



**MINUTES**  
**Town of Atherton**  
**CITY COUNCIL/ATHERTON**  
**CHANNEL DRAINAGE DISTRICT**  
**July 20, 2005**  
**7:00 p.m.**  
**TOWN COUNCIL CHAMBERS**  
94 Ashfield Road  
Atherton, California

**REGULAR MEETING**

Mayor Conwell called the meeting to order at 7:04 p.m.

1. **PLEDGE OF ALLEGIANCE**

2. **ROLL CALL**

**PRESENT:** James R. Janz  
Charles E. Marsala  
Alan B. Carlson  
William R. Conwell  
Kathy McKeithen

City Manager Jim Robinson and City Attorney Marc Hynes were also present.

3. **PRESENTATIONS**

None

4. **COUNCIL REPORTS**

- Council Member Janz attended a Caltrain Joint Powers Board (JPB) meeting on July 7, 2005, along with Rosemary Maulbetsch and City Manager Jim Robinson. A proposal from the Silicon Valley High-Speed Rail Coalition for the high-speed rail route from Southern California to go through the Peninsula was before the JPB. Due to the controversy between a Peninsula route or an Altamont route and the necessity for further study, the JPB decided to refer the item to its Citizens Advisory Committee. Council Member Janz noted that next week would be the last week of Monday through Friday train service at the Atherton Station; weekend service would continue. As a “thank you” to the Town’s loyal riders, the Town was sponsoring a coffee cart to serve coffee, lattes, etc., to the riders during the latter part of the week. City Manager Robinson distributed the adopted shuttle schedule from the Atherton Station to

the Redwood City Station, which was subject to change if needed. Council Member Janz announced the Executive Board meeting of ABAG and the League of California Cities Dinner were both taking place on Thursday, July 21. On Friday, July 22, the Council of Cities would meet to discuss Terrorism and Local Government. He thanked Police Chief Bob Brennan for the complimentary letters regarding the Police Department and for the “thank you” letters to Chief Brennan from school children.

- Vice Mayor Marsala attended the dedication of the new Los Altos Hills City Hall. The Tennis Subcommittee held a social to recruit new members which was attended by 40 people. The Buildings and Facilities Committee would be meeting in two weeks to discuss possible Pavilion projects. Vice Mayor Marsala attended a memorial service for Virginia Keller. He suggested reestablishing an appreciation banquet to say “thank you” to the Town’s volunteers who serve in various capacities. The Town was contacted by *The View*, a television program that was doing a segment on, “One of the Sexiest Suburbs in America.” Vice Mayor Marsala submitted footage of the Town; however, the City of La Jolla was selected from California.
- Council Member Carlson attended the July 12, 2005, Transportation Committee meeting. Menlo College requested a lighted crosswalk for Alejandra Avenue and the item would be referred to the Council. The Committee considered various requests for crosswalks and traffic lights. He attended the July 13 Finance Committee meeting. With the passage of Measure W, the theme for the Finance Committee was to search for a more permanent, long-term financing solution for the Town over the next five years.
- Council Member McKeithen also attended the Transportation Committee. The Committee approved a “School Zone” sign on Park Avenue near Elena Avenue; approved a “No Parking” corner sign for Atherton Avenue west of Odell Place; and after discussing the addition of a traffic light at El Camino Real and Selby Lane, suggested a school crossing guard would solve the problem for a minimal cost. The Menlo School alternative for blinking lights operated by remote control was considered to be too expensive, and the Committee suggested the homeowners’ association contact the County for possible funding. The Finance Committee recommended BFI franchise fees be increased from 5% to 10%, giving \$80,000 in additional revenue for the Town. The item was on the evening’s Consent Calendar. The Committee discussed a broad range of revenue enhancing measures. The goal was to wean the Town from the Parcel Tax over the next five years. Council Member McKeithen attended the Office of Emergency Services meeting. Genentec planned to acquire fuel in case of an emergency; the two sites in the northern part of the county were the San Francisco Airport and the Coast Guard Station and the Port of Redwood City was the location in the southern part of the county. A statewide exercise was scheduled for November in the City of Oakland for a viral terrorist event. There have been 830 cases of West Nile Virus statewide, resulting in 60 deaths. No human cases have occurred in San Mateo County. The two main efforts combating the threat were mosquito abatement and public information. Scott Moro, Health Department Director, was very concerned about the shortage of HazMat team members. San Mateo County was sponsoring a workshop for

**Crisis and Emergency Risk Communications on July 28 and August 11. Additionally, those Atherton residents who had not previously received fluoridated water would begin receiving it in September.**

- **Mayor Conwell said he received a communication from Michael Isaacs, General Manager of KCEA Radio, regarding a proposal for radio broadcasting Council meetings. At the San Francisco Airport Roundtable meeting, discussion focused on the altitude of planes approaching from the west over Portola Valley and Woodside. A committee was formed to determine ways to keep the elevation of aircraft at 8,000 feet.**

## **5. PUBLIC COMMENTS**

**Rosemary Maulbetsch, Caltrain Corridor Subcommittee, spoke regarding concerns with Caltrain service, both current and proposed, and its potential impacts/effects on the Town.**

**Mary Ritter, Selby Lane, Atherton, spoke regarding a project to locate overhead wires underground on Selby Lane from Stockbridge Avenue to Atherton Avenue. She submitted petitions to Council requesting that the Council authorize use of available P.G. & E. funds for the project.**

**Bob Jenkins, Atherton, spoke regarding disaster planning. Monies were available from Homeland Security to cities for justifiable projects, and he queried whether Atherton had applied for the funds.**

**City Manager Jim Robinson said the Operations Committee of the Office of Emergency Services (OES) was in the process of evaluating the countywide plan. The majority of funding went to the countywide OES because an event/disaster could occur anywhere within the county. Council Member McKeithen said more than \$1 million had been received from Homeland Security. Additionally, the OES regularly applied for other grants. City Manager Robinson also noted the Town had a disaster plan and some residents, along with the Police and Fire Departments, had been trained in the Citizen Emergency Response Team (CERT) program. The best defense for the Town was having its citizens prepared in the event of a disaster.**

**Greg Conlon, Atherton, spoke regarding high-speed trains. He requested additional signage on Fair Oaks to alert people approaching the tracks of the high-speed trains.**

**John Ruggiero, Atherton, asked for clarification regarding a Closed Session item.**

## **6. STAFF REPORTS**

- **City Manager Jim Robinson announced the summer edition of the *Athertonian* was completed and would be mailed to residents. Supplemental Staff Reports were placed on the dais regarding bids for two projects on the Consent Calendar, Item Nos. 14 and 16. He said a Buildings and Facilities Committee Meeting was scheduled for August 3 at 4:30 p.m.**

- In response to Council Member McKeithen, Police Chief Bob Brennan said the additional \$1,400 expense for Taser guns was for arming reserve officers and replacing a malfunctioning one for a total cost to the Town of \$11,400. All personnel were trained. Vice Mayor Marsala suggested that in addition to the new radar signs displaying the speed of a car, the speed limit needed to be displayed as well.
- Public Works Director Duncan Jones reported the Town was recommended for a recreational trail grant for the bridge over the Atherton Channel from Watkins Avenue into Holbrook-Palmer Park, including a trail extension to extend the walking path on Watkins Avenue across the Caltrain tracks. The Federal Highway Administration was the final approving authority, which was considered to be a routine matter. The amount of the grant was \$105,000, the amount of the project was \$131,000, and the Town would need to fund the remaining \$26,000. Public Works Director Jones met with Caltrain and the Transportation Authority regarding the consultant who was preparing a study of grade separations, additional tracks, and station reconfigurations for Burlingame/Broadway, Redwood City, Atherton, and Menlo Park train stations. The scope of the project would be presented to the Caltrain Corridor Subcommittee at its next meeting.
- City Attorney Marc Hynes reported out of Closed Session as follows:

**A. CONFERENCE WITH LABOR NEGOTIATOR – Labor negotiations pursuant to Government Code Section 54957.6**

**Agency Negotiators: James H. Robinson, City Manager; Craig Jory, Jory HR**

**Employee Organization: Atherton Police Officers Association (APOA)**

**Agency Negotiator: James H. Robinson, City Manager**

**Employee Organization: Teamsters Local Union 856**

**Non-management Miscellaneous Employees**

**Agency Negotiator: James H. Robinson, City Manager**

**Employee Organization: Management Employees**

**No reportable action taken.**

**B. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION - Initiation of litigation pursuant to Government Code Section 54956.9(c):**

**1 potential case**

**Item continued to the end of the Regular City Council agenda.**

**C. PUBLIC EMPLOYEE PERFORMANCE EVALUATION  
Pursuant to Government Code Section 54957.6 (f)**

- 1. City Attorney**
- 2. City Manager**

**Item continued to the end of the Regular City Council agenda.**

**7. COMMUNITY ORGANIZATION ROUNDTABLE REPORT**

**San Mateo County Mosquito Abatement District**

**Doris Kellett, Atherton's representative to the San Mateo County Mosquito Abatement District, introduced Mr. Robert Gay, District Manager.**

**Mr. Robert Gay, District Manager, San Mateo County Mosquito Abatement District, noted the District was celebrating its 101st Anniversary. The District covered the entire county after a successful annexation in 2003. He reported on West Nile Virus and the work being done to control mosquitoes in the county. Residents can help by eliminating mosquito-breeding sites around their homes. Additionally, the District had a task force to handle the arrival of "Africanized" honey bees and responded to calls regarding ground-nesting yellow jackets.**

**CONSENT CALENDAR (Items 8 - 21)**

**Item No. 14 included authorization to accept the low bidder, Interstate Grading & Paving, Inc., in the amount of \$776,560, for a total authorization of \$77,656, with contingency, as determined by the July 19, 2005, bids.**

**Item No. 16 included authorization to accept the low bidder, HSR General Engineering Contractors, Inc., in the amount of \$348,500, as determined by the July 19, 2005, bids.**

**In response to Council Member McKeithen, the following Consent Calendar items were clarified by staff:**

- Item No. 10, Monthly Finance Report: the amount of additional revenues would be above what was already collected and included sales tax, property transfer tax, and any additional secured/supplemental property taxes collected in July but recorded as of June 30, 2005.**
- Item No. 13, Contract for Information Technology Services: The recommended budget, approved by Council, included an appropriation for \$41,000 in anticipation of the requested increase.**
- Item No. 14, Street Reconstruction Project: Interstate Grading & Paving, Inc., the low bidder, had worked previously in the Town. Staff believed the company was competent in drainage work.**
- Item No. 16, The Upper Atherton Channel Repair Project: \$70,850 from Road Impact Fees was allocated for shoring up the creek wall at Walsh Road. The \$213,000**

estimate failed to include a contingency and frog monitoring costs; therefore, the estimate should have been \$275,000.

- **Item No. 17, H. T. Harvey & Associates:** Dan Stevens was the senior principal in the company, a specialist with endangered species, and only had a few hours assigned to the project.
- **Item No. 19, BKF Engineers for Construction Support Services:** The 10% contingency was based on 10% of the engineer's estimate, an empirical factor used in the industry for construction support services
- **Item No. 21, Agreement with Tim Wulff for Plan Checking Services:** Every effort was made to secure the best people for the best rate; the difficulty was getting a commitment on an as-needed basis.

**MOTION - to approve the Consent Calendar with changes as noted.**

**M/S McKeithen/Janz**

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

**8. APPROVED MINUTES OF REGULAR AND SPECIAL MEETINGS OF JUNE 15, 2005**

**9. APPROVED BILLS AND CLAIMS FOR JUNE 2005 IN THE AMOUNT OF \$603,210**

**10. ACCEPTED MONTHLY FINANCIAL REPORT FOR JUNE 2005**

**11. APPROVED FISCAL YEAR 2005-06 INVESTMENT POLICY**

**12. RESOLUTION NO. 05-43 TO APPROVE AN ADJUSTMENT TO BFI FRANCHISE FEES**

**Adopted Resolution No. 05-43 increasing BFI franchise fees for refuse collection and disposal services from 5% to 10% of the franchisee's gross receipts.**

**13. APPROVED AN AGREEMENT FOR INFORMATION TECHNOLOGY SERVICES BETWEEN THE TOWN OF ATHERTON AND THE CITY OF PALO ALTO FOR FISCAL YEARS 2005-06 AND 2006-07**

**Approved Agreement between the Town of Atherton and the City of Palo Alto for Information Technology Services for the period of July 1, 2005 through June 30, 2007, and authorize the Mayor to sign the agreement on behalf of the Town.**

**14. AWARD OF CONTRACT – STREET RECONSTRUCTION PROJECT, PHASE 2, PROJECT NO. 04-002**

**Awarded the contract for Street Reconstruction Project, Phase 2, Project No. 04-002 to the low bidder, Interstate Grading & Paving, Inc., for a total authorization of \$854,216, and authorized the Mayor to sign the contract on behalf of the Town.**

**15. AWARD OF CONTRACT – CAPE SEAL AND SLURRY SEAL PROJECT, PROJECT NO. 04-005**

**Awarded the contract for the Cape Seal and Slurry Seal Project, Project No. 04-005 to Graham Contractors, Inc., the low bidder on the June 28, 2005, bids, for \$255,527.35, and authorized the Mayor to sign the contract on behalf of the Town.**

**16. AWARD OF CONTRACT - THE UPPER ATHERTON CHANNEL REPAIR PROJECT, PHASE 1, PROJECT NO. 04-007**

**Awarded the contract for the Upper Atherton Channel Repair Project, Phase 1, Project No. 04-007, to the low bidder, HSR General Engineering Contractors, Inc., for \$348,500, and authorized the Mayor to sign the contract on behalf of the Town.**

**17. APPROVED A PROFESSIONAL SERVICES AGREEMENT WITH H. T. HARVEY & ASSOCIATES FOR BIOLOGICAL CONSTRUCTION MONITORING SERVICES FOR THE UPPER ATHERTON CHANNEL REPAIR PROJECT IN AN AMOUNT NOT TO EXCEED \$32,531, PLUS A 10% CONTINGENCY, FOR A TOTAL AUTHORIZATION OF \$35,784.**

**Approved the proposal and authorized the Mayor to sign a Professional Services Agreement with H. T. Harvey & Associates, Ecological Consultants, to provide biological construction monitoring services for the Upper Atherton Channel Repair Project.**

**18. APPROVED INCORPORATION OF THE LANDSCAPE MASTER PLAN AS AN ELEMENT OF THE STRATEGIC PARK AND RECREATION PLAN**

**Adopted a revised Strategic Park and Recreation Plan based on the Park and Recreation Commission recommendation of July 6, 2005, to incorporate the Landscape Master Plan as an element of the Strategic Park and Recreation Plan.**

**19. APPROVE A PROFESSIONAL SERVICES AGREEMENT WITH BKF ENGINEERS FOR CONSTRUCTION SUPPORT SERVICES FOR THE UPPER ATHERTON CHANNEL REPAIR PROJECT IN AN AMOUNT NOT TO EXCEED \$20,000.**

**Approved the proposal and authorized the Mayor to sign a Professional Services Agreement with BKF Engineers to provide construction support services for the Upper Atherton Channel Repair Project in an amount not exceed \$20,000.**

**20. APPROVED RENEWAL OF INDEPENDENT CONTRACTOR AGREEMENT BETWEEN THE TOWN OF ATHERTON AND T.C. BEIER, KCL ASSOCIATES, INC., FOR BUILDING INSPECTION SERVICES FOR FISCAL YEAR 2005-06**

Approved the renewal of Independent Contractor Agreement between the Town of Atherton and T.C. Beier, KCL Associates, Inc., for Building Inspection Services for Fiscal Year 2005-06.

**21. APPROVED RENEWAL OF INDEPENDENT CONTRACTOR AGREEMENT BETWEEN THE TOWN OF ATHERTON AND TIM WULFF FOR PLAN CHECKING SERVICES FOR FISCAL YEAR 2005-06**

Approved the renewal of Independent Contractor Agreement between the Town of Atherton and Tim Wulff for Plan Checking Services for Fiscal Year 2005-06.

**PUBLIC HEARINGS (Item 22)**

**22. CONSIDERATION OF AN ORDINANCE AMENDING SPECIAL EVENT REQUIREMENTS**

**Recommendation: Open public hearing, hear testimony, and close the public hearing. Introduce an ordinance repealing Chapter 8.52 and adding Chapter 17.38 of the Atherton Municipal Code which contains the Special Event requirements.**

**Deputy Town Planner Lisa Costa Sanders presented the staff report. The General Plan Committee spent over one year discussing the item and encouraged participation from the various school districts. The Planning Commission also reviewed the item. Proposed changes included: 1) Changing the definition of “special event” under the ordinance to exempt a one-day event on private property; 2) Continuing the regulation that all events held in the public right-of-way needed a permit; 3) Moving school regulations into the Zoning Ordinance of the Atherton Municipal Code which made regulating public schools possible. (School-related functions would continue to be exempt. Guidelines were developed to regulate non-school-related events; and if the event followed the guidelines, no permit was required. Public comment was received after the Planning Commission meeting related to “times” under the guidelines. A request was made to enforce a later start time on weekends for field use and a later ending time for indoor activities); 4) Exempting “Open House” tours as they related to real estate transactions; 5) Clarifying the amount of insurance; 6) Changing the public notice from 10 days before the event to 10 days before the permit issuance; 7) Minor cleanup included changing enforcement of the ordinance from the Building Official to the City Manager; the length of a special event was defined as no more than two weeks or two consecutive weekends; and an event longer than what was defined would need approval of a Conditional Use Permit through the Planning Commission.**

**City Attorney Marc Hynes clarified that the Association of Bay Area Governments (ABAG), the Town’s insurer, stated in writing that \$1 million was required but suggested \$2 million was better.**

**Council Member McKeithen thought the starting and ending times for school events should coincide with the Town’s Noise Ordinance regulations on weekends. The school**

**guidelines could be reworded to reflect that a “quiet” setup/cleanup hour before/after field activities would be allowed.**

**Vice Mayor Marsala suggested exempting block parties from needing a permit. Discussion included concern for liability in the public right-of-way and access for safety personnel.**

**In response to Council Member Janz, City Attorney Hynes stated public schools allowed themselves to be subject to local ordinances in two circumstances, building and zoning codes. By moving the regulations into the zoning code, the Town gained jurisdiction over the public schools. He believed the Town could enforce setback requirements; however, the public schools could, by formal action, exempt themselves from that requirement.**

**Mayor Conwell opened the Public Hearing.**

**Joe O’Brien, Menlo College, did not believe, with respect to starting and ending times, a field activity that did not necessarily exceed the 60 dBA should be compared with an activity that was assumed to be over 60 dBA, i.e., lawn mowers.**

**Council Member Carlson clarified that the Special Events Ordinance and Noise Ordinance were two separate things. The Special Events Ordinance was concerned with more than just sound.**

**David McAdoo, Director of Operations and Construction, Menlo School, confirmed that Section 17.38.040(C) of the proposed ordinance was the section pertaining to private schools.**

**Jeff Hiller, Atherton, asked whether the guidelines regarding public vs. private schools with regard to compliance with times were different.**

**Deputy Town Planner Costa Sanders clarified the time guidelines related to non-school-related events.**

**Mayor Conwell closed the Public Hearing.**

**Council Member Carlson was concerned that school-related noise issues were becoming the focal point of the discussion rather than crafting an ordinance to regulate a wide range of events.**

**Council Member Janz had participated at the General Plan Committee level and clarified the impetus for revising the Special Event Ordinance had been a tour of Atherton homes that created severe traffic problems for an extended period of time. The ordinance covered a broad spectrum of events, not only school events.**

**A discussion to exempt block parties from the ordinance centered on the need for insurance and the possible liability risk to the Town. An option for the Town to**

purchase insurance as a “rider” to the ABAG policy for events might lower the cost for residents.

After further discussion, the Council decided to add language to the ordinance that gave the City Manager discretion to exempt activities for non-commercial events on streets and cul-de-sacs and to increase the amount of insurance for other events from \$1,000,000 to \$2,000,000. Additionally, Council directed staff to pursue an insurance alternative with ABAG.

**MOTION – hold first reading of the ordinance – AN ORDINANCE OF THE CITY COUNCIL OF THE TOWN OF ATHERTON REPEALING CHAPTER 8.52 AND ADDING CHAPTER 17.38 OF THE ATHERTON MUNICIPAL CODE REGULATING SPECIAL EVENTS WITHIN THE TOWN OF ATHERTON; add language to Section 17.38.050(L) to read, “*The City Manager shall have discretion to exempt activities for non-commercial events on streets and cul-de-sacs*”; direct staff to pursue an insurance alternative with the Association of Bay Area Governments (ABAG); and increase the amount of insurance for other events from \$1,000,000 to \$2,000,000.**

M/S Carlson/ Marsala

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

**REGULAR AGENDA** (Items 23-25)

**23. DISCUSSION AND POSSIBLE DIRECTION TO STAFF RELATED TO MENLO COLLEGE FIELD USE ISSUES**

Council Member Carlson had requested the item be placed on the evening’s agenda. The noise issue had been festering for quite some time, and if the parties could not solve the problem, the City Council would need to enact a solution. He asked what had been done to resolve the issues.

Mayor Conwell was sympathetic to both sides of the issue. He was hopeful a solution could be found that would be acceptable to everyone.

David McAdoo, Menlo School, noted the school had tried to take neighbors’ concerns into consideration and mitigate those concerns.

Tony Lapolla, Dean of Students, Menlo School, said in the past seven years, only one sport had been added to the athletic program and play was regulated by the Peninsula Athletic League and the California Interscholastic Federation. The school offered one sports camp during the summer that was sponsored by Menlo School. With regard to American Legion Baseball, the Peninsula Athletic League made a major change in its rules that allowed all activities over the summer to fall under the jurisdiction of the schools.

Council Member Carlson believed use of the fields had increased over time due to a larger football program and summer sports camps.

**Mr. McAdoo stated the football field was left to rest over the summer in order for the lawn to regenerate for the next season. An artificial surface that would allow all-season play was planned within the next five years; however, the cost was \$1.2 million.**

**Jeff Hiller, 4 Brittney Meadows, said both sides had been working together for some time. The remaining issues were: 1) activities that ran late into the evenings; and 2) activities that occurred on the field against the mutual wall between the school and the neighbors. The primary nuisance was the football camps because of the yelling and types of whistles used. The batting cage issue had been resolved.**

**Joe O'Brien, Menlo College, said the college was the steward of the three fields in question. He noted the old batting cage had not been used since June 16. A new, lockable batting cage was being installed, new balls were purchased, and the cage was being lined with a sound-absorbing material.**

**Discussion continued regarding the noise emanating from football practices occurring against the mutual wall during the weekday evenings from 4 – 6:30 p.m. from August through November. Additionally, summer sports camps run by Menlo College had increased in the past few years and added to the noise issues.**

**Mike Greenberg, Atherton, played a tape of a La Crosse game that took place at 9:00 a.m. on a Sunday morning. The machine was located on his patio approximately 70' from the property line. The issue was not "some" noise; the issue was the increasing volume of noise that made use of the backyard undesirable.**

**Mr. O'Brien said the school and the college wanted their neighbors to enjoy their properties, felt their frustration, and were trying to mitigate the situation. During the summer, he moved the camps to another field for the evening session.**

**Council Member Carlson clarified through the City Attorney that the Council could impose a setback from the property line that regulated where activities took place; however, he did not believe either side wanted that to happen. He suggested both sides meet during the next two months for one last try at resolving/compromising the issue.**

**Mr. McAdoo said the school and college would meet with the neighbors to try to work out a compromise for the few remaining issues.**

**BY CONSENSUS -- The item was continued to the Regular City Council Meeting of September 21, 2005. In the interim, both parties were to meet, try to resolve the remaining issues, and provide a progress report to the Council before the meeting of September 21.**

**24. CONSIDERATION OF DESIGNATING A VOTING DELEGATE AND ALTERNATE FOR THE 2005 LEAGUE OF CALIFORNIA CITIES ANNUAL CONFERENCE**

**MOTION - to designate Mayor Conwell as a voting delegate and Vice Mayor Marsala as an alternate to the League of California Cities Annual Conference and the Annual Business Meeting to be held in San Francisco from October 6 through October 8, 2005.**

**M/S McKeithen/Carlson**

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

**25. CONSIDERATION OF CANCELLATION OF THE REGULAR CITY COUNCIL MEETING OF AUGUST 17, 2005**

**MOTION – to cancel the August 17, 2005, Regular City Council meeting.**

**M/S Carlson/McKeithen**

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

**26. PUBLIC COMMENTS**

**27. ADJOURNMENT**

**Mayor Conwell adjourned the meeting at 10:23 p.m. to the Continued Closed Session.**

**B. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION -  
Initiation of litigation pursuant to Government Code Section 54956.9(c):**

**1 potential case**

**C. PUBLIC EMPLOYEE PERFORMANCE EVALUATION  
Pursuant to Government Code Section 54957.6 (f)**

**1. City Attorney**

**2. City Manager**

**There was no reportable action taken on Item B. With regard to Item C, the evaluations of the City Attorney and City Manager were conducted.**

**The Special Meeting adjourned at 11:00 p.m.**

**Respectfully submitted,**

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**Linda Kelly, Acting City Clerk**

**Minutes Prepared By:**

**Kathi Hamilton**