



MINUTES
Town of Atherton
CITY COUNCIL
September 18, 2013
7:00 p.m.
94 Ashfield Road
Atherton, California
REGULAR MEETING

1. **PLEDGE OF ALLEGIANCE**
2. **ROLL CALL** Lewis, Wiest, Dobbie, Widmer
3. **PRESENTATIONS**

Introduction & Oath of Office – Police Officer Daniel Larsen

- Administered by Chief of Police

4. **PUBLIC COMMENTS**

Michelle Lindeman, representing the Silicon Valley Leadership Group Foundation, extended an invitation to the City Council to participate in the 2013 Turkey Trot. This is a run for charity with multiple races and other competitions benefiting Second Harvest Food Bank, Housing Trust Silicon Valley, Healthier Kids Foundation Santa Clara County, and Second Harvest Food Bank Santa Cruz County.

John Ruggiero suggested that the City Council become a seven member council.

Greg Conlon urged the Council to voice a position in regards to the new district lines that are being drawn.

5. **REPORT OUT OF CLOSED SESSION**

No reportable action.

6. **CITY MANAGER'S REPORT**

a. Community Center Advisory Committee Report

City Manager Rodericks provided oral comments on the recent Public Outreach Workshop for the Civic Center Project.

Mayor Lewis commented that she attended the City County Association of Governments (CCAG) meeting and has filled the Congestion Management & Environmental Quality Committee seat. She also expressed interest in funding the Selby School Library and IT services as requested by Selby

Schools and questioned if the Atherton Library Funds could be used. Mayor Lewis also mentioned that the JPA is meeting on November 4 to discuss options on how to contribute.

Council Member Dobbie commented that this has been reviewed in the past and the usage of Library Funds would not be allowed.

Council Member Widmer confirmed that though the school is within the Atherton Town line, only one student is an Atherton resident. He suggested other opportunities to improve the Selby School Library, buying books or books on tape.

Vice Mayor Wiest suggested waiting for the study session to be completed before Council makes any decisions.

7. COMMUNITY ORGANIZATION ROUNDTABLE REPORT

Peninsula Traffic Congestion Relief Alliance PowerPoint Presentation – Executive Director John Ford

Mr. Ford provided the Council with information on the activities of the Alliance in reducing congestion in the County.

Council Member Dobbie stated most of the traffic congestion comes from Menlo Park.

Council Member Widmer asked if there was a way to resume Atherton Caltrain depot stops. He also mentioned that the Town has been looking into bike lanes.

Mr. Ford said he would speak to members of the Peninsula Traffic Congestion Relief Alliance regarding the train stoppage and provide Council with a liaison regarding bike lanes.

Vice Mayor Wiest echoed Caltrain's lack of stoppage at the Atherton depot and noted that Atherton commuters have joined other cities and added to the congestion.

CONSENT CALENDAR (Items 8-17)

8. APPROVAL OF AUGUST 7, 2013 STUDY SESSION MEETING MINUTES

Report: City Clerk Theresa DellaSanta

Recommendation: Approve meeting minutes

City Manager Rodericks noted a change to the comments on item one.

Mayor Lewis corrected the election date and the word "to" in the motion for item one.

9. APPROVAL OF BILLS AND CLAIMS FOR AUGUST, 2013 IN THE AMOUNT OF \$869,659

Report: Finance Director Robert Barron III

Recommendation: Approve Bills and Claims in the amount of \$869,659

- 10. FINANCIAL REPORT FOR JUNE 30, 2013**
Report: Finance Director Robert Barron III
Recommendation: Receive and File the Financial Report
- 11. APPROVAL OF CONTRACT AMENDMENT FOR ALAN MARGOT, TENNIS PROFESSIONAL AT HOLBROOK-PALMER PARK**
Report: City Manager George Rodericks
Recommendation: Approve contract amendment for services of Tennis Professional Alan Margot at Holbrook-Palmer Park
- 12. ADOPT RESOLUTION NO. 13-XX AMENDING RESOLUTION NO. 13-03 SCHEDULE FOR HOURLY EMPLOYEES**
Report: City Manager George Rodericks
Recommendation: Adopt Resolution No. 13-XX amending Resolution No. 13-03 to address the pay schedule for hourly employees
- 13. APPROVAL OF SECOND AMENDMENT TO AGREEMENT FOR SERVICES BETWEEN THE TOWN AND INTERWEST CONSULTING GROUP FOR BUILDING AND LIFE SAFETY SERVICES**
Report: City Manager George Rodericks
Recommendation: Approve the Second Amendment to Agreement for Services between the Town of Atherton and Interwest Consulting Group for Building and Life Safety Services; and Authorize the City Manager to execute the Amendment on behalf of the Town
- 14. APPROVAL OF 90-DAY EXTENSION TO PREPARE AN ENVIRONMENTAL IMPACT REPORT FOR THE CARTAN FIELD IMPROVEMENT PROJECT**
Report: Deputy Town Planner Lisa Costa Sanders
Recommendation: Approve the 90-day extension
- 15. CRW SYSTEMS TRAKiT-9 SOFTWARE UPGRADE AGREEMENT AND BUDGET AMENDMENT**
Report: Community Services Director Mike Kashiwagi
Recommendation: Review the Staff Report and, if appropriate, authorize the City Manager to execute the agreements with CRW Systems to upgrade to TRAKiT 9 Permit Software; and adopt Resolution No. 13-xx authorizing a budget amendment of \$25,000 to fund the required upgrades
- 16. APPOINT THE CITY MANAGER TO THE SOUTH BAY WASTE MANAGEMENT AUTHORITY TECHNICAL ADVISORY COMMITTEE**
Report: City Manager George Rodericks
Recommendation: Appoint the City Manager as the representative to the South Bay Waste Management Authority Technical Advisory Committee
- 17. ADOPTION OF RESOLUTION TO AMEND RESOLUTION 13-08 GOVERNING COMMITTEES AND COMMISSIONS**
Report: City Manager George Rodericks

Recommendation: Adopt the attached Resolution amending Resolution 13-08 governing committees and commissions to address committee/commission membership

MOTION by Widmer, second by Dobbie to approve the consent calendar consisting of items 8 through 17. The motion passed unanimously.

PUBLIC HEARINGS - (Item 18)

18. 150 VALPARAISO AVENUE (APN 070-390-010) SACRED HEART SCHOOLS, CONDITIONAL USE PERMIT NO. CUP13-00003 AMENDING CONDITIONAL USE PERMITS CUP10-00010 AND CUP13-00001 BY SUBSTITUTING A TDM PROGRAM FOR REQUIRED INTERSECTION RECONSTRUCTION

Report: Deputy Town Planner Lisa Costa Sanders

Recommendation: Staff recommends that the City Council continue the public hearing as requested by Sacred Heart Schools to the December 18, 2013 City Council meeting

City Manager Rodericks explained this is a procedural item requesting that Council continue the Public Hearing at the December 2013 Council meeting.

MOTION by Wiest, second by Dobbie to continue the public hearing as requested by Sacred Heart Schools to the December 18, 2013 City Council meeting. The motion passed unanimously.

REGULAR AGENDA - (Items 19-22)

19. REQUEST FOR FEE WAIVER FROM MENLO PARK FIRE DISTRICT

Report: City Manager George Rodericks

Recommendation: Review request for fee waiver and determine if waiver is warranted

City Manager Rodericks briefly explained the fee waiver policy, which anyone is able to request, governmental agencies that do not receive funding from the public are eligible, and other governmental agencies are eligible if they can show that they are in need of those funds.

Council Member Dobbie wanted to confirm the requested banner conforms to the current banner policy. City Manager Rodericks explained that the Menlo Fire District partners with Atherton and therefore does meet the requirements of the banner policy.

Council Member Widmer believed the banner should be displayed, however, believed the requirements for a fee waiver had not been met.

Mayor Lewis questioned if the fee had been waived previously, the cost, and if any supporting documentation was provided.

City Manager Rodericks confirmed that the fee had not been waived or requested previously, the cost of the banner application is \$75, and no documentation was provided to the Town.

MOTION by Widmer, second by Dobbie to deny request for fee waiver from Menlo Park Fire District. The motion passed unanimously.

20. REMOVED FROM THE AGENDA

21. CONSIDERATION OF SUPPLEMENTAL MAINTENANCE ACTIVITIES IN STREET RIGHTS-OF-WAY AND AT HOLBROOK-PALMER PARK

Report: Community Services Director Mike Kashiwagi

Recommendation: Discuss supplementing specific services within street rights-of-way and at Holbrook-Palmer Park; and direct staff to solicit costs from vendors to achieve the desired service enhancements for future City Council budget action

Community Services Director Kashiwagi explained the purpose of the item is for feedback and direction from Council regarding improvements to the right-of-way and to Holbrook-Palmer Park. He also stated that staff will return the item within 60 days for the Council's consideration for additional service levels in these areas.

Council Member Dobbie commented on the thoroughness of the list provided and hoped that all or most could be completed.

Council Member Widmer thought a few of the items were redundant; cleaning street signs and painting them as an example. He did support the idea of having an employee present in the park during the weekends to discourage unlawful use of the park and the upkeep of the landscape.

Mayor Lewis clarified the list of tasks are placed in two categories, street right-of-way and park. She wanted to confirm that some of the tasks could be integrated to include both; cleaning and/or painting signs in right-of-way and the park.

Community Services Director Kashiwagi explained that after staff comes back with the costs the separation will assist where the funding is sourced.

Mayor Lewis requested that the grinding of the tree stumps along El Camino Real be added to the list.

Community Services Director Kashiwagi stated the State of California is responsible for El Camino Real but they reimburse to Town if work is done by Town contractors or employees.

Mayor Lewis asked if Public Works manages the graffiti removal.

City Manager Rodericks confirmed that graffiti is illegal and Public Works removes any on the public side. If graffiti occurs on private property, Code Enforcement Officer, Robert Cushing, will notify the occupant and request the immediate removal.

Vice Mayor Wiest agreed with Council Member Widmer that a Town presence in the park on weekends is beneficial, it would increase the safety and beauty of the park.

Mayor Lewis directed staff to return to Council with a cost analysis of the various tasks in the list and the ones discussed at the meeting.

Council Member Widmer wanted to comment on the excellent work on the infields in the park.

22. RESOLUTION AUTHORIZING A BUDGET AMENDMENT FOR A CONTRIBUTION TOWARD OTHER POST-EMPLOYMENT BENEFIT LONG-TERM LIABILITIES FOR FY 2013/14

Report: City Manager George Rodericks

Recommendation: Consider the adoption of a Resolution authorizing a Budget Amendment for a contribution toward Other Post-Employment Benefits (OPEB) long-term liabilities for FY 2013/14

City Manager Rodericks stated there is \$4.9M in the unallocated reserves and explained the three ways in which the surplus can be used; pay down pension and/or Other Post Employment Benefit (OPEB) liabilities, contribute funds toward Capital Projects, or increase the Town's mandatory reserve. After the Finance Committee looked at the options it was recommended that the Council consider a contribution of \$1.1M - \$2M toward OPEB in the current fiscal year, thereby reducing the current contribution by \$125,000 going forward.

Council Member Dobbie explained that a surplus of \$1.8M would be equivalent to the parcel tax and he supports paying down long term liabilities.

Council Member Widmer supported paying off the long term liabilities and stated by paying down the OPEB it would offer financial relief. He agreed with the City Manager's recommendation to pay down the OPEB and maintain the current contribution of \$350,000 scheduled for this fiscal year. Council Member Widmer also commented that based on the Finance Committee meeting video, the focus was on using the surplus to benefit Capital Projects solely. He stated that there are capital and operational things that should be looked at, but the parcel tax does not need to be assessed in full every year.

Mayor Lewis commented that she attended the Finance Committee meeting and using the surplus for Capital Projects exclusively was never discussed and no recommendations was made to Council.

Vice Mayor Wiest echoed Council Member's Dobbie and Widmer desire to pay down the long term liabilities.

Mayor Lewis noted that the Finance Committee was tasked to view the surplus and the options available. This included pension funding and, looking forward, a possibility to reduce the parcel tax rates. Mayor Lewis also clarified that the decision tonight would affect this fiscal year and the Finance Committee is looking at next fiscal year, 14/15.

Vice Mayor Wiest asked the City Manager what the impact of contributing \$2M would have. City Manager Rodericks explained there is no operational impact.

Council Member Dobbie stated he would prefer a lower amount but will not argue the \$2M. He also commented that projections have shown the continual increase of property tax revenues and paying off long term liabilities is urgent.

MOTION by Widmer, second by Lewis to adopt a Resolution authorizing a Budget Amendment for a contribution in the amount of \$2M, and continuing the \$350,000

contribution, toward Other Post-Employment Benefits (OPEB) long-term liabilities for FY 2013/14. The motion passed unanimously.

23. COUNCIL REPORTS/COMMENTS

Council Member Widmer reported on his attendance to the Atherton Art Show in Holbrook-Palmer Park. He expressed concern for some of the amenities in the facilities in the park.

Mayor Lewis briefly spoke about Atherton hosting the November 2013 Council of Cities at the Circus Club.

24. FUTURE AGENDA ITEMS

25. PUBLIC COMMENTS

26. ADJOURN

Mayor Lewis adjourned meeting at 8:22 p.m.

Respectfully submitted,

**Judi Herren
Office Specialist**