



Minutes
Town of Atherton
CITY COUNCIL
September 4, 2013
5:00 p.m.
94 Ashfield Road
Atherton, California
SPECIAL MEETING

PLEDGE OF ALLEGIANCE

ROLL CALL **Lewis, Wiest, Dobbie, Widmer** – All present

PRESENTATIONS

San Mateo County Mosquito and Vector Control District Presentation –
Board of Trustee President Sam Lerner, District Manager Bob Gay

4. PUBLIC COMMENTS

Mike Brady discussed the status of High Speed Rail litigation and gave an update on next steps before court.

John Ruggerio urged Council to begin televising their meetings.

Bob Roeser congratulated staff on the improved website.

5. REPORT OUT OF CLOSED SESSION - None.

6. CITY MANAGER'S REPORT

a. Community Center Advisory Committee Report

City Manager Rodericks commented on the upcoming Civic Center Advisory Committee meetings, the Athertonian newsletter that is soon to hit mailboxes, letters to local legislators on local State legislation, new police vehicles sent for outfitting, and the next Finance Committee meeting.

Rodericks requested feedback on what should be done with the Watkin's House at the Park (formerly the City Manager's House). Council expressed perspectives on the disposition of the house. The disposition of the house will remain as part of the Park Master Plan but there will be check-ins with Council along the way with respect to final decisions. Alternatives to be discussed include rental at market rates, rental at affordable rates, sale, or use as a venue.

7. COMMUNITY ORGANIZATION ROUNDTABLE REPORT

CONSENT CALENDAR (Items 8-13)

Council Member Widmer had a comment on item 13 – Widmer requested that El Camino Real and Encinal be added to the list of intersections studied in the scope of services.

Vice Mayor Wiest had a comment on item 12 – Wiest questioned whether funds from the budget transfer to ADAPT were not completely used by the end of the year would they carry over. Rodericks noted that the funds would not carry over.

Mayor Lewis noted that she submitted changes to the August 7 minutes to the City Clerk which consisted of grammatical errors.

8. APPROVAL OF MAY 20 SPECIAL MEETING, JUNE 19 REGULAR MEETING, JULY 3 STUDY SESSION, JULY 11 SPECIAL MEETING AND JULY 17 REGULAR MEETING MINUTES

Report: City Clerk Theresa DellaSanta

Recommendation: Approve meeting minutes

9. APPROVAL OF BILLS AND CLAIMS FOR JULY, 2013 IN THE AMOUNT OF \$1,217,445

Report: Finance Director Robert Barron III

Recommendation: Approve Bills and Claims in the amount of \$1,217,445

10. APPROVAL OF AMENDMENT TO AYSO CONTRACT

Report: City Manager George Rodericks

Recommendation: Approve amendment to AYSO contract

11. APPROVAL OF LACROSSE CONTRACT

Report: City Manager George Rodericks

Recommendation: Approve Lacrosse contract at Holbrook-Palmer Park

12. DISASTER PREPAREDNESS FUND

Report: Police Chief Ed Flint

Recommendation: Adopt the attached resolution authorizing a budget amendment in the amount of \$10,000 for disaster preparedness funding for equipment, trailer repairs and maintenance, replenishment of emergency supplies, administrative expenses, and the Town's participation in local and regional disaster training exercise

13. AMENDMENT TO LAMPHIER-GREGORY AGREEMENT TO PREPARE EIR FOR CARTAN FIELD PROJECT

Report: Town Planner Lisa Costa Sanders

Recommendation: It is recommended that the City Council approve the First Amendment to the Lamphier-Gregory agreement which expands the scope of services to provide additional services and adds \$21,518 to the compensation, and authorize the City Manager to execute the amendment

MOTION by Dobbie, second by Widmer to approve the consent calendar. The motion passed unanimously.

PUBLIC HEARINGS - (Item 14)

14. ADOPT RESOLUTION 13-xx APPROVING AN AMENDED TOWN MASTER FEE SCHEDULE

Report: Finance Director Robert Barron III

Recommendation: Conduct a Public Hearing and adopt resolution 13-xx amending the master fee schedule for the Town of Atherton

Finance Director Robert Barron III provided background on the item.

Following the public hearing Council discussed the Cost Allocation and User Fee Study and considered adoption of the Fee Resolution. Comments revolved around the use of CPI, annual review of the fees, the details for building permit costs, fee schedule for the Park, customer service oriented service delivery, and the comparison of Atherton fees to those of the region.

MOTION by Widmer, second by Wiest to adopt resolution amending the master fee schedule for the Town of Atherton. The motion passed unanimously.

REGULAR AGENDA - (Items 15-22)

15. MENLO-ATHERTON LITTLE LEAGUE IMPROVEMENTS AT HOLBROOK-PALMER PARK

Report: Community Services Director Mike Kashiwagi

Recommendation: Review, confirm and provide direction to staff related to:

- Scope of Little League field improvements proposed by Menlo-Atherton Little League (M-ALL)
- Staff understanding and interpretation of the November 2012 Ballot Results related to improvements to the Little League field and surrounding areas at Holbrook Palmer Park
- Draft Facility Agreement between the Town of Atherton and M-ALL outlining the terms of use and responsibilities regarding the construction of proposed improvements and dedicated use of the ball field area at Holbrook Palmer Park

Community Services Director Mike Kashiwagi provided background on the report. After hearings Kashiwagi's presentation, Council hear from the project applicants as well as Herman Christiansen, a Planning Commission representative.

Mike Haven, M-ALL representative, reminded Council that the ballpark received 75% voter approval at the November 2012 election. Haven said he worked hard on public outreach and campaigning for that election. Voters expect this ballpark and they deserve to have it built.

Herman Christensen, Planning Commission representative, felt the plans are too large in scale and too elaborate. Christensen felt that it would go against the rusticity of the park.

Mayor Lewis opened up for public comment.

Walter Sleeth, Atherton resident, did not support the M-ALL plans as proposed. He felt it was a misrepresentation of the ballot language.

Alicia Seabold urged Council to build this right. She said it was a monument that the M-ALL is proposing.

Council Member Dobbie said he supports the ballot language and the fact that it received 75% voter approval however the idea was to get the field improved and he felt that it has been mishandled and revolved something bigger than what was understood.

Council and the project applicant reviewed key areas of the Use Agreement where the submittal from the applicant differed from the recommendations from the Planning Commission as compared and contrasted against the ballot measure approved at the November 2012 election.

Council and M-ALL found agreement on 7 of the 11 areas. Council provided feedback to M-ALL and staff to work through 4 key areas when returning the Use Agreement to Council. Items Council could not agree on were seating size, whether foul polls and scoreboards should be removable, and maintenance of the field.

Council agreed to the following Action:

Seating & Foul Polls - Staff and Little League to take an exhaustive look at options for the size of seating and overall length of structure and options/costs comparisons for removable foul polls.

Maintenance – Staff to take a look at how Menlo Park Burgess maintains their little league field and how MALL assists in maintenance.

Fencing – Ok as long as fence is removed on both sides starting from the bullpens going out after each season ends.

Dugout Roofs – ok as proposed by LL. Roof not to be removed at end of season.

Scoreboard – Consider a removable scoreboard OR ok with a scoreboard in right field. (Concern with the board glare if scoreboard is in right field).

[Widmer left the meeting]

[Dobbie left the room briefly]

**16. RESPONSE TO GRAND JURY REPORT
SOUTH BAYSIDE WASTE MANAGEMENT AUTHORITY BOARD –
ELECTED OFFICIALS OR SENIOR MANAGEMENT STAFF?**

Report: City Manager George Rodericks

Recommendation: Consider the attached response to the San Mateo Grand Jury on their Report entitled “South Bayside Waste Management Authority Board – Elected Officials or Senior Management Staff?” and authorize the Mayor to sign and send the letter in response

City Manager Rodericks provided background and noted that the Town has already taken the action suggested by the Grand Jury, specifically with appointing an elected official to the SBWMA Board.

MOTION by Wiest, second by Lewis to authorize the Mayor to sign and send the letter in response to the San Mateo Grand Jury on their Report entitled “South Bayside Waste Management Authority Board – Elected Officials or Senior Management Staff?” The motion passed 2-0-1 (Dobbie absent).

[Dobbie returned to the room].

**17. RESPONSE TO GRAND JURY REPORT
SAN MATEO COUNTY SPECIAL DISTRICTS: WHO IS REALLY IN CHARGE
OF THE TAXPAYER’S MONEY? THE MOSQUITO DISTRICT
EMBEZZLEMENT: IS IT THE TIP OF THE ICEBERG?**

Report: City Manager George Rodericks

Recommendation: Consider the attached response to the San Mateo Grand Jury on their Report entitled “San Mateo County Special Districts: Who is Really in Charge of the Taxpayer’s Money? The Mosquito District Embezzlement: Is it the Tip of the Iceberg?” and authorize the Mayor to sign and send the letter in response

City Manager Rodericks provided background on the item. Sam Lerner, Atherton Trustee, commented on the Town’s responses. Lerner noted that the Board and the Manager’s share in the responsibility of the embezzlement and what had occurred.

James Counce, former District Manager, urged Council to contact him to discuss his perception of the lack of oversight within the District.

MOTION by Wiest, second by Dobbie to authorize the Mayor to sign and send the letter in response to the San Mateo Grand Jury on their Report entitled “San Mateo County Special Districts: Who is Really in Charge of the Taxpayer’s Money? The Mosquito District Embezzlement: Is it the Tip of the Iceberg?” The motion passed unanimously.

18. DRAINAGE MASTER PLAN CONSULTANT AGREEMENT

Report: Community Services Director Mike Kashiwagi

Recommendation: Authorize the City Manager to execute a fixed fee contract with NV5, Inc. in the amount of \$49,505 to provide municipal engineering services for the Storm Drain Master Plan Update

Community Services Director Mike Kashiwagi provided background on the item.

MOTION by Dobbie, second by Wiest to authorize the City Manager to execute a fixed fee contract with NV5, Inc. in the amount of \$49,505 to provide municipal engineering services for the Storm Drain Master Plan Update. The motion passed unanimously.

19. HOLBROOK-PALMER PARK MASTER PLAN CONSULTANT AGREEMENT

Report: Community Services Director Mike Kashiwagi

Recommendation: Authorize the City Manager to execute a Professional Services Agreement with Bellinger, Foster, Steinmentz in an amount not to exceed \$55,738 to prepare a Master Plan for Holbrook-Palmer Park

Community Services Director Mike Kashiwagi provided back on the item.

Mayor Lewis noted that the project has been a long time coming and will provide the Town with excellent information to use looking forward.

MOTION by Dobbie, second by Wiest to authorize the City Manager to execute a Professional Services Agreement with Bellinger, Foster, Steinmentz in an amount not to exceed \$55,738 to prepare a Master Plan for Holbrook-Palmer Park. The motion passed unanimously.

20. PRIVATE EVENT RESPONSE – COST REIMBURSEMENT

Report: City Manager George Rodericks

Recommendation: Receive and File

City Manager Rodericks provided background on the item. Rodericks noted that staff should have taken the additional steps to advise the hosts of the April 2013 Presidential visit about the costs connected to the event and the need for reimbursement. Because this wasn't done, staff felt that it would be inappropriate to pursue the hosts legally in an attempt to recoup the costs. Additional education and community awareness was recommended. In the future, all private event hosts will be advised up front, that if there event triggers the need for extraordinary Town services they will be required to reimburse the Town for those costs.

No action was taken.

21. ADOPT RESOLUTION NO. 13-__ AUTHORIZING A BUDGET AMENDMENT TO INCREASE CODE ENFORCEMENT HOURS

Report: Community Services Director Mike Kashiwagi

Recommendation: Review the Staff Report and, if appropriate, authorize the City Manager to amend the contract with CSG Consultants to increase the hours of contracted code enforcement from the current 12 hours per week to 20 hours per week; and Adopt Resolution No. 13-__ authorizing a budget amendment of \$36,000 to increase the hours of code enforcement

Council Member Dobbie said he agrees and supports this item. Dobbie suggested that the Police Department continue to stay aware of enforcement issues and assist Code Enforcement in their actions.

City Manager Rodericks noted that the Police and Code Enforcement work very cooperatively.

MOTION by Wiest, second by Dobbie to authorize the City Manager to amend the contract with CSG Consultants to increase the hours of contracted code enforcement from the current 12 hours per week to 20 hours per week; and Adopt Resolution No. 13-__ authorizing a budget amendment of \$36,000 to increase the hours of code enforcement. The motion passed unanimously.

22. ADOPT RESOLUTION NO. 13-XX AUTHORIZING A BUDGET AMENDMENT OF \$5,000 FOR PUBLIC OUTREACH RELATED TO THE CIVIC CENTER PROJECT

Report: City Manager George Rodericks

Recommendation: Adopt Resolution No. 13-XX authorizing a Budget Amendment of \$5,000 for Public Outreach related to the Civic Center Project

MOTION by Dobbie, second by Wiest to adopt Resolution authorizing a Budget Amendment of \$5,000 for Public Outreach related to the Civic Center Project. 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**

Mayor Lewis adjourned the meeting at 8:52 p.m.

Respectfully submitted,

Theresa DellaSanta
City Clerk