



MINUTES
Town of Atherton
CITY COUNCIL
April 15, 2020
REGULAR MEETING

Mayor DeGolia called the meeting to order at 7:00 pm

4:00PM SPECIAL SESSION MEETING – *Convene as the City Council*

1. PLEDGE OF ALLEGIANCE

2. ROLL CALL - Wiest, Widmer, Lempres, Vice Mayor Lewis, Mayor DeGolia – Present

3. PRESENTATIONS

Mayor DeGolia read proclamation to recognize to the Towns communication personal.

City Clerk Suber read proclamation, on behalf of the City Council, recognizing Janelle Miller, Dispatcher.

4. PUBLIC COMMENT

Resident Andrew Preston provided comments about gardening/yardwork and construction requesting Council advocate to the County for an ease of these restrictions.

5. CITY MANAGER’S WRITTEN REPORT AND CERTIFICATION OF CONTINUING EMERGENCY AND RATIFICATION OF SUCH RULES AND REGULATIONS ENACTED BY THE DIRECTOR OF EMERGENCY SERVICES IN RESPONSE TO COVID-19

City Manager Rodericks provided an oral report. Mr. Rodericks noted for the Council that there were no changes to the local emergency declaration and details about the construction activity for the Town Center Project. He noted there have been no significant issues reported. Rodericks added that the Town is receiving daily reports about activity at the Town Center Project construction site.

Rodericks clarified for the Council that gardening and landscaping is a County order and stated the Town does have the authority to tighten the restrictions but not loosen them. Rodericks also noted for the Council that, at this time, the County may be considering extending the stay-in-place order, while alleviating other restrictions.

Councilmember Widmer asked staff to provide details on the Town website that highlight how Town Construction Project is different for residential construction projects and activities.

Mayor DeGolia noted that he is in favor of continuing the emergency declaration. As it relates to landscaping, he himself has sent an email to the County Supervisors, which was forward to the Chief Medical Officer with no response.

City Manager Rodericks, suggested that the Town can prepare a letter to County to request that the gardening/yardwork issue be revisited. City Attorney Ebrahimi added that she could also raise this issue during her City Attorney weekly meeting.

Council discussed starting the conversation about how to restart activities after restrictions are lifted.

Mayor DeGolia suggested the creation of an Ad-Hoc subcommittee of two Councilmembers to consider this topic.

Motion by Wiest, Second by Lempres to certify the continuing emergency and ratify such rules and regulations enacted by the Director of Emergency Services in response to COVID-19, as well as authorize the Mayor to execute a letter from Council to raise the issue of landscaping/gardeners restrictions with the County.

AYES: Widmer, Wiest, Lempres, Lewis, DeGolia

NOES:

ABSTAIN:

ABSENT:

CONSENT CALENDAR (Items 6-10)

6. APPROVAL OF MINUTES

7. APPROVAL OF BILLS AND CLAIMS FOR MARCH IN THE AMOUNT OF \$2,713,521

8. ADOPTION OF A RESOLUTION OF THE CITY COUNCIL OF THE TOWN OF ATHERTON FOR A DEBT POLICY RELATED TO THE ISSUANCE OF DEBT

9. ADOPT A RESOLUTION APPROVING A PROJECT LIST FOR THE ROAD MAINTENANCE AND REHABILITATION ACT OF 2017 (SB1)

10. ADOPTION OF A RESOLUTION OF THE CITY COUNCIL OF THE TOWN OF ATHERTON ADOPTING DISCLOSURE POLICIES AND PROCEDURES RELATED TO INITIAL AND CONTINUING DISCLOSURE OBLIGATIONS ENTERED INTO IN CONNECTION WITH THE ISSUANCE OR INCURRENCE OF DEBT

Council provided amendments to the minutes and shared those with the City Clerk.

Motion by Lewis, Second by Wiest to approve the consent calendar, as amended and stated by City Manager George Rodericks.

AYES: Widmer, Wiest, Lempres, Lewis, DeGolia

NOES:

ABSTAIN:

ABSENT:

PUBLIC HEARING

11. CONDUCT THE PUBLIC HEARING ON RECOMMENDED AMENDMENT TO AUTHORITY TO EXECUTE CONTRACTS; AND, IF APPROPRIATE, INTRODUCE FOR FIRST READING THE PROPOSED AMENDMENT TO CHAPTER 2, AUTHORIZING THE CITY MANAGER AND OTHER DESIGNATED TOWN OFFICIALS TO EXECUTE CONTRACTS

Finance Director Barron introduced the item. He also read the recommendation to the Council, for a first reading of the proposed amendment Chapter 2 of the ordinance authorizing the City Manager and other designated Town officials to execute contracts. Mr. Barron reviewed the highlighted that this does not change current practices or policies and this would work in concert with the Towns other purchasing policies.

City Manager Rodericks noted that there is no specific ordinance that allows staff to execute contracts. He continued it is a required measure as we move forward with the issuance of COP.

Motion by Weist, Second by Lewis to introduce for first reading an Ordinance of the City Council of the Town of Atherton Amending Title 2, adding chapter 2.61 relating to authority to execute contracts, authorizing the City Manager and other designated Town officials to execute contracts.

AYES: Widmer, Wiest, Lempres, Lewis, DeGolia

NOES:

ABSTAIN:

ABSENT:

12. PUBLIC HEARING TO CONSIDER ADOPTING A MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING AND REPORTING PROGRAM, APPROVING A CONDITIONAL USE PERMIT AND DIRECT STAFF TO NEGOTIATION WITH MENLO SCHOOL AND MENLO COLLEGE FOR USE OF THE PROPERTY FOR THE CARTAN FIELD STORMWATER CAPTURE PROJECT, 30 ALEJANDRA AVENUE (APN 070-250-190)

Councilmember Widmer recused himself from the item due to his employment with Menlo College

Town Planner Costas introduced this item. Public Works Director Ovadia provided an overview of the project. He added that a study in 2015 was performed and the results indicated the need

for a large-scale storm water facility to reduce flooding. Mr. Ovadia noted that Tetra Tech was retained to help the town design the stormwater facility.

Ovadia continued that the recommendation before Council is only to approve the Initial Study and Mitigated Negative Declaration, Mitigation Monitoring and Reporting Program and Conditional Use Permit.

Council held a discussion about the schedule of the project, heritage tree impacts, and what systems would be in place to address potential pollutants.

Ovadia clarified the timeline and noted it depends on negotiations to use the property. At this, time the development agreement has not been initiated and staff hopes to begin construction by Spring/Summer 2021. He added this would be an 18-month construction schedule.

Costas continued to review the environmental process. She noted there was early discussion with Fish and Wildlife and Corps of Engineers agencies. Additionally, she stated that community outreach was done and notice of this project was provided to owners within 500 ft of the site, and the Town made available the CEQA documents. As of today, no comments have been received.

Councilmember Lempres raised concerns about the tree component and asked what was being done to protect the impacted trees. Barbara Beard, Tetra Tech Consultant, clarified that the arborist report was prepared for the entire channel and surrounding area. She continued that staff will work within the heritage tree ordinance.

Council introduced two motions.

Councilmember Widmer was recused from voting on either motion.

Motion by Wiest, Second by Lempres to approve the Resolution.

AYES: Wiest, Lempres, Lewis, DeGolia

NOES:

ABSTAIN:

ABSENT:

Motion by Wiest, Second by Lempres to a authorize the City Manager to sign and continue negotiations with Menlo School and Menlo College.

AYES: Wiest, Lempres, Lewis, DeGolia

NOES:

ABSTAIN:

ABSENT:

REGULAR AGENDA

13. REVIEW AND DISCUSSION OF POTENTIAL REVENUE AND EXPENDITURE IMPACTS DUE TO COVID-19 FOR FISCAL YEAR 2019/20 AND 2020/21

Councilmember Widmer rejoined the meeting to participate.

Finance Director Barron introduced the item reviewing financial data including County Property Taxes and VLF payments. Barron highlighted ERAF funds and trends, projected Sales and Use Tax revenue, and figures related to charges for building, planning, and public works.

Council discussion ensued regarding ERAF funds and possible reductions and reductions in other revenue sources.

City Manager Rodericks noted that it is known ERAF funds will go away at some point.

Councilmember Lempres asked if there is a concern that the State would come to take money from Atherton due to their shortfalls. Barron responded indicating that was a possibility for VLF and ERAF funds.

Councilmember Widmer asked about Senate Bill 1 and how that might be impacted. City Manager Rodericks stated that Proposition 1A provides protections, however if the State does take money it must be paid back.

No action was taken. This item will appear on future meeting.

14. COUNCIL REPORTS/COMMENTS - None

15. PUBLIC COMMENTS - None

16. ADJOURN

Mayor DeGolia adjourned the meeting at 8:58 p.m.



Anthony Suber
City Clerk