



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

Mayor DeGolia called the meeting to order at 7:01 pm

7:00PM COUNCIL MEETING – *Convene as the City Council*

1. **PLEDGE OF ALLEGIANCE**
2. **ROLL CALL** - Wiest, Widmer, Lempres, Vice Mayor Lewis, Mayor DeGolia – Present
3. **PRESENTATIONS** - *None*
4. **PUBLIC COMMENT** - *None*
5. **CITY MANAGER'S WRITTEN REPORT**

City Manager Rodericks presented the item.

Mayor DeGolia asked about the building safety and inspections and requested a year to date revenue as compared to last year. Rodericks confirmed that it would be provided.

CONSENT CALENDAR (6-13)

6. **APPROVAL OF MINUTES – June 17, July 1, and July 8, 2020**
7. **APPROVAL OF BILLS AND CLAIMS FOR JUNE IN THE AMOUNT OF \$ 3,918,678**
8. **ACCEPTANCE OF WORK, AUTHORIZATION TO RECORD NOTICE OF COMPLETION FOR THE 2019 ADA RAMP MAINTENANCE PROJECT, PROJECT NUMBER 56091**
9. **ADOPT A RESOLUTION OF PUBLIC ASSISTANCE COST RECOVERY DESIGNATION OF AUTHORITY FOR EXPENSE REIMBURSEMENT**
10. **AWARD OF CONTRACT FOR THE 2020 SLURRY SEAL PROJECT, PROJECT NUMBER 56094**
11. **CERTIFICATION OF CONTINUING EMERGENCY AND RATIFICATION OF SUCH RULES AND REGULATIONS ENACTED BY THE DIRECTOR OF EMERGENCY SERVICES IN RESPONSE TO COVID-19**

12. ADOPTION OF RESOLUTION REQUIRING CANDIDATES TO BE CHARGED A DEPOSIT TO COVER THE COST OF PUBLICATION FOR STATEMENT OF QUALIFICATIONS FOR THE NOVEMBER 3, 2020 GENERAL ELECTION

Motion by Lempres, Second by Lewis to approve the Consent Calendar items 6-12, as amended. Item 13 was pulled for discussion.

AYES: Widmer, Wiest, Lempres, Lewis, DeGolia

NOES:

ABSTAIN:

ABSENT:

13. AUTHORIZE THE PURCHASE OF TWO (2) MARKED POLICE VEHICLES; AND DECLARE AS SURPLUS TWO (2) MARKED POLICE VEHICLES.

Pulled by Vice Mayor Lewis.

Vice Mayor Lewis questioned if the Police Department could postpone purchasing the requested vehicles until after the Town Center was completed taking into consideration current economic conditions.

City Manager Rodericks informed Council the funding for the purchase of both vehicles is in place. He continued to note one vehicle is inoperable and the other needs substantial repairs.

Police Chief McCulley concurred with Rodericks concerning the inoperable vehicles noting safety concerns as a reason for the purchase at this time. McCully added that equipment and technology needs were also a factor in the decision to make the purchase.

Council continued to discuss the vehicle's chosen as replacements and how they accommodate the needs of the Officers.

Motion by Wiest, Second by Widmer to authorize the purchase of two (2) marked police vehicles; and declare as surplus two (2) marked police vehicles.

AYES: Widmer, Wiest, Lempres, Lewis, DeGolia

NOES:

ABSTAIN:

ABSENT:

REGULAR AGENDA (14-21)

14. CONSIDERATION OF AND APPOINTMENT TO TRANSPORTATION COMMITTEE

City Clerk Suber briefly presented the item and indicated the sole candidate for consideration Joseph Davis was an incumbent.

Motion by Widmer, Second by DeGolia to appoint Joseph Davis to the Transportation Committee for a term expiring June 30, 2021.

AYES: Widmer, Wiest, Lempres, Lewis, DeGolia

NOES:

ABSTAIN:

ABSENT:

15. ACCEPTANCE OF DONATION NAMING REQUEST CHANGE FROM A SPECIFIED DONOR; AND FOLLOW-UP AND DIRECTION ON PRIOR NAMING REQUESTS

Mayor DeGolia recused himself prior to the discussion, due to a financial interest in the item.

Vice Mayor Lewis provided a background on the item noting donor Rick DeGolia requested the opportunity to name and theme the Medium Conference Room in the Library. Lewis advised that the room would be named after Willie Mays who offered to provide memorabilia for the space.

Council discussed how donor recognition would be handled, impacts on the Legends Conference Room, if there was consideration of naming opportunities at the lower donor tiers, and consideration of other Town Center donors.

City Manager Rodericks clarified that this naming and theming request is not intended to replace the Legends Conference room, which would also have memorabilia from other legends.

Council Member Widmer noted other donors asked for naming opportunities valued above their donation level and were not accommodated.

Council continued the discussion cautioning against the perception of favoritism.

Motion by Wiest, second by Lempres to postpone the decision until a conversation is held with Council on the Legends Conference Room and consideration of restructuring donation levels.

Mayor Rick DeGolia recused himself from the discussion.

AYES: Wiest, Lempres, Lewis

NOES: Widmer

ABSTAIN:

ABSENT:

16. AUTHORIZATION FOR THE REFUSE SERVICES SUBCOMMITTEE TO NEGOTIATE ON BEHALF OF THE TOWN FOR EXIT FROM THE SOUTH BAYSIDE WASTE MANAGEMENT AUTHORITY

City Manager Rodericks provided background on the item including some historical information. Rodericks noted that the Town released a request for bid for refuse and recycling services for the Town in 2019, hired R3 Consulting Group to assist the Subcommittee with negotiations with GreenWaste Recovery for refuse services beginning on January 1, 2021, and Council directed correspondence be sent to the SBWMA advising of the Town's withdrawal effective December 31, 2020. Rodericks continued that the Town disagrees with analysis provided by the SBWMA indicating that the Town would be responsible for approximately \$2,087,908 of liquidation

expenses related to the Town's exit. He noted exit from the SBWMA requires liquidation in full of any and all existing debts, obligations, and liabilities incurred, earned, or expected to be earned by the date of withdrawal. He noted that final exit negotiations with the SBWMA must proceed in order to meet timeline expectations and if unsuccessful in negotiating an exit the Town will be required to rescind its notice of exit and execute the Draft Amended and Restated 15-Year Franchise Agreement with Recology.

Council asked for clarification of the required timeline for exit from the SBWMA and financial limitations of the Town for exit costs.

Rodericks clarified that a notice of withdrawal was sent to the SBWMA, which will go to their Board. The Board of the SBWMA will need to take a vote and the Town must get a 4/5th vote to allow withdrawal. Rodericks noted there are some unknowns for the cost of the bond owed by the SBWMA, which would dictate how much is owed.

Motion by Lewis, Second by Lempres to a authorize the Refuse Services Subcommittee to negotiate an exit from the South Bayside Waste Management Authority (SBWMA) on behalf of the Town.

AYES: Widmer, Wiest, Lempres, Lewis, DeGolia

NOES:

ABSTAIN:

ABSENT:

17. KNOX PLAYSCHOOL RENT WAIVER FOR MAY AND JUNE; PRORATED RENT FOR JULY AND AUGUST DUE TO COVID-19 SHELTER IN PLACE ORDER AND RELATED SCHOOL CLOSURE; AND A BASELINE RENT REDUCTION FOR THE LEASE YEAR STARTING IN SEPTEMBER

Public Works Director Ovadia provided a background on the item.

Council Member Wiest asked for clarification from the memo submitted by Susan Knox as Attachment 1 and what would be the impacts to the school if classrooms are closed due to COVID-19. He later questioned what distance learning options have been made available and if the cost of care has increased.

Susan Knox, Knox Playschools owner informed Council that the numbers included in her memo were from San Mateo County and the current limit is 12 children per classroom, which for Knox Playschool is 48 children total. She added distance learning for this age group is limited and the school is charging \$1,600 for 4-week session. She noted that rates will increase during the regular school year.

Council continued to discuss rent options to assist the Knox Playschool in remaining financially viable, enrollment numbers in a typical school year, and rent based on a per student basis or revenue sharing arrangements.

Council directed staff meet with Knox Playschool to restructure a lease agreement and bring back for Council consideration at the July 27, 2020 Special Council Meeting.

18. TOWN CENTER PROJECT UPDATE AND DIRECTION ON FUTURE FOUNTAIN DESIGN OPTIONS AND LOCATIONS

Project Manager Hanneman reported there is a lot of activity on the project site. He noted the library building walls are moving along as expected, exterior walls are going up and offices are forming. He concluded direction is requested from Council on the Fountain design and location.

Council Member Lempres asked for details about timing and costs related to the topic.

Hanneman stated that the project is currently on schedule although due to COVID-19 and other impacts completion is expected by October 2021. City Manager Rodericks noted the project is within the budget.

Council held a brief discussion about the design and placement of the fountain.

Mayor DeGolia asked the Council to move the discussion of fountain feature location to the Project Management Subcommittee and have a proposal brought back to Council with recommendations for location and design.

Council consensus was received to refer the item to the Project Management Subcommittee for recommendations to be brought back to Council in September.

19. COUNCIL REPORTS/COMMENTS

Council Member Widmer noted that the COVID-19 positive tests rate is going up adding that if it increases further restrictions may be ordered the State. He encouraged the continued use of personal protective equipment to avoid being added to the watch list.

Mayor DeGolia noted that intensive care unit beds within the County are being utilized by cases from outside of San Mateo County.

20. PUBLIC COMMENTS - *None*

21. ADJOURN

Mayor DeGolia adjourned the meeting at 9:20 p.m.



Anthony Suber
City Clerk