



MINUTES
Town of Atherton
City Council
July 21, 2021
REGULAR MEETING

Mayor Lewis called the meeting to order at 6:00 p.m.

6:00 P.M. REGULAR MEETING

1. PLEDGE OF ALLEGIANCE

2. ROLL CALL - Hawkins–Manuelian, DeGolia, Widmer (Excused Absence), Vice Mayor Lempres, Mayor Lewis – Present

3. PRESENTATIONS - *None*

4. PUBLIC COMMENTS

Greg Conlon commented on underground public utilities.

5. CITY MANAGER'S WRITTEN REPORT

City Manager Rodericks presented the item and responded to Council inquiry related to the Police Department crime data reporting tools.

CONSENT CALENDAR (Items 6 - 10)

6. APPROVAL OF BILLS AND CLAIMS FOR JUNE 2021 IN THE AMOUNT OF \$ 3,812,881

7. APPROVAL OF MINUTES

Removed from the Consent Agenda to a date certain – September 1, 2021.

8. ACCEPTANCE OF WORK, AUTHORIZATION TO RECORD NOTICE OF COMPLETION FOR THE JAMES AVENUE OVERLAY PROJECT, PROJECT NO. 56090

9. APPROVAL OF A MEMORANDUM OF UNDERSTANDING WITH THE COUNTY OF SAN MATEO FOR SENATE BILL 1383 EDIBLE FOOD RECOVERY MONITORING

10. APPROVAL OF SECOND REVISED AND RESTATED JOINT EXERCISE OF POWERS AGREEMENT SAN MATEO COUNTY OPERATIONAL AREA EMERGENCY SERVICES ORGANIZATION; AND AUTHORIZATION FOR SIGNATURE

MOTION by Lempres, Second by DeGolia to approve the Consent Calendar Items 6-10, removing item 7, which was moved for approval at the September 1, 2021, Council Meeting.

AYES: Hawkins, DeGolia, Vice Mayor Lempres, Mayor Lewis

NOES:

ABSENT: Widmer

ABSTAIN:

REGULAR AGENDA (Items 11-20)

11. 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 introduced the item and briefly reviewed the powers granted to the Emergency Services Director, which for the Town is the City Manager.

Council collectively agreed to postpone a return to in-person meetings until at least October 1, 2021.

Rodericks shared the Town's current practices related to Face Covering rules and added the potential for mandating vaccinations or weekly testing.

Public Comment:

- Stacy Holland commented on the item

City Attorney Ebrahimi provided guidance on employer rights related to mandating vaccinations, challenges and rules related to contact tracing for staff and the public.

Council directed staff continue with current practices and prepare communications demonstrating the Town's support for vaccinations across the board when possible.

MOTION by Lempres, Second by DeGolia to certify the continuing emergency, ratify such rules and regulations enacted by the Director of Emergency Services in response to COVID-19, and provide that the certification of continuing emergency automatically terminates upon the State of California's lifting of the of the COVID-19 Emergency Declaration.

AYES: Hawkins, DeGolia, Vice Mayor Lempres, Mayor Lewis

NOES:

ABSTAIN:

ABSENT: Widmer

12. CONSIDER ACCEPTANCE OF A SCULPTURE DONATION FOR THE LIBRARY DECK FROM THE FRIENDS OF THE ATHERTON COMMUNITY LIBRARY

City Manager Rodericks introduced Sandy Crittenden of the Friends of Atherton Community Library (FACL) who presented the selected art piece and project plan to Council. He noted that the FACL will cover 100% of the costs related to the donation.

Public Comment:

- Christine David commented on the item noting her support for the piece.
- Alex Key commented on the item noting his support for the piece.

Motion by DeGolia, Second by Hawkins to accept the proposed sculpture donation for the Library Deck from the Friends of the Atherton Community Library.

AYES: Hawkins, DeGolia, Lempres, Lewis

NOES:

ABSTAIN:

ABSENT: Widmer

13. EXTENSION OF CONSTRUCTION TIME LIMIT FOR RESIDENTIAL PROJECT LOCATED AT 55 CAMINO POR LOS ARBOLES AND INTERPRETATION OF CONSTRUCTION TIME LIMIT ENFORCEMENT

City Manager Rodericks introduced the item and City Attorney Ebrahimi provided historical background to the item and details regarding the specific case.

Building Official Greenlee provided details about the process of collecting and returning fees for properties subject to the rule and specifics related to the case considered by Council.

Ebrahimi provided additional guidance for Council consideration regarding managing specific cases where staff or Council determine that construction delays occurred outside of the owner's control.

Council directed staff to come back with a list of options related to the definitions of an excusable delay and appeals and modifications of timing related to the appeals process. This direction provided by Council would be to modify the Construction Time Limit Ordinance.

Motion by Lempres, Second by Hawkins that the Council finds that the Town very intentionally adopted the Construction Time Limit ordinance in place to protect the community and residents who are not engaged in construction, and not to protect the remarkable design of a project. The Construction Time Limit ordinance is designed to only allow limited exceptions. In the case of the property at 55 Camino Por Los Arboles the uniqueness and architectural design of the property is within the property owner's control, is a self-induced delay, and should not allow for an exception to ordinance. However, if the

property owner demonstrates actual delays due to COVID impacting the critical path time of construction, they may be entitled to an extension without penalty commensurate with the duration of that particular delay.

AYES: Hawkins, DeGolia, Lempres, Lewis

NOES:

ABSTAIN:

ABSENT: Widmer

14. CONSIDERATION OF RESPONSES TO THE REQUEST FOR PROPOSAL FOR DONOR WALL DESIGN, CONSTRUCTION, AND INSTALLATION; PROVIDE STAFF WITH DIRECTION WITH RESPECT TO NEXT STEPS

City Manager Rodericks introduced the item and laid out options available to Council.

Council held a detailed discussion about the proposals received and associated costs of using WRNS as an alternative vendor.

Motion by Lewis, Second DeGolia to reject both bids received, form an Ad Hoc Subcommittee to work with WRNS for design, construction, and installation and return to Council for input and final approval.

AYES: Hawkins, DeGolia, Lempres, Lewis

NOES:

ABSTAIN:

ABSENT: Widmer

15. KNOX PLAYSCHOOL AMENDMENT TO LEASE TO ADDRESS COVID-19 RELATED RENT REDUCTIONS FOR THE SEPTEMBER 1, 2021 THROUGH AUGUST 30, 2022 PERIOD

City Manager Rodericks introduced the item and responded to Council.

Motion by Hawkins, Second by Lempres to accept staff recommendation and amend the current lease with Knox Playschools, Inc., reducing the payable rent amount for the September 1, 2021, through August 31, 2022, term.

AYES: Hawkins, DeGolia, Lempres, Lewis

NOES:

ABSTAIN:

ABSENT: Widmer

16. REVIEW OF BATTERY-OPERATED LEAF BLOWER PILOT PROGRAM

City Manager Rodericks introduced the item and noted the equipment that was purchased to use for the pilot project. Council watched a video prepared by the Public Works Department staff displaying the functional uses of the equipment. Rodericks noted a few key differences of the battery powered option versus the gas-powered option.

Town Arborist Bentz confirmed that staff did not acquire new information about the equipment as a result of the pilot project. She noted that electric blowers were determined to be quieter and gas-powered blowers were more effective.

Public Comments:

- John Maulbetsch commented on the item
- Patti Spezzaferro commented on the item.
- Ross Koningstein commented on the item.

Council directed the item be returned to the Environmental Programs Committee for further review and evaluate an ordinance for future Council consideration, develop an outreach and education campaign on the related issues. Council further directed that a Subcommittee of the Environmental Programs Committee work with a Subcommittee of the City Council on the issues before returning it to the City Council for consideration.

17. CONSIDERATION OF ACCEPTANCE OF A \$21,000 DONATION IN SUPPORT OF THE PURCHASE OF ADDITIONAL AUTOMATED LICENSE PLATE READERS (ALPRs); AND DIRECTION REGARDING THE LEASE OF AN ADDITIONAL 10 ALPR CAMERAS

City Manager Rodericks introduced the item and noted several other neighboring jurisdictions either have similar cameras or are considering adding them. Rodericks noted that Police Chief McCulley will be making a presentation to Council at the September Regular meeting on the results of the ALPR cameras.

Chief McCulley noted the impact the cameras have been as an investigative tool leading to recent arrests.

Council provided support for additional ALPR cameras.

Motion by DeGolia, Second by Lempres to accept the donation of a \$21,000 for the purchase of additional ALPR cameras.

AYES: Hawkins, DeGolia, Lempres, Lewis

NOES:

ABSTAIN:

ABSENT: Widmer

18. TOWN CENTER PROJECT UPDATE

City Manager Rodericks introduced the item and noted a requirement for emergency response radio coverage issue being required by the Menlo Park Fire Protection District (MPFPD) to comply with the State Fire Code. He noted the requirement is a condition of receiving a temporary occupancy permit. Rodericks proposed the Council Fire District Ad Hoc Subcommittee connect with the MPFPD to seek financial support / partnership on this cost.

Chief McCulley provided additional context on the need for emergency response communications for Fire Department first-responders.

Council directed that the Council Fire District Ad Hoc Subcommittee connect with the MPFPD to seek financial contribution for this requirement.

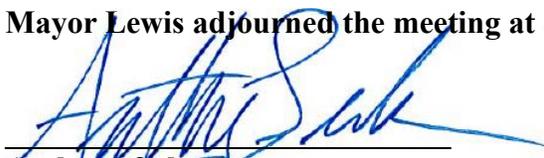
Mayor Lewis created an Ad Hoc Subcommittee for the planning of the Town Center Ribbon Cutting to which she appointed herself and Council Member Hawkins-Manuelian.

19. COUNCIL REPORTS/COMMENTS

Mayor Lewis noted an upcoming City / County Association of Governments of San Mateo County meeting in Millbrae.

20. ADJOURN

Mayor Lewis adjourned the meeting at 8:42 p.m.



Anthony Suber
City Clerk