



## Item No. 11 Town of Atherton

### **CITY COUNCIL STAFF REPORT - CONSENT AGENDA**

**TO: HONORABLE MAYOR AND CITY COUNCIL  
GEORGE RODERICKS, CITY MANAGER**

**FROM: ANTHONY SUBER, CITY CLERK / DEPUTY CITY MANAGER**

**DATE: OCTOBER 21, 2020**

**SUBJECT: APPROVAL OF CITY COUNCIL MEETING MINUTES**

#### **RECOMMENDATION**

Approve City Council Meeting Minutes as listed below.

#### **BACKGROUND**

The meeting minutes presented for approval are a collection of City Council meetings from 2019 that were not presented for review or approval. Staff provided the Council the advance opportunity to review these meeting minutes along with the corresponding meeting videos in late July and provide feedback and corrections. There were no comments or corrections received. If approved along this evening, all minutes for 2019 and 2020 will be current. The Council reserves the option to suggest edits or revisions to these minutes prior to approval.

The minutes presented to Council for approval are as follows:

- July 17, 2019 - Study Session and Regular Meeting
- September 4, 2019 - Study Session
- September 18, 2019 - Regular Meeting
- September 24, 2019 - Special Meeting w/Menlo Park
- October 1, 2019 - Special Meeting - Tour of Bear Gulch
- October 2, 2019 - Study Session
- October 16, 2019 - Regular Meeting
- November 6, 2019 - Study Session
- November 13, 2019 - Special Meeting on General Plan
- December 4, 2019 - Study Session
- December 9, 2020 – Special Meeting – Closed Session

**POLICY ISSUES**

There are no significant policy issues related to this item.

**FISCAL IMPACT**

None.

**PUBLIC NOTICE**

Public notification was achieved by posting the agenda, with this agenda item being listed, at least 72 hours prior to the meeting in print and electronically. Information about the item is also disseminated via the Town's electronic News Flash and Atherton Online. There are approximately 1,200 subscribers to the Town's electronic News Flash publications. Subscribers include residents as well as stakeholders – to include, but be not limited to, media outlets, school districts, Menlo Park Fire District, service provides (water, power, and sewer), and regional elected officials.

**COMMISSION/COMMITTEE FEEDBACK/REFERRAL**

This item \_\_\_ has or X has not been before a Town Committee or Commission.

- \_\_\_ Audit/Finance Committee (meets every other month)
- \_\_\_ Bicycle/Pedestrian Committee (meets as needed)
- \_\_\_ Civic Center Advisory Committee (meets as needed)
- \_\_\_ Environmental Programs Committee (meets every other month)
- \_\_\_ Park and Recreation Committee (meets each month)
- \_\_\_ Planning Commission (meets each month)
- \_\_\_ Rail Committee (meets every other month)
- \_\_\_ Transportation Committee (meets every other month)

**ATTACHMENT**

Attachment 1 – 2019 Unapproved City Council Meeting Minutes

**MINUTES**  
**Town of Atherton**  
**CITY COUNCIL**  
**July 17, 2019**  
**CLOSED SESSION**  
**STUDY SESSION**  
**REGULAR MEETING**



Mayor Widmer called the Closed Session to order at 5:00 p.m.

**5:00 PM CLOSED SESSION** – *Administration Trailer Conference Room*

**ROLL CALL** – Wiest, Lempres, Lewis, Vice Mayor DeGolia (Absent), Mayor Widmer

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

*City Attorney*

**ADJOURNED FROM CLOSED SESSION AND CONVENE IN OPEN STUDY SESSION**

Mayor Widmer called the Study Session to order at 5:50 p.m.

**5:30 PM STUDY SESSION** – *Convene as the City Council, Pavilion*

1. **ROLL CALL** – Wiest, Lempres, Lewis, Vice Mayor DeGolia (Absent), Mayor Widmer Wiest
2. **PUBLIC COMMENTS** – *None*
3. **REVIEW, DISCUSS, AND PROVIDE STAFF DIRECTION ON SENDING THE LETTER OF INTENT TO PENINSULA CLEAN ENERGY TO RECEIVE EXTENSIVE TECHNICAL ASSISTANCE AND A \$10,000 GRANT TO DEVELOP AND POTENTIALLY ADOPT NEW REACH CODE**

Building Official Greenlee presented the item to Council providing a review of Reach Codes and the goals of those codes.

Council discussed the merits of submitting the letter of intent to receive the grant. Council noted reservations including concerns of mandating rules to residents.

**Council requested staff provide more information demonstrating an alignment with Town policies and directed staff not submit the Letter of Intent to Peninsula Clean Energy.**

**4. RECEIVE, DISCUSS AND PROVIDE FEEDBACK ON THE TOWN WIDE LOCAL TRAFFIC FLOW/LONG RANGE PLANNING SOLUTIONS STUDY; AND AUTHORIZE A CONTRACT AMENDMENT WITH TJKM FOR ADDITIONAL RELATED SERVICES**

Project Engineer Hanneman presented the item to Council referencing the TJKM report and requested Council direction.

Council held a discussion noting a need to determine traffic mitigation measures to decrease cut-through traffic and traffic impacts caused by neighboring construction projects.

City Manager Rodericks informed Council that staff has been evaluating mitigation measures and funding sources which include neighboring jurisdiction partnerships.

Council continued to discuss classifications of streets, traffic mitigation measures and strategies. Council collectively noted that the goal is to deter traffic and/or to implement traffic control methods adding that the focus is on the safety of residents.

**MOTION by Wiest, Second by Lewis to authorize the City Manager to amend the contract with TJKM in the amount of \$3,500. The motion passed unanimously.**

*Mayor Widmer called for a three-minute break*

**ADJOURN FROM STUDY SESSION AND CONVENE IN OPEN REGULAR SESSION**

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

**7:00 REGULAR SESSION** – *Convene as the City Council*

- 1. PLEDGE OF ALLEGIANCE**
- 2. ROLL CALL** – Wiest, Lempres, Lewis, Vice Mayor DeGolia (arrived at 7:42), Mayor Widmer
- 3. PRESENTATIONS**

- **Oath of Office – Officer Joseph Green** - Administered by Commander Wade

Commander Wade swore-in Officer Joseph Green to the Atherton Police Department

- 4. PUBLIC COMMENTS** - *None*

5. **REPORT OUT OF CLOSED SESSION** - Report out by City Attorney

City Attorney indicated no reportable action.

6. **CITY MANAGER'S WRITTEN REPORT AND VARIOUS DEPARTMENT ORAL REPORTS**

City Manager Rodericks presented the item and responded to inquires from Council including details about signage for Town Hall and Minutes for Town Committees and Commissions.

7. **COMMUNITY ORGANIZATION ROUNDTABLE REPORT** - None

**CONSENT CALENDAR (Items 8-15)**

8. **APPROVAL OF MINUTES**

**Recommendation:** Approve minutes for June 5, 2019

9. **APPROVAL OF BILLS AND CLAIMS FOR JUNE, 2019 IN THE AMOUNT OF \$1,555,031**

10. **ACCEPTANCE OF THE TREASURER'S REPORT FOR THE THIRD QUARTER ENDING MARCH 31, 2019**

11. **APPROVE A 2-YEAR CONTRACT FOR STREET SWEEPING WITH CONTRACT STREET SWEEPING SERVICES WITH AN OPTION FOR TWO ADDITIONAL YEARS; AND AUTHORIZE AN AMENDMENT TO THE PUBLIC WORKS STREET SWEEPING BUDGET FOR FY 2019/20**

**Pulled by Mayor Widmer** for comment.

12. **APPROVAL FOR THE PURCHASE OF AXON BODY CAMERAS AND AUTHORIZE THE CITY MANAGER TO SIGN**

**Pulled by Councilmember Lempres** to obtain additional information related to policies.

13. **APPROVE A 2-YEAR CONTRACT EXTENSION WITH TONY'S CLEAN TEAM, LLC TO PROVIDE JANITORIAL SERVICES WITH OPTIONS TO EXTEND FOR TWO ADDITIONAL YEARS; AUTHORIZE CITY MANAGER TO SIGN**

14. **ACCEPTANCE OF WORK, AUTHORIZATION TO RECORD NOTICE OF COMPLETION FOR THE 2019 STREET MAINTENANCE PROJECT, PROJECT NUMBER 56088**

15. **AUTHORIZE THE PURCHASE OF 3 MARKED POLICE MOTORCYCLES; AND DECLARE AS SURPLUS 4 MARKED POLICE MOTORCYCLES AND AUTHORIZE THEIR AUCTION; AUTHORIZE CITY MANAGER TO SIGN**

**Pulled by Councilmember Lewis** to obtain details related to motorcycle trained officers.

**MOTION by Wiest, Second by Lempres to approve the Consent Calendar. The motion passed unanimously.**

**PUBLIC HEARING – (Item 16)**

**16. SPECIAL EVENT PERMIT TO ALLOW TEMPORARY LIGHTS FOR MENLO SCHOOL’S HOMECOMING FOOTBALL GAME AT CARTAN ATHLETIC FIELD, 30 ALEJANDRA AVENUE**

Mayor Widmer recused himself from Item 16 due to his employment at Menlo College.

Town Planner Costa-Sanders presented the item providing background and historical information.

City Attorney Connors clarified what direction was needed from Council for Menlo School to proceed with the Special Event.

Than Healy, Head of Menlo School, shared the benefits of the event for students and parents and informed Council that the school has distributed the proper noticing and intends to offer incentives to neighbors for the night of the event.

Council discussed concerns of the residents including noise levels and after event activities.

Steve Miller, Atherton resident, commented that he supports the approval of the Special Event Permit.

Stuart Rosenberg, Atherton resident, expressed his concerns about the event and impacts in the future.

Vice Mayor DeGolia arrived 7: 42 p.m.

Paul Getty commented that similar events in the past has had unwelcomed impacts on residents and neighbors.

Connors informed Council that DeGolia would need be present for the full discussion on the item or the full discussion would need to restart for him to vote on the item. DeGolia indicated he would abstain from the vote.

Connors noted for the record that all public comments received were distributed to Council.

Loren Arms, Menlo School representative and Special Event permit applicant, informed Council that sunset begins at 6:00 p.m.

Connors restated that the record presented to the Council is the only evidence that should be used.

Council Member Lewis closes Public Hearing.

Council Member Wiest thanks the public speakers for their comments and acknowledges the efforts made by Menlo School to reach out to neighbors. He stated that the application conditions need to be followed and supports the approval of the application.

Council Member Lewis suggested that the adjustment of the time would help alleviate the concerns that neighbors may have.

**MOTION by Lempres, Second by Wiest to approve the Special Event Permit application, as written, for the Menlo School’s Football game at Cartan Field. 3-0-1-1 (DeGolia Abstain, Widmer Recused).**

Mayor Widmer returns at 8:17 p.m.

**REGULAR AGENDA - (Items 17-25)**

17. **ACCEPTANCE OF SCULPTURE DONATION FROM THE HOLBROOK-PALMER PARK FOUNDATION AND THE ATHERTON ARTS FOUNDATION; AND AUTHORIZE AN AMENDMENT TO THE PUBLIC WORKS PARK MAINTENANCE BUDGET FOR FY 2019/20**

Public Works Director Ovadia presented the item to Council.

Ovadia clarified that the foundation is requesting the art and location to be selected along with the approval of the budget for installation.

Council expressed their interest for the art piece titled “He Ain’t Heavy”.

**Council took no action, the item will appear on a future date. Council directed staff to discuss reevaluating the cost to include installation with the Foundation(s).**

18. **CONSIDER, AND IF APPROPRIATE, ADOPT A REVISION TO THE TOWN’S INTEGRATED PEST MANAGEMENT POLICY REGARDING USE OF ROUND UP IN HOLBROOK-PALMER**

Public Works Director Ovadia presented the item and shared the Integrated Pest Management practices used by the Town. He highlighted the chemical control methods used to control unwanted plant growth. Ovadia provided Council will alternative chemical agents to consider noting should a change be made to discontinue the use of Round Up it would require adjusting the current application practices.

**Council directed staff to transition away from the use of Glyphosate products and utilize public outreach methods to inform park attendees of the impact this will have on Holbrook-Palmer Park.**

19. **REVIEW AND CONSIDERATION OF APPROVAL OF REVISIONS TO THE MIDDLEFIELD ROAD BIKE LANES PROJECT AND PROVIDE DIRECTION TO STAFF REGARDING PROPOSED IMPROVEMENTS TO A CROSSWALK AT VALPARAISO AND ELENA**

Public Works Director Ovadia presented the Middlefield Road Bike Lane Project and proposed improvements to the crosswalk at Valparaiso and Elena.

informed Council about the complaints of traffic on Middlefield Road and Watkins Avenue along with the request to the place a new left turn lane in James Avenue. Ovadia incorporated that need into the new layout which shows that there is space on Watkins and James for turn-pockets.

Council Member Lewis questioned staff the increase in the number of cars and the safety of the detectable warning pad. Staff informed Council that there will be a minimal increase and that the warning pads are one of the methods chosen to promote a safe speed.

Vice Mayor DeGolia requested clarification on the map. Ovadia informed Council that the Northbound traffic will flow into an extended left turn lane onto Watkins Avenue and the Southbound traffic will flow into an extended left turn lane into James Avenue, both lanes extended by fifty feet.

**MOTION by Lewis, Second by Lempres to approve the revisions to the Middlefield Road Bike Lanes Project to implement the extension of the left-hand turning lanes from Middlefield Road going into James Avenue and Watkins Avenue. The motion passed unanimously.**

Ovadia continued his presentation informing the Council that the school intends to employ a crossing-guard at that intersection due to the increase in foot-traffic. Ovadia reminded the Council that the intersection is shared with the City of Menlo Park and that the school may seek reimbursement for the installation from the Town.

Sherman Hall, Director of Safety and Security at Sacred Heart High School, informed Council that there is a projected increase in foot-traffic and bike users due to the planned construction of a new on-campus building. Hall indicated that the school would like to see a cost sharing for the installation of a beacon.

Council discussed alternatives for traffic mitigation, the need for a Crossing Guard, the results of the traffic study, and a need for additional data.

Mike Dwyer, Director of Operations at Sacred Heart Schools shared data with Council on the percentage of Atherton residents attending the school and the school's current traffic management plans and recommendations made to students and parents.

**Council supported recommendations for improvements to the crosswalk and offered support for the installation of the flashing beacon noting without funding support from the Town.**

**20. APPROVAL OF 6th AMENDMENT TO CITY MANAGER'S EMPLOYMENT AGREEMENT**

City Attorney Connors presented the item to Council.

**MOTION by Lewis, Second by Lempres to approve a 6<sup>th</sup> amendment to the City Manager's Employment Contract. The motion passed unanimously.**

- 21. CIVIC CENTER UPDATE: AUTHORIZE THE CITY ATTORNEY TO PREPARE AND THE CITY MANAGER TO EXECUTE AN AGREEMENT AMENDMENT WITH MURRAY ENGINEERS INC. FOR INCREASED FUNDING DUE TO PROJECT DELAYS AND HOURLY RATE INCREASES; AND AUTHORIZE THE CITY ATTORNEY TO PREPARE AND THE CITY MANAGER TO EXECUTE A LEASE AGREEMENT WITH MOBILE MODULAR MANAGEMENT CORPORATION FOR TEMPORARY RESTROOMS FOR THE POLICE DEPARTMENT**

Project Engineer Hanneman presented the item highlighting that during construction the bathroom for the Police Department was unable to be salvage and a temporary restroom would need to be installed.

Council discussed the pay rate clause and Hanneman agreed to review that portion of the agreement prior to final execution.

**MOTION by Wiest, Second by Lempres to authorize the amendment with Murray Engineers with the rate escalator clause within the original agreement and to authorize the City Manager to execute a lease agreement with Mobile Modular Management Corporation for temporary restrooms for the Police Department. The motion passed unanimously.**

- 22. COUNCIL REPORTS/COMMENTS – *None***
- 23. FUTURE AGENDA ITEMS – *None***
- 24. PUBLIC COMMENTS – *None***
- 25. ADJOURN**

Mayor Widmer adjourned the meeting at 9:38 p.m.

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**Anthony Suber**  
**City Clerk**



**MINUTES ATTACHMENT 1**  
**Town of Atherton**  
**City Council**  
**September 4, 2019**  
**Special Meeting**  
**Study Session**

Mayor Widmer called the meeting to order at 4:00 p.m.

**ROLL CALL** – Wiest, Lempres, Lewis, Vice Mayor DeGolia, Mayor Widmer – All Present

**PUBLIC COMMENT** – *None*

**REGULAR AGENDA**

- 1. DISCUSSION OF SELECTION PROCESS FOR CITY ATTORNEY; AND APPROVE AND AUTHORIZE RELEASE OF A REQUEST FOR PROPOSAL FOR CITY ATTORNEY SERVICES FOR THE TOWN**

City Manager Rodericks presented the item.

Council discussed the issue of using outside Counsel for litigation and the expectation of office hours.

City Attorney Connors noted that the RFP was developed in collaboration with a City Council Ad Hoc Subcommittee and used his contract as a baseline for scope of services.

**MOTION by Lewis, Second by DeGolia to approve the release of a request for proposal for City Attorney Services for the Town. The motion passed unanimously.**

Mayor opened the Study Session.

**STUDY SESSION AGENDA**

- 2. REVIEW AND DISCUSS THE TOWNS MUNICIPAL CODE REGULATIONS REGARDING LEAF BLOWERS AND POSSIBLE RESTRICTIONS ON THEIR USE IN TOWN**

City Manager Rodericks presented the item.

Council Member Lewis asked Staff for clarification on recusal and City Attorney Connors clarified that there is a need for discussion before review and direction can be given to staff.

Mayor Widmer noted initially the item was directed to be reviewed by the Environmental Programs Committee (EPC). Connors reminded Council that there was no action taken in the February 2019 meeting and staff is requesting Council direction if the item needs further discussion.

Vice Mayor DeGolia asked a need to have public input before a decision is made. Connors explained that there will be no action taken and this is for discussion only.

Widmer recused himself at 4:18 p.m. due to his current employment with Menlo College.

Council discussed impacts on neighboring jurisdictions, cost, and environmental improvement.

Council Member Lewis commented that the EPC discussed the issues of gas-powered leaf blowers and suggested the possibility of holding a community meeting. Rodericks responded that staff will provide data, conduct public outreach, and coordinate with the EPC to obtain community response.

DeGolia pointed out in the staff report Public Works Director Ovidia notated that to banning gas-powered leaf blowers would have an impact on the park and street maintenance of the Town. Rodericks responded that the Town will need to modify the MCE contract if we make this change.

Jerry Leugers, Atherton Resident, commented that the noise is a nuisance and there are hazards to the workers, community members, and environment.

Widmer returned at 4:44 p.m.

**Council directed staff to provide additional details and research related to issues with gas-powered leaf blowers, the benefits and negative effects for both the community and Town maintenance, and to reach out to neighboring jurisdictions cities.**

**3. REVIEW, DISCUSSION, AND DIRECTION ON CASH FLOW PLANNING AND PROJECTION FOR THE CIVIC CENTER PROJECT; REVIEW BRIEF PRESENTATION BY URBAN FUTURES AND PROVIDE DIRECTION ON CERTIFICATES OF PARTICIPATION (COP)**

Finance Director Barron presented the Town's available projected funding, future revenues and expenditures, and financing options through Certificates of Participation (COP).

Council sought clarification of the total funding analysis provided. City Manager Rodericks and Barron confirmed the totals included quoted amounts provided by Atherton Now.

Council continued the discussion clarifying the drawn down schedules, project construction schedule, Town reserves, and alternative funding sources.

Barron informed Council that staff has actively worked with SJ Amoroso to consider the project timing working with their funding schedule.

Urban Futures Bond Administration representative, Wing-See Fox, informed Council of financing options available to the Town and that the precise terms will not be determined at this point. She presented several scenarios for Council consideration.

Greg Conlon, Atherton Resident and Rail Committee Member, commented that the Council should consider the potential of SB50 passing effecting the construction project overall.

**Council directed staff to provide more information with a specific amount for a COP, detailed information on available terms, and an additional cost analysis to include those options.**

**ADJOURN**

Mayor Widmer adjourned the meeting at 6:01 p.m.

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**Anthony Suber**  
**City Clerk**



**MINUTES**  
**Town of Atherton**  
**CITY COUNCIL**  
**September 18, 2019**  
**REGULAR MEETING**

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

**7:00 PM REGULAR SESSION** – *Convene as the City Council*

**1. PLEDGE OF ALLEGIANCE**

**2. ROLL CALL** – Wiest, Lempres (Absent), Lewis, Vice Mayor DeGolia, Mayor Widmer

**3. PRESENTATIONS**

- **Code Enforcement Officer Safety Awareness and Recognition Week Proclamation**

Commander Wade presents a brief background on the duties of a code enforcement officer and presents Atherton Code Enforcement Officer, Monica Diaz, a Proclamation in recognizing the second week of October as Code Enforcement Officer Safety Awareness.

- **Swearing-In Oath – Dispatcher Debra Allen**

Commander Wade presents Debra Allen’s background and administers the Swear-in Oath.

**4. PUBLIC COMMENTS**

Joan Sanders, Atherton Resident and representative of the Lindenwood Homeowners Association, announced the Annual Block Party Meeting that will be held on Saturday, September 22, 2019 and the Atherton Arts Foundation Annual Art Show at Holbrook Palmer Park which being held Thursday, September 19 to Saturday, September 21.

**5. REPORT OUT OF CLOSED SESSION - *None***

Mayor Widmer request to move Item 22, Civic Center Project updates, to be presented after the Consent Agenda, placing it before Item 15. Council approved the request.

**6. CITY MANAGER’S WRITTEN REPORT AND VARIOUS DEPARTMENT ORAL REPORTS**

City Manager Rodericks presented.

Rodericks noted that Item 16 contains information from previous meetings along with new findings and requests the option to dedicate a future Study Session meeting for the General Plan Update.

**7. COMMUNITY ORGANIZATION ROUNDTABLE REPORT – *None***

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

**8. APPROVAL OF MINUTES FOR JUNE 19, 2019**

**9. APPROVAL OF BILLS AND CLAIMS FOR JULY, 2019 IN THE AMOUNT OF \$ 4,772,508 AND FOR AUGUST, 2019 IN THE AMOUNT OF \$ 2,664,939**

**10. ADOPT A RESOLUTION DESIGNATING A VOTING DELEGATE AND UP TO TWO ALTERNATIVES FOR LEAGUE OF CALIFORNIA CITIES ANNUAL CONFERENCE, OCTOBER 16-18, 2019 – LONG BEACH**

**11. ADOPT A RESOLUTION ACCEPTING EXPENDITURES FOR BALANCE OF FISCAL YEAR 2019-2020 SUPPLEMENTAL LAW ENFORCEMENT SERVICES FUND (SLESF), CITIZEN’S OPTION FOR PUBLIC SAFETY (COPS) GRANT**

**12. ACCEPTANCE OF WORK, AUTHORIZATION TO RECORD NOTICE OF COMPLETION FOR THE 2019 SLURRY SEAL PROJECT, PROJECT NUMBER 56089**

**13. APPROVAL OF TENNIS SHELTER AND INSTALL IN HOLBROOK-PALMER PARK AND AUTHORIZATION TO USE ADDITIONAL TENNIS FUNDS**

**14. ACCEPTANCE OF TREASURER’S REPORT FOR THE FOURTH QUARTER ENDED JUNE 30, 2019**

**MOTION by DeGolia, Second by Wiest to approve the Consent Calendar. The motion passed unanimously.**

**PUBLIC HEARING – *None***

**REGULAR AGENDA - (Items 15-22)**

**22. CIVIC CENTER PROJECT UPDATE**

*Moved upon request of the Mayor and Council approval*

Project Manager Hanneman presented the item.

Vice Mayor DeGolia commented on the progress of the project and encouraged the community and Council to visit the site.

Council Member Lewis questioned the demolition of the old buildings. Hanneman informed Council that there was asbestos in the wall and lack of insulation in the administration building and the Council Chambers.

No action was taken, this item is informational only.

**15. REVIEW POSSIBLE REVISIONS TO THE VARIOUS FEES AND CHARGES ON THE TOWN MASTER FEE SCHEDULE; AND, IF APPROPRIATE, DIRECT STAFF TO PREPARE A FEE RESOLUTION FOR ADOPTION**

Finance Director Barron presented the item. Barron recommended Council consider a labor cost escalator when determining fee increases, focusing on Building Permit fees, Plan Check fees, Rental fees, along with other fees to consider adding to the Fee Resolution.

Mayor Widmer asked about the impacts to other park rental fees and the benefits of the increase. Barron informed Council that the focus is on the Carriage House fees due to the popularity of the North Meadow and demand from larger companies. He added during the Spring and Summer season, reservations would be at its peak and yield a larger income.

Vice Mayor DeGolia asked about the penalty fees for working without a permit. City Attorney Conners informed council that the existing penalty within the code states that the fees of permit would double as a penalty, but it does not address repeat offenders.

Council discussed the impacts on residents and suggested staff reevaluate the criteria for after-hours construction and penalties.

**Council provided direction to staff to provide a revised fee resolution, incorporating the recommendations presented, at the October City Council Meeting.**

**16. DISCUSSION ON THE GENERAL PLAN UPDATE: THE 2019 GENERAL PLAN UPDATE**

Senior Planner Davis and Town Planner Costa-Sanders presented the item. Davis informed Council that the Draft General Plan (GP) is a tool for Council to use in determining development and funding options of land use in Atherton. Additionally, the adoption of a GP would comply with existing federal and/or state policies because it covers Land Use, Circulation, Noise, Open Space and Conservation, and Community Safety.

Council held a detailed discussion confirming the GP would match local policies, how changes could be implemented in the future, issues related to Caltrain, funding challenges for projects, and the goal of maintaining the residential based community character.

City Manager Rodericks noted that updates to the GP are needed to prioritize specific projects.

Sanders noted that to complete a GP will take time and suggested a Study Session dedicated to solely to its discussion.

Connors noted that no policies were being adopted at this meeting.

Council continued the discussion related to elements addressed in the plan and the classification of streets.

Mayor Widmer noted the Emergency Operations Plan is due for revisions.

**Council directed staff to implement the feedback provided and to set a future Study Session date to cover only the General Plan Update.**

**17. WAIVE THE FIRST READING AND INTRODUCE BY TITLE ONLY, AN ORDINANCE REVISING ATHERTON MUNICIPAL CODE CHAPTER 15.40.190 REMOVING THE CAP ON MAXIMUM PENALTIES THAT CAN RESULT FROM VIOLATION OF THE CONSTRUCTION TIME LIMIT PROVISION**

City Attorney Bill Connors presented the item.

Vice Mayor DeGolia questioned who this ordinance specifically applies to. Connors informed Council that this would apply to any project; the goal is to enforce efficient construction timeframes by placing strict penalties. Connors added that this would benefit the neighboring residents who are affected and there will be fair warnings, along with a grace period, will be provided before penalties are applies.

Connors stated that the rule would apply to existing permits Public Comment: “Would this apply to building permits that are approved after the ordinance is adopted?” Connors replied that it would also pertain to existing permits and this covers only the penalties. “Will you provide that rule to applicants before it goes into effect?” Connors replied that there are already existing rules and the changes that will be discussed is the severity of the penalties.

Council Member Wiest indicated the goal of increasing the penalty is meant to create incentives for projects to be managed properly and create a community that preserves the quiet environment of neighbors.

DeGolia suggested a 30-day notice period be recommended at the Builders Roundtable.

**MOTION by Wiest, Second by Lewis to introduced and waived first reading of an Ordinance amending Chapter 15.40.190 setting the second reading and adoption for the City Council October Meeting. Additionally, Council directed staff to connect with the**

**Builder’s Roundtable to discuss the option of reducing the 30-day notice period to 15-days or eliminate it entirely. The motion passed unanimously.**

*City Attorney exited the meeting at 8:14 p.m., Assistant City Attorney, Jennifer Larson replaced him.*

**18. ADOPTION OF THE TOWN OF ATHERTON GREEN INFRASTRUCTURE PLA**

Public Works Director Ovadia and Connie Goldade from Community Design and Architecture presented the item Ovadia noted the importance of compliance with the regional agencies and Green Infrastructure (GI) plans and underway with neighboring jurisdictions.

Mayor Widmer asked about the measurement of PCBs and Mercury in the stormwater. Ovadia informed Council that there are various levels and using the current Stormwater Capture facility not only to reduce flood but also treat, filtrate, and divert the flow back out or use for irrigation.

Council raised concerns about a focus on El Camino Real and credit for stormwater projects completed by residential homeowners,

Ovadia indicated that the proposed GI Plan implements the Grand Boulevard Initiative designed as a regional collaboration to improve pedestrian safety, integrate green methods, and improve stormwater drainage.

**MOTION by DeGolia, Second by Wiest to adopt the Town of Atherton Green Infrastructure Plan. The motion passed unanimously**

**19. DISCUSSION OF RULE 20A UTILITY UNDERGROUNDING WORK CREDITS, INCLUDING THE POTENTIAL SALE OF ACCUMULATED WORK CREDITS AND PROVIDE STAFF WITH DIRECTION**

Public Works Director Ovadia presented the item.

Council discussed how Rule 20A funds could be sold, what costs are associated with developing an underground utility district and impacts to homeowners.

**Council directed staff to begin the process of seeking out potential buyers for the purpose of negotiating a sale.**

**20. REVIEW AND APPROVE THE RESPONSE TO GRAND JURY REPORT: “SOARING CITY PENSION COSTS – FOLLOW-UP ON GRAND JURY REPORT OF 2017-18”**

Finance Director Barron introduced the item.

Mayor Widmer asked for clarification for the current fund for pension. Barron confirmed that this report pertains to funds after pensions are used. Mayor Widmer added that there needs to be a mention of the annual audit of the pension cost.

Council Member Lewis provided minor grammar edit and raised concerns about the ten-year projection. Barron responded that though the ten-year forecast is progressive there could be potential changes in CalPERS' rate in pension liability.

**MOTION by Wiest, Second by Lewis to approve the response, with minor modifications, to Grand Jury Report: "Soaring City Pension Costs – Follow-Up on Grand Jury Report of 2017-19." The motion passed unanimously.**

**21. RESPONSE TO GRAND JURY REPORT "Electric Vehicle Adoption in the Cities and County of San Mateo"**

Commander Wade presented the item and noted that the Police Department is looking into trading in their SUV vehicles for hybrid vehicles in an effort to reduce gas emission and fuel costs.

Ovadia commented that there are currently two hybrid vehicles that could benefit from the electric vehicle charging station.

**MOTION by Wiest, Second by DeGolia to approve the response with the exception to implement the stations and vehicles where it would best fit the department needs. The motion passed unanimously.**

**23. COUNCIL REPORTS/COMMENTS**

Council Member Lewis reported on the C/CAG.

**24. FUTURE AGENDA ITEMS- None**

**25. PUBLIC COMMENTS**

Greg Conlon commented on his support to maintain the character of the Town.

**26. ADJOURN**

Mayor Widmer adjourned the meeting at 10:13 p.m.

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**Anthony Suber**  
**City Clerk**



**MINUTES**  
**Town of Atherton**  
**CITY COUNCIL**  
**SPECIAL JOINT STUDY SESSION WITH**  
**CITY OF MENLO PARK**  
**September 24, 2019**

Mayor Mueller called the meeting to order at 5:03 p.m.

**CALL TO ORDER**

**ROLL CALL** - Wiest, Lempres, Lewis, Vice Mayor DeGolia, Mayor Widmer - All Present

**PUBLIC COMMENT** – *None*

**STUDY SESSION AGENDA**

**1. REVIEW AND DISCUSS COLLABORATIVE POLICING EFFORTS AND ACTIVITIES**

Chief Dave Bertini and Chief Steve McCulley introduced the item.

The City Councils discussed collaboration on traffic enforcement and emergency operation centers.

**2. REVIEW AND DISCUSS REGIONAL PROJECTS, TRAFFIC IMPACTS AND SHARED INPUT, AND EL CAMINO TRAFFIC SAFETY AND PEDESTRIAN SAFETY**

Deputy City Manager Justin Murphy and Interim Public Works Director Nikki Nagaya introduced the item.

Lydia Lee spoke in support of increased bicycle and pedestrian safety.

Both City Councilmembers spoke to Menlo Park's traffic calming measures and Atherton's Upcoming discussions on traffic mitigation and management plans.

Atherton City Council suggested a liaison between their Bicycle and Pedestrian Committee And Menlo Park's Complete Street Commission. They also commented on their license plate Reader policy and requested more information on Menlo Park's drone policy.

Menlo Park City Council suggested adding neighboring jurisdictions input at study sessions pertaining to environmental impact reports.

Atherton and Menlo Park Councilmembers supported a goal to make joint meetings a more

regular occurrence

Mayor Mueller adjourned to the special business at 5:59 p.m.

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**Anthony Suber**  
**City Clerk**



**MINUTES ATTACHMENT 1**  
**Town of Atherton**  
**CITY COUNCIL**  
**October 1, 2019**  
**SPECIAL MEETING**  
**Bear Gulch**

Vice Mayor DeGolia called the meeting to order at 5:15 p.m.

**ROLL CALL** - Wiest (Absent), Lewis, Lempres, Vice Mayor DeGolia, Mayor Widmer (Absent)

**PUBLIC COMMENT** – *None*

**SPECIAL MEETING AGENDA**

**1. TOUR AND DISCUSS THE BEAR GULCH RESERVIOR FACILITIES**

California Water Services District Manager Dawn Smithson provided a presentation and overview of the Bear Gulch Reservoir Facilities and later lead the Council and staff on a tour of the facilities.

Vice Mayor DeGolia adjourned the meeting at 6:50 p.m.

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**Anthony Suber**  
**City Clerk**



**MINUTES ATTACHMENT 1**  
**Town of Atherton**  
**City Council**  
**October 2, 2019**  
**4:00 P.M.**  
**Study Session**

Mayor Widmer called the Study Session to order at 4:00 p.m.

**ROLL CALL** – Wiest, Lempres, Lewis, Vice Mayor DeGolia, Mayor Widmer – All Present

**PUBLIC COMMENT**

Robert Ostenberg commented on the Automated License Plate Readers (ALPRs) being beneficial for the neighborhoods in the Town.

**STUDY SESSION AGENDA**

**1. DEMONSTRATION OF SAN MATEO COUNTY ELECTIONS VOTING SYSTEMS**

Jim Irizarry, Assistant Chief Elections Officer of San Mateo County, presented the item.

Council Member Lewis asked for clarification on reporting vote totals for mail-in ballots.

Irizarry noted that Election Day is when the department receives its highest total of Mail-in Ballots noting the new system will help turnaround results faster than in years past.

Council asked for information regarding voter privacy and cyber security measures in place.

Irizarry noted all Vote-by-Mail ballots have two-person integrity rules to prevent tampering. He confirmed that his department works closely with the Secretary of State's Cybersecurity Risk Management Team and all the voting equipment and technology used have been certified and passed rigorous testing. He added that none of the voting tabulation equipment or software are connected to the internet.

Mayor Widmer asked how names are removed from the Voter Registration List. He used an example, of students at Menlo College, that have graduated. Mr. Irizarry commented that staff would need to review Active or Inactive lists, which are provided by the National Registry. He continued that if a voter is inactive a letter is sent and if there is no response there is a minimum of 2 years before a removal is allowed.

**No direction needed. This item is informational only.**

**Item 3 was moved before Item 2.**

### 3. REVIEW AND DISCUSS THE STATUS OF THE FIRE SERVICES FISCAL REVIEW AND PROVIDE DIRECTION ON NEXT STEPS

City Manager Rodericks presented the item.

Council Member Lempres questioned if there was a change in the Matrix Study since 2018. Rodericks replied there was no recent changes that occurred and noted the increase in taxes.

Rodericks pointed out a letter received from the Menlo Park Fire District as a Public Comment.

Lempres commented that the financial structure of the Menlo Park Fire District needs to be reviewed. Additionally, he informed Council that there is a lack of legislative support for the issue.

Council continued to discuss a concern that the Town of Atherton pays more in comparison to other jurisdictions but receive less service.

Council Member Wiest raised concerns about the Menlo Park Fire District's increasing expenditures on station improvements and additional personnel services, the factual amount of service calls responded to in Atherton, and if the contributions made through Atherton's Property taxes are being used for the benefit of the Atherton community. He added that efforts were made to engage in a dialogue with the Menlo Park Fire District to about options but there has been no progress.

Mayor Widmer noted that the services provided has been of high-quality. He added that the concern is how the funds are being used and if they are being appropriately managed.

Vice Mayor DeGolia expressed concerns that the Fire District had not provided information requested by staff. He stated that he believes the services received are high quality adding that Council is evaluating if the contributions for those services are equal to value.

Lewis stated that direction given to staff does not constitute a vote and is only direction for staff to provide additional information for Council consideration.

**Council directed staff to provide additional information on an update of the Fire Services Fiscal review and to present it at a future Council Meeting.**

### 2. REVIEW AND DISCUSS THE USE OF AUTOMATED LICENSE PLATE READERS (ALPRs) AND SECURITY CAMERAS AND PROVIDE DIRECTION

Chief McCulley and Commander Wade presented the item. They discussed the installation, location, and benefits of the Automated License Plate Readers. Wade reviewed policing methods used in a recent burglary case where ALPR tools were used.

Council discussed camera quality, other technology options and tools, what rules or policies will govern the access of the footage, and the Mobile ALPR camera in use.

City Manager Rodericks clarified that the vehicles tracked with ALPR cameras must have

Council Member Lewis requested that staff consider the metrics and , traffic patterns in deciding where to locate cameras.

**Lewis left the meeting at 5:47 p.m.**

McCulley continued his presentation sharing details and features about the cameras, their storage and power capabilities.

Vice Mayor DeGolia asked about the ability for real-time image capturing and how quickly the information will be available to the department.

McCulley clarified that Flock downloads every 24 hours, sends an email to dispatch. He stated that one of the recommendations is to deploy use one solar powered camera as a pilot project. He added the vendor indicated it is their preference to have cameras hardwired.

Council Member Lempres noted many neighboring jurisdictions have cameras already installed and asked if the Town might be able to leverage that. Lempres stated he has concerns about civil liberties and rights to privacy.

McCulley commented that currently the Police Department does have access to the information provided from neighboring jurisdiction cameras.

Lempres requested staff perform tests and audits to ensure rights to privacy are protected and suggested a process where Council can be involved with ensuring those rights are not impacted.

Council Member Wiest suggested more community outreach and partnerships with interested residents.

**Council directed staff to continue with the pilot project of installing the cameras as discussed, consider other technologies and vendors, and to bring the item back for Council review including the ALPR Policy with edits to how the data is managed and purged.**

City Manager Rodericks confirmed that staff will bring back the ALPR Policy for review and move forward with testing the Flock Cameras.

**Public Comment**

John Venverloh commented that the benefits extend beyond burglaries and will assist bicyclist and pedestrians.

Dave Wilson asked how long the data will be maintained and who will have access to it. McCulley responded noting it is a 1-year retention period and only law enforcement agencies will have access.

Jerry Swartz asked what the penalties were for violations of misusing the data. McCully responded there could be federal state and local, criminal charges, as well as administrative termination.

**ADJOURN**

Mayor Widmer adjourned the meeting at 6:31 p.m.

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**Anthony Suber**  
**City Clerk**



**MINUTES**  
**Town of Atherton**  
**CITY COUNCIL**  
**October 16, 2019**  
**REGULAR MEETING**

Vice Mayor DeGolia called the meeting to order at 7:01

**7:00 PM REGULAR SESSION** – *Convene as the City Council*

1. **PLEDGE OF ALLEGIANCE**

2. **ROLL CALL**           Wiest, Lempres, Lewis, Vice Mayor DeGolia, Mayor Widmer (Absent)

3. **PRESENTATIONS**

- **SEQUOIA HEALTHCARE DISTRICT ENHANCED SERVICE OFFERINGS**  
**presented by Catherine Bottini**

Catherine Bottini informed Council about the available innovative services and programs for the Atherton Community.

Council Member Lewis suggested for her to contact City Clerk Suber to assist with sharing the information with the community.

Council Member Lempres asked about how services are funded to which Bottini replied that major decisions are made by the Board and the funds are from property taxes and grants.

City Manager Rodericks informed Council that the property taxes paid are allocated to hospitals.

Bottini added that the annual report also provides description on how the funds are used and is available online.

4. **PUBLIC COMMENTS**

Joshua Salazar, Menlo College Student body representative, extended invitation to Council and Atherton community members to the Annual Festival hosted by the student body.

5. **REPORT OUT OF CLOSED SESSION** - *None*

6. **CITY MANAGER'S WRITTEN REPORT AND VARIOUS DEPARTMENT ORAL REPORTS**

City Manager Rodericks presented the report.

Council Member Lewis noted the Atherton Police Report reflecting fewer incidents at the local Atherton community schools. Council Member Lempres commented on the Security Checks being administered to school have increased in frequency.

Council Member Wiest acknowledged the efforts that Public Works Director, Robert Ovadia, has made in response to the recent graffiti markings along with street maintenance.

7. **COMMUNITY ORGANIZATION ROUNDTABLE REPORT - None**

**CONSENT CALENDAR (Items 8-12)**

8. **APPROVAL OF MINUTES**

June 19, 2019

9. **APPROVAL OF BILLS AND CLAIMS FOR SEPTEMBER IN THE AMOUNT OF \$1,324,349**

10. **SAN MATEO COUNTY MEASURE W FUNDING AGREEMENT**

**Approved Resolution No. 2019 – 17**

11. **WAIVE THE FINAL READING AND ADOPT BY TITLE ONLY, AN ORDINANCE REVISING ATHERTON MUNICIPAL CODE CHAPTER 15.40.190 REMOVING THE CAP ON MAXIMUM PENALTIES THAT CAN RESULT FROM VIOLATION OF THE CONSTRUCTION TIME LIMIT PROVISION**

**Approved Ordinance No. 639**

12. **AWARD OF CONTRACT FOR ADA MAINTENANCE PROJECT, PROJECT NUMBER 56091**

Council Member Lewis asked about planned street improvements for Lloyd Park and Public Works Director Ovadia noted the proposal is what was included in the budget.

**MOTION by Wiest, Second by Lewis to approve all items on the Consent Calendar. The motioned passed 4-0-1 (Widmer Absent).**

**PUBLIC HEARING (Items 13-14)**

13. **CONDUCT A PUBLIC HEARING AND, IF APPROPRIATE, ADOPT A FEE RESOLUTION AMENDING VARIOUS FEES AND CHARGES ON THE TOWN MASTER FEE SCHEDULE**

Finance Director Barron III presented the item.

Council Member Lempres asked staff for clarification on the Consumer Price Index (CPI). Barron informed Council that the report is provided from the () in order to help determine how to appropriate the correct fees in the Master Fee Schedule.

Council Member Lewis questioned the Planning Fees pertaining to “Accessory Structures (includes pools)” and “Accessory Buildings is a higher fee. Barron informed Council that the increase is based on a collective of the Master Fee Study that is based on the CPI.

Council discussion continued determining the rates are fixed, the timeline for the new Master Fee Schedule, and penalties for construction related violations.

Rodericks informed Council that staff is trying to find different ways to enforce the penalties on the contractors.

City Attorney Conners informed Council of the process for levying fines on contractors directly noting that that penalties must go directly to the homeowners first, allowing the homeowners to resolve the issue with their contractor directly.

Building Official Greenlee informed Council that the Building Department maintains a list of contractors who have existing violations.

**Motion by Lewis, Second by Wiest to adopt Resolution No. 2019 – 18 amending fees and charges on the Town Master Fee Schedule. The motion passed. 4-0-1 (Widmer Absent).**

**14. CONDUCT THE PUBLIC HEARING AND INTRODUCE FOR FIRST READING, BY TITLE ONLY, AN ORDINANCE TO AMEND TITLE 15 OF THE ATHERTON MUNICIPAL CODE ADOPTING BY REFERENCE THE 2019 CALIFORNIA BUILDING STANDARDS CODE, RETAINING EXISTING MODIFICATIONS; AND RATIFY THE FIRE REGULATIONS, AS ADOPTED BY THE MENLO PARK FIRE PROTECTION DISTRICT**

Building Official Greenlee presented the item to Council.

Council Member Wiest asked if the required Fire Code District and separate Standards are the two items being reviewed.

Fire Marshal Johnston with Menlo Park Fire Protection District clarified that what is under consideration are the updated codes, which include turning radius for the vehicles driven by the Fire Department. He added that there is a guideline for landscaping to help with the Wildfire issues requested by Atherton Council.

Johnston noted for Council that that they did not receive any public comments for the item and added that the ordinance can be amended if Council have concerns with any sections.

Council Member Lewis asked why staff is combining the Building Codes and the Ratification of the Fire Codes. And requested that a summary of the changes, be provided to Council, that will highlight what will be changed in Building Codes versus what we have.

City Manager Rodericks noted that Building Codes are updated every 2 years and that Council would be adopting several codes at once.

Council Member Wiest proposed that Council adopt the first section of the Ordinance and not adopt/approve Section 101.6.

**MOTION by Wiest, Second by Lempres to amend title 15 of the Atherton Municipal Code adopting by reference the 2019 California building standards code, retaining existing modifications; and ratify the fire regulations, as adopted by the Menlo park fire protection district, WITH THE EXCEPTION of Section 101.6. The motion passed (4-0-1 Widmer Absent).**

**REGULAR AGENDA - (Items 15-17)**

**15. REPORT ON THE ESTABLISHMENT OF A REGIONAL HOUSING NEEDS ALLOCATION (RHNA) SUBREGION FOR SAN MATEO COUNTY**

Public Works Director Ovadia introduced the staff report and presented the letter proposal the Council provided by Caltrain. Ovadia noted this is a proposal and direction from Council is being sought by staff.

Town Planner Costa Sanders provided an overview and noted that the staff plans to participate in the 21 Elements group meets several times a year to discuss a variety of housing issues and the group will continue to exist as a resource and information sharing working group to discussing issues within the region.

Council discussed funding concerns for consultants, Atherton's required percentages, State plans to impose zoning rules on Cities, housing at school sites, and challenges to the numbers provided by the state.

Costa Sanders noted that Town representatives met with neighboring jurisdictions with similar land use rules to discuss strategies. She added that the Town has seen a net reduction in requirements under certain circumstances. Costa Sanders noted the numbers come the State and 2022 numbers have not been released and RHNA numbers from last year are carried forward.

**This was an informational item and no action was taken.**

**16. PROVIDE DIRECTION ON THE TOWN WIDE LOCAL TRAFFIC FLOW/LONG RANGE PLANNING SOLUTIONS STUDY; AND IF DIRECTED, AUTHORIZE A CONTRACT AMENDMENT WITH TJKM FOR ADDITIONAL RELATED SERVICES**

Public Works Director Ovadia introduced this item and provided a brief presentation. Ovadia highlighted the funding limitations in the coming fiscal year.

Council Member Lempres asked for clarification related to arterial and major streets and the proposed neighborhoods to seek input from.

Ovadia clarified that the neighborhoods sought for feedback can be expanded as well as a review of arterials versus major streets.

City Manager Rodericks noted for Council that the goal is to educate residents on traffic and congestion impacts.

Ovadia added that the engagement will ask feedback on what the issues are and discuss potential solutions to problems raised.

Council discussion continued related to the inclusion of specific neighborhoods, a need for wide-spread outreach, consideration of how many districts to include, and available funding.

Vice Mayor DeGolia stated that he supports using traffic calming devices. He stated he is not an advocate of installing a series street lights. He encouraged staff to focus on the impact traffic calming devices will have on the arterial streets.

**Staff noted they would move forward with direction from Council as noted and bring the item back with updates and Council approval.**

**17. CIVIC CENTER PROJECT UPDATE: AUTHORIZE THE CITY ATTORNEY TO PREPARE AND THE CITY MANAGER TO EXECUTE AN AGREEMENT AMENDMENT WITH MACK5 FOR REVISIONS IN SCOPE OF WORK AND BUDGET; AND AUTHORIZE THE CITY MANAGER TO EXECUTE A TASK ORDER AMENDMENT #4 WITH INTERWEST FOR INCREASED SCOPE OF SERVICES AND BUDGET**

**Council Member Lempres recused himself due to a financial conflict of interest.**

Project Manager Hanneman provided an introduction and broad overview of the project. He highlighted the progress on the site and upcoming activity including concrete pours at the Library. Hanneman provided Council staff recommendations asking Council remove funding from MACK5 and place it with Interwest for Field Inspection and Management Work. He added MACK5 did not have the expertise to perform all of the work needed and Interwest was providing more onsite construction management and observation services than MACK5.

Council clarified the shifts in responsibility noting that Interwest will increase their commitment and replace the work planned to be done by MACK5.

City Manager Rodericks requested that the consultant provide updates and mockups for Council review and Hanneman indicated he would ensure it was done.

**MOTION by Lewis, Second by Weist to authorize the City Attorney to prepare and the City Manager to execute an agreement amendment with Mack5 for revisions in scope of work and budget; and authorize the City Manager to execute a Task Order Amendment #4 with Interwest for increased scope of services and budget. The motion passed (3-0-1 Widmer Absent and Lempres Recused).**

18. **COUNCIL REPORTS/COMMENTS** – None

19. **FUTURE AGENDA ITEMS** – None

20. **PUBLIC COMMENTS** – None

21. **ADJOURN**

Mayor Widmer adjourned the meeting at 8:47 p.m.

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**Anthony Suber**  
**City Clerk**



**MINUTES**  
**Town of Atherton**  
**CITY COUNCIL**  
**November 6, 2019**  
**SPECIAL MEETING**  
**STUDY SESSION**

Mayor Widmer called the meeting to order at 5:00 pm

**STUDY SESSION** – *Convene as the City Council*

1. **ROLL CALL** - Wiest, Lempres, Lewis, Vice Mayor DeGolia, Mayor Widmer – Present
2. **PLEDGE OF ALLEGIANCE** – Led by John Flaherty
3. **PUBLIC COMMENT** – *None*
4. **RECIEVE A REPORT AND PROVIDE FEEDBACK ON POTENTIAL IMPROVEMENTS TO EL CAMINO REAL AND THE GRAND BOULEVARD GREENWAY CONCEPT**

City Manager Rodericks introduced this item and provided a brief review. Rodericks noted for the Council that the staff report outlines the history of the project and options.

Public Works Director Ovadia shared initiatives from City/County Association of Governments (C/CAG) and Caltrans that pre-date the Complete Streets concept.

Council discussed the level of service evaluation, inclusion of bike lanes, and options available to the Town.

Ovadia noted there is potentially enough room to include a bike lane on one side of the street and a pedestrian walkaway on another. Ovadia clarified that if one bike lane or sidewalk is added without the other that would solve the issue of removing a lane, but both cannot be done.

DeGolia stated the Complete Streets concept is an overlay of all modes of transportation and how that transportation impacts the community. He suggested a solution to include a two-lane bikeway/pedestrian way on one side.

Council discussed improvements on areas throughout Town, timelines for activity involving Caltrans, the Grand Boulevard proposal, and need for regional collaboration.

Council Member Lewis stated her support for protected bike lanes as proposed in the past adding pedestrians would feel safer.

DeGolia noted that at a minimum the Town should develop a two-way lane that bicyclists and pedestrians can use.

Council requested staff gather more data to understand options and potential impacts and requested comments from Chief McCulley considering impacts to Police and Fire. Council collectively support the inclusion of bike lanes on El Camino Real (ECR) and the Grand Boulevard initiative.

Rodericks noted that the General Plan is broad, but flexible. He added improvements along ECR will need to overcome several issues. Rodericks stated supports the Grand Boulevard plan, will expand our involvement in the initiative, engage with neighboring jurisdictions, and consider a public education process. He indicated this item will come back to Council with a potential funding recommendation.

**Public Comment**

Jen Wolosin, Parents for Safe Routes, encourage Council to look for solutions to make EL Camino Real safer.

Chris Jones commented on the item representing those in the community that commute.

John Langbein requested Council study El Camino Real and Selby Lane.

Gary Lauder commented that residents have concerns about cut-through traffic and the impact of development from neighboring jurisdictions.

**5. DISCUSSION ON AMENDMENTS TO ATHERTON MUNICIPAL CODE CHAPTER 8.10 “REMOVAL OF AND DAMAGE TO HERITAGE TREES”, INCLUDING AMENDING THE TREE PRESERVATION GUIDELINES, STANDARDS AND SPECIFICATIONS**

Senior Planner Davis presented the item noting that a series of public meetings have been held beginning in 2016. She continued to highlight the main topics the Ad-Hoc Sub-committee addressed. Davis noted the Ad-Hoc Committee recommended amending the Municipal Code to include protection of all Heritage Trees within 15 feet of Town boundaries. Davis reviewed requirements and steps for removal.

Council discussed barriers for trees on private property, notification of neighboring properties, the inclusion of additional requirements for removal and a not to exceed time frame for replacement.

Council requested that a notice include information about the 15-foot rule.

Town Arborist/Park Manager Bentz noted that removals are done on case by case basis. Each species is evaluated, and an Arborist will determine what is reasonable for each tree.

Council Member Lempres asked if a landowner has an option for removal versus relocation. Davis stated that only if the tree in questions it is not dead or in dangerous position. Councilmember Lempres further commented that he wants to be certain we are not encouraging people to attempt to relocate trees.

Davis highlighted that Redwood Trees have been removed from the ordinance, and in terms of keeping track of the Town trees staff will report back to Council with those numbers.

Council continued to discuss the need for a maintenance bond or security deposit and the number of Heritage Tree removal requests per year.

Lempres commented that this amendment only applies to Planning Commission related approvals. Bentz stated that the amendment only applies to Planning Commission approvals and that for staff level removals the Town Arborist has some discretion.

Larsen stated staff was thoughtful about regulations and they included broad discretion in the amendment.

Rodericks noted staff will bring this item back at the December Regular meeting for a first reading of the ordinance. This will include the Council feedback.

**6. ADJOURN**

Mayor Widmer adjourned the meeting at 6:36 p.m.

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**Anthony Suber**  
**City Clerk**



**MINUTES**  
**Town of Atherton**  
**CITY COUNCIL**  
**November 13, 2019**  
**SPECIAL MEETING**

Mayor Widmer called the meeting to order at 4:30 pm

**4:30PM SPECIAL SESSION MEETING – *Convene as the City Council***

1. **ROLL CALL** - Wiest, Lempres, Lewis, Vice Mayor DeGolia Mayor Widmer – Present
2. **PUBLIC COMMENT**

Genevie Gerard commented on the Heritage Tree proposal raising concerns about protection for her trees. She added concerns related to green initiatives and screening ordinances for the Town.

Jeff Benray commented on a series of issues he has had with another resident. Mr. Benray distributed an image to a Council and shared the issue he has been having.

**SPECIAL SESSION AGENDA**

3. **DISCUSSION ON THE GENERAL PLAN UPDATE: THE 2019 GENERAL PLAN UPDATE**

Senior Planner Davis provided a PowerPoint presentation and highlighted fifty-six goals, policies, actions/objectives as they pertain to the General Plan (GP). She began with a review of the Noise Element and invited Harold Goldberg, RDB Consultant, to provide additional details.

Mayor Widmer indicated he provided comments on the Noise Element.

Council raised questions about the data points highlighted in the report regarding the Noise Elements and asked for clarification related to data presented in several tables.

Mayor Widmer further asked that staff include aircraft noise and helicopter noise in the noise element. Mayor Widmer asked that the numbers included in Table N-1 be re-examined to ensure alignment with federal numbers.

Town Planner Costa Sanders and Goldberg discussed the methodology used in preparing the table referenced in Attachment 5. Goldberg added the numbers give residents a range of the sound levels used.

Davis clarified that Figure 3 on page 68 was used to help set the baseline for understanding terms and standards as they relate to community noise.

Council suggested the Noise Element is an issue that should be addressed at a future meeting with potential changes to the Noise Ordinance including construction noise.

Council continued to discuss the Noise Element and received feedback from staff related to options for revisions.

Davis continued the presentation reviewing the Land Use Element noting a substantive item within the Element is the Grand Blvd Initiative. Circulation Element, Complete Streets, and the classification of streets within Town.

Davis noted a change from Rural to “Semi-Rural was made.

City Attorney Connors provided a definition for the term found in the urban planner dictionary.

Public Works Director Ovadia shared statistics on traffic patterns for Selby and Stockbridge from a 2015 count.

Council continued to discuss the classification of specific streets, traffic patterns, and cut-through traffic.

Davis noted amending the classification for Laurel to Collector and Selby and Stockbridge as well.

Davis indicated that Planned Bay Area was included in the GP to share regional plans and City Manager Roderick provided additional context. Davis continued with the presentation noting conversations with Menlo Park Fire Protection District (MPFD) regarding to a warning signal and wildland fire. She added the State designates Atherton as a community at risk, however the community is not currently mapped as a part of the Wildfire Interface Zone.

Rodericks added that the County has adopted a landscape plan and MPFD encourages residents to follow this guide. He noted the guide is not being proposed as an addition to the GP.

Davis reviewed the emergency evacuation map route and complete access routes noting additions can be made.

**Council agreed to have a revised version presented at a future meeting with redline edits noting updates.**

**4. ADJOURN**

Mayor Widmer adjourned the meeting at 6:12 p.m.

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**Anthony Suber**  
**City Clerk**



**MINUTES**  
**Town of Atherton**  
**CITY COUNCIL**  
**December 4, 2019**  
**STUDY SESSION**  
**CLOSED SESSION**

Mayor Widmer called the meeting to order at 3:30 pm

**3:30PM CLOSED SESSION** – *Convene as the City Council*

1. **ROLL CALL** - Wiest, Lempres (Absent for Closed Session), Lewis, Vice Mayor DeGolia, Mayor Widmer – Present
2. **PUBLIC COMMENT** -None

**CLOSED SESSION**

A. ***PUBLIC EMPLOYEE APPOINTMENT*** - Pursuant to Government Code Section 54957(b)(1)

*City Attorney*

**ADJOURN** – *to Study Session*

Mayor Widmer called the meeting to order at 4:38PM

**STUDY SESSION AGENDA** - *Convene as City Council*

1. **REPORT OUT OF CLOSED SESSION**

City Attorney Conners stated there was no reportable action. He noted Council Member Lempres was absent during closed session.

2. **DISCUSSION ON ATHERTON MUNICIPAL CODE CHAPTER 17.50 “LANDSCAPE SCREENING” - LANDSCAPE SCREENING REGULATIONS IN THE FRONT OF PROPERTIES.**

Senior Planner Davis provided a brief overview of the existing Ordinance reviewing fence heights and landscaping options for residents.

Council discussed changes and improvements to the ordinance in response to resident concerns, if this item is a major area of concern, and a review of setback requirements starting with the Planning Commission.

City Attorney Connors noted a distinct difference between Landscape Screening and Setback requirements needs to be established if a review is done.

**There was no formal action on this item.**

**3. REVIEW AND DISCUSSION OF A POSSIBLE TOWN OF ATHERTON CONSTRUCTION AND DEVELOPMENT TAX; AND PROVIDE STAFF WITH FEEDBACK AND DIRECTION FOR NEXT STEPS**

Finance Director Barron III provided a brief overview including a history of the various tax initiatives that were considered in recent years as revenue alternatives.

City Manager Rodericks noted that the Town is in the early stages of considering such a tax and there are still other options available for consideration. Rodericks continued to state staff has years' worth of data available to draw upon to make recommendations.

Vice Mayor DeGolia suggested that the Council had the ability to structure a tax measure as they deem necessary. He provided an example of 5,000 Sq. ft. or more project triggering an additional tax.

Council Member Lewis shared her perspective is that a development tax would receive broad support within the Town and is not in favor of imposing a tax on residents. She did note she favored the parcel tax that had been in place.

Council Member Wiest noted that a construction fee could be limited to new construction or implemented for all construction.

Council continued to discuss penalties for damages done during construction projects, tax increases property tax reassessments, alternative revenue sources, and the conservative financial management strategy by the Town.

DeGolia suggested additional research be done to evaluate property tax increases versus costs over the last 10 years. DeGolia stated he is in favor of taxing any development of 5000 sq. ft or more. This may have an unintended impact of encouraging people to build smaller homes.

Mayor Widmer noted Council had taken steps over the last several years with prudent fiscal management and he supports a tax on businesses that are making money or using services within Town.

City Manager Rodericks noted that staff will need to prepare projected fiscal outlook once the Town Center project is complete.

**PUBLIC COMMENT**

Sandy Crittenden stated they are not in support of any tax to Atherton the residents. She requested that Council look at other efforts to raise revenue.

Adjourned to Closed Session at 5:48 pm.

**CLOSED SESSION**

*A. PUBLIC EMPLOYEE APPOINTMENT - Pursuant to Government Code Section 54957(b)(1)*

*City Attorney*

*ADJOURN – to Study Session*

**6:30 PM STUDY SESSION AGENDA** - *Convene as City Council*

**4. REPORT OUT OF CLOSED SESSION** – Report out by City Attorney

City Attorney Connors indicated there was no reportable action and Council Member Lewis was absent.

**ADJOURN**

Mayor Widmer adjourned the meeting at 6:30 p.m.

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**Anthony Suber**  
**City Clerk**



**MINUTES**  
**Town of Atherton**  
**City Council**  
**December 9, 2019**  
**SPECIAL MEETING**  
**CLOSED SESSION**

Mayor Widmer called the meeting to order at 3:00 p.m.

**ROLL CALL** – Wiest, Lempres, Lewis, Vice Mayor DeGolia, Mayor Widmer (All Present)

**PUBLIC COMMENTS** – *None*

**CLOSED SESSION**

*A. PUBLIC EMPLOYEE APPOINTMENT - Pursuant to Government Code Section 54957(b)(1)*

*City Attorney*

**Convene as City Council**

**1. REPORT OUT OF CLOSED SESSION** by City Manager, George Rodericks

The City Council interviewed the City Attorney candidate. There was no reportable action.

Mayor Widmer adjourned the meeting at 4:25 p.m.

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**Anthony Suber**  
**City Clerk**