



Minutes
Town of Atherton
CITY COUNCIL
September 17, 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**

Proclamation Recognizing the Rebuilding Efforts from Atherton Volunteers – Mayor Wiest

4. **PUBLIC COMMENTS**
5. **REPORT OUT OF CLOSED SESSION** - Report out by City Attorney
6. **CITY MANAGER'S REPORT**

City Manager Rodericks noted the December holiday closures and commented on upcoming agenda items.

Council Member Lewis requested that County representatives be included in the Mayor/Vice Mayor meetings between Atherton, Menlo Park and Redwood City.

Community Services Director Mike Kashiwagi provided an update on the efforts of the Town to work with Caltrans on El Camino Real improvements.

Vice Mayor DeGolia asked for clarification on what staff is doing to improve the seven crosswalks in Atherton aside from Selby Lane. Kashiwagi noted that the operational study is looking at all crosswalks on El Camino Real in Atherton.

7. **COMMUNITY ORGANIZATION ROUNDTABLE REPORT**

CONSENT CALENDAR (Items 8-21)

City Manager Rodericks noted a couple of modifications and corrections to the minutes and the Human Resources Manual.

Council Member Widmer had comments on items 11 and 17.

8. **APPROVAL OF JUNE 16 AND JULY 16 REGULAR 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 \$1,325,181 AND FOR AUGUST, 2014 IN THE AMOUNT OF \$918,110**
Report: Finance Director Robert Barron III
Recommendation: Approve Bills and Claims in the amount of \$2,243,291
10. **ACCEPTANCE OF TREASURER'S REPORT FOR THE FOURTH QUARTER ENDED JUNE 30, 2014**
Report: Finance Director Robert Barron III
Recommendation: Accept the Treasurer's Report for the third Quarter Ended June 30, 2014
11. **HUMAN RESOURCE POLICIES AND PROCEDURES MANUAL**
Report: City Manager George Rodericks
Recommendation: Receive and Adopt the Town's Human Resources Policies and Procedures Manual

Council Member Widmer noted that this is a long overdue project and thanked staff for getting it done. Widmer felt that the manual is a bit too detailed for such a small organization and suggested cleaning up and repetitive language throughout the manual.

12. **ADOPTION OF RESOLUTION IN SUPPORT OF SUSTAINABLE GROUNDWATER MANAGEMENT IN THE SAN FRANCISQUITO CREEK AREA**
Report: City Manager George Rodericks
Recommendation: Adopt a resolution in support of sustainable groundwater management in the San Francisquito Creek area
13. **APPROVAL OF AYSO CONTRACT FOR 2014 SEASON**
Report: Assistant to the City Manager/City Clerk Theresa DellaSanta
Recommendation: Approve the 2nd Amendment to Agreement between the Town of Atherton and AYSO and authorize the City Manager to execute the Agreement
14. **EXTENSION OF BUILDING AND LIFE SAFETY SERVICES AGREEMENT TO JUNE 30, 2016**
Report: City Manager George Rodericks
Recommendation: Approve the extension of the Building and Life Safety Services Agreement through June 30, 2016 and authorize the City Manager to execute the Agreement on behalf of the Town
15. **ATHERTON ART FOUNDATION BUDGET REQUEST - FY 2014-2015**
Report: Finance Director Robert Barron III
Recommendation: Approve the FY 2014-2015 Budget Request from the Atherton Arts Foundation in the amount of \$12,745

16. **CRW SYSTEMS TRAKiT-9 SOFTWARE UPGRADE AGREEMENTS**
Report: Community Services Mike Kashiwagi
Recommendation: Review the Staff Report and authorize the City Manager to execute the agreements with CRW Systems to upgrade the TRAKiT 9 Permit Software
17. **ADOPTION OF A RESOLUTION OF SUPPORT FOR AN ACTIVE TRANSPORTATION GRANT APPLICATION TO MTC**
Report: Community Service Director Mike Kashiwagi
Recommendation: Adopt Resolution in support of a \$1,604,610 Active Transportation Grant application for a Complete Streets Project on El Camino Real between Selby Lane and 5th Avenue

Council Member Widmer noted that he is the council representative to the bike pedestrian committee and felt that there were other priorities established through that committee that are not identified in the grant.

Kashiwagi stated that in order to maximize a grant application the top priorities are not always chose however the items chosen did come from the priority list itself.

18. **ACCEPTANCE OF WORK, AUTHORIZATION TO RECORD NOTICE OF COMPLETION FOR THE 2014 SLURRY SEAL PROJECT**
Report: Community Service Director Mike Kashiwagi
Recommendation: Accept work and authorize recording of a Notice of Completion for the 2014 Slurry Seal Project, Number 56058
19. **BRIDGE AND CULVERT INSPECTION CONSULTANT AGREEMENT**
Report: Community Services Director Mike Kashiwagi
Recommendation: Authorize the City Manager to execute a not-to-exceed, time and materials fee contract with NV5, Inc. in the amount of \$50,000 to provide municipal engineering services for Structural Bridge/Box Culvert Inspections and Related Services
20. **RESOLUTION AUTHORIZING THE CITY MANAGER TO SIGN RIGHT-OF-WAY CERTIFICATION IN CONNECTION WITH STATE AND FEDERALLY FUNDED PROJECTS**
Report: Community Services Director Mike Kashiwagi
Recommendation: Adopt a Resolution authorizing the City Manager to sign Right-of-Way Certifications in connection with State and Federally Funded projects
21. **APPROVAL OF CHANGE ORDER FOR AUDIO VISUAL DESIGN**
Report: City Manager George Rodericks
Recommendation: Approve a change order to the Audio Visual Design Group in an amount not to exceed \$4,500
22. **DESIGNATED GROUPS**
Report: City Manager George Rodericks
Recommendation: Receive and File

**MOTION by Lewis, second by DeGolia to approve the consent calendar (items 8 through 22).
The motion passed unanimously.**

PUBLIC HEARING – (Items 23-24)

23. REQUEST FOR A TENTATIVE PARCEL MAP CERTIFICATE TO CREATE TWO LOTS AT 93 CAMINO POR LOS ARBOLES (APN 070-310-110)

Report: Planner Lisa Costa Sanders

Recommendation: Approve the Tentative Parcel Map Certificate allowing the subdivision of one lot into two lots at 93 Camino Por Los Arboles, based on the findings and for the reasons incorporated in the Staff Report

Town Planner Lisa Costa Sanders presented the Report and the Council took comments from the property owner and asked questions of staff. In particular, the Council noted the desire for improvements to the sewer system for the property as well as protection for trees.

MOTION by Lewis, second by DeGolia to approve the Tentative Parcel Map Certificate allowing the subdivision of one lot into two lots at 93 Camino Por Los Arboles. The motion passed unanimously.

24. PUBLIC HEARING ON RECOMMENDED INCREASE TO COMMERCIAL REFUSE RATES IN THE TOWN OF ATHERTON

Report: Finance Director Robert Barron III

Recommendation: Conduct Public Hearing and introduce the Ordinance increasing commercial refuse rates for first reading.

Mayor Wiest opened the public hearing.

Finance Director Robert Barron III presented the staff report.

Council Member Widmer noted that all of the agencies within the SBWMA have been asked to improve the diversion rates, particularly on the commercial side.

MOTION by Lewis, second by Widmer to introduce the Ordinance increasing commercial refuse rates for first reading. The motion passed unanimously. (The ordinance will return to the November meeting for final reading and adoption).

REGULAR AGENDA - (Items 25-29)

The Council took up item 28 next.

28. TENNIS FACILITY MANAGEMENT SELECTION

Report: Community Services Director Mike Kashiwagi

Recommendation: Approve contract with Player Capital Tennis to manage the tennis facility at Holbrook-Palmer Park

Community Services Director Mike Kashiwagi summarized the staff report.

Following the staff report, the Council asked staff and the proposed vendor a number of questions surrounding use of the courts under the new system, the numbers of courts available for the public during normal operations, the ability to do a phone-in or walk-up reservation, court maintenance issues and responsibilities, parking and parking education, remittance to the Town under the new agreement, exclusivity and the responsibility for enforcement of such, and the ability of the Town to evaluate the services and the data/records associated with the management of the facilities.

The Council took public comment during which the prior tennis vendor spoke about the need to improve maintenance of the courts on a regular basis.

MOTION by DeGolia, second by Lewis to approve contract with Player Capital Tennis to manage the tennis facility at Holbrook-Palmer Park. The motion passed unanimously.

The Council recommended that there be a 6-month check-in on the arrangement (March 2015) to evaluate how things are working.

25. AUTHORIZATION TO ISSUE A REQUEST FOR QUALIFICATIONS FOR CIVIC CENTER DESIGN

Report: Community Services Director Mike Kashiwagi

Recommendation: Approve the RFQ to solicit qualifications from firms for the Civic Center Design and direct staff to issue it

Kashiwagi presented the Report asking the Council to review and approve the Request for Qualifications (RFQ) to solicit qualifications from firms interested in the Civic Center Design project.

Council Member Widmer asked for a status update at a future meeting on where the fundraising group is with raising funds.

MOTION by DeGolia, second by Widmer to approve the RFQ to solicit qualifications from firms for the Civic Center Design and direct staff to issue it. The motion passed unanimously.

26. APPROVAL OF AN AGREEMENT WITH PLACEWORKS FOR PREPARATION OF THE CIVIC CENTER MASTER PLAN ENVIRONMENTAL DOCUMENT

Report: Town Planner Lisa Costa Sanders

Recommendation: Approve the agreement with Placeworks for preparation of the Civic Center Master Plan environmental document pursuant to the California Environmental Quality Act (CEQA), in an amount not to exceed \$146,808 and authorize the City Manager to execute the agreement

Lisa Costa Sanders presented the Report. The proposed agreement was in an amount not to exceed \$146,808. Following discussion on the “visual simulation” component of the proposal and a confirmation of the funding, the Council approved the agreement.

MOTION by Lewis, second by Widmer to approve the agreement with Placeworks for preparation of the Civic Center Master Plan environmental document pursuant to the California Environmental Quality Act (CEQA), in an amount not to exceed \$146,808 and authorize the City Manager to execute the agreement. The motion passed unanimously.

27. TOWN ARBORIST POSITION

Report: City Manager George Rodericks

Recommendation: Replace existing Town Arborist contract with Kevin Kielty with a Full-Time Employee (FTE)

City Manager Rodericks summarized the report. Rodericks explained that staff is recommending a full-time position be created as a “4-Year Limited Term” position. As an employee of the Town, the position would be eligible for all benefits provided to regular full-time staff to include enrollment in the CalPERS pension system, disciplinary and performance measures, and a 1-year probationary period. However, the position would be subject to a 4-year limited term and at the end of 4-years the Town has the option of renewing the position for a period of time, eliminating the position, or reducing its level of funding based on workload.

Council Member Lewis asked about the long-term liabilities associated with the position. City Manager Rodericks said the Town would only be obligated for liabilities during that four years the individual is working for the Town.

Vice Mayor DeGolia asked for clarification on the “step” ranges for the salary. Rodericks explained that the Town is on a salary program that provides the employee a step increase at their yearly anniversary.

Council Member Widmer questioned whether the position would really work 40 hours a week 52 weeks a year; he didn’t feel that the comparison of a contract position and FTE was an accurate one.

Council Member Lewis felt that the position was extremely important to the residents of the Town.

MOTION by Lewis, second by replace existing Town Arborist contract with Kevin Kielty with a Full-Time Employee (FTE) for a 4-year limited term contract. The motion passed unanimously.

29. CSO/CODE ENFORCEMENT OFFICER

Report: City Manager George Rodericks

Recommendation: Replace existing code enforcement contract with CGS Consultants, Inc. with a full-time employee (FTE) whose job classification would be designated as Community Service Officer / Code Enforcement Officer

City Manager Rodericks summarized the report.

Council Member Lewis asked for clarification on the compensation analysis provided in the report.

Lewis felt that the savings from the current cost of a contractor would be significant and that the town will soon have more than enough work, as it writes new rules regulating what residents can put in the town's street-side right-of-ways.

Council Member Widmer said he was not convinced that the workload would justify the position.

Vice Mayor DeGolia felt that there was enough work and he liked the idea of putting the position in the Police Department.

Mayor Wiest was supportive of the position. He felt the need for code enforcement will increase as we expand and update our municipal code.

MOTION by DeGolia, second by Lewis to approve replacing existing code enforcement contract with CGS Consultants, Inc. with a full-time employee (FTE) whose job classification would be designated as Community Service Officer / Code Enforcement Officer on a three-year limited term contract. The motion passed 3-1, Widmer opposed.

30. COUNCIL REPORTS/COMMENTS

Council Member Lewis reported Assembly member Kevin Mullen (AB70) affirms that any JPA has taxation and fee authority as long as all members jointly hold that authority. The bill clarifies and explains that authority.

31. FUTURE AGENDA ITEMS – None.

32. PUBLIC COMMENTS – None.

33. ADJOURN

MOTION by DeGolia, second by Lewis to adjourn the meeting.

Mayor Wiest adjourned the meeting at 8:45 p.m.

Respectfully submitted,

**Theresa DellaSanta
City Clerk**