



Minutes
Town of Atherton
CITY COUNCIL
ATHERTON CHANNEL DRAINAGE DISTRICT
March 20, 2013
7:00 p.m.
94 Ashfield Road
Atherton, California
REGULAR MEETING

Mayor Lewis called the meeting to order at 7:00 p.m.

PLEDGE OF ALLEGIANCE

ROLL CALL Lewis, Dobbie, Widmer, Wiest, Carlson

PRESENTATIONS

RED CROSS PROCLAMATION

Mayor Lewis presented a proclamation to the American Red Cross and noted the many ways in which the AMR has touched the lives of those in Atherton over the years.

EARTH DAY PROCLAMATION

Mayor Lewis presented a proclamation in support of Earth Day 2013 noting Atherton's support for green economy initiatives.

4. PUBLIC COMMENTS

Patrick Sweeney, Atherton Library's new branch manager, introduced himself to Council, staff and residents.

5. REPORT OUT OF CLOSED SESSION – None.

6. CITY MANAGER'S REPORT

a. Community Center Advisory Committee Report

City Manager Rodericks made comments on the Community Center Advisory Committee (CCAC) selection process and evaluation criteria for applicants. Council comments included that the City Manager continue to look into school protocols, tennis court funding, the methodology followed for library costs, both direct and indirect, and an update on the status of the Menlo-Atherton League project.

7. COMMUNITY ORGANIZATION ROUNDTABLE REPORT - None.

CONSENT CALENDAR (Items 8-21)

Council Member Wiest removed item 13.

Council Member Dobbie removed items 15 and 20.

Council Member Widmer had comments on items 9 and 19.

Mayor Lewis had a comment on item 17 and removed item 18.

8. APPROVAL OF FEBRUARY 12 SPECIAL MEETING AND FEBRUARY 20 REGULAR MEETING MINUTES

Recommendation: Approve meeting minutes

Approved with grammatical edits provided by Mayor Lewis.

9. APPROVAL OF BILLS AND CLAIMS FOR FEBRUARY, 2013 IN THE AMOUNT OF \$818,309

Recommendation: Approve Bills and Claims in the amount of \$818,309

Staff was directed to look into direct and indirect costs for the library.

10. FINANCIAL REPORT FOR FEBRUARY 28, 2013

Report: Finance Director Robert Barron III

Recommendation: Receive the General Fund Financial Report for February 28, 2013

11. RESOLUTION TO REJECT CLAIM OF TOM AND WENDE HUTTON

Report: City Clerk Theresa DellaSanta

Recommendation: Adopt Resolution 13-xx denying the claim in the amount of \$9,201.00 filed by Tom and Wendie Hutton for damages

12. RESOLUTION APPROVING EMPLOYER PAID MEMBER CONTRIBUTION

Report: City Manager George Rodericks

Recommendation: Approve Resolution No. 13-xx for Employer Paid Member Contributions (EPMC)

14. STORAGE AND OPERATION OF I-NET EQUIPMENT

Report: City Manager George Rodericks

Recommendation: Approve the agreement between the Town of Atherton and the Cable Joint Powers Agency for storage and operation of institutional network equipment

16. RESOLUTION AUTHORIZING THE CITY MANAGER TO SUBMIT A CALTRANS COMMUNITY-BASED TRANSPORTATION PLANNING GRANT AND TO ENTER INTO A CONTRACT WITH THE STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION UPON RECEIPT OF THE GRANT

Report: Community Services Director Mike Kashiwagi

Recommendation: Authorize the City Manager to submit a Caltrans Community-Based Transportation Planning Grant and to enter into a contract with the State of California Department of Transportation upon receipt of the Grant

17. 2012 ANNUAL REPORT TO THE CITY COUNCIL ON THE ATHERTON GENERAL PLAN IMPLEMENTATION

Report: Town Planner Lisa Costa Sanders

Recommendation: Accept the Annual Report and authorize its transmittal to the California Governor's Office of Planning and Research and the California Department of Housing and Community Development pursuant to Section 65400 of the California Government Code (CGC)

19. AWARD OF CONTRACT FOR THE 2013 SPRING PATCHING PROJECT

Report: Community Services Director Mike Kashiwagi

Recommendation: Award the contract for 2013 Spring Patching Project, project number 56055 to G. Bortolotto and Sons of San Carlos, the low bidder on the March 13, 2013 bids, for \$89,250.00; and to authorize the City Manager to execute the contract on behalf of the Town

Council Member Widmer questioned if there is value in sharing this contract with neighboring cities. Staff noted that the price per square foot Atherton receives is better than neighboring cities but they will look into it.

20. PATROL VEHICLE PURCHASE

Report: Police Chief Ed Flint

Recommendation: Authorize the Police Department to purchase two 2013 Ford Police Interceptor sedans as replacement patrol vehicles for a cost of \$78,625.50, which includes sales and tire tax, license, emergency equipment, and installation costs

Council Member Dobbie said he would like to see the amount of return the Town receives once the old vehicles are auctioned off. Dobbie felt it was important that the Town go after the best possible price.

Chief Flint said staff has no way of knowing what the return is until the vehicle is fully stripped. Flint added that staff always goes after the best price.

Council Member Widmer requested maintenance records for vehicles proposed for auction in the future.

21. BUDGET AMENDMENT MID-YEAR FISCAL YEAR 2013-13

Report: Finance Director Robert Barron III

Recommendation: Receive the General Fund Financial Report for February 28, 2013

MOTION by Widmer, second by Dobbie to approve the consent calendar consisting of items 8, 9, 10, 11, 12, 14, 16, 17, and 20. The motion passed unanimously.

PUBLIC HEARINGS - None

REGULAR AGENDA – (Items 22-24)

22. STRATEGIC PLANNING FOR PARCEL TAX RENEWAL

Report: City Manager George Rodericks

Recommendation: Consider the use of professional services for assistance with the upcoming parcel tax renewal and evaluation of other potential revenue sources

City Manager Rodericks presented options for the Council to consider as the Town moves forward with a considered parcel tax renewal.

Greg Conlon, Atherton resident, suggested that the Finance Committee have a chance to opine on the options and make recommendations to Council.

Council Member Dobbie noted that there are plenty of opportunities for alternative revenue streams if the Town were to adopt a charter city.

Council Member Widmer said he didn't have enough financial information to determine if the Town needs to continue the parcel tax at all. Widmer suggested agendaizing the parcel tax issue so there can be some serious discussion on whether it is needed, and if so, at what level and for how long.

Council Member Wiest felt that transparency is very important. Wiest didn't feel that polling followed that strategy however he felt that staff has an obligation to inform taxpayers of what it is we do and report it out to the residents. Wiest concluded that this shows that the Town has a desire to make their services better.

Council Member Carlson felt that Council needs more cost information and data before moving forward. Carlson said the Finance Committee is due a five-year financial forecast update, including new numbers associated with long term liabilities. Carlson concluded that Council needs to have a better picture of their financial environment before making any decisions.

Mayor Lewis felt it was important to look at all potential revenue enhancements. Lewis supported the idea that the Town needs to do a polling service for the parcel tax renewal.

Council directed staff to move forward with obtaining costs for polling services to assist the Town with an anticipated 2013 renewal of the parcel tax and set up a workshop later in the year for discussion of using a consultant to assist the Town with evaluation of other revenue alternatives.

23. APPROVAL OF CIVIC CENTER MASTER PLAN RFP

Report: Community Service Director Mike Kashiwagi

Recommendation: Approve the Request for Proposal (RFP) for preparation of a Civic Center Master Plan, and Authorize staff to advertise and distribute the Civic Center Master Plan RFP

Community Services Director Kashiwagi summarized his written report. Council discussed the merits and methodology of returning weddings to the Park.

Council Member Dobbie, as an ad-hoc member of the committee to review the RFP, went over the changes he suggested to the committee at a meeting earlier in the week.

Vice Mayor Carlson noted that the civic center should be low key and that the size of the library should be determined very early on in the process.

Council Member Widmer felt that it was important to learn from past mistakes and to make sure that the consultant understands there may be a need for additional meetings depending on the needs and desires of the residents.

Council discussed ways the consultant will work with the Community Center Advisory Committee. Rodericks noted that he intends to update the Council on a regular basis of the CCAC's work.

Mayor Lewis suggested that the consultant meet with staff and the CCAC as required. Vice Mayor Carlson suggested that staff provide a schedule from the consultant with incremental costs, particularly associated with attendance at additional meetings.

Planner Lisa Costa Sanders recommended that the consultant suggest ways to utilize technology and social media to spread the word and seek resident participation.

Council wordsmithed a few changes to the RFP to address concerns related to increasing awareness around CalTrain and its right-of-way; ensuring that the bidders are aware that the Town wishes to keep the same look and feel of its present civic center; the appropriateness of the listed square footage from prior studies and whether they remain indicative of future development; and the evaluation criteria that will be used for proposals.

Council requested that staff look at the references for proposers for all projects done over the last five years.

MOTION by Widmer, second by Dobbie to approve the RFP, as modified (above) for preparation of a civic center master plan, and authorize staff to advertise and distribute the civic center master plan RFP. The motion passed unanimously.

24. INFORMATIONAL STAFF REPORT - START-UP OF WEDDINGS AT HOLBROOK-PALMER PARK

Report: Community Service Director Mike Kashiwagi

Recommendation: Provide direction to staff regarding resumption of weddings at Holbrook-Palmer Park beginning July 1, 2013

Community Services Director Mike Kashiwagi summarized his staff report.

Council Member questioned how the contract was set up in the past. Widmer asked how many weddings are expected per month.

Kashiwagi said the numbers provided in the report are based on historical numbers and not assumptions. Rodericks added that both revenues and expenditures are annualized costs.

Council Member Dobbie said he pushed hard to stop weddings in the park in the past because a majority of the weddings are for non-Atherton residents. Dobbie felt that the weddings take up too much space particularly with parking and Atherton residents cannot enjoy their park.

Vice Mayor Carlson suggested only allowing one major event per day in the park. Additionally, he suggested being very aggressive on the pricing of wedding events.

Council Member Wiest felt that clients need to treat events in the park as a commodity and respect others in the park. Wiest suggested bringing back updates on an annual basis so Council can decide whether or not to adjust event requirements in the park.

Council Member Widmer said he is not against activities in the park. His issue is with access and size of certain events. Widmer suggested defining the size of events to allow for Atherton residents to always have room to visit their park.

Mayor Lewis said the park is open to the entire public, including citizens outside of the Town. Lewis added that the park is a self-sustaining amenity and it is the Town's responsibility to maintain the park for the residents and the general public.

Council directed staff to solidify potential vendor scenarios that would be used and develop a facility use policy to govern facility rentals at the park. Council agreed to direct staff to return weddings to the park provided that appropriate criteria can be developed associated with concerns related to neighborhood impacts, impacts to the park, parking, and number and size of weddings. Staff will return to a future meeting with the information.

13. DISPOSITION OF THE ARTS COMMITTEE

Report: City Manager George Rodericks

Recommendation: Consider the request of the Arts Committee on the disposition of the Arts Committee and, if supported, move the disbandment of the Arts Committee and direct staff to amend the appropriate Resolution for Council consideration

City Manager Rodericks summarized his staff report. Rodericks said the idea behind disbanding the Arts Committee as a formal Town Committee is to allow its membership to expand beyond the established committee size without encountering quorum issues; to allow the group to facilitate and participate in its own events without restricting such performance and activity via the Brown Act, Town purchasing policies, or Fair Political Practices Committee requirements; and to allow a more free-form group to continue to engage in distinctive local arts programming.

Council Member Dobbie noted that they are disbanding so they don't have to follow the Brown Act. He asked what makes the Arts Committee any different than any other committee.

City Attorney Connors noted that the Arts Committee is the only committee that sponsors events that they then enter. For example, they hold an Art exhibit where some of the committee members participate in showing and/or selling their art.

Rodericks noted that, going forward; if the Arts Committee is disbanded then the Council would receive an annual funding request from the Arts Foundation to use the Evans Trust fund.

There was discussion that as a Foundation the Council could choose to direct Evans Trust money to other groups outside of the Arts Foundation, such as the Dames or any other organization that promotes the arts. Rodericks noted that there is no difference now as the Council has the power to give the trust funds to anyone as long as it is associated with art.

Council Member Widmer asked if the Arts Committee members really understand all of the facts associated with disbanding.

Council felt that the Arts Committee may not be fully aware of the implications of their disbandment and directed staff to return to the Committee to discuss the issue again prior to the Resolution returning to Council.

15. APPROVAL OF CONTRACT WITH CMS SOLUTIONS TO IMPLEMENT THE INSTALLATION OF SHORETEL VOIP TELECOMMUNICATIONS SYSTEMS

Report: City Manager George Rodericks

Recommendation: Approve contract with CMS Solutions to implement the installation of Shoretel VoIP telecommunications systems

Council Member Widmer said he did some research on Shoretel. He had concerns with their financial condition and continued viability. Widmer added that he was concerned that the vendor is proposing a hardware solution rather than the trending cloud based applications. Widmer concluded with his concerns that the phones being offered will be refurbished phones since the proposed vendor is in the primary business of refurbished equipment.

Widmer noted that after his research he would be much more comfortable with Avaya's offerings. Widmer doesn't agree with the proposed vendor because of the business base of the OEM, the core business, the business base and the total staff of the prime contractor.

Council directed staff to discuss the issue further with Council Member Widmer, and if necessary, gather additional information to further inform the Council's decision. The item will be returned to the April City Council meeting.

18. RESOLUTION APPROVING ENVIRONMENTAL PROGRAMS COMMITTEE FUNDING REQUEST FOR EARTH DAY EVENT

Report: Town Planner Lisa Costa Sanders

Recommendation: Approve the proposed program for Earth Day at Holbrook-Palmer Park and Adopt resolution authorizing a budget amendment in the amount of \$1,000 in support of the event

Council Member Widmer reported that the EPC will be hosting an Earth Day event at the Park on April 22 at 4:00 p.m. Larry Costello, PH.D., a nationally and internationally recognized figure in the horticulture environment, will be a guest speaker.

Council Member Carlson noted that he would support a donation limited to only covering the cost of the tree.

Council Member Wiest said that in the spirit of welcoming back the EPC he supports the entire donation.

Motion by Carlson, second by Lewis to approve a donation that only covers the cost of the tree.
Motion failed 2-3 (Dobbie, Widmer, and Wiest opposed).

MOTION by Dobbie, second by Widmer to approve the proposed program for Earth Day at Holbrook-Palmer Park and adopt resolution authorizing a budget amendment in the amount of \$1,000 in support of the event. The motion passed 4-1 (Carlson opposed).

25. COUNCIL REPORTS/COMMENTS

26. FUTURE AGENDA ITEMS

Council Member Widmer noted that he would be looking for support for a future item to create an IT Steering Committee for the Town.

27. PUBLIC COMMENTS – None.

28. ADJOURN

MOTION by Widmer, second by Wiest to adjourn the meeting. The motion passed and Mayor Lewis adjourned the meeting at 10:23 p.m.

Respectfully submitted,

**Theresa DellaSanta
City Clerk**