



**Minutes**  
**Town of Atherton**  
**CITY COUNCIL**  
**June 17, 2015**

**6:00 P.M. – SPECIAL MEETING - CLOSED SESSION**  
**Conference Room; Town Administrative Offices**  
91 Ashfield Road, Atherton, California  
**7:00 P.M. - REGULAR MEETING**  
**Council Chambers**  
94 Ashfield Road,  
Atherton, California

Mayor DeGolia opened the meeting at 7:04 p.m.

A moment of silence was observed for the passing of Phil Lively.

**6:00 PM      CLOSED SESSION IN CONFERENCE ROOM**

**ROLL CALL            Wiest, DeGolia, Widmer, Lewis, Lempres**

**PUBLIC COMMENTS**

Public Announcement of Closed Session Items

**CLOSED SESSION** – No reportable action out of closed session.

**A. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED  
LITIGATION (Significant exposure to litigation pursuant to subsection (b) of  
Government Code Section 54956.9):**

*One (1) Case*

**B. CONFERENCE WITH LEGAL COUNSEL--EXISTING LITIGATION (Subdivision (a)  
of Section 54956.9)**

*One (1) Case*

**C. PUBLIC EMPLOYEE PERFORMANCE EVALUATION - Pursuant to Government  
Code Section 54957(b)**

*City Manager*

**7:00 PM      REGULAR SESSION**

**1.      PLEDGE OF ALLEGIANCE**

2. **ROLL CALL** Widmer, Lewis, DeGolia, Wiest, Lempres

3. **PRESENTATIONS** – None.

4. **PUBLIC COMMENTS** – None.

5. **REPORT OUT OF CLOSED SESSION** –

Report out by City Attorney – No reportable action.

6. **CITY MANAGER’S REPORT**

Nothing further to add to written report.

7. **COMMUNITY ORGANIZATION ROUNDTABLE REPORT**

**CONSENT CALENDAR** (Items 8-14)

**MOTION by Lewis, second by Wiest to approved the consent calendar consisting of Items 8 through 14. The motion passed unanimously.**

8. **APPROVAL OF MAY 20, 2015 REGULAR MEETING AND JUNE 3, 2015 SPECIAL MEETING MINUTES**

**Report:** Assistant to the City Manager/City Clerk Theresa DellaSanta

**Recommendation:** Approve meeting minutes

9. **APPROVAL OF BILLS AND CLAIMS FOR MAY, 2015 IN THE AMOUNT OF \$1,246,257**

**Report:** Finance Director Robert Barron III

**Recommendation:** Approve Bills and Claims in the amount of \$1,246,257

10. **STATE BOARD OF EQUALIZATION RESOLUTION- SALES AND USE TAX DATA**

**Report:** Finance Director Robert Barron III

**Recommendation:** Adopt a Resolution adding staff, city officials and contractors to have access to sales and use tax records pursuant to Government Code 7056

11. **EXTENSION OF THE 2012 TREE MAINTENANCE SERVICE CONTRACT #56053 FOR 1 YEAR**

**Report:** Community Services Director Mike Kashiwagi

**Recommendation:** Authorize a one (1) year extension to the West Coast Arborists Contract for tree trimming and maintenance services; and authorize the City Manager to execute the extension on behalf of the Town

12. **AWARD OF CONTRACT JANITORIAL MAINTENANCE SERVICES**

**Report:** Community Services Director Mike Kashiwagi

**Recommendation:** Award the contract for Town Janitorial Maintenance Services to Central Maintenance Company, the low bidder, in the amount of \$2815.00 monthly, for a total

annual authorization of \$33,780.00; direct the City Attorney to prepare the appropriate contract; and authorize the City Manager to execute the contract on behalf of the Town

**13. AWARD OF CIVIC CENTER PROJECT PHASE 3 SCHEMATIC DESIGN PROFESSIONAL SERVICES AGREEMENT**

**Report:** Community Services Director Mike Kashiwagi

**Recommendation:** 1) Request and Accept contributions from Atherton Now in the amount of \$200,838 for the unfunded costs of Phase 3 (Schematic Design) for the Civic Center project. This is the share of the cost not covered by available Library and Building Department funding;

2) Amend the contract to add Phase 3 (Schematic Design) with WRNS Studio LLP for design services for the Civic Center; and

3) Direct the City Attorney to prepare and authorize the City Manager to execute an amendment to the agreement for Phase 3, in an amount not to exceed \$304,300, upon receipt of the funding noted above from Atherton Now

**14. APPROVE RESOLUTION 15-XX ESTABLISHING SALARIES AND BENEFITS FOR UNREPRESENTED EMPLOYEES**

**Report:** City Manager George Rodericks

**Recommendation:** Approve Resolution 15-xx establishing salaries and benefits for unrepresented employees

**PUBLIC HEARING – (Items 15-16)**

**15. APPEAL OF PLANNING COMMISSION ACTION - 30 ALEJANDRA AVENUE (APN 070-250-190) MENLO SCHOOL AND MENLO COLLEGE, CONDITIONAL USE PERMIT NO. CUP15-00001 AMENDMENT AUTHORIZING LIMITED SUNDAY USE OF CARTAN FIELD**

**Report:** Town Planner Lisa Costa Sanders

**Recommendation:** It is recommended that the City Council conduct the public hearing, thereby hearing from the neighbors and others concerned with the proposal. If at the conclusion of the public hearing the City Council can make the findings listed below, it is recommended that the Council approve the proposal with the conditions listed in the attached draft certificate of approval. It is further recommended that the City Council direct the City Attorney to enforce condition 12 of the Use Permit that prohibits the use of public address systems

Item was withdrawn by applicant. Removed from agenda.

**16. CONSIDER AN ORDINANCE AMENDING ATHERTON MUNICIPAL CODE CHAPTER 17.56; SPECIAL EVENTS**

**Report:** Town Planner Lisa Costa Sanders

**Recommendation:** Conduct the public hearing and introduce the attached ordinance amending Atherton Municipal Code Chapter 17.56 regulating special events in Atherton

Staff presented the report and answered questions regarding the proposed ordinance. The ordinance was modified based on the comments from the prior City Council meeting.

The suggested revisions were discussed by the Council as well as discussion surrounding the prohibition on the maximum of two (2) Special Events per year per residence. It was clarified that the two Special Events were solely for events that triggered the Special Event Permit requirement, not for events that did not.

**MOTION by Widmer, second by DeGolia to introduce the ordinance for 1st Reading and set 2nd Reading and Adoption for the July Regular meeting. The motion passed unanimously.**

**REGULAR AGENDA – (Items 17-22)**

**17. COMMITTEE AND COMMISSION APPOINTMENTS & POSSIBLE INTERVIEWS**

**Report:** City Clerk Theresa DellaSanta

**Recommendation:** Consider Appointments to the Audit/Finance Committee, Bicycle/Pedestrian Advisory Committee, Environmental Programs Committee, Park & Recreation Committee, and Planning Commission.

Following public comment, discussion, and voting, Council made the following motions.

**MOTION by Lempres, second by Lewis to make the following automatic appointments:**

1. Gary Dillabough and Kenneth Hausman to the Audit/Finance Committee
2. John Langbein, John Lillie, Marylue Timpson, Michael Greenberg, and Peter Buhl to the Bicycle and Pedestrian Committee
3. Perry Narancic, John Davey, and Denise Kupperman to the Park & Recreation Committee

After successive rounds of voting the following appointments were made by Council:

1. Valerie Gardner, Jasenka Rakas, and Janet Larson to the Environmental Programs Committee
2. Randy Lamb and JoAnn Byrne Sockolov to the Planning Commission

**18. ADOPTION OF A RESOLUTION ASSESSING A SPECIAL PARCEL TAX FOR MUNICIPAL SERVICES FOR FISCAL YEAR 2015/16**

**Report:** Finance Director Robert Barron III

**Recommendation:** Adopt a resolution assessing a special parcel tax for municipal services for the FY 2015/16

Following the staff report, the Council took public comment.

Residents commented on the possibility of rebating a portion of the Parcel Tax in the next fiscal year and the need to continue funding capital infrastructure.

Following public comment the Council discussed the merits of assessing the tax in full or in part for the next fiscal year.

Council Member Widmer was not in support of assessing the whole tax. He suggested a haitus on the tax or for allowing a rebate.

Council Member Wiest felt that the tax should be fully assessed in order to pay for major capital improvement projects that the Town is already in the negative for.

Council Member Lempres agreed. He noted that the Town has tremendous needs for capital improvement projects because of the lack of consistent spending on infrastructure.

Mayor DeGolia concurred. He also supported rebating the tax only if it is not needed.

**MOTION by Lewis, second by Wiest to adopt a resolution assessing a special parcel tax for municipal services for the FY 2015/16. The motion passed 4-1 (Widmer opposed because he was not in support of assessing the full amount).**

**19. RECOMMENDED OPERATING BUDGET FY 2015/16**

**Report:** Finance Director Robert Barron III

**Recommendation:** Adopt the Recommended Operating Budget for FY 2015/16

Staff presented the report and answered questions regarding the various Town membership dues for FY 2015/16.

Following the opportunity for public comment, the Council discussed the merits and timing of establishing the Capital Facilities Reserve Fund.

**MOTION by Widmer, second by Lempres to adopt the FY 2015/16 Annual Operating Budget with an increase in the potential for Town membership dues to \$17,500 and direction to staff to bring Sustainable San Mateo, Sustainable Silicon Valley, and San Mateo Jobs for Youth back for a Council presentation and dues request. The motion passed unanimously.**

**20. ADOPTION OF THE APPROPRIATIONS LIMITS FOR FY 2015-16**

**Report:** Finance Director Robert Barron III

**Recommendation:** Adopt the attached resolution setting the Appropriation Limit for FY 2015-16 at \$11,750,466

**MOTION by Lewis, second by Wiest to adopt the resolution setting the Appropriation Limit for FY 2015-16 at \$11,750,466. The motion passed unanimously.**

**21. 3-YEAR CONTRACT EXTENSION WITH MCE CORPORATION TO PROVIDE PUBLIC WORKS MAINTENANCE AND MAINTENANCE MANAGEMENT SERVICES**

**Report:** Community Services Director Mike Kashiwagi

**Recommendation:** Authorize a 3-year contract extension with MCE Corporation for a not-to-exceed amount of \$527,052 for the continuation of Public Works Maintenance and Maintenance Management Services; direct the City Attorney to prepare the extension; and authorize the City Manager to execute the extension on behalf of the Town

Staff presented the staff report and answered any questions of the Council.

Community Services Director Mike Kashiwagi clarified that staff is suggesting approval of a 3-year contract and that the \$527,052 cost is for the first year of the contract. He added that the 2<sup>nd</sup> and 3<sup>rd</sup> years should stay the same but there could be exceptions based upon prevailing wages.

Council Member Widmer suggested an annual price review and having MCE participate in it by preparing the review.

Questions and comments revolved around quality of services, annual benchmarking for contract costs, annual review via the budget process, park supervision and oversight, and additional tasks.

It was noted that following this three year extension, the Town will continue with a formal Request for Bid process.

Vice Mayor Lewis noted that MCE has been doing a great job and she that she was pleased with the price reduction.

**MOTION by Lewis, second by Lempres to authorize a 3-year contract extension with MCE Corporation for a not-to-exceed amount of \$527,052 for the continuation of Public Works Maintenance and Maintenance Management Services; direct the City Attorney to prepare the extension; and authorize the City Manager to execute the extension on behalf of the Town. The motion passed unanimously.**

**22. INTRODUCE AND FIRST READING OF AN ORDINANCE ADDING CHAPTER 15.60 TO THE ATHERTON MUNICIPAL CODE RELATING TO EXPEDITED PERMITTING PROCEDURE FOR SMALL RESIDENTIAL ROOFTOP SOLAR SYSTEMS**

**Report:** Community Services Director Mike Kashiwagi

**Recommendation:**

- 1) Introduce by title and waive future reading of an Ordinance of the City Council of the Town of Atherton adding Chapter 15.60 to the Atherton Municipal Code relating to the expedited permitting of solar systems.
- 2) Conduct a Public Hearing taking public comment and schedule adoption of the Ordinance for the July 15, 2015 Regular Meeting

Staff presented the staff report and answered any questions of Council.

Following public comment and discussion, the Council introduced the ordinance for first reading with a second reading scheduled for July's Regular meeting.

The Council asked staff to return at a future meeting with a staff report addressing the possibility of reducing the permit fee for solar systems and implementing mandatory solar inclusion in new development projects for Council discussion.

**MOTION by Lewis, second by Lempres to introduce and waive future reading of an Ordinance of the City Council of the Town of Atherton adding Chapter 15.60 to the Atherton Municipal Code relating to the expedited permitting of solar systems. The motion passed unanimously.**

23. **COUNCIL REPORTS/COMMENTS** – Nothing further to add to written reports.
24. **FUTURE AGENDA ITEMS** – None.
25. **PUBLIC COMMENTS** - None
26. **ADJOURN**

MOTION by Lempres, second by Widmer to adjourn the meeting.

Mayor DeGolia adjourned the meeting at 9:06 p.m.

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Respectfully submitted,  
Theresa DellaSanta  
City Clerk