION

A. Proclamation: Clara Bransten Dinkelspiel's 90th Birthday

5. COUNCIL REPORTS

6. PUBLIC COMMENTS (only for items which are not on the agenda - limit of three minutes per person)

7. CITY MANAGER'S REPORT

8. POLICE CHIEF'S REPORT

9. COMMUNITY ORGANIZATION ROUNDTABLE REPORT (Directed by Resolution No. 99-6)

CONSENT CALENDAR (Items 10 through 16)

10. APPROVAL OF MINUTES OF SPECIAL MEETING OF 10/19/99, REGULAR MEETING OF 10/20/99, AND SPECIAL MEETING OF 11-06-99

Recommendation: Approve Minutes of Special Meeting of 10/19/99, Regular Meeting of 10/20/99, and Special Meeting of 11-06-99.

11. APPROVAL OF TREASURER'S REPORT FOR JULY THROUGH SEPTEMBER AND BILLS AND CLAIMS FOR October 15, 1999, THROUGH November 8, 1999

Recommendation: Approve Treasurer's Report for July through September and Bills and Claims for October 15, 1999, through November 8, 1999, in the amount of \$545,109.08.

CONSENT CALENDAR Continued

12. **ADOPTION OF ORDINANCE NO. _____, AMENDING TITLE 15 OF THE ATHERTON MUNICIPAL CODE, REPEALING ORDINANCE NO. 488 AND ALL OTHERS IN CONFLICT THEREWITH AND ADOPTING CURRENT BUILDING, PLUMBING, MECHANICAL, ADMINISTRATIVE, HOUSING, ELECTRICAL, AND ABATEMENT OF DANGEROUS BUILDING CODES.**

Recommendation: Adopt Ordinance No. _____, amending Title 15 of the Atherton Municipal Code, repealing Ordinance No. 488 and all others in conflict therewith and adopting current building, plumbing, mechanical, administrative, housing, electrical, and abatement of dangerous building codes and waive further reading.

13. **APPROVAL OF RESOLUTION NO. 99-_____, ESTABLISHING CITY COUNCIL APPROVED ADMINISTRATIVE FEES FOR STAFF COSTS FOR CARRYING OUT THE CONSTRUCTION AND DEMOLITION PROGRAM**

Recommendation: Adopt Resolution No. 99-_____, attached to the staff report, establishing City Council approved Administrative fees for staff costs for carrying out the Construction and Demolition Program.

14. **APPROVAL OF RESOLUTION NO. 99-_____, A RESOLUTION OF THE CITY COUNCIL OF THE TOWN OF ATHERTON DECLARING THE RESULTS OF THE NOVEMBER 2, 1999, GENERAL MUNICIPAL ELECTION**

Recommendation: Adopt Resolution No. 99-_____, a resolution of the City Council of the Town of Atherton declaring the results of the November 2, 1999, General Municipal election.

15. **APPEAL OF PLANNING COMMISSION DECISION FOR PARCEL MAP FOR 73 MONTE VISTA AVENUE**

Recommendation: Set a Public Hearing for Wednesday, December 15, 1999, 7:00 p.m. to hear an appeal of a Planning Commission decision for parcel map for 73 Monte Vista Ave.

CONSENT CALENDAR continued

16. THIRD AMENDMENT TO THE AMENDED JOINT POWERS AGREEMENT ESTABLISHING THE ALCOHOL VIOLATION TEMPORARY HOUSING AUTHORITY

Recommendation: 1) approve the Third Amendment to the Amended Joint Powers Agreement establishing the Alcohol Violation Temporary Housing Authority which increases the County of San Mateo's contribution for Fiscal Year 1998-99 and includes the cost of living language to eliminate the need for future amendments. 2) authorize the Mayor to sign amended Joint Powers Agreement.

PUBLIC HEARING (Item 17)

17. PUBLIC HEARING – ADOPTION OF ORDINANCE NO. _____, AN ORDINANCE OF THE CITY COUNCIL OF THE TOWN OF ATHERTON CALLING AN ELECTION TO SUBMIT TO THE VOTERS AN ORDINANCE, AUTHORIZING THE LEVY OF A SPECIAL TAX FOR MUNICIPAL SERVICES AND FOR THE EXPENDITURE OF FUNDS DERIVED FROM SUCH TAX

Recommendation: 1) Open public hearing; hear testimony; close public hearing; 2) Adopt Ordinance No. _____, an ordinance of the City Council of the Town of Atherton calling an election to submit to the voters an ordinance authorizing the levy of a special tax for municipal services and for the expenditure of funds derived from such tax, and waive further reading.

REGULAR AGENDA (Items 18 through 26)

18. APPROVAL OF RESOLUTION NO. 99-_____, A RESOLUTION OF THE CITY COUNCIL OF THE TOWN OF ATHERTON CALLING FOR AN ELECTION TO APPROVE THE SPECIAL MUNICIPAL TAX

Recommendation: 1) adopt resolution No. 99-_____, calling for an election to approve the Special Municipal Tax, 2) authorize the City Manager to execute an agreement with the County of San Mateo for election services.

REGULAR AGENDA continued

19. CONTINUATION OF STANDBY PROGRAM FOR AFTER HOURS PUBLIC WORKS MAINTENANCE

Recommendation: Pass a motion to continue the standby program for after works hours provided for in the Memorandum of Understanding with Town Maintenance Workers, that covers the period of July 1, 1998 through June 30, 2001.

20. APPROVAL OF RESOLUTION NO. 99-____. A RESOLUTION OF THE CITY COUNCIL OF THE TOWN OF ATHERTON FINDING THAT PUBLIC INTEREST AND NECESSITY DICTATES THAT THE NEED TO REPLACE THE PEDESTRIAN SIGNAL CONTROLLER ON MIDDLEFIELD ROAD AT ENCINAL SCHOOL CONSTITUTES AN EMERGENCY THAT WILL NOT PERMIT A DELAY RESULTING FROM A COMPETITIVE SOLICITATION OF BIDS FOR ITS REPLACEMENT, AND THAT THE EMERGENCY DEMANDS THE IMMEDIATE EXPENDITURE OF PUBLIC MONEY TO SAFEGUARD PUBLIC HEALTH AND SAFETY, SUPPLEMENTAL BUDGET APPROPRIATION FOR REPLACEMENT CONTROLLER AND ACCEPTANCE OF PROPOSAL FROM PEEK TRAFFIC TO FURNISH AND INSTALL NEW PEDESTRIAN SIGNAL CONTROLLER

Recommendation: 1) Adopt Resolution No. 99-____, finding that public interest and necessity dictates that the need to replace the pedestrian signal controller on Middlefield Road at Encinal School constitutes an emergency that will not permit a delay resulting from a competitive solicitation of bids for its replacement, and that the emergency demands the immediate expenditure of public money to safeguard public health and safety. (Requires at least four affirmative votes). 2) Approve a supplemental budget appropriation from unallocated reserves in the amount of \$7,000 for a new controller for the pedestrian signal on Middlefield Road at Encinal School and to authorize the placement of an order for the new controller and its installation with Peek Traffic.

21. APPROVAL OF RESOLUTION NO. 99____, A RESOLUTION OF THE CITY COUNCIL OF THE TOWN OF ATHERTON ADOPTING CERTAIN MEASURES TO IMPROVE MANAGEMENT OVERSIGHT

Recommendation: Adopt Resolution No. 99-____, a resolution of the City Council of the Town of Atherton adopting certain measures to improve management oversight.

REGULAR AGENDA Continued

- 22. **DISCUSSION AND POSSIBLE ACTION - COUNCIL APPROVAL FOR HIRING NEW EMPLOYEES TO FILL EXISTING VACANCIES**
- 23. **DISCUSSION AND POSSIBLE ACTION ON APPOINTMENT OF INTERIM CITY MANAGER**
- 24. **DISCUSSION AND POSSIBLE ACTION OF PRELIMINARY BUDGET REDUCTION PLANS - FISCAL YEAR 1999-2000 AND 2000-2001**
- 25. **DISCUSSION AND POSSIBLE ACTION - FINANCE COMMITTEE EXPANSION**
- 26. **DISCUSSION OF FINAL PAYMENT TO FORMER FINANCE DIRECTOR**

27. **ATHERTON CHANNEL DRAINAGE DISTRICT**

28. **AMICUS BRIEF: Zelig vs. County of Los Angeles, California Supreme Court**

29. **CLOSED SESSION**

A. **LIABILITY CLAIMS Pursuant to Government Code Section 54956.95:**

Claimant: Scott Munns

Agency claimed against: Town of Atherton

30. **RECONVENE TO OPEN SESSION**

Report of action taken in closed session.

31. **ADJOURN**

 *Please contact the City Clerk's office at (650) 752-0529 with any questions*

