



Minutes
Town of Atherton
CITY COUNCIL
April 20, 2016

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 Lewis called the Closed Session meeting to order at 6:00 p.m.

6:00 PM CLOSED SESSION IN CONFERENCE ROOM

ROLL CALL Wiest, DeGolia, Widmer, Lewis, Lempres

PUBLIC COMMENTS

Public Announcement of Closed Session Items

CLOSED SESSION

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

Agency Negotiators: George Rodericks, City Manager

Employee Organization: Unrepresented Employees, Atherton Police Officers' Association

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

City Manager

7:00 PM REGULAR SESSION

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

1. PLEDGE OF ALLEGIANCE

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

3. PRESENTATIONS

Proclamation -

- National Police Week Proclamation
- Public Safety Communications Personnel Proclamation

Mayor Lewis read each proclamation for the record.

Tree Awards Presentation – Town Arborist Sally Bentz

Town Arborist Sally Bentz provided awards to Menlo College for “best maintained” oaks, to a homeowner on Virginia Avenue for a Sequoia sempervirens, Redwoods, and to a homeowner on Walsh Road for a Coast Live Oak.

4. PUBLIC COMMENTS

William Grindley, Atherton resident, provided Council with an updated on the High Speed Rail lawsuit.

5. REPORT OUT OF CLOSED SESSION - Report out by City Attorney

City Attorney Bill Conners reported that the direction was given to the Mayor and Vice Mayor with respect to the City Manager’s performance evaluation.

He added that there was no reportable action for Item A.

6. CITY MANAGER’S REPORT

Nothing further to add to written report.

7. COMMUNITY ORGANIZATION ROUNDTABLE REPORT

CONSENT CALENDAR (Items 8- 17)

Council Member Widmer noted that he had comments on Items 12 and 13.

8. APPROVAL OF APRIL 6 SPECIAL MEETING AND MARCH 16, 2016 REGULAR MEETING MINUTES

Report: City Clerk Theresa DellaSanta

Recommendation: Approve meeting minutes

9. APPROVAL OF BILLS AND CLAIMS FOR MARCH IN THE AMOUNT OF \$1,098,914

Report: Finance Director Robert Barron III

Recommendation: Approve Bills and Claims in the amount of \$1,098,914

10. ACCEPTANCE OF TREASURER’S REPORT FOR THE THIRD QUARTER ENDED MARCH 31, 2016

Report: Finance Director Robert Barron III

Recommendation: Accept the Treasurer’s Report for the Third Quarter Ended March 31, 2016

- 11. 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
- 12. ACCEPT THE 2015 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).
- 13. ACCEPTANCE OF WORK, AUTHORIZATION TO RECORD NOTICE OF COMPLETION FOR THE CLASS III BIKE ROUTE PROJECT**
Report: Community Services Director Mike Kashiwagi
Recommendation: Accept work and authorize recording of a Notice of Completion for the Class III Bike Route Project, Number 56072
- 14. CONSIDERATION TO APPROVE ADDITIONAL TRAFFIC ANALYSIS FOR THE EL CAMINO REAL/SELBY LANE INTERSECTION AND AMEND THE EXISTING CONSULTANT SERVICES AGREEMENT WITH MARK THOMAS AND COMPANY FOR A NOT-TO-EXCEED AMOUNT OF \$26,900**
Report: Community Services Director Mike Kashiwagi
Recommendation: Approve and authorize an amendment to the Mark Thomas and Company Consultant Services Agreement for a not-to-exceed amount of \$26,900 to perform additional traffic analysis for the El Camino Real/Selby Lane intersection
- 15. ACCEPTANCE OF WORK, AUTHORIZATION TO RECORD NOTICE OF COMPLETION FOR THE 2016 SPRING PATCHING PROJECT**
Report: Community Services Director Mike Kashiwagi
Recommendation: Accept work and authorize recording of a Notice of Completion for the 2016 Spring Patching Project, Number 56070
- 16. APPROVE 1-YEAR LEASE EXTENSION FOR KNOX PRESCHOOL**
Report: Community Services Director Mike Kashiwagi
Recommendation: Approve a one-year lease extension with an option for two additional one-year extensions for the Knox Preschool at Holbrook-Palmer Park
- 17. APPROVE AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT WITH BIGGS CARDOSA ASSOCIATES, INC. FOR THE MARSH ROAD RETAINING WALL REPAIR PROJECT FOR A NOT-TO-EXCEED AMOUNT OF \$53,500**
Report: Community Services Director Mike Kashiwagi

Recommendation: Approve an amendment to the professional services agreement with Biggs Cardosa Associates, Inc. for an additional not to exceed fee of \$53,500 to perform construction engineering support services necessary for the Marsh Road Retaining Wall Repair Project

MOTION by Widmer, second by DeGolia to approved the consent calendar consisting of Items 8 through 17. The motion passed unanimously.

PUBLIC HEARING – (Item 18)

18. ADOPTION OF FEE RESOLUTION AMENDING FEES AND CHARGES RELATED TO RENTAL FEES AT HOLBROOK PALMER PARK

Report: Community Services Director Mike Kashiwagi

Recommendation: Review and approve the attached Fee Resolution amending Fees and Charges related to rental fees at Holbrook Palmer Park

The Council discussed changes to rental fees at the Carriage House, Main House, and Day Use generally noting that there needs to be a balance between the fees charged and impact of the use(s) at the Park such that the Park is not overly fiscalized and is protected for use by Atherton residents. Concerns expressed related to overuse of the facilities, parking impacts, requirements for off-site parking or shuttling, oversight and overall management of the Park events and venues. The Council directed that staff reduce the threshold for parking shuttle or valet requirements when evaluating and approving events at the Park and keep a close watch on the impacts. The Council directed that permits for commercial photographers be established, well-defined and set to a base daily and monthly permit schedule.

MOTION by DeGolia, second by Wiest to adopt the Fee Resolution with a request that staff return in 6 months with an analysis of the overall Park rental operations and fee structure. The motion passed unanimously.

REGULAR AGENDA – (Items 19-22)

19. CIVIC CENTER STATUS UPDATE

Report: Community Services Director Mike Kashiwagi

Recommendation: Receive and File

Following a brief staff report, the Council heard a presentation from representatives of Atherton Now. The representatives outlined the progress of the fundraising efforts, next steps, and fundraising targets.

Each member of Council expressed continued support for the fundraising efforts and commitment to the project. The Council asked that the final naming rights schedule be presented to the Council as quickly as possible in order to provide Atherton Now with some surety in their fundraising.

20. APPROVE A CONSTRUCTION MANAGEMENT PROFESSIONAL SERVICES AGREEMENT WITH GHIRARDELLI ASSOCIATES FOR THE MARSH ROAD RETAINING WALL REPAIR PROJECT

Report: Community Services Director Mike Kashiwagi

Recommendation: Direct the City Attorney to prepare and the City Manager to execute a professional services agreement with Ghirardelli Associates for a not to exceed fee of \$332,729.84 to perform construction inspection and management services necessary for the Marsh Road Retaining Wall Repair Project

Following a brief staff report, the Council discussed the role of the Construction Management Firm and how the various consultants and contractors worked together for the project.

Kashiwagi explained that this particular contract will oversee that the very detailed plans and specifications are being adhered to and the project is being built in accordance with the plans and specs.

MOTION by Lempres, second by DeGolia to direct the City Attorney to prepare and the City Manager to execute a professional services agreement with Ghirardelli Associates for a not to exceed fee of \$332,729.84 to perform construction inspection and management services necessary for the Marsh Road Retaining Wall Repair Project. The motion passed unanimously.

21. AWARD OF CONSTRUCTION CONTRACT FOR MARSH ROAD CHANNEL REPAIR, PROJECT NUMBER 56005 AND AMEND THE EXISTING CAPITAL IMPROVEMENT BUDGET FOR THE MARSH ROAD CHANNEL REPAIR PROJECT BY ADDING AN ADDITIONAL \$811,168

Report: Community Services Director Mike Kashiwagi

Recommendation: Award the construction contract for Marsh Road Channel Repair, Project Number 56005 to the low bidder, Granite Construction Company of Santa Clara for \$3,144,080, authorize issuance of change orders up to \$300,000; authorize the City Manager to execute the contract and change orders as required on behalf of the Town and direct contract to proceed on critical submittals immediately

Staff presented the staff report and the Council discussed various issues related the project. Issues discussed included project timing, public outreach efforts both in and around the project, coordination with emergency services agencies and local hospitals, and the project detour plans.

MOTION by DeGolia, second by Lempres to award the construction contract for Marsh Road Channel Repair, Project Number 56005 to the low bidder, Granite Construction Company of Santa Clara for \$3,144,080, authorize issuance of change orders up to \$300,000; authorize the City Manager to execute the contract and change orders as required on behalf of the Town and direct contract to proceed on critical submittals immediately. The motion passed unanimously.

22. DISCUSSION OF A PROPOSED MODIFICATION TO THE MUNICIPAL CODE, SECTION 12.24.085 TO ALLOW BICYCLE ACCESS TO A SECTION OF WALKING PATH AT HOLBROOK-PALMER PARK

Report: Community Services Director Mike Kashiwagi

Recommendation: If deemed appropriate, authorize staff to pursue modifications to Atherton Municipal Code Section 12.24.085 to allow bicycle access to a section of the walking path at Holbrook-Palmer Park

Following a brief staff report outlining the proposal from the Park and Recreation Committee, the Council directed staff to move forward with an ordinance amendment to allow bicycles on a portion of the Park path from the pedestrian bridge to the Felton Gables Gate. The Council also directed that staff include a modification to the pathway as part of an upcoming capital project to widen and stripe the path and Park areas, as appropriate.

MOTION by Wiest, second by Lewis to authorize staff to pursue modifications to Atherton Municipal Code Section 12.24.085 to allow bicycle access to a section of the walking path at Holbrook-Palmer Park. The motion passed unanimously.

23. COUNCIL REPORTS/COMMENTS

None.

24. FUTURE AGENDA ITEMS

None.

25. PUBLIC COMMENTS

None.

26. ADJOURN

Mayor Lewis adjourned the meeting at 9:27 p.m.

Respectfully Submitted,
Theresa N. DellaSanta