



MINUTES
Town of Atherton
City Council
March 18, 2020
REGULAR MEETING

Mayor DeGolia called the meeting to order at 7:03 pm

7:00 PM REGULAR SESSION – *Convene as the City Council*

1. **PLEDGE OF ALLEGIANCE**
2. **ROLL CALL** - Widmer, Wiest, Lempres, Vice Mayor Lewis, Mayor DeGolia
3. **PRESENTATIONS** - None
4. **PUBLIC COMMENTS**

City Clerk Suber read a public comment from William Grant alerting Council to prohibited activities within Town under the Shelter-in-Place order and requested Council continue to enforce conformance with these regulations.

Suber read a public comment from Jeanne Jenson requesting that Council take the health and safety of residents into consideration when considering the allowance of construction activity within Town.

Suber read a public comment from Nancy Brandon encouraging Council to prohibit construction activity within Atherton during the Shelter-in-Place orders.

John Primes, Atherton resident requested that Council pay special attention to burglaries in Town and consider adding license plate readers at additional locations throughout Town.

5. **REPORT OUT OF CLOSED SESSION** - *None*
6. **CITY MANAGER'S WRITTEN REPORT**

City Manager Rodericks briefly introduced the staff report and noted the Town's declaration of local emergency.

CONSENT CALENDAR (Items 7 - 14)

- 7. APPROVAL OF BILLS AND CLAIMS FOR FEBRUARY IN THE AMOUNT OF \$ 1,544,915**
 - 8. WAIVE THE FINAL READING AND ADOPT ORDINANCE NO. 642, AN ORDINANCE AMENDING ATHERTON MUNICIPAL CODE CHAPTER 8.04.050 MAKING MINOR AMENDMENTS TO THE PERMITTING REQUIREMENTS APPLICABLE TO NEWLY INSTALLED ALARM SYSTEM**
 - 9. ADOPTION OF A RESOLUTION OF THE CITY COUNCIL OF THE TOWN OF ATHERTON FOR A DEBT POLICY RELATED TO THE ISSUANCE OF DEBT**
- Removed from the agenda for consideration.**
- 10. 2019 ANNUAL REPORT TO THE CITY COUNCIL ON THE ATHERTON GENERAL PLAN IMPLEMENTATION**
 - 11. WAIVE THE FINAL READING AND ADOPT ORDINANCE NO. 643, AN ORDINANCE TO AMEND TITLE 15 OF THE ATHERTON MUNICIPAL CODE TO UPDATE HOLIDAYS DURING WHICH CERTAIN CONTSTRUCTION AND CONSTRUCTION-RELATED ACTIVITY IS PROHIBITED**
 - 12. REVIEW AND APPROVAL OF A MEMORANDUM OF UNDERSTANDING WITH THE CABLE JOINT POWERS MEMBER AGENCIES FOR THE USE OF PUBLIC, EDUCATION, AND GOVERNMENT (PEG) FUNDS.**
 - 13. APPROVAL OF AN AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT WITH R3 CONSULTING GROUP FOR SOLID WASTE NEGOTIATIONS AND CONTRACTING SERVICES ASSISTANCE**
 - 14. AWARD OF CONTRACT FOR THE STREET PATCHING PROJECT, PROJECT NUMBER 56092**

MOTION by Wiest, Second by Widmer approve the Consent Calendar omitting item number 9.

AYES: Widmer, Wiest, Lempres, Lewis, DeGolia

NOES:

ABSTAIN:

ABSENT:

REGULAR AGENDA (Items 15-16)

15. RESOLUTION OF THE CITY COUNCIL OF THE TOWN OF ATHERTON CONFIRMING THE CITY MANAGER/DIRECTOR OF EMERGENCY SERVICES' PROCLAMATION OF EXISTENCE OF A LOCAL EMERGENCY

City Manager Rodericks introduced the item and noted that on March 13, 2020 the Town declared a local emergency and Council will need to ratify that declaration. He added that the item will appear on future agendas for Council to ratify the continuance of the declaration.

Council held a discussion related to permissible activities under the current County orders including what guidelines or rules could be implemented to increase the health and safety of workers and staff.

City Manager Rodericks provided context related to the order, noting the changes and how neighboring jurisdictions have approached allowing or restricting construction, landscaping, building, and planning services and activities during the SIP order.

Building Official Greenlee indicated that the Town has approximately 25 full site developments and approximately 1100 open permits that are not yet finalized. He noted that the number of workers on each site is based on the type of activity being done.

Council continued to discuss the merits of prohibiting or allowing construction activity within Town and any applicable rules or guidelines the Town might require.

Council provided direction to Staff to suspend all residential construction activity in Town temporarily with the allowance of projects to properly secure and scale down work sites, including recommendations for the use of appropriate security measures. Council included authorization to allow work on Saturday, March 21st during this transition period and allowance of the building official to issue emergency permits. Council provided additional direction to include suspension of construction activity on the Town Center project.

City Manager Rodericks noted that this item will reappear at future Council meetings for Council consideration.

City Manager Rodericks noted that the County Health order provided an exception to housekeeping services defining those as essential services for safety and sanitation.

City Attorney Ebrahimi noted that essential activities identified in the health order included safety and sanitation services and that landscaping services were not included as an essential service.

Council provided direction to Staff to prepare a communication to residents on various applicable rules under the current County health orders including information provided on the Town website.

MOTION by Widmer, Second by Wiest approving Resolution 20-04 confirming the City Manager / Director of Emergency Services proclamation of a local emergency with direction provided to the City Manager.

AYES: Widmer, Wiest, Lempres, Lewis, DeGolia

NOES:

ABSTAIN:

ABSENT:

16. APPROVAL OF AND AUTHORIZATION TO EXECUTE A NOTICE OF INTENT TO WITHDRAW FROM THE SOUTH BAYSIDE WASTE MANAGEMENT AUTHORITY (SBWMA)

City Manager Rodericks introduced and provided a brief background on the item. He noted that in order to exit the South Bayside Waste Management Authority (SBWMA) the Town must issue a notice of intent to withdraw. He noted that the current agreement with Recology terminates in December 2020 and the Town would need to have a finalized agreement with GreenWaste prior to that time.

Councilmember Widmer added that by sending the notice this initiates a discussion with SBWMA and indicates to GreenWaste that the Town is negotiating with earnest intent.

City Attorney Ebrahimi advised that the purpose of the notice is to ensure the Town preserves all available options. She noted one purpose is to obtain cost information related to an exit from the JPA and the Town reserves the option of withdrawing the notice.

MOTION by Wiest, Second by Lempres to approve and authorize the notice of intent to withdraw from the SBWMA.

AYES: Widmer, Wiest, Lempres, Lewis, DeGolia

NOES:

ABSTAIN:

ABSENT: Lewis

17. COUNCIL REPORTS/COMMENTS – None

18. PUBLIC COMMENTS– None

19. ADJOURN

Mayor DeGolia adjourned the meeting at 9:18 p.m.



Anthony Suber
City Clerk