



MINUTES
Town of Atherton
CITY COUNCIL
May 17, 2017

6:30 P.M. – CLOSED SESSION

91 Ashfield Road

7:00 P.M. - REGULAR MEETING

Council Chambers

94 Ashfield Road,

Atherton, California

6:30 PM CLOSED SESSION IN CONFERENCE ROOM

Council Member Widmer teleconferenced in from the following location:
158 Glenwood Avenue
Atherton, CA 94027

ROLL CALL Lempres, Wiest, Lewis, Widmer, DeGolia

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

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

City Manager

Mayor Lempres called the meeting to order at 7:08 p.m.

7:00 REGULAR SESSION

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

OATH OF OFFICE

- Police Chief Steven McCulley

City Manager George Rodericks administered the oath to Chief McCulley.

- Level I Reserve Officer Martin Mijangos

Chief McCulley administered the oath to Officer Mijangos.

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 Connors reported that the Council met in closed session but there was no reportable action.

6. CITY MANAGER'S REPORT

Council Member Lewis commented on a voluntary staghorn fern growing in Holbrook-Palmer Park.

7. COMMUNITY ORGANIZATION ROUNDTABLE REPORT

CONSENT CALENDAR (Items 8-14)

Council Member DeGolia pulled Item 13.

8. APPROVAL OF APRIL 19 REGULAR MEETING AND APRIL 25 SPECIAL MEETING MINUTES

Report: City Clerk Theresa DellaSanta

Recommendation: Approve meeting minutes

City Manager Rodericks noted three changes to the April 19th Minutes; Page 6 - Item 21 comments, change "frugal" to "crucial", page 6 - Item 21 RFQ comments, change "Towns" to "Town's", page 9 - Item 24 comments, change "was confused on" to "asked".

9. APPROVAL OF BILLS AND CLAIMS FOR APRIL, 2017 IN THE AMOUNT OF \$2,232,430

Report: Finance Director Robert Barron III

Recommendation: Approve Bills and Claims in the amount of \$2,232,430

10. ACCEPTANCE OF TREASURER'S REPORT FOR THE THIRD QUARTER ENDED MARCH 31, 2017

Report: Finance Director Robert Barron III

Recommendation: Accept the Treasurer's Report for the second Quarter Ended March 31, 2017

11. ADOPT AN ORDINANCE AMENDING ATHERTON MUNICIPAL CODE CHAPTER 17.32 "RESIDENTIAL DISTRICT R1-A" REGULATING THE CRITERIA FOR SPECIAL STRUCTURE PERMITS TO EXCEED THE MAXIMUM ALLOWABLE SIDEWALL HEIGHT

Report: Senior Town Planner Stephanie B. Davis

Recommendation: The Planning Commission recommends that the City Council adopt an ordinance amending Atherton Municipal Code Chapter 17.32 "Residential District R1-A" regulating the criteria for Special Structures Permits to exceed the maximum allowable sidewall height for main residences

12. AUTHORIZE THE CITY ATTORNEY TO PREPARE AND CITY MANAGER TO EXECUTE AN AGREEMENT AMENDMENT WITH RICHARD WATSON & ASSOCIATES (RWA) IN AN AMOUNT NOT TO EXCEED \$85,000 FOR THE LAS LOMITAS WATER CAPTURE FACILITY

Report: Community Services Director Mike Kashiwagi

Recommendation: Authorize the City Attorney to prepare and the City Manager to execute an agreement amendment with Richard Watson & Associates (RWA), Inc. for a not to exceed fee of \$85,000 to assist staff with:

- Development of a memorandum of understanding (MOU) to address project management, funding, and responsibilities between the Town and the Las Lomas Elementary School District (District); and
- Development of a MOU with Menlo Park, Woodside, and Stanford University for ongoing operations and maintenance (O&M) for the proposed storm water capture facility located at Las Lomas Elementary School; and
- Provide ongoing project management support during design and construction of the Las Lomas School Water Capture facility

14. AUTHORIZE STAFF TO ISSUE A REQUEST FOR QUALIFICATIONS TO ESTABLISH ON-CALL CONSTRUCTION MANAGEMENT AND INSPECTION SERVICES LIST

Report: Community Services Director Mike Kashiwagi

Recommendation: Authorize staff to issue a Request for Qualifications (RFQ) for On-Call Construction Management and Inspection Services

MOTION by Wiest, second by Lewis to approved the consent calendar consisting of items 8 through 12 and 14. The motion passed 4-0-1, with Widmer abstaining from Item 9.

PULLED ITEM

13. AWARD A CONSULTANT SERVICES AGREEMENT TO MARK THOMAS & COMPANY FOR ENGINEERING DESIGN SERVICES FOR THE MIDDLEFIELD ROAD CLASS II BICYCLE LANES IMPROVEMENTS PROJECT – PROJECT NUMBER 56079

Report: Community Services Director Mike Kashiwagi

Recommendation: Authorize the City Attorney to prepare and the City Manager to execute a professional services agreement with Mark Thomas & Company (MTCO), for a not to exceed fee of \$175,000 to perform engineering design services necessary for the preparation of plans, specifications and estimates (PS&E) for Bicycle Lanes Improvements on Middlefield Road between San Mateo County and City of Menlo Park

Council Member DeGolia explained the differences between bike boxes and bike lanes. DeGolia also made clear that safety of bicyclists and automobiles is priority.

Discussion of bike box safety ensued between Mayor Lempres, Council Member Lewis and Council Member Widmer.

MOTION by DeGolia, second by Lewis to authorize the City Attorney to prepare and the City Manager to execute a professional services agreement with Mark Thomas & Company (MTCO), for a not to exceed fee of \$175,000 to perform engineering design services necessary for the preparation of plans, specifications and estimates (PS&E) for Bicycle Lanes Improvements on Middlefield Road between San Mateo County and City of Menlo Park. The motion passed unanimously.

REGULAR AGENDA – (Items 15-18)

- 15. CIVIC CENTER PROJECT UPDATE: APPROVE AN AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT WITH WRNS STUDIO (SUBCONSULTANT) FOR SURVEYING POTHOLING SERVICES AND AUTHORIZE THE CITY ATTORNEY TO PREPARE AND CITY MANAGER TO EXECUTE AN AMENDMENT TO THE CONSULTING SERVICES AGREEMENT; RECEIVE AND FILE THE COST MODEL MANAGER AND UPDATED PROJECT SCHEDULE**

Report: Community Services Director Mike Kashiwagi

Recommendation: Authorize the City Attorney to prepare and the City Manager to execute an amendment to the consulting services agreement with WRNS Studio (via a subconsultant) to perform surveying potholing services for 36-inch SFPUC water line for a fee not to exceed \$40,750; and receive and file the Cost Model Manager and Updated Project Schedule.

The Council discussed issues related to cost share for SFPUC, sonar capability instead of potholing, and liability.

Council Member Widmer had questions on liability, if there is a need to dig, and requested clarification as to why a contract with WRNS is needed for the potholing.

City Engineer Marty Hanneman explained that by contracting with WRNS the Town is protected. He also explained the need for digging due to the samples required for SFPUC (San Francisco Public Utility).

The Council then discussed issues related to the overall Project cost and the Cost Model Manager. The Council asked that staff reduce contingencies, where possible, when project changes are approved that fine-tune a contingency allocation.

MOTION by Lewis, second by Wiest to authorize the City Attorney to prepare and the City Manager to execute an amendment to the consulting services agreement with WRNS Studio (via a subconsultant) to perform surveying potholing services for 36-inch SFPUC water line for a fee not to exceed \$40,750; and receive and file the Cost Model Manager and Updated Project Schedule. The motion passed unanimously.

- 16. REVIEW, DISCUSS AND PROVIDE DIRECTION REGARDING THE TRANSPORTATION COMMITTEE REQUEST – EAST PALO ALTO VERSUS MENLO PARK – CEQA CHALLENGE**

Report: City Manager George Rodericks

Recommendation: Review, discuss and provide direction regarding the Transportation Committee request – East Palo Alto (EPA) v Menlo Park – CEQA Challenge

The Council heard a brief staff report from the City Attorney and opted not to join the lawsuit after learning many legalities and deadlines had been missed.

17. REVIEW, DISCUSS AND PROVIDE DIRECTION REGARDING A RECOMMENDATION BY THE TRANSPORTATION COMMITTEE FOR A REGIONAL TRANSPORTATION SUMMIT TO DISCUSS AND ANALYZE REGIONAL GROWTH AND TRAFFIC ISSUES AND DEVELOP A STRATEGY TO ADDRESS THOSE ISSUES

Report: City Manager George Rodericks

Recommendation: Review, discuss and provide direction regarding a recommendation by the Transportation Committee for a regional transportation summit to discuss and analyze regional growth and traffic issues and develop a strategy to address those issues

The Council continued the conversation around regional traffic, transportation impacts, and discussed the Town's past and current attempts to work with adjacent jurisdictions to address local traffic impacts of their projects.

Council Member Wiest commented that Atherton should be involved when projects in neighboring agencies have the propensity to impact the Town. Council echoed this sentiment.

Council considered possible legal avenues of addressing the issues at stake.

The Council discussed possible stakeholders that might be involved in a regional conversation - to include the Menlo Park Fire District, Redwood City, Menlo Park, East Palo Alto, Caltrain, Caltrans, and Samtrans.

The Council discussed local projects that might be of regional interest, such as the creation of a bicycle path along the Marsh Road Channel.

Following discussion, the Council directed staff to work on an initial regional meeting with Redwood City, Menlo Park and the Town. The initial meeting should, at a minimum, include the City Manager, Transportation Committee Chair, and the Mayor.

18. REVIEW, DISCUSSION AND DIRECTION REGARDING BUSINESS LICENSE TAX OPTIONS AND OTHER ALTERNATIVE REVENUE OPPORTUNITIES

Report: Finance Director Robert Barron III

Recommendation: Review, discuss and provide staff with direction regarding Business License Tax options and other alternative revenue opportunities

This item was continued to the July 19, 2017 Regular Meeting.

19. COUNCIL REPORTS/COMMENTS

20. FUTURE AGENDA ITEMS

21. **PUBLIC COMMENTS**

22. **ADJOURN**

Mayor Lempres adjourned the meeting at 9:50 p.m.



Respectfully submitted,
Judi Herren
Acting City Clerk