



MINUTES
Town of Atherton
City Council
March 16, 2022
REGULAR MEETING

Mayor DeGolia called the meeting to order at 4:00 p.m.

REGULAR MEETING

1. **PLEDGE OF ALLEGIANCE**
2. **ROLL CALL** - Polito, Hawkins–Manuelian, Lewis, Vice Mayor Widmer. Mayor DeGolia – Present
3. **PRESENTATION** -
 - **Proclamation for the Retirement of Atherton Police Detective Sergeant, Anthony Kockler.**

Mayor DeGolia read the proclamation for Sergeant Kockler and Commander Larsen made remarks about his service, commitment to the Town, and outstanding performance.

Sergeant Kockler received the proclamation and thanked the Council and the Atherton Community for the support he received during his career.

- **Proclamation for the Atherton Public Safety Communications Personnel**

Mayor DeGolia read the proclamation and Communications Supervisor Kristy Cisco received it on behalf of the Police Department and Dispatch Team.

4. **PUBLIC COMMENTS** – *None*
5. **CITY MANAGER’S WRITTEN REPORT**

City Manager Rodericks briefly shared the report with Council.

CONSENT CALENDAR (Items 6 - 12)

6. **APPROVAL OF BILLS AND CLAIMS FOR FEBRUARY 2022 IN THE AMOUNT OF \$ 1,535,792**
7. **APPROVAL OF MINUTES**

Removed from the agenda.

- 8. RESOLUTION AUTHORIZING THE DESTRUCTION OF RECORDS PURSUANT TO GOVERNMENT CODE SECTION 34090**

Adopted Resolution No. 22-05

- 9. COST SHARING AGREEMENT WITH SAN MATEO COUNTY FOR ENCINA AVENUE ROADWAY IMPROVEMENTS**

- 10. ADOPTION OF AN ORDINANCE ESTABLISHING REGULATIONS AND OBJECTIVE STANDARDS FOR URBAN LOT SPLITS AND DEVELOPMENT PROJECTS SOUGHT PURSUANT TO GOVERNMENT CODE SECTIONS 65852.21 AND 66411.7 (SENATE BILL 9)**

Adopted Ordinance 650

- 11. 2021 ANNUAL REPORT TO THE CITY COUNCIL ON THE ATHERTON GENERAL PLAN IMPLEMENTATION**

- 12. AWARD OF CONTRACT FOR THE 2022 OVERLAY PROJECT, PROJECT NUMBER 56100**

MOTION by Widmer, Second by Polito to approve the Consent Calendar with the amendment by Widmer for Item 11, and with the exception of Item 7, which was removed from the agenda.

AYES: Polito, Hawkins, Lewis, Widmer, DeGolia

NOES:

ABSENT:

ABSTAIN:

PUBLIC HEARING (Items 13 – 14)

- 13. INTRODUCTION OF AN ORDINANCE TO REPEAL AND REPLACE CHAPTER 8.14 “HISTORICAL ARTIFACTS” OF THE ATHERTON MUNICIPAL CODE (AMC) AND RETITLE TO “HISTORIC PRESERVATION”**

Principal Planner Davis presented the item and noted that it was previously discussed in two prior Study Sessions. She also articulated that the Planning Commission voted 4-1 to recommend the Council approve the ordinance. The Commission did unanimously agree that should the Council adopt the ordinance that the Commission receive a report after one-year related to the activity as a result of this action.

Christine Talivaa-Aguerre, Senior Associate, San Mateo County Assessor’s Office shared context for Council consideration and performed a review of a Town property tax revenue impacts under the Mills Act. She also shared details about processes used in other San Mateo County Cities.

Council discussed issues related to designation of historic real property, establishment of a Mill's Act process, typical property tax savings under a Mill's Act, use of that savings for historic rehabilitation, public access to historic property, timeline for completion of rehabilitation, approval and review process, historical artifact designation, process for designation and removal, and the Town's or Heritage Association's Historic Artifact/Property inventories.

Council directed that the Historic Artifact portion of the Ordinance that exists today be retained, that the proposed ordinance be amended to be specific to Mill's Act designation, and that staff look into a review of the Historic Artifact Inventory.

The item will be amended by staff and returned at the April meeting for reconsideration.

14. INTRODUCTION OF AN ORDINANCE REPEALING CHAPTER 8.56 OF THE ATHERTON MUNICIPAL CODE AND ADOPTING A NEW CHAPTER 8.56 REGULATING DISPOSABLE FOOD SERVICE WARE BY FOOD FACILITIES TO ALIGN WITH NEW STATE LAWS

City Manager Rodericks presented the item and was assisted by Sustainability Coordinator Kim. Rodericks noted that since the adoption of the Ordinance there have been changes at the State level and the intent is to mirror what is being done at the State level in coordination with San Mateo County.

Kim indicated these changes are routine noting the County pushed the enforcement date back to October 1, 2022. He also introduced Eun-Soo Lim from the San Mateo County Office of Sustainability.

MOTION by Widmer, Second by Polito to introduce the ordinance and read by Title only, repealing a Municipal Code Ordinance regulating Disposable Food Service Ware under Chapter 8.56 of the Atherton Municipal Code.

AYES: Polito, Hawkins, Lewis, Widmer, DeGolia

NOES:

ABSENT:

ABSTAIN:

REGULAR AGENDA (Items 15 – 20)

15. CERTIFICATION OF CONTINUING EMERGENCY; MAKE SUCH FINDINGS AS REQUIRED UNDER GOVERNMENT CODE SECTION 54953(E)(3); AND RATIFY SUCH RULES AND REGULATIONS ENACTED BY THE DIRECTOR OF EMERGENCY SERVICES IN RESPONSE TO COVID-19

City Manager Rodericks presented the item noting social distancing recommendations from the State.

Council discussed the possibility of Hybrid Zoom Meetings and the challenges of requiring all Town's Commission and Committees to conduct meetings in that format.

Council directed that once the Council begins Hybrid Zoom meetings that the Commission and Committees be given the ability to operate in full Zoom or Hybrid; but that if the body choose to operate in Hybrid Zoom that that meeting must be held in the new Council Chambers.

The Council also directed that if a member of the Council, Commission or a Committee is attending the meeting via Zoom, that the member must appear on video provided that their technology allows.

MOTION BY Lewis, Second by Widmer for approval to certify the continuance of the emergency and ratify the rules enacted by the Director of Emergency services in response to COVID-19.

AYES: Polito, Hawkins, Lewis, Widmer, DeGolia

NOES:

ABSENT:

ABSTAIN:

16. APPROVE A PROFESSIONAL SERVICES AGREEMENT WITH GARAVAGLIA ARCHITECTURE, INC. FOR THE ATHERTON RAIL STATION REMODEL PROJECT

Public Works Director Ovardia presented the item

Council discussed the proposed Agreement, the budget for the project, the scope of design and improvement, the potential for a landscaping option, and process.

MOTION by Lewis, Second by Polito to approve the agreement with Garavaglia Architecture, Inc. of San Francisco without the landscaping portion and for design only and directed the Ad Hoc Subcommittee work with staff and the design team on the project.

AYES: Polito, Hawkins, Lewis, Widmer, DeGolia

NOES:

ABSENT:

ABSTAIN:

17. DISCUSS HOUSING ELEMENT UPDATE STRATEGIES AND PROVIDE DIRECTION TO STAFF

Town Planner Costa Sanders presented to Council.

Public Comment:

- Mr. Arata commented on the item.

Council discussed the various housing strategies to address the State's mandated Regional Housing Needs Analysis as part of the Town's next Housing Element Cycle. The discussion included allocations for Accessory Dwelling Units (ADUs), lots splits under SB 9, opportunities at schools and facilities, regional housing programs such as HEART and HIP Housing, as well as various Zoning Overlays and Inclusionary Zoning Programs.

Council discussed seven (7) possible overlay zoning areas that would allow for denser development opportunities.

Council directed that staff refine the various allocations for ADUs, SB 9, and school/facility sites and limit the amount of overlay zoning to a property on Oakwood at 20 units per acre, 5 properties on Marsh Road and 5 properties on Bay Road to 10 units per acre.

Council directed that, as part of the coming public engagement and notice process, that staff separately advise all properties in the seven (7) considered overlay areas that their properties were considered for specific overlay zoning to allow greater density as part of the Town's Housing Element Update process.

18. JOINT MEETING AGENDA TOPIC DISCUSSION

City Manager Rodericks introduced the item and Councilmember Hawkins who serves as the Fire District Liaison offered some insights.

Council provided input and feedback as to what topics should be addressed and are of a higher priority resulting in three primary items, which include: Support for ADAPT, Recommendations from the Constant Awareness Associates Report, and Projects that could benefit from financial support from the Fire District.

Council directed that the Subcommittee meet and discuss final recommendations to be including in the agenda.

This was an informational item, and no formal action was taken.

19. COUNCIL REPORTS/COMMENTS – *None*

20. ADJOURN

Mayor DeGolia adjourned the meeting at 9:34 p.m.



Anthony Suber
City Clerk