



**Minutes**  
**Town of Atherton**  
**CITY COUNCIL**  
**May 20, 2015**

**6:00 P.M. – SPECIAL MEETING - CLOSED SESSION**  
**Conference Room; Town Administrative Offices**  
91 Ashfield Road, Atherton, California  
**7:00 P.M. - REGULAR MEETING**  
**Council Chambers**  
94 Ashfield Road,  
Atherton, California

Mayor DeGolia called the closed session meeting to order.

**6:00 PM      CLOSED SESSION IN CONFERENCE ROOM**

**ROLL CALL            Wiest, DeGolia, Widmer, Lewis, Lempres**

**PUBLIC COMMENTS**

Public Announcement of Closed Session Items – by Mayor DeGolia

**CLOSED SESSION**

**CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION (Significant exposure to litigation pursuant to subsection (b) of Government Code Section 54956.9):**

*One (1) Case*

**CONFERENCE WITH LEGAL COUNSEL--EXISTING LITIGATION (Subdivision (a) of Section 54956.9)**

*One (1) Case*

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

*City Manager*

**CONFERENCE WITH LABOR NEGOTIATOR – Labor negotiations pursuant to Government Code Section 54957.6**

Agency Negotiators: George Rodericks, City Manager

Employee Organization: Unrepresented Employees

Report out provided during open session, Item 5.

**7:00 PM      REGULAR SESSION**

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

**1.      PLEDGE OF ALLEGIANCE**

2. **ROLL CALL** Widmer, Lewis, DeGolia, Wiest, Lempres

3. **PRESENTATIONS**

The first presentation was an informational presentation concerning Peninsula Sunshares. Peninsula Sunshares is a residential solar photovoltaic bulk-purchasing program sponsored by San Mateo County. Atherton residents will be able to take advantage of the program for residential solar projects. Here is a link to the PowerPoint for the presentation:  
<http://www.ci.atherton.ca.us/DocumentCenter/View/2106>

Following the presentation on solar programs, the Council heard a presentation from the Bay Area Air Quality Management District on compliance efforts with the Lehigh Southwest Cement Plant. A copy of the PowerPoint presentation can be found here:  
<http://www.ci.atherton.ca.us/DocumentCenter/View/2107>

4. **PUBLIC COMMENTS** – None.

5. **REPORT OUT OF CLOSED SESSION** – No reportable action.

6. **CITY MANAGER’S REPORT** – Nothing further to add to written report.

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

**CONSENT CALENDAR** (Items 8-13)

8. **APPROVAL OF APRIL 15, 2015 REGULAR MEETING AND MAY 6, 2015 SPECIAL MEETING MINUTES**

**Report:** Assistant to the City Manager/City Clerk Theresa DellaSanta

**Recommendation:** Approve meeting minutes

9. **APPROVAL OF BILLS AND CLAIMS FOR APRIL, 2015 IN THE AMOUNT OF \$1,182,147**

**Report:** Finance Director Robert Barron III

**Recommendation:** Approve Bills and Claims in the amount of \$ 1,182,147

10. **FINANCIAL REPORT FOR APRIL 30, 2015**

**Report:** Finance Director Robert Barron III

**Recommendation:** Receive and File the Combined Statement of Revenues, Expenditures and Changes in Fund Balance Financial Report for April 30, 2015

11. **ACCEPTANCE OF TREASURER’S REPORT FOR THE THIRD QUARTER ENDED MARCH 31, 2015**

**Report:** Finance Director Robert Barron III

**Recommendation:** Accept the Treasurer’s Report for the Third Quarter Ended March 31, 2015

12. **AGREEMENT WITH TURBO DATA SYSTEMS, INC. FOR PARKING CITATION PROCESSING AND ADJUDICATION SERVICES**

**Report:** Finance Director Robert Barron III

**Recommendation:** Adopt the attached Resolution directing the City Attorney to prepare and authorizing the City Manager to execute an Agreement with Turbo Data Systems, Inc. for Town Parking Citation Processing and Adjudication Services, for a five (5) year term expiring June 30, 2020

**13. 2014 ANNUAL REPORT TO THE CITY COUNCIL ON THE ATHERTON GENERAL PLAN IMPLEMENTATION**

**Report:** Town Planner Lisa Costa Sanders

**Recommendation:** Accept the Annual Report and authorize its transmittal to the California Governor's Office of Planning and Research and the California Department of Housing and Community Development pursuant to Section 65400 of the California Government Code (CGC)

**MOTION by Lewis, second by Lempres to approve the consent calendar including items 8 through 13. The motion passed unanimously.**

**PUBLIC HEARING**

**14. CONSIDER AN ORDINANCE AMENDING ATHERTON MUNICIPAL CODE CHAPTER 17.56; SPECIAL EVENTS**

**Report:** Town Planner Lisa Costa Sanders

**Recommendation:** Conduct the public hearing and introduce the attached ordinance amending Atherton Municipal Code Chapter 17.56 regulating special events in Atherton

City Manager Rodericks presented the report and answered questions regarding the proposed ordinance. Staff had a few suggestions for modification to the ordinance. These included:

- 1) Correcting the hours as recommended by the Planning Commission to 8 am until 7 pm on Monday through Friday.
- 2) Suggested modification of Section 17.56.040(C) to the following: "A special event permit is required for any special event held on private property or public property that requires the assistance of the Town for traffic control, public safety services, extraordinary parking control measures, waiver of any local, state, or federal ordinance, or other mitigation measures arising from the special event."
- 3) Suggested modification of Section 17.56.060 to include the following change in sentence two: "The City Manager or designee may refer items to the City Council when, in his or her opinion, the public interest would be better served by public review at a public meeting. Special event permits related considered for local schools (public or private) or country clubs shall be automatically referred to the City Council."
- 4) School Event Guidelines - A suggested modification to the lighting provisions of the School Event Guidelines to cover temporary lighting versus permanent lighting. The suggested revision is as follows: "Any lighting associated with field or outdoor functions use, where lights presently do not exist, shall be shielded or downlit so the source of light shall not shine onto adjacent properties. Temporary lighting may not be added without a special event permit."

The suggested revisions were discussed by the Council as well as discussion surrounding the City Manager's approval authority and discretion; how to incorporate a threshold for that discretion, timing and ability to hold a public meeting as suggested, existing conditions and conditional uses, as well as revenue generation for events that have vendors to offset Town costs.

Vice Mayor Lewis asked for clarification on the time restrictions.

Council Member Widmer felt that there should be some guidelines that require ample time for Council to discuss any events that may have potential major disruptions to the community.

There was some discussion on how to handle what events should be council approved and how much discretion should be delegated to the City Manager.

Council Member Wiest felt that the City Manager should have ultimate authority to approve. Mayor DeGolia agreed.

DeGolia felt it is the Town's responsibility to make sure the taxpayers are not subsidizing events with staff resources. DeGolia suggested collection of sales tax at these larger events where there is considerable commercial activity.

**MOTION by Lewis, second by Wiest to continue the hearing (along with the suggested changes provided by Rodericks) to the June 17 Council meeting. The motion passed unanimously.**

#### **REGULAR AGENDA – (Items 15-18)**

##### **15. TEMPORARY RELOCATION OF THE ATHERTON PERMIT CENTER**

**Report:** Community Services Director Mike Kashiwagi

**Recommendation:** Provide direction to staff regarding the temporary relocation of the Atherton Permit Center during construction of the new Civic Center

This item was continued discussion from the April Regular Meeting. Community Services Director Mike Kashiwagi presented the staff report and asked the Council for threshold decision direction with respect to relocating the permit center into the Park during the Civic Center project construction or relocating it somewhere on the Civic Center project site during construction.

The Council discussed the various options available, the square footage requirements for the permit center, concerns over location in the civic center during construction, issues related to staging for the library, and interim needs to make the permit center a safe and healthy work environment.

Lewis asked if permit center would fit in chambers.

Kashiwagi responded that the permit center would not fit in the chambers in its entirety. It would have customer service issues. Lewis felt the chambers are the lowest cost solution. Kashiwagi noted that the chambers are one half the existing space of the permit center.

Widmer suggested staff consider a third option of putting trailers near the backside of the existing corporation yard.

Lempres noted that the Park & Recreation Committee is not supportive of a move to the park, and that is input the Council should consider. He said that it's important to protect the Park's character and he is reluctant to move trailers and business services to the park.

Widmer felt that keeping the staff in the same location is optimal because there are many shared duties between departments. Lewis agreed however she felt that sacrifices need to be made in order to reach the ultimate end result.

Kashiwagi noted there is uncertainty if the permit stays in the civic center project areas because the Town still has to decide if the library will stay in operation, construction staging and sequencing, and layout.

Council felt that the Main House should be looked at before a final decision

Following discussion, the Council directed that the staff take measures necessary to make the existing permit center a safe and healthy work environment and that staff take measures necessary to begin the process of relocating the permit center to the Park during the Civic Center Construction Project at the location identified for the future Knox Playschool move in the Park Use Master Plan. Further, that that facility be designed as a compatible park structure and with the potential to be renovated for use by Knox Playschool, if so determined.

**MOTION by Lewis, second by Wiest to look at moving permit center to the park into a temporary facility on a temporary basis until the new civic center is completed. Motion passed 3-2 (Widmer and Lempres opposed).**

**16. PARK USE MASTER PLAN**

**Report:** Community Services Director Mike Kashiwagi

**Recommendation:** Review and accept the Park Use Master Plan

Public Works Superintendent Steve Tyler provided a report to Council.

Changes discussed at the April meeting have been vetted by P&R and included in the Park Master Plan.

Widmer put watering in the park on system that regulates the number of days/times to water.

Following the staff report, the Council discussed the Park Use Master Plan, parking management, the possibilities of expanded parking, options for redesign of the Pavilion parking, relocation of Knox Playschool, and the timing and quantity of capital improvement projects. Following discussion, the Council moved to adopt the Park Use Master Plan with the caveat that the Council will revisit the timing and quantity of capital improvement projects during the Capital Improvement Budget discussion on June 3. The Council generally expressed support for improvements in the Park and encouraged projects to move along as funding and resources dictate.

**MOTION by Wiest, second by Lempres to accept the Park Use Master Plan. The motion passed 4-1 (Widmer opposed because he doesn't want playschool next to house).**

**17. CONSIDERATION OF CAFÉ AND/OR TEACHING KITCHEN IN CIVIC CENTER PROGRAM**

**Report:** Community Services Director Mike Kashiwagi

**Recommendation:** Review, discuss, and provide feedback regarding whether a café and/or teaching kitchen should be incorporated into the proposed program for the Civic Center

Staff presented the report and answered questions regarding the possibility of a café or teaching kitchen in the programming for the Civic Center. The Council discussed the need, the potential uses, other facilities, and the function of a café and/or teaching kitchen. The Council also discussed the administrative process to make changes to the land use, environmental report, and General Plan to accommodate the potential café. Following discussion, the Council provided direction to staff for overall support for including the potential of a café and/or teaching kitchen in the programming plan for the Civic Center with the understanding that the ultimate decision to incorporate either or both rests with the Council as part of final design approval.

**18. RESOLUTION ENDORSING AND SUPPORTING THE EFFORTS OF CALIFORNIA WATER SERVICE IN RESPONSE TO THE STATE WATER RESOURCES CONTROL BOARD AND THE GOVERNOR’S EXECUTIVE ORDER RELATED TO THE DROUGHT**

**Report:** City Manager George Rodericks

**Recommendation:** Adopt the attached Resolution endorsing and supporting the efforts of California Water Service in response to the State Water Resources Control Board adopted emergency regulations and the Governor’s Executive Order related to the drought

City Manager Rodericks presented the staff report.

Council Member Lempres asked if there is expiration on the Governors Executive Order as it relates to water conservation. Rodericks said yes. He indicated that is the reason the Town approves a resolution rather than codifying it in the municipal code.

A Cal Water representative spoke to Council about the regulations including the allowable outdoor irrigation days.

Council requested that Cal Water let them know whether it is prohibited to fill a newly constructed pool.

Bell Stafford, environmental advocate, handed out a brochure to Council with information about animal agriculture and how it affects the State’s water supply.

The Council discussed timing, water budgets, penalties, surcharges, profits, usage information and timing, swimming pools, agricultural uses locally, and incentives. The Council asked California Water Service to consider increasing and expanding their incentive programs to match that of the Santa Clara Water District.

MOTION by DeGolia, second by Lewis to adopt the Resolution endorsing and supporting the efforts of California Water Service in response to the State Water Resources Control Board adopted

emergency regulations and the Governor's Executive Order related to the drought. The motion passed unanimously.

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

20. **FUTURE AGENDA ITEM** – None.

21. **PUBLIC COMMENTS** \_ None.

22. **ADJOURN**

**MOTION by Lempres, second by Widmer to adjourn the meeting. Mayor DeGolia adjourned the meeting at 9:58 p.m.**

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**Respectfully submitted,  
Theresa DellaSanta  
City Clerk**