



**Town of Atherton  
Office of the City Manager  
91 Ashfield Road  
Atherton, California 94027  
Phone: (650) 752-0500  
Fax: (650) 614-1212**

---

John Mattes, President  
Atherton Police Officers' Association  
2421 Broadway Street  
Redwood City, CA 94063

**SUBJECT: LETTER OF AGREEMENT | USE OF GILMORE HOUSE**

Dear John Mattes:

I am writing to formalize the discussions that have occurred between the Town of Atherton and the Atherton Police Officers' Association ("APOA") regarding use of the "Gilmore House," located in Holbrook-Palmer Park, Atherton, California. The agreed-upon terms of use are as follows:

Purpose:

The Gilmore House (hereinafter "House") is intended to be used as a place of rest for police officer and dispatch members of the APOA immediately prior to and/or immediately subsequent to execution of their employment-related duties. Use of the House is therefore limited to activities such as sleeping and eating. The House is not intended to be a long-term residence or place for recreation or socialization. The Town reserves the right to use the House for Town purposes and/or to allow other persons to use the facility in accordance with the provisions set forth herein. Such uses and access will be coordinated with the APOA.

As a condition of use of the House, it is understood that insofar as practical the officers/dispatchers using the facility will provide additional oversight of the Park during their stay.

Duration:

Use of the House may commence upon both parties signing below. Parties agree that use of the House is not a "meet and confer" benefit and that either party may terminate this agreement by giving thirty (30) days' notice in writing to the other party.

Maintenance, Housekeeping, Costs:

The APOA shall be responsible for interior housekeeping costs, utility costs, damage beyond normal wear and tear, and all safekeeping and loss of personal items and property. The Town will be responsible for making the House ready for use (rekeying, pre-cleaning, and appliance checks) and for all subsequent interior (beyond normal wear and tear) and exterior routine maintenance and repairs. The Town reserves the right to enter the House for maintenance and to ascertain that the House is being kept clean and is being used in accordance with this Agreement.

July 2, 2014

Page 2 of 3

and the House rules of use. The Town will make every effort to coordinate this entry with the President of the APOA or his/her designee. The APOA shall coordinate maintenance requests with the Town's Public Works Superintendent. The APOA shall not do any maintenance or make any alterations to the property without prior written approval of the Public Works Superintendent.

Because officers with K-9 partners may use the House, the Town will have a kennel installed in the backyard of the House and agrees to pay for this improvement.

Furnishings:

The APOA will be responsible for providing all furnishings. However, the Town may purchase small items that contribute to the House's overall use at the Town's discretion. The Town will coordinate these purchases with the APOA to avoid any duplication.

Notwithstanding this requirement, if and/or when the Town permits additional non-police officer use of the facility, the cost of bedding and any other required expenses shall be borne by the Town. Access in these instances will be coordinated pursuant to the procedure for use outlined below.

Procedure for Use:

Members or other users intending to use the House first shall be given and agree to abide by a set of House rules, attached hereto. Once they have signed a copy of the rules, members will be able to "check-out" keys to the House via the Police Department. The point of contact for issuance of keys may be the Police Department Dispatch Center or other location as designated. Keys shall be returned upon cessation of that particular stay or use. However, for extended police officer use, keys may be kept for longer durations based on shifts. Keys should not be kept for intermittent future uses.

Prohibitions:

Consistent with the purpose of the House and reiterated in the House rules, members may not use the House as a long-term residence or for any non-business related purpose, including, but not limited to, receiving mail, registering to vote, or registering for school. Members may not have overnight guests or pets at the House. Users may use personal cell phones and computers in accordance with the House rules.

By signing below, both parties agree to the terms as set forth above with the understanding that further discussions and modification of terms are likely to occur going forward. Any such modification shall be in writing and signed by both parties.

\_\_\_\_\_  
George Rodericks, City Manager

07-16-2014  
Date

\_\_\_\_\_  
John Mattes, APOA President

07-16-2014  
Date

## **GILMORE HOUSE RULES**

The Town of Atherton and the Atherton Police Officers' Association acknowledge that the following rules and regulations are in full force and effect for the Gilmore House, that the rules are to promote the safety, peace and welfare of persons using the House and preserve the Town's property from abusive use, while acknowledging the Town has no obligation to provide use of the House and Police Officers using the facility have no right to do so and such use is made at the sole discretion of the Town. All users are subject to the following rules:

1. There is absolutely NO smoking in the housing area.
2. Users may not use the house for ANY non-business related purpose. Users may not use the House as a long-term residence for ANY purpose. Use of personal cell phones and computers is allowed as long as computers are not used to access pornographic or otherwise inappropriate sites.
3. Users may not have overnight guests.
4. There shall be no pets in the housing area. (Police dogs are not "pets" for the purposes of this rule, and police dogs are expressly permitted to use the kennel in conjunction with K-9 officer stays in the House.)
5. Anyone intending to use the House must first obtain a key from the Atherton Police Department/Dispatch Center and return the key upon completion of use.
6. Users authorized to carry firearms may not leave unattended firearms on the property.
7. Users may not make any alterations to the property.
8. Persons using the House must act at all times in such a manner as to be considered good neighbors. Users need to be aware of how they will be perceived by residents using the park in which the Gilmore House is located.
9. The City Manager and Police Chief have a right to amend these rules as they deem appropriate in the future by making written amendments and providing a copy to the APOA.

I acknowledge that I have read these House Rules and agree to abide by them.

---

Name of User

---

Date