



MINUTES
Town of Atherton
CITY COUNCIL
September 18, 2019
REGULAR MEETING

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

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

1. **PLEDGE OF ALLEGIANCE**

2. **ROLL CALL** – Wiest, Lempres (Absent), Lewis, Vice Mayor DeGolia, Mayor Widmer

3. **PRESENTATIONS**

- **Code Enforcement Officer Safety Awareness and Recognition Week Proclamation**

Commander Wade presents a brief background on the duties of a code enforcement officer and presents Atherton Code Enforcement Officer, Monica Diaz, a Proclamation in recognizing the second week of October as Code Enforcement Officer Safety Awareness.

- **Swearing-In Oath – Dispatcher Debra Allen**

Commander Wade presents Debra Allen's background and administers the Swear-in Oath.

4. **PUBLIC COMMENTS**

Joan Sanders, Atherton Resident and representative of the Lindenwood Homeowners Association, announced the Annual Block Party Meeting that will be held on Saturday, September 22, 2019 and the Atherton Arts Foundation Annual Art Show at Holbrook Palmer Park which being held Thursday, September 19 to Saturday, September 21.

5. **REPORT OUT OF CLOSED SESSION** - *None*

Mayor Widmer request to move Item 22, Civic Center Project updates, to be presented after the Consent Agenda, placing it before Item 15. Council approved the request.

6. **CITY MANAGER'S WRITTEN REPORT AND VARIOUS DEPARTMENT ORAL REPORTS**

City Manager Rodericks presented.

Rodericks noted that Item 16 contains information from previous meetings along with new findings and requests the option to dedicate a future Study Session meeting for the General Plan Update.

7. COMMUNITY ORGANIZATION ROUNDTABLE REPORT – *None*

CONSENT CALENDAR (Items 8-14)

8. APPROVAL OF MINUTES FOR JUNE 19, 2019

9. APPROVAL OF BILLS AND CLAIMS FOR JULY, 2019 IN THE AMOUNT OF \$ 4,772,508 AND FOR AUGUST, 2019 IN THE AMOUNT OF \$ 2,664,939

10. ADOPT A RESOLUTION DESIGNATING A VOTING DELEGATE AND UP TO TWO ALTERNATIVES FOR LEAGUE OF CALIFORNIA CITIES ANNUAL CONFERENCE, OCTOBER 16-18, 2019 – LONG BEACH

11. ADOPT A RESOLUTION ACCEPTING EXPENDITURES FOR BALANCE OF FISCAL YEAR 2019-2020 SUPPLEMENTAL LAW ENFORCEMENT SERVICES FUND (SLESF), CITIZEN'S OPTION FOR PUBLIC SAFETY (COPS) GRANT

12. ACCEPTANCE OF WORK, AUTHORIZATION TO RECORD NOTICE OF COMPLETION FOR THE 2019 SLURRY SEAL PROJECT, PROJECT NUMBER 56089

13. APPROVAL OF TENNIS SHELTER AND INSTALL IN HOLBROOK-PALMER PARK AND AUTHORIZATION TO USE ADDITIONAL TENNIS FUNDS

14. ACCEPTANCE OF TREASURER'S REPORT FOR THE FOURTH QUARTER ENDED JUNE 30, 2019

MOTION by DeGolia, Second by Wiest to approve the Consent Calendar. The motion passed unanimously.

PUBLIC HEARING – *None*

REGULAR AGENDA - (Items 15-22)

22. CIVIC CENTER PROJECT UPDATE

Moved upon request of the Mayor and Council approval

Project Manager Hanneman presented the item.

Vice Mayor DeGolia commented on the progress of the project and encouraged the community and Council to visit the site.

Council Member Lewis questioned the demolition of the old buildings. Hanneman informed Council that there was asbestos in the wall and lack of insulation in the administration building and the Council Chambers.

No action was taken, this item is informational only.

15. REVIEW POSSIBLE REVISIONS TO THE VARIOUS FEES AND CHARGES ON THE TOWN MASTER FEE SCHEDULE; AND, IF APPROPRIATE, DIRECT STAFF TO PREPARE A FEE RESOLUTION FOR ADOPTION

Finance Director Barron presented the item. Barron recommended Council consider a labor cost escalator when determining fee increases, focusing on Building Permit fees, Plan Check fees, Rental fees, along with other fees to consider adding to the Fee Resolution.

Mayor Widmer asked about the impacts to other park rental fees and the benefits of the increase. Barron informed Council that the focus is on the Carriage House fees due to the popularity of the North Meadow and demand from larger companies. He added during the Spring and Summer season, reservations would be at its peak and yield a larger income.

Vice Mayor DeGolia asked about the penalty fees for working without a permit. City Attorney Conners informed council that the existing penalty within the code states that the fees of permit would double as a penalty, but it does not address repeat offenders.

Council discussed the impacts on residents and suggested staff reevaluate the criteria for after-hours construction and penalties.

Council provided direction to staff to provide a revised fee resolution, incorporating the recommendations presented, at the October City Council Meeting.

16. DISCUSSION ON THE GENERAL PLAN UPDATE: THE 2019 GENERAL PLAN UPDATE

Senior Planner Davis and Town Planner Costa-Sanders presented the item. Davis informed Council that the Draft General Plan (GP) is a tool for Council to use in determining development and funding options of land use in Atherton. Additionally, the adoption of a GP would comply with existing federal and/or state policies because it covers Land Use, Circulation, Noise, Open Space and Conservation, and Community Safety.

Council held a detailed discussion confirming the GP would match local policies, how changes could be implemented in the future, issues related to Caltrain, funding challenges for projects, and the goal of maintaining the residential based community character.

City Manager Rodericks noted that updates to the GP are needed to prioritize specific projects.

Sanders noted that to complete a GP will take time and suggested a Study Session dedicated to solely to its discussion.

Connors noted that no policies were being adopted at this meeting.

Council continued the discussion related to elements addressed in the plan and the classification of streets.

Mayor Widmer noted the Emergency Operations Plan is due for revisions.

Council directed staff to implement the feedback provided and to set a future Study Session date to cover only the General Plan Update.

17. WAIVE THE FIRST READING AND INTRODUCE BY TITLE ONLY, AN ORDINANCE REVISING ATHERTON MUNICIPAL CODE CHAPTER 15.40.190 REMOVING THE CAP ON MAXIMUM PENALTIES THAT CAN RESULT FROM VIOLATION OF THE CONSTRUCTION TIME LIMIT PROVISION

City Attorney Bill Connors presented the item.

Vice Mayor DeGolia questioned who this ordinance specifically applies to. Connors informed Council that this would apply to any project; the goal is to enforce efficient construction timeframes by placing strict penalties. Connors added that this would benefit the neighboring residents who are affected and there will be fair warnings, along with a grace period, will be provided before penalties are applies.

Connors stated that the rule would apply to existing permits Public Comment: “Would this apply to building permits that are approved after the ordinance is adopted?” Connors replied that it would also pertain to existing permits and this covers only the penalties. “Will you provide that rule to applicants before it goes into effect?” Connors replied that there are already existing rules and the changes that will be discussed is the severity of the penalties.

Council Member Wiest indicated the goal of increasing the penalty is meant to create incentives for projects to be managed properly and create a community that preserves the quiet environment of neighbors.

DeGolia suggested a 30-day notice period be recommended at the Builders Roundtable.

MOTION by Wiest, Second by Lewis to introduced and waived first reading of an Ordinance amending Chapter 15.40.190 setting the second reading and adoption for the City Council October Meeting. Additionally, Council directed staff to connect with the

Builder’s Roundtable to discuss the option of reducing the 30-day notice period to 15-days or eliminate it entirely. The motion passed unanimously.

City Attorney exited the meeting at 8:14 p.m., Assistant City Attorney, Jennifer Larson replaced him.

18. ADOPTION OF THE TOWN OF ATHERTON GREEN INFRASTRUCTURE PLA

Public Works Director Ovadia and Connie Goldade from Community Design and Architecture presented the item Ovadia noted the importance of compliance with the regional agencies and Green Infrastructure (GI) plans and underway with neighboring jurisdictions.

Mayor Widmer asked about the measurement of PCBs and Mercury in the stormwater. Ovadia informed Council that there are various levels and using the current Stormwater Capture facility not only to reduce flood but also treat, filtrate, and divert the flow back out or use for irrigation.

Council raised concerns about a focus on El Camino Real and credit for stormwater projects completed by residential homeowners,

Ovadia indicated that the proposed GI Plan implements the Grand Boulevard Initiative designed as a regional collaboration to improve pedestrian safety, integrate green methods, and improve stormwater drainage.

MOTION by DeGolia, Second by Wiest to adopt the Town of Atherton Green Infrastructure Plan. The motion passed unanimously

19. DISCUSSION OF RULE 20A UTILITY UNDERGROUNDING WORK CREDITS, INCLUDING THE POTENTIAL SALE OF ACCUMULATED WORK CREDITS AND PROVIDE STAFF WITH DIRECTION

Public Works Director Ovadia presented the item.

Council discussed how Rule 20A funds could be sold, what costs are associated with developing an underground utility district and impacts to homeowners.

Council directed staff to begin the process of seeking out potential buyers for the purpose of negotiating a sale.

20. REVIEW AND APPROVE THE RESPONSE TO GRAND JURY REPORT: “SOARING CITY PENSION COSTS – FOLLOW-UP ON GRAND JURY REPORT OF 2017-18”

Finance Director Barron introduced the item.

Mayor Widmer asked for clarification for the current fund for pension. Barron confirmed that this report pertains to funds after pensions are used. Mayor Widmer added that there needs to be a mention of the annual audit of the pension cost.

Council Member Lewis provided minor grammar edit and raised concerns about the ten-year projection. Barron responded that though the ten-year forecast is progressive there could be potential changes in CalPERS' rate in pension liability.

MOTION by Wiest, Second by Lewis to approve the response, with minor modifications, to Grand Jury Report: "Soaring City Pension Costs – Follow-Up on Grand Jury Report of 2017-19." The motion passed unanimously.

21. RESPONSE TO GRAND JURY REPORT "Electric Vehicle Adoption in the Cities and County of San Mateo"

Commander Wade presented the item and noted that the Police Department is looking into trading in their SUV vehicles for hybrid vehicles in an effort to reduce gas emission and fuel costs.

Ovadia commented that there are currently two hybrid vehicles that could benefit from the electric vehicle charging station.

MOTION by Wiest, Second by DeGolia to approve the response with the exception to implement the stations and vehicles where it would best fit the department needs. The motion passed unanimously.

23. COUNCIL REPORTS/COMMENTS

Council Member Lewis reported on the C/CAG.

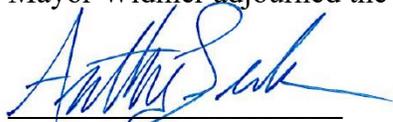
24. FUTURE AGENDA ITEMS- None

25. PUBLIC COMMENTS

Greg Conlon commented on his support to maintain the character of the Town.

26. ADJOURN

Mayor Widmer adjourned the meeting at 10:13 p.m.



Anthony Suber
City Clerk