



**MINUTES**  
**Town of Atherton**  
**CITY COUNCIL**  
**October 16, 2019**  
**REGULAR MEETING**

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

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

**1. PLEDGE OF ALLEGIANCE**

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

**3. PRESENTATIONS**

- **SEQUOIA HEALTHCARE DISTRICT ENHANCED SERVICE OFFERINGS**  
**presented by Catherine Bottini**

Catherine Bottini informed Council about the available innovative services and programs for the Atherton Community.

Council Member Lewis suggested for her to contact City Clerk Suber to assist with sharing the information with the community.

Council Member Lempres asked about how services are funded to which Bottini replied that major decisions are made by the Board and the funds are from property taxes and grants.

City Manager Rodericks informed Council that the property taxes paid are allocated to hospitals.

Bottini added that the annual report also provides description on how the funds are used and is available online.

**4. PUBLIC COMMENTS**

Joshua Salazar, Menlo College Student body representative, extended invitation to Council and Atherton community members to the Annual Festival hosted by the student body.

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

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

City Manager Rodericks presented the report.

Council Member Lewis noted the Atherton Police Report reflecting fewer incidents at the local Atherton community schools. Council Member Lempres commented on the Security Checks being administered to school have increased in frequency.

Council Member Wiest acknowledged the efforts that Public Works Director, Robert Ovadia, has made in response to the recent graffiti markings along with street maintenance.

**7. COMMUNITY ORGANIZATION ROUNDTABLE REPORT - *None***

**CONSENT CALENDAR (Items 8-12)**

**8. APPROVAL OF MINUTES**

June 19, 2019

**9. APPROVAL OF BILLS AND CLAIMS FOR SEPTEMBER IN THE AMOUNT OF \$1,324,349**

**10. SAN MATEO COUNTY MEASURE W FUNDING AGREEMENT**

**Approved Resolution No. 2019 – 17**

**11. WAIVE THE FINAL READING AND ADOPT 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**

**Approved Ordinance No. 639**

**12. AWARD OF CONTRACT FOR ADA MAINTENANCE PROJECT, PROJECT NUMBER 56091**

Council Member Lewis asked about planned street improvements for Lloyd Park and Public Works Director Ovadia noted the proposal is what was included in the budget.

**MOTION by Wiest, Second by Lewis to approve all items on the Consent Calendar. The motioned passed 4-0-1 (Widmer Absent).**

**PUBLIC HEARING (Items 13-14)**

**13. CONDUCT A PUBLIC HEARING AND, IF APPROPRIATE, ADOPT A FEE RESOLUTION AMENDING VARIOUS FEES AND CHARGES ON THE TOWN MASTER FEE SCHEDULE**

Finance Director Barron III presented the item.

Council Member Lempres asked staff for clarification on the Consumer Price Index (CPI). Barron informed Council that the report is provided from the () in order to help determine how to appropriate the correct fees in the Master Fee Schedule.

Council Member Lewis questioned the Planning Fees pertaining to “Accessory Structures (includes pools)” and “Accessory Buildings is a higher fee. Barron informed Council that the increase is based on a collective of the Master Fee Study that is based on the CPI.

Council discussion continued determining the rates are fixed, the timeline for the new Master Fee Schedule, and penalties for construction related violations.

Rodericks informed Council that staff is trying to find different ways to enforce the penalties on the contractors.

City Attorney Connors informed Council of the process for levying fines on contractors directly noting that that penalties must go directly to the homeowners first, allowing the homeowners to resolve the issue with their contractor directly.

Building Official Greenlee informed Council that the Building Department maintains a list of contractors who have existing violations.

**Motion by Lewis, Second by Wiest to adopt Resolution No. 2019 – 18 amending fees and charges on the Town Master Fee Schedule. The motion passed. 4-0-1 (Widmer Absent).**

**14. CONDUCT THE PUBLIC HEARING AND INTRODUCE FOR FIRST READING, BY TITLE ONLY, AN ORDINANCE TO AMEND TITLE 15 OF THE ATHERTON MUNICIPAL CODE ADOPTING BY REFERENCE THE 2019 CALIFORNIA BUILDING STANDARDS CODE, RETAINING EXISTING MODIFICATIONS; AND RATIFY THE FIRE REGULATIONS, AS ADOPTED BY THE MENLO PARK FIRE PROTECTION DISTRICT**

Building Official Greenlee presented the item to Council.

Council Member Wiest asked if the required Fire Code District and separate Standards are the two items being reviewed.

Fire Marshal Johnston with Menlo Park Fire Protection District clarified that what is under consideration are the updated codes, which include turning radius for the vehicles driven by the Fire Department. He added that there is a guideline for landscaping to help with the Wildfire issues requested by Atherton Council.

Johnston noted for Council that that they did not receive any public comments for the item and added that the ordinance can be amended if Council have concerns with any sections.

Council Member Lewis asked why staff is combining the Building Codes and the Ratification of the Fire Codes. And requested that a summary of the changes, be provided to Council, that will highlight what will be changed in Building Codes versus what we have.

City Manager Rodericks noted that Building Codes are updated every 2 years and that Council would be adopting several codes at once.

Council Member Wiest proposed that Council adopt the first section of the Ordinance and not adopt/approve Section 101.6.

**MOTION by Wiest, Second by Lempres to amend title 15 of the Atherton Municipal Code adopting by reference the 2019 California building standards code, retaining existing modifications; and ratify the fire regulations, as adopted by the Menlo park fire protection district, WITH THE EXCEPTION of Section 101.6. The motion passed (4-0-1 Widmer Absent).**

### **REGULAR AGENDA - (Items 15-17)**

#### **15. REPORT ON THE ESTABLISHMENT OF A REGIONAL HOUSING NEEDS ALLOCATION (RHNA) SUBREGION FOR SAN MATEO COUNTY**

Public Works Director Ovadia introduced the staff report and presented the letter proposal the Council provided by Caltrain. Ovadia noted this is a proposal and direction from Council is being sought by staff.

Town Planner Costa Sanders provided an overview and noted that the staff plans to participate in the 21 Elements group meets several times a year to discuss a variety of housing issues and the group will continue to exist as a resource and information sharing working group to discussing issues within the region.

Council discussed funding concerns for consultants, Atherton's required percentages, State plans to impose zoning rules on Cities, housing at school sites, and challenges to the numbers provided by the state.

Costa Sanders noted that Town representatives met with neighboring jurisdictions with similar land use rules to discuss strategies. She added that the Town has seen a net reduction in requirements under certain circumstances. Costa Sanders noted the numbers come the State and 2022 numbers have not been released and RHNA numbers from last year are carried forward.

**This was an informational item and no action was taken.**

**16. PROVIDE DIRECTION ON THE TOWN WIDE LOCAL TRAFFIC FLOW/LONG RANGE PLANNING SOLUTIONS STUDY; AND IF DIRECTED, AUTHORIZE A CONTRACT AMENDMENT WITH TJKM FOR ADDITIONAL RELATED SERVICES**

Public Works Director Ovadia introduced this item and provided a brief presentation. Ovadia highlighted the funding limitations in the coming fiscal year.

Council Member Lempres asked for clarification related to arterial and major streets and the proposed neighborhoods to seek input from.

Ovadia clarified that the neighborhoods sought for feedback can be expanded as well as a review of arterials versus major streets.

City Manager Rodericks noted for Council that the goal is to educate residents on traffic and congestion impacts.

Ovadia added that the engagement will ask feedback on what the issues are and discuss potential solutions to problems raised.

Council discussion continued related to the inclusion of specific neighborhoods, a need for wide-spread outreach, consideration of how many districts to include, and available funding.

Vice Mayor DeGolia stated that he supports using traffic calming devices. He stated he is not an advocate of installing a series street lights. He encouraged staff to focus on the impact traffic calming devices will have on the arterial streets.

**Staff noted they would move forward with direction from Council as noted and bring the item back with updates and Council approval.**

**17. CIVIC CENTER PROJECT UPDATE: AUTHORIZE THE CITY ATTORNEY TO PREPARE AND THE CITY MANAGER TO EXECUTE AN AGREEMENT AMENDMENT WITH MACK5 FOR REVISIONS IN SCOPE OF WORK AND BUDGET; AND AUTHORIZE THE CITY MANAGER TO EXECUTE A TASK ORDER AMENDMENT #4 WITH INTERWEST FOR INCREASED SCOPE OF SERVICES AND BUDGET**

**Council Member Lempres recused himself due to a financial conflict of interest.**

Project Manager Hanneman provided an introduction and broad overview of the project. He highlighted the progress on the site and upcoming activity including concrete pours at the Library. Hanneman provided Council staff recommendations asking Council remove funding from MACK5 and place it with Interwest for Field Inspection and Management Work. He added MACK5 did not have the expertise to perform all of the work needed and Interwest was providing more onsite construction management and observation services than MACK5.

Council clarified the shifts in responsibility noting that Interwest will increase their commitment and replace the work planned to be done by MACK5.

City Manager Rodericks requested that the consultant provide updates and mockups for Council review and Hanneman indicated he would ensure it was done.

**MOTION by Lewis, Second by Weist to authorize the City Attorney to prepare and the City Manager to execute an agreement amendment with Mack5 for revisions in scope of work and budget; and authorize the City Manager to execute a Task Order Amendment #4 with Interwest for increased scope of services and budget. The motion passed (3-0-1 Widmer Absent and Lempres Recused).**

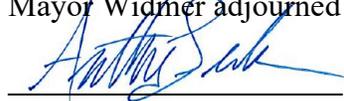
18. **COUNCIL REPORTS/COMMENTS** – None

19. **FUTURE AGENDA ITEMS** – None

20. **PUBLIC COMMENTS** – None

21. **ADJOURN**

Mayor Widmer adjourned the meeting at 8:47 p.m.



**Anthony Suber**  
**City Clerk**