



Minutes
Town of Atherton
CITY COUNCIL
October 15, 2014
7:00 p.m.
94 Ashfield Road
Atherton, California
REGULAR MEETING

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

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

Introduction – Dispatcher Christine Basurto

Oath of Office – Officer Jason Bollendorf
 Officer Jeff Rickel

Chief Flint introduced new Officers Jason Bollendorf and Jeff Rickel and Dispatcher Christine Basurto. The oath of office was administered and each officer's badge was pinned by a family member.

San Mateo County Library - Annual Report and Update

Director Anne-Marie Despain presented the San Mateo County Library's Annual Report and County Supervisor Carole Groom presented a report to the Council on the status of discussions around Library Donor Funds.

- 4. PUBLIC COMMENTS – None.**
- 5. REPORT OUT OF CLOSED SESSION - Report out by City Attorney**
- 6. CITY MANAGER'S REPORT– Nothing further to add to written report.**
- 7. COMMUNITY ORGANIZATION ROUNDTABLE REPORT**
- CONSENT CALENDAR (Items 8-16)**

Vice Mayor DeGolia had a comment on Item 16.

- 8. APPROVAL OF SEPTEMBER 17 REGULAR AND OCTOBER 1 SPECIAL MEETING MINUTES**
Report: Assistant City Manager/City Clerk Theresa DellaSanta
Recommendation: Approve meeting minutes
- 9. APPROVAL OF BILLS AND CLAIMS FOR JULY, 2014 IN THE AMOUNT OF \$877,173**
Report: Finance Director Robert Barron III
Recommendation: Approve Bills and Claims in the amount of \$877,173
- 10. FINANCIAL REPORT FOR SEPTEMBER 30, 2014**
Report: Finance Director Robert Barron III
Recommendation: Receive and File the Combined Statement of Revenues, Expenditures in Fund Balance Financial Report for September 30, 2014
- 11. SECOND READING AND ADOPTION OF ORDINANCE OF THE CITY COUNCIL OF THE TOWN OF ATHERTON TO INCREASE COMMERCIAL REFUSE RATES IN THE TOWN OF ATHERTON**
Report: Finance Director Robert Barron III
Recommendation: Waiver further reading and adopt ordinance increasing the rates for commercial refuse rates in the Town of Atherton
- 12. APPROVAL OF AMENDMENT TO RULES AND PROCEDURES GOVERNING COMMITTEES**
Report: City Manager George Rodericks
Recommendation: Adopt the attached Resolution governing committees to reflect a change in the Civic Center Advisory Committee (CCAC) regular meeting schedule
- 13. ADOPTION OF RESOLUTION ACCEPTING EXPENDITURES FOR BALANCE OF FISCAL YEAR 2014/2015 SUPPLEMENTAL LAW ENFORCEMENT SERVICES FUND (SLESF), CITIZEN'S OPTION FOR PUBLIC SAFETY (COPS) GRANT**
Report: Police Chief Ed Flint
Recommendation: Staff recommends that Council Adopt a resolution accepting the recommended expenditures of the remaining balance of FY 2014-15 Supplemental Law Enforcement Services Fund (SLESF), Citizen's Option for Public Safety (COPS) Grant in the amount of \$100,000.00 in accordance with state requirements. The funds must be expended by June 30, 2015
- 14. RESOLUTION AUTHORIZING THE CITY MANAGER TO SIGN THE PROGRAM SUPPLEMENT AGREEMENT No. 006-N TO ADMINISTERING AGENCY-STATE AGREEMENT No. 04-5261R IN CONNECTION WITH ATHERTON AVENUE/FAIR OAKS LANE/MIDDLEFIELD ROAD MAINTENANCE PROJECT**
Report: Community Services Director Mike Kashiwagi
Recommendation: Adopt a Resolution authorizing the City Manager to sign the Program Supplement Agreement No. 006-N to administering Agency-State Agreement No. 04-5261R

in connection with Atherton Avenue/Fair Oaks Lane/Middlefield Road Maintenance Project, Project No. STPL-5261(008)

15. INTRODUCTION AND FIRST READING OF AN ORDINANCE OF THE CITY COUNCIL OF THE TOWN OF ATHERTON AMENDING TITLE 3, CHAPTER 3.16.080, PURCHASING, PURCHASE AND PROCUREMENT CARDS

Report: Finance Director Robert Barron III

Recommendation: Introduce for first reading and waive future reading of an Ordinance of the City Council of the Town of Atherton amending Title 3, Chapter 3.16.080, Purchase and Procurement Cards

16. ART IN PUBLIC FACILITIES POLICY

Report: City Manager George Rodericks

Recommendation: Adopt the attached Art in Public Facilities Policy

Vice Mayor DeGolia recommended that the City Manager include, under the Town Acquisition of Art section, that the type of art displayed be consistent with the common moral standards of the community.

MOTION by Widmer, second by Lewis to approve the consent calendar items 8-16. The motion passed unanimously.

PUBLIC HEARING – (Items 17-19)

17. ADOPTION OF AN INITIAL STUDY/NEGATIVE DECLARATION AND APPROVAL OF THE DRAFT 2014-2022 HOUSING ELEMENT UPDATE FOR TRANSMITTAL TO THE CALIFORNIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

Report: Town Planner Lisa Costa Sanders

Recommendation: Conduct the public hearing on the draft Housing Element Update and draft Initial Study and Negative Declaration (IS/ND);

Provide direction to Staff for any additions, deletions or changes to the draft;

Adopt the Initial Study and Negative Declaration; and

Approve the draft Housing Element Update for transmittal to the California Department of Housing and Community Development (HCD) for review and comment

Following a staff report and public comment, the Council adopted the “status quo” Housing Element Update with the caveat that the Town look into solving issues related to senior housing in the future.

MOTION by Lewis, second by Wiest to Conduct the public hearing on the draft Housing Element Update and draft Initial Study and Negative Declaration (IS/ND);

Provide direction to Staff for any additions, deletions or changes to the draft;

Adopt the Initial Study and Negative Declaration; and

Approve the draft Housing Element Update for transmittal to the California Department of Housing and Community Development (HCD) for review and comment. The motion passed unanimously.

18. APPEAL OF THE DECISION OF THE TOWN PLANNER– 81 ATHERTON AVENUE (APN 070-240-110)

Report: Town Planner Lisa Costa Sanders

Recommendation: Conduct the public hearing, deny the appeal and uphold the decision of the Town Planner for the reasons outlined in this Report

Staff presented the Report and the Council asked questions of staff related to the interpretation of end walls and sidewalls under the Town’s Zoning Code. The Council heard a presentation from the appellant asking the Council to consider a broader interpretation of the code to allow sidewalls of a certain size to be treated differently. The Council asked questions of the appellant and took any public comment. The Council was supportive of staff’s interpretation of the code but recognized the challenge presented by modern architecture. The Council was also conscious of not wanting to create a precedent for development that might abuse a provision in the code to allow larger sidewalls to be developed thereby presenting larger expanses of unarticulated walls facing neighbors or the street (i.e. box homes).

MOTION by Lewis, second by DeGolia to accept the Town Planners alternate interpretation of the Main House and uphold the appeal. The motion passed unanimously.

MOTION by Lewis, second by Wiest to accept the Town Planners alternate interpretation of the accessory structures and uphold the appeal.

Town Planner Lisa Costa Sanders stated the alternate interpretation would allow the full height of the end wall at the minimum width that is required by the Building Code.

The motion passed 3-1. Widmer opposed because he preferred that the Town maintain restrictions on the wall width of accessory structures.

19. ORDINANCE AMENDING ATHERTON MUNICIPAL CODE CHAPTER 17.40, ACCESSORY BUILDINGS AND STRUCTURES

Report: Town Planner Lisa Costa Sanders

Recommendation: Conduct the public hearing and adopt the attached Ordinance amending Atherton Municipal Code Chapter 17.40, Accessory Buildings and Structures

Staff presented the report articulating the challenges related to a required 8-foot separation between accessory structures versus accessory buildings. One example provided of the challenging interpretation is that if a homeowner wished to build a built-in fireplace and built-in seating around that fireplace, the Code required that the seating be 8-feet away from the fireplace.

MOTION by DeGolia, second by Lewis to conduct the public hearing and adopt the attached Ordinance amending Atherton Municipal Code Chapter 17.40, Accessory Buildings and Structures. The motion passed unanimously.

REGULAR AGENDA - (Item 20)

20. AUTHORIZATION TO ISSUE A REQUEST FOR PROPOSAL FOR THE

EL CAMINO REAL LANE REDUCTION TRAFFIC STUDY

Report: Community Services Director Mike Kashiwagi

Recommendation: Authorize issuing a Request for Proposal (RFP) for the El Camino Real Lane Reduction Traffic Study

Following a staff report, Council asked questions of staff with respect to what was a part of the study and what was not; what was the focus of the study; what benefits the study would produce; and what the boundaries of the study were. Following public comment, the Council discussed the issue. The Council discussed the impact of the study and the extent of the study's parameters; whether it would make sense to expand the study to include broader issues of safety along El Camino Real; what the costs of the study would be; and whether the study included coordination with stakeholder groups. Following discussion, the Council authorized release of the Request for Proposal retitling it as Phase I: El Camino Real Safety and Lane Reduction Traffic Study. The Council asked that staff return with a proposal for Phase II to address broader issues of safety along El Camino Real with respect to the crosswalks and intersection.

MOTION by Lewis, second by Wiest to issue request for proposal of phase one of the El Camino Real safety study including lane reduction. The motion passed unanimously.

21. **COUNCIL REPORTS/COMMENTS - None**

22. **FUTURE AGENDA ITEMS**

Council Member Lewis would like to add phase two of the El Camino Real safety study including lane reduction on a future agenda.

Vice Mayor DeGolia would like to add a discussion of the Library JPA donor fund.

23. **PUBLIC COMMENTS - None**

24. **ADJOURN**

Mayor Wiest adjourned meeting at 9:30 p.m.

Respectfully submitted,



**Judi Herren
Office Specialist**