



Minutes
Town of Atherton
CITY COUNCIL
February 17, 2016
7:00 P.M. - REGULAR MEETING
Council Chambers
94 Ashfield Road,
Atherton, California

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

Vice Mayor Lempres will teleconference from the following location:
67 Courter Ave, Maplewood, NJ 07040
650-690-6661

This Agenda may not reflect the actual order of items. The order of items is subject to change based on Council action.

REGULAR SESSION

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

Summer Learning Report – Presentation by San Mateo County Library

Francisco Vargas from the San Mateo County Library provided background and showed a brief video on the Summer Learning Program. Vargas introduced Atherton's newest Senior Librarian Rebecca Forth.

4. **PUBLIC COMMENTS** – None.
5. **REPORT OUT OF CLOSED SESSION** – None.
6. **CITY MANAGER'S REPORT**

Rodericks provided an update on the Town & Gown event yet to be scheduled and some brief Q&A on the Town's Bicycle and Pedestrian projects (sharrows).

Community Services Director Kashiwagi provided an update on the Quiet Zone project. Consultant R.L. Banks did a site visit last Wednesday. An inspection was performed to confirm the improvements at Fair Oaks and to take a look at Watkins. Next steps are to summarize that visit and then proceed with a Notice of Intent.

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

CONSENT CALENDAR (Items 8- 13)

Council Member DeGolia pulled Item 13.

Mayor Lewis pulled Item 12.

These items were moved to after the regular agenda.

8. **APPROVAL OF JANUARY 13 SPECIAL MEETING AND JANUARY 20, 2016 REGULAR MEETING MINUTES**

Report: City Clerk Theresa DellaSanta

Recommendation: Approve meeting minutes

9. **APPROVAL OF BILLS AND CLAIMS FOR JANUARY IN THE AMOUNT OF \$1,115,180**

Report: Finance Director Robert Barron III

Recommendation: Approve Bills and Claims in the amount of \$1,115,180

10. **ACCEPTANCE OF TREASURER'S REPORT FOR THE SECOND QUARTER ENDED DECEMBER 30, 2015**

Report: Finance Director Robert Barron III

Recommendation: Accept the Treasurer's Report for the Second Quarter Ended December 31, 2015

11. **AWARD OF CONTRACT FOR THE 2016 SPRING PATCHING PROJECT, PROJECT NUMBER 56070**

Report: Community Services Director Mike Kashiwagi

Recommendation: Award the construction contract for 2016 Spring Patching Project, project number 56070 to the low bidder, G. Bortolotto & Company of San Carlos for \$93,225; direct the City Attorney to prepare the contract; and authorize the City Manager to execute the contract on behalf of the Town

MOTION BY Widmer, second by DeGolia to approved the consent calendar excluding items 12 and 13. The motion passed unanimously.

PUBLIC HEARING – (Item 14)

14. **CONSIDER AN ORDINANCE AMENDING ATHERTON MUNICIPAL CODE CHAPTER 6.04; ANIMAL AND FOWL**

Report: Town Planner Lisa Costa Sanders

Recommendation: The Planning Commission and staff recommend that the City Council adopt an Ordinance amending Atherton Municipal Code Chapter 6.04 regulating the keeping of fowl in Atherton

Council opened the Public Hearing to take comments from the public. Two members of the public spoke in favor of amendments to the Town's ordinance. After closing the Public Hearing, the Council discussed the issues presented in the ordinance. The Council identified and discussed issues related to noise, odor, setback, lot size constraints, number of fowl permitted based on each lot size, size of the coop, size of the run, and permitting/enforcement.

Council Member Widmer felt that a large setback should be required for chickens, and a variance should be required for special circumstances. He also noted that he spoke to a number of major builders in Town and a majority of them do not prefer chickens because it can devalue properties.

Council Member DeGolia felt that the Planning Commission's recommendation enables a reasonable number of chickens without prohibiting it. DeGolia felt strongly that a permit or license should be required so that the Town has some latitude for complaints about chickens.

Council Member Wiest felt that if chickens are allowed then we should have an avenue that allows for oversight. Wiest did not support chickens on any properties with less than ½ acre.

Mayor Lewis felt that the current setbacks are not reasonable for chicken coops.

The Council directed staff to amend the ordinance as discussed retaining a permit process together with an inspection, clarify the educational uses and limitations, modify the setback requirements to a graduated scale based on 50% of the lot's required setback, eliminate the 50 foot from structure on adjacent property requirement, and limit the number of chickens to 3 for ½ acre to 1 acre lots. The Council also asked that visual representations of the varying lot sizes and setbacks be included in the next Report.

MOTION by Lewis, second by DeGolia to continue the Public Hearing to the March City Council meeting. The motion passed unanimously.

REGULAR AGENDA – (Items 15-19)

15. ENVIRONMENTAL PROGRAMS COMMITTEE (EPC) 2016 EARTH DAY EVENT WORK PLAN AND BUDGET AS RECOMMENDED BY THE EPC

Report: Town Planner Lisa Costa Sanders

Recommendation: Review, provide comment, and approve a final an Environmental Programs Committee (EPC) 2016 Earth Day Event work plan

Following the staff report and public comments, the Council discussed the proposed Earth Day event(s) and budget. The Council discussed the comprehensive programs proposed; historic Earth Day activities, attendance, and budget; and methodology for collection of funds and fees. Following discussion, the Council approved the budget request of \$5,000 and the scope of the Earth Day event(s). However, it was noted that the proposed survey (pre- and post-event) as well as the proposed movie showing need to be approved by the Council in advance. Staff was directed to work with the Committee to return the proposed surveys and movie to the March 2 Study Session.

MOTION by DeGolia, second by Lempres to approve an Environmental Programs Committee (EPC) 2016 Earth Day Event work plan and a budget request for \$5,000. The motion passed unanimously.

16. PROVIDE DIRECTION REGARDING THE RELOCATION OF KNOX PRESCHOOL WITHIN HOLBROOK PALMER PARK

Report: Community Services Director Mike Kashiwagi

Recommendation: Provide direction to staff regarding the relocation of Knox Preschool within Holbrook Palmer Park per the adopted Holbrook Palmer Park Master Plan

Following the staff report and public comments, the Council discussed the various issues related to the costs of construction and relocation, timing, capability of Knox Preschool to financially participate, urgency, and the Park Master Plan.

After discussion, the Council provided staff with direction noting that the Park Master Plan remains the best design for the Park, affirming the Plan's relocation of Knox Preschool. However, it was noted that there is no urgency to implementation. The Council affirmed that Knox Preschool should return in June or July 2016 for renewal of the lease and the Council could consider a single or multi-year renewal option.

Lastly, the Council advised that the relocation should be put on hold but the Town should remain responsible for any necessary tenant improvements related to health and safety.

17. MID-YEAR BUDGET REPORT FOR FY 2015-2016 AND BUDGET AMENDMENT FOR ADJUSTMENTS

Report: Finance Director Robert Barron III

Recommendation: Receive and file the Mid-Year Budget Review for the General Fund for FY 2015-2016 and adopt the attached Resolution authorizing a Budget Amendment for Adjustments

Staff presented a staff report and the Council discussed various issues related to the continued receipt of Educational Revenue Augmentation Funds, budgeted Capital Improvement Projects and their timing as well as the Town's positive fiscal position.

Following discussion, the Council adopted the recommended mid-year budget adjustment.

MOTION by Widmer, second by DeGolia to adopt the Resolution authorizing a Budget Amendment for Adjustments. The motion passed unanimously.

18. APPROVE SOLICITATION OF REQUEST FOR PROPOSAL FOR INTERNET TECHNOLOGY SERVICES

Report: City Manager George Rodericks

Recommendation: Approve the Internet Technology (IT) Services Request for Proposal (RFP).

Following a brief staff report outlining the Town's current technology services and questions on pricing expectations, the Council authorized staff to issue the Request for Proposal.

MOTION by Wiest, second by Lewis to approve the Internet Technology (IT) Services Request for Proposal. The motion passed 4-0-1, with Widmer abstaining due to his involvement with helping to develop the RFP. Motion passes.

19. CIVIC CENTER PROJECT STATUS REPORT

Report: Community Services Director Mike Kashiwagi

Recommendation: Receive report and provide feedback to the CCAC and staff regarding recommendations from the CCAC on exterior design

Community Services Director Mike Kashiwagi provided an update to Council.

The Council provided comments on the architectural design, status of funding, and a desire for more detail with respect to planned funding.

PULLED ITEMS

12. AUTHORIZATION TO ISSUE A REQUEST FOR PROPOSAL FOR CONSTRUCTION MANAGEMENT SERVICES FOR THE MARSH ROAD RETAINING WALL REPAIR PROJECT

Report: Community Services Director Mike Kashiwagi

Recommendation: Authorize issuing a Request for Proposal (RFP) for Construction Management Services for the Marsh Road Retaining Wall Repair Project

Council had questions relating to the scope of work.

Kashiwagi answered that the idea is to hire a professional engineering company to monitor quality control in relation to the contract.

MOTION by Widmer, second by Wiest to authorize issuing a Request for Proposal (RFP) for Construction Management Services for the Marsh Road Retaining Wall Repair Project. The motion passed unanimously.

13. AUTHORIZE AN AMENDMENT TO THE AGREEMENT WITH BIGGS CARDOSA ASSOCIATES FOR TWO ADDITIONAL SERVICE REQUESTS FOR THE MARSH ROAD RETAINING WALL REPAIR PROJECT

Report: Community Services Director Mike Kashiwagi

Recommendation: Authorize an amendment to the agreement with Biggs Cardosa Associates for two additional service requests not to exceed the amount of \$25,740.00 for the Marsh Road Retaining Wall Construction Project.

Council comments and questions surrounded the outreach portion of this project. The Council wanted to know why there were two outreach meetings within the scope of work.

Kashiwagi explained that the idea is to hold one large community meeting that includes the various stakeholders (County, neighboring jurisdictions, CHP, etc.) and the community. The second meeting would be a smaller meeting for the impacted neighborhood where staff will focus in on the streets that will have increased traffic due to the road closures.

After clarification from Kashiwagi, Mayor Lewis understood the need for two meetings.

MOTION by Lewis, second by DeGolia to authorize an amendment to the agreement with Biggs Cardosa Associates for two additional service requests not to exceed the amount of \$25,740.00 for the Marsh Road Retaining Wall Construction Project. The motion passed unanimously.

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

21. **FUTURE AGENDA ITEMS** – None.

22. **PUBLIC COMMENTS** – None.

23. **ADJOURN**

Mayor Lewis adjourned the meeting at 10:10 p.m.

Respectfully submitted,
Theresa DellaSanta
City Clerk