



MINUTES
Town of Atherton
City Council
May 18, 2022
CLOSED SESSION
REGULAR MEETING

Mayor DeGolia called the Closed Session to order at 5:00 p.m.

5:00 P.M. CLOSED SESSION

CLOSED SESSION IN ADMINISTRATIVE CONFERENCE ROOM 1011

ROLL CALL - Hawkins-Manuelian, Polito, Lewis, Vice Mayor Widmer, Mayor DeGolia - Present

PUBLIC COMMENTS - None

- A. PUBLIC EMPLOYEE PERFORMANCE EVALUATION - Pursuant to Government Code Section 54957

Title: City Attorney

- B. PUBLIC EMPLOYEE PERFORMANCE EVALUATION - Pursuant to Government Code Section 54957

Title: City Manager

Mayor DeGolia called the Regular Meeting to order at 6:00 p.m.

6:00 P.M. REGULAR AGENDA

1. PLEDGE OF ALLEGIANCE
2. ROLL CALL - Hawkins-Manuelian, Polito, Lewis, Vice Mayor Widmer, Mayor DeGolia - Present
3. PRESENTATION –
 - Mental Health Awareness Month

Yoko Ng, San Mateo County Behavioral Health Commissioner thanked the Council and Town Staff for recognizing Mental Health Awareness Month and shared resource.

4. **PUBLIC COMMENTS – *None***
5. **REPORT OUT OF CLOSED SESSION** by City Attorney, Mona Ebrahimi

City Attorney Ebrahimi reported the Council met in closed session to discuss performance evaluations for the City Manager and City Attorney. Ebrahimi reported that the Mayor assigned an Ad Hoc Subcommittee to discuss compensation for both roles and noted a report will be made at the June 15, 2022 Regular Meeting.

6. **CITY MANAGER’S WRITTEN REPORT**

Mayor DeGolia acknowledged a few areas in the report and thanked staff for their work.

CONSENT CALENDAR (Items 7 - 14)

7. **APPROVAL OF BILLS AND CLAIMS FOR APRIL 2022 IN THE AMOUNT OF \$ 7,114,054.**
8. **APPROVAL OF MINUTES FROM APRIL 14, APRIL 20, AND APRIL 26, 2022 MEETINGS**
9. **RECEIVE AND FILE THE 2022 CITY COUNCIL GOALS REPORT**
10. **SECOND READING AND ADOPTION OF A MUNICIPAL CODE AMENDMENTS ESTABLISHING REGULATIONS FOR “HISTORIC BUILDING PRESERVATION” UNDER CHAPTER 8.15 OF THE ATHERTON MUNICIPAL CODE.**

Adopted Ordinance 652

11. **ACCEPTANCE OF TREASURER’S REPORT FOR THE THIRD QUARTER ENDED MARCH 31, 2022**
12. **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**
13. **AWARD OF CONTRACT FOR THE 2022 SLURRY SEAL PROJECT, PROJECT NUMBER 56101**
14. **ADOPT A RESOLUTION APPROVING A PROJECT LIST FOR THE ROAD MAINTENANCE AND REHABILITATION ACT OF 2017 (SB1)**

Adopted Resolution 22-07.

MOTION by Widmer, Second by Lewis to approve the consent agenda Items 7 – 14.

AYES: Hawkins, Polito, Lewis, Widmer, DeGolia

NOES:

ABSENT:

ABSTAIN:

REGULAR AGENDA (Items 15 – 16)

15. APPROVE THE PARK AND RECREATION OUTDOOR FACILITIES MEMORIAL AND DONATION POLICY FOR HOLBROOK-PALMER PARK

City Manager Rodericks made a brief report and noted some of the revisions included from the Council feedback. He noted that acknowledgements and plaques must be approved by the Town.

Council discussed the item including what size tree donation warrants what type of recognition, location placement, and uniform standard design for plaques.

Town Arborist Bentz responded to Council inquiry related to plaques for Trees and described the size of plaques donated.

Council provided staff with direction that included a desire not to have plaques on trees, removal of recycled plastic benches, but leaving the option for plastic picnic tables.

MOTION by DeGolia, Second by Widmer to approve the Park and Recreation Outdoor Facilities Memorial and Donation Policy for Holbrook Palmer Park as amended.

AYES: Hawkins, Polito, Lewis, Widmer, DeGolia

NOES:

ABSENT:

ABSTAIN:

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

Town Planner Costa Sanders presented the item, reviewing the proposed strategies with Council for feedback. Costa Sanders provided suggestions for additional analysis related to the overlaying zoning to be performed during the 30-day public review period of the Housing Element Update.

Costa Sanders and City Attorney Ebrahimi provided an overview timeline of the steps to come after the Town submits its initial plan to the State Community and Housing Development Department.

Council discussed properties to include in any zoning overlay and strategies considered in housing element update, the prior update from 2016-2022, and the Town's responsibilities to identify renters or rental prices that meet certain income levels. Council reviewed properties on Oakwood, Marsh, and Bay Road evaluating their inclusion in the zoning overlay and at which density levels to include. The Council discussed the potential to add additional properties to the overlay zoning list (170 Atherton Avenue, vacant lot at the corner of Santiago and Valparaiso,

and the property at the corner of Alameda de las Pulgas and Polhemus) and ultimately opted not to include these properties at this time.

Ebrahimi noted that it is required to create a set of land use rules related to Zoning and the Town could not create or cherry pick rules that would be applied to different properties. Ebrahimi clarified the difference between densities and design standards and provided guidance for consideration regarding the application process for residents to be included in an overlay zoning. She advised establishing a clear set of criteria for consideration to avoid bias or the impression of favoritism.

The Council discussed the concept of spot zoning related to creating the overlays and City Attorney Ebrahimi provided an overview of when that issue might arise. She clarified that with the creation of the zoning overlay to allow multi-family housing creation the Town is not adding any new restrictions, but instead creating additional allowances.

Staff noted to Council that HCD has expressed a desire to see options that are included with realistic possibility for development

Council sought clarification on the requirement the Town might have related to qualifying at the various income categories and staff noted that at this stage the Town is not being required to unit needs to be rented at the specified rate within the income category. She noted that at this stage the Town is not required to provide the income information or rental information. She noted that if the Town received an audit, then the Town would need to conduct a survey of all Accessory Dwelling Units (ADU's) and the owner would need to provide income verification details and confirm the rental fees.

Council continued to discuss the potential of schools within Town to develop faculty housing, specifically for Menlo College.

Vice Mayor Widmer requested that the Housing Element response include details related to the 300 housing units being developed at Menlo College although they may not be factored into the Town's allocation. Mayor DeGolia concurred noting that the creation of that housing will free up other low-cost housing being utilized by students for other members of the community.

Widmer raised concerns related to increased demands on infrastructure and urged the Council to consider few units to be developed at 23 Oakwood reducing it from 20 units to 10 units per acre.

DeGolia concurred with the reduction to 10 units per acre at 23 Oakwood.

Councilmember Lewis and Hawkins-Manuelian suggested that because the Town has information confirming that the property owner at 23 Oakwood plans to develop keeping the unit per acre at 20 within the plan is appropriate.

Widmer provided support to include properties on Marsh Road within the Overlay.

DeGolia indicated that he supported removing Marsh Road from the Overlay citing concerns related to traffic congestion. Lewis concurred with DeGolia's position.

Councilmember Polito agreed that traffic congestion on Marsh Road is a significant concern.

Lewis indicated support to include Bay Road within the Overlay and DeGolia agreed.

DeGolia suggested 6 units per acre on Bay Road which received broad Council support.

City Attorney Ebrahimi clarified for Council that different parcels/properties could be assigned different density levels based on findings, however if/when the Council develops design standards those set of standards would be applicable to all parcels/properties within the Overlay.

Widmer encouraged Council to be considerate of maintaining zoning within the character of the Town.

Hawkins-Manuelian suggested a Town-wide mailer solicited additional community feedback related to the Zoning Overlay and Council discussed how best to engage residents in the process.

City Attorney Ebrahimi recommended before Council authorizes the release of a letter soliciting applications for properties to be included in a Zoning Overlay that the Council establish a clear set guidelines and parameters for which the Council is basing their decisions, that might include the accessibility of infrastructure, availability of parking, impact on adjacent neighbors, and/or proximity to public transit.

City Manager Rodericks confirmed for Council that staff prepared the proposed development numbers included in the element based on speculation of the properties that might be developed and to what capacity, which may change.

Council direction was to remove the proposed overlay zone for properties on Marsh Road, reduced the density for proposed overlay zones for properties along Bay/Ringwood to 6 units per acre, and reduced the proposed overlay zone for 23 Oakwood to 10 units per acre. Council directed not to include any additional properties in the Housing Element at this time. Council directed staff to amend the housing strategies as discussed and submit the draft Housing Element for its 30-day noticing period.

MOTION by Polito, Second by Widmer to submit the Housing Element Update including Bay Road and Oakwood Road within the zoning overlay with density levels as discussed.

AYES: Hawkins, Polito, Lewis, Widmer, DeGolia

NOES:

ABSENT:

ABSTAIN:

Public Comment:

- Don Arata commented on the item.

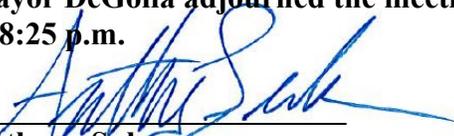
17. COUNCIL REPORTS/COMMENTS

Councilmember Lewis reported on the Menlo Park Fire Protection District board meeting from May 17, 2022.

City Manager Rodericks announced the June 4th Grand Opening and Library ribbon cutting.

18. ADJOURN

**Mayor DeGolia adjourned the meeting in honor of former Atherton Police Chief Ed Flint.
at 8:25 p.m.**



**Anthony Suber
City Clerk**