



MINUTES
Town of Atherton
CITY COUNCIL
ATHERTON CHANNEL DRAINAGE DISTRICT
APRIL 16, 2008

7:00 p.m.
TOWN COUNCIL CHAMBERS
94 Ashfield Road
Atherton, California

REGULAR MEETING

Mayor Janz called the meeting to order at 7:06 p.m.

1. PLEDGE OF ALLEGIANCE

2. ROLL CALL

PRESENT Jerry Carlson
Charles E. Marsala
James R. Janz
Kathy McKeithen

City Manager Jerry Gruber and City Attorney Marc Hynes were also present.

3. PRESENTATIONS

A. Mosquito and Vector Control Awareness Week Proclamation

Mayor Janz presented the proclamation to Chindi Peavey, Biologist, San Mateo County Mosquito Abatement and Vector Control District

B. Carolyn Williams, Principal, Selby Lane School

Principal Carolyn Williams was unable to attend the meeting.

C. Menlo Park Fire Protection District – Quarterly Update

City Manager Jerry Gruber introduced Director Peter Carpenter and Chief Harold Schapelhouman from the Menlo Park Fire Protection District (MPFPD). Director Carpenter said there were three projects that the MPFPD and Town were working on jointly: 1) Development of an evacuation program for West Atherton; 2) Water supply issues; and 3) cellular phone coverage. Chief Schapelhouman updated Council on the three areas. Progress had been made regarding water supply issues. Cal Water was working on its 20- year Master Plan, and the draft would be ready in May. The City Manager would be

very helpful given his background. Meetings had taken place regarding the West Atherton evacuation project which also involved the City of Menlo Park. Cellular phone coverage was an important issue for MPFPD. Currently, the training tower was undergoing modifications and MPFPD was in discussion with cell phone providers to install a separate communication tower. Discussion ensued regarding the CERT program and the citizens' disaster preparedness group.

4. PUBLIC COMMENTS

Ross Konningstein, Atherton, said the Environmental Programs Committee organized a party to be held Monday, April 21, at his "green" home which featured efficient insulation, efficient heating, and solar heating and electric systems.

Jim Dobbie, Chairman, General Plan Committee, attended the third and last public meeting on the Zoning Code Update on April 9, attended by approximately 50 people. The main changes related to building height, floor area measurements, allowances for light wells, and retaining walls. The next steps would be the General Plan Committee meeting scheduled for June 4, the Planning Commission, and the Council. All meetings were public.

Elizabeth Lewis, Member, General Plan Committee, attended the Zoning Code Update meeting on April 9. Out of the 50 people in attendance, 83% were residents, which was more than the other two workshops. An e-mail list was set up by Valerie Gardner and helped get the word out. Due to technical difficulties at the meeting, some information was not collected. Some questions and outstanding issues still needed to be worked out.

Valerie Gardner, Atherton, said the "Athertonian" was an e-mail list that enabled the user to receive information on a timely basis regarding events, happenings, and issues in Atherton. The website was yahoo.com/groups/Athertonian.

5. STAFF REPORTS

- City Attorney Marc Hynes reported out of Closed Session as follows:
 - A. CONFERENCE WITH LEGAL COUNSEL – Existing Litigation pursuant to Subsection (a) of Government Code Section 54956.9
 - Lamb vs. Town of Atherton, et al.
Superior Court of California, San Mateo County, CIV 461630
 - Town of Atherton vs. P.G. & E.
Superior Court of California, San Mateo County, CIV 471234
 - Town of Atherton vs. Mia Meir
Superior Court of California, San Mateo County, CIV 466596
- Three cases were discussed and no reportable action was taken.

B. CONFERENCE WITH LEGAL COUNSEL – Anticipated Litigation, Significant Exposure to Litigation pursuant to Subsection (b) of Government Code Section 54956.9

Two (2) potential cases

Two potential cases were discussed and no reportable action was taken.

C. LIABILITY CLAIMS – pursuant to Government Code Section 54956.95

Claimant: Michael Sheena

Agency Claimed Against: Town of Atherton

By unanimous vote of the Council, the claim was denied.

Claimant: Mercury Insurance Group (Mavel Guitron)

Agency Claimed Against: Town of Atherton

No reportable action was taken.

- **City Manager Jerry Gruber said staff was moving forward with the Fiscal Year 2008/09 Budget and thanked staff. The audit would be finalized in the next couple of days. Interim Finance Director Yeomans was coordinating a meeting with the Audit Committee. The Police Chief recruitment had generated a lot of interest on the part of the citizens who were responding to a survey. The *Athertonian* was mailed and was the first issue of a new format. A Study Session was scheduled for May 2 for senior staff and Council at the Main House in Holbrook-Palmer Park. The RFP was being circulated by SBWMA regarding the Town's waste provider. He would keep everyone informed. He toured the Urban Search and Rescue facility, one of 27 in the United States. The Town had a backup EOC there and would be seeking funding in the next fiscal year.**
- **Interim Finance Director Bill Yeomans said the final audit was finished and he would schedule a meeting with the Audit Committee.**

6. COMMUNITY ORGANIZATION ROUNDTABLE REPORT

Victoria Manor Homeowners' Association

Laura Boat, Board Member, Victoria Manor Homeowners' Association, said there were 29 houses in the Association which was formed in 1995 to deal with issues related to Menlo School and Menlo College. The Association's recent focus was on emergency preparedness. A new website would be unveiled at the May 4 annual meeting and she invited Council to attend. She noted that the neighborhood was transitioning to younger families.

CONSENT CALENDAR (Items 7-20)

Vice Mayor Jerry Carlson asked that Item Nos. 11 and 14 be removed and placed on the Regular Agenda for discussion. Mayor Janz placed Item No. 14 first on the Regular Agenda and Item No. 11 at the end of the Regular Agenda.

Regarding Item No. 16, Council Member Marsala was in favor of appointing the Ad Hoc Committee and had the following questions/comments: 1) whether the Committee should be added to the Council's regular committee list; 2) whether guest houses could be used for caretakers; 3) how one would know if a caretaker or renter was the occupant; 4) whether a guest house could be used for more than 30 days; 5) that large estates over 2 acres were different and might need caretaker; 6) whether more than one bathroom could be allowed in an accessory structure.

Item No. 19 was removed for discussion by a citizen. Mayor Janz placed it first on the Regular Agenda after Item 21 and before Item No. 14.

MOTION – to approve the Consent Calendar as presented with the exception of Item Nos. 11, 14, and 19 which were removed and placed on the Regular Agenda for discussion.

M/S McKeithen/J.Carlson

Ayes: 4 Noes: 0 Absent: 0 Abstain: 0

7. **APPROVED MINUTES OF THE SPECIAL CITY COUNCIL CLOSED SESSION MEETING MARCH 5, 2008; THE SPECIAL CITY COUNCIL CLOSED SESSION AND REGULAR CITY COUNCIL MEETINGS OF MARCH 19, 2008**
8. **APPROVED BILLS AND CLAIMS FOR MARCH IN THE AMOUNT OF \$ 1,014,676**
9. **ACCEPTED MONTHLY FINANCIAL REPORT FOR MARCH 2008**
10. **ADOPTION OF A RESOLUTION REGARDING AB 2544 ANNUITANT MEDICAL INSURANCE – MANAGEMENT GROUP**

Adopted Resolution No. 08-13, “A RESOLUTION OF THE CITY COUNCIL OF THE TOWN OF ATHERTON ELECTING TO BE SUBJECT TO PUBLIC EMPLOYEES' MEDICAL AND HOSPITAL CARE ACT ONLY WITH RESPECT TO MEMBERS OF A SPECIFIC EMPLOYEE ORGANIZATION AND FIXING THE EMPLOYER'S CONTRIBUTION FOR EMPLOYEES AND THE EMPLOYER'S CONTRIBUTION FOR ANNUITANTS AT DIFFERENT AMOUNTS,” and rescinding Resolution 08-07.

~~11. APPROVAL OF AN AMENDMENT TO THE TOWN'S E-MAIL POLICY~~

~~Approve by motion an amendment to the Town's E-E-Mail, Internet, and On-Line Service Use Policy pertaining to the retention and deletion of e-mail. (Removed and placed at the end of the Regular Agenda for discussion.)~~

12. APPROVAL OF JOB CLASSIFICATION FOR THE POSITION OF ASSISTANT CITY MANAGER / APPROVAL OF SALARY RANGE FOR ASSISTANT CITY MANAGER

Approved job classification for the position of Assistant City Manager and approve the annual salary range for Assistant City Manager of \$129,924- \$ 152,844.

13. APPROVAL OF LETTER TO C/CAG REQUESTING GRANT FUNDING IN THE AMOUNT OF \$13,000 FOR A GOVERNMENT OPERATIONS EMISSIONS INVENTORY

Authorized the Mayor to sign the letter to C/CAG requesting grant funding in the amount of \$13,000 for the Town's government operation greenhouse gas emissions baseline inventory.

~~**14. RECOMMENDATION FROM ENVIRONMENTAL PROGRAMS COMMITTEE FOR THE CITY COUNCIL TO REFER TO THE GENERAL PLAN COMMITTEE CONSIDERATION OF GREEN BUILDING REGULATIONS AND CHANGES TO ZONING CODE FOR SOLAR INSTALLATIONS**~~

~~**Recommendation:** The Environmental Programs Committee is recommending that the City Council direct the General Plan Committee to begin the process of reviewing making changes in the zoning code to make solar installations easier and implementing green building regulations. (Removed and placed on the Regular Agenda for discussion.)~~

15. AWARD OF TWO CONTRACTS FOR THE HOLBROOK-PALMER PARK TOWN HOME PROJECT, PROJECT NO. 07-011

Awarded two contracts for the Holbrook-Palmer Park Town Home Project, Project No. 07-011, for up to \$82,000, with a construction contingency of \$14,200, for a total authorization of \$96,200; to authorize the use of informal bidding; and to authorize the Mayor to sign the contracts on behalf of the Town.

16. APPOINTMENT OF AD HOC COUNCIL SUB-COMMITTEE REGARDING THE 2007-14 HOUSING ELEMENT UPDATE

Appointed Mayor Janz and Vice Mayor Carlson as the Ad Hoc City Council Sub-committee to provide guidance and oversight to Staff and consultants during the 2007-14 Housing Element Update process.

17. APPROVAL TO PARTICIPATE IN REQUEST FOR PROPOSAL FOR JOINT PROCUREMENT OF STREET SWEEPING SERVICES

Approved participation in a request for proposal for joint procurement of street sweeping services.

18. APPROVAL OF PLANS AND SPECIFICATIONS AND AUTHORIZATION TO ADVERTISE THE STEVICK DRIVE STREET RECONSTRUCTION PROJECT, PROJECT NO. 06-002

Approved the plans and specifications and authorize advertisement for bids for the Stevick Drive Street Reconstruction Project, Project No. 06-002.

~~**19. RATIFY CITY MANAGER AUTHORITY RE SPECIAL EVENTS ORDINANCE ATHERTON MUNICIPAL CODE CHAPTER 17.38**~~

~~**Recommendation: Confirm that Section 17.38.060A of the Atherton Municipal Code is the controlling authority for issuance of special event permits. This action may be taken by motion. It is intended to avoid misinterpretation of actions by the City Council at the regular City Council meeting on May 17, 2006. (Removed and placed on the Regular Agenda for discussion.)**~~

20. APPROVE AN AMENDMENT TO THE CITY OF REDWOOD CITY VEHICLE MAINTENANCE SERVICES

Authorized the Mayor to execute Amendment No. 4 to the agreement for vehicle maintenance services with the City of Redwood City.

PUBLIC HEARINGS (Item 21)

21. RECONSIDERATION OF COUNCIL'S DECISION REGARDING THE APPEAL OF THE PROPERTY OWNERS AT 137 STOCKBRIDGE AVENUE FROM A DETERMINATION BY THE BUILDING OFFICIAL AND DEPUTY TOWN PLANNER (CHAPTER 17.44 OF THE ATHERTON MUNICIPAL CODE)

Deputy Town Planner Lisa Costa Sanders was available to answer questions.

Mayor Janz opened the public hearing.

Larry Lowry, appellant, recapped the eight main elements of the issue: 1) Fully Complete – Our Plans were fully completed and stamped for submission before the new ordinance was even voted on and well before it became effective; 2) Explicitly approved – Our plans were reviewed in detail and explicitly approved by the former head of the Atherton Building Department, which prompted this subsequent extensive investment in detailing; 3) Substantial Upgrade – Our plans resulted in a very substantial upgrade of the main residence and already substantial landscaping to the benefit of our neighbors and the Town overall; 4. Within the Footprint – Our plans, with the exception of pushing out one wall so we can incorporate the garage within the main residence and thereby eliminate a detached garage that otherwise would be 10 feet from the property line, contained the main residence virtually within the footprint of the current main residence; 5) Remove Two Accessory Structures – More importantly, our plans removed from the property two old accessory structures which were in poor condition and 10 feet from the property line, and preclude for ever the addition of any new accessory structures, to the benefit of our neighbors and the Town overall; 6) Better than the Alternative –Our plans are better for all concerned than the legally

permitted alternative of tearing down the two legal nonconforming rooms and rebuilding them 10 feet closer to the property line; 7) Extensive Landscaping – Due to the very extensive investment that we have made in landscaping, the two legal nonconforming rooms cannot even be seen from anywhere outside our property, and definitely not from any neighbor’s property, which would no longer be the case if we tore them down and rebuilt them 10 feet closer to the property line, which would be permitted under current zoning codes; and 8) Support from 15 Neighbors – Fifteen of our neighbors, including the Stewarts with whom we share a property line, and the Nohmuras, our neighbors directly across the street, have submitted letters and emails strongly supporting our project and urging the Council to Grant our appeal.

Dr. David Burton, Atherton, was the next door neighbor and was opposed to granting the appeal. He believed the nonconforming structures that would remain would be part of a brand new house with a brand new foundation. There was a one-year time gap between the last contact with the Town and submission of the plans 35 days late. Council voted for the regulations which were in existence when the plans were submitted and the appeal should be denied.

Bob Raymer, Atherton, received written notice of the hearing. He queried when the Town would be rid of nonconforming uses. He believed when new construction took place would be the occasion to end nonconforming use. His objective was not to do any damage to Mr. Lowry but to apply the law to get rid of nonconforming structures. He urged Council to deny the appeal.

Murray Simpson, Atherton, a neighbor, agreed with the previous two speakers. He urged Council to deny the appeal.

Mayor Janz closed the public hearing.

Council Member McKeithen talked about precedents. She believed in sticking by the rules; however, she believed two precedents were set by Council: 172 Austin and 84 Walnut. Zoning violations had occurred in both cases. She thought the appeal should be approved. She looked at several facts and did not see much of a difference between the other two properties and 137 Stockbridge. She, too, wanted to see an end to nonconforming structures. She thought the Lowry’s should be allowed to go forward with their plans.

Council Member Marsala voted in favor of granting the appeal previously because of incrementally implementing new ordinances over the last few years. He also believed residents had not been properly notified. He suggested that perhaps ordinances adopted in the first half of the year should become operative the following January, and ordinances adopted during the second half of the year should become effective the following July. Projects in Atherton sometimes spanned years to plan and took longer to design.

Vice Mayor Carlson disclosed he was invited to both Dr. Burton’s house and to Mr. Lowry’s house and he visited and made a visual inspection of both prosperities. Regarding the two prior situations, he vote in favor of the first and voted against the

second. The properties were well screened, and the resulting structure was a major improvement to the area. He was very aware of setting precedents and unintentional consequences. He leaned toward granting the appeal.

Mayor Janz said clearly, the applicant made a mistake in filing the plans 35 days late even though they were ready two months earlier. He voted against the appeal originally, but he did not feel good about it. He had served 10 years on the Planning Commission and almost 8 years on the City Council and never saw anyone miss an ordinance change by so little. He believed the situation was not likely to happen in the future and he did not agree it was a precedent-setting situation. The one thing it came down to was the axiom of equity in the law. He was in favor of approving the appeal.

City Attorney Marc Hynes suggested if Council chose to grant the appeal, it would be appropriate to consider the eight key points made by Mr. Lowry as an exhibit to the resolution.

Mayor Janz noted Item E in the resolution had an incorrect statement regarding the June date.

MOTION – to approve the appeal based on the eight items outlined by Mr. Lowry and attached to the resolution as Exhibit A and adopt Resolution No. 08-14, “A RESOLUTION OF THE CITY COUNCIL OF THE TOWN OF ATHERTON GRANTING APPEAL OF BUILDING OFFICIAL DETERMINATION FOR 137 STOCKBRIDGE AVENUE, ATHERTON”

M/S McKeithen/J.Carlson

Ayes: 4 Noes: 0 Absent: 0 Abstain: 0

REGULAR AGENDA (Items 22-24)

**19. RATIFY CITY MANAGER AUTHORITY RE SPECIAL EVENTS ORDINANCE
ATHERTON MUNICIPAL CODE CHAPTER 17.38**

City Attorney Marc Hynes presented the staff report. Actions taken at the City Council meeting of May 17, 2006, had the potential for confusion. He said the Special Event Permit could be granted by the City Manager or designee and could be appealed by any interested person. He clarified the ordinance, as written and applied, gave the City Manager authority to grant Special Event Permits. Additionally, the City Manager could send the Special Event Permit application to the Planning Commission if additional information or discussion was needed.

Council Member Marsala believed the ordinance was overbearing and wanted Council to revisit it. He believed the ordinance was difficult to enforce. There were several ambiguities related to whether some activities needed a permit or an exemption, e.g., Pop Warner Football. Additionally, the guidelines needed to be modified to correct parts that were too restrictive, such as requiring a permit for events after 9:00 p.m. no matter what size they were. He believed a permit should only be required for large events over 300 people. With regard to field use, he believed “sunset” should replace 7:00 p.m.

Mayor Janz clarified that the Special Events Ordinance was not on the agenda for discussion that evening. The purpose was to address the anomaly of what appeared to be a direction on the record to the City Manager.

MOTION – to review/reconsider the Non-School Event Guidelines at a subsequent meeting

The motion died for lack of a second.

Vice Mayor Carlson believed clarifying the City Manager’s role was essential, timely, and more efficient in order that he could negotiate conditions with parties requesting a permit, etc.

Greg Baty, Atherton, expressed disappointment with Council. He said people were promised and assured over a year ago that the issue would be heard. He thought the ordinance and guidelines should be repealed. Pop Warner had asked for an exemption last year. Youth sports were not special events; they were part of life and part of buying a house next to a school. Fields were needed and the time had come to address the real issue and what was right for the community. He had over 50 signatures from Lindenwood residents who supported using the fields.

Natalie Diller, Lindenwood resident, lived in close proximity to the schools which was part of the appeal of the location. The Lindenwood Homes’ Association was a small group of vocal residents but did not represent the majority. The area desperately needed a place for kids to play. There was a 40% increase in school enrollment.

Lyle Hennigan, Atherton, moved to Town two years ago from out of state. He believed the sports programs here were tremendous. Listening to the ambiguities that seemed to exist in the guidelines he urged the Mayor and Council to revisit the guidelines and ordinance so that clear, well thought out rules could be enacted.

Clint Ostrander, Lindenwood, former Chairman of the Measure G Campaign, said one of the major tasks during the campaign was to convince the voters that school sites would be developed with proper facilities. When the voters realized the fields could be used by the general community, the response was overwhelmingly in support. Approximately, \$2.4 million was spent on the football and track facility at M-A High School. The various sports teams should be allowed to play on the field since their parents helped pay for it.

Philip Lively, Lindenwood, said the Special Events Permit process worked well without problems. He believed Pop Warner Football was clearly in the non-school event category. The Lindenwood Homes’ Association (LHA) tried to work out a Special Event Permit with Pop Warner for over 3 years, most recently in July 2007 without a response. He submitted a letter of from LHA supporting Pop Warner Football and outlined permit requirements, along with a check covering the fee.

Tom Hill, Atherton, clarified the controversy was about hours of play and amplified noise not whether sports would be played.

should be able to think through and decide what approach made sense for the Town. He supported the green building direction and believed Council needed to set some goals; however, he thought it was premature for the Council to direct the General Plan Committee to make certain findings.

Deputy Town Planner Lisa Costa Sanders clarified that Council had already directed the topic of green building to the General Plan Committee. The General Plan Committee and Environmental Programs Committee held several joint meetings which were productive, although things were not moving forward. The General Plan Committee requested that the City Council refer the green building guidelines to the General Plan Committee as the lead committee with resulting recommendations going through the Environmental Programs Committee before going back to Council. After the higher priority of the Zoning Code Update, the green building guidelines would be taken up by the General Plan Committee. The solar element was specifically referred to PMC to incorporate with the Zoning Code Update.

Council Member McKeithen suggested the General Plan Committee needed to conduct as thorough an examination as possible along with balancing what the public wanted and what the legislative history of the ordinance was, e.g., setbacks for heritage trees, etc. The committee needed to look at the reasons the restrictions were there in the first place.

Council Member Marsala distributed pictures of Ross Konningstein's "green" house. He received letters from residents with concerns regarding the inability to install solar because of height and/or setback requirements. He thought the item needed to be addressed sooner rather than later since construction was being held up in some instances. Additionally, the green building guidelines needed to be implemented.

Jim Dobbie, Atherton, attended the joint meetings and said the subject of green building was a very big subject. There was a large discussion but no where near any agreement. He suggested referring specific items rather than the large subject matter of green building.

Ross Konningstein, Atherton, agreed keeping things simple was the right approach. He had been willing to take more risks with his project to encourage other owners and contractors to try things that were different. He focused on the motions for solar because his requests for solar were denied. He recommended a simple change for solar water to allow clearance height greater than 3 feet, perhaps 6 feet 6 inches including mountings. He quoted State statutes and noted there was tension between the law at the State level and the Town level. He encouraged Council to allow solar systems to be installed more easily.

Elizabeth Lewis, Atherton, attended the previous evening's joint meeting of Atherton's Environmental Programs Committee and Menlo Park entitled, "Winds of Change." Cities/Towns were in a critical time of structural change in the environment, and there was a window of opportunity to make adaptations and changes to the General Plan to make communities sustainable. She urged Council to challenge the General Plan Committee to think boldly and to look at implementing standards Town-wide.

Jeff Wise, Atherton, supported the idea that builders should apply green-building practices and incorporate solar installations and incentives; however, some did not make economic sense in our area. He urged Council not to make “knee-jerk” reactions.

Deputy Town Planner Costa Sanders indicated the General Plan Committee wanted to begin with a voluntary program; whereas, the programs under discussion were mandatory and required meeting certain thresholds. Additional staff time and expense would result with implementation.

Building Official Mike Wasmann said San Mateo County’s ordinance which included the intent of expediting the permit process for residential would increase staff time; inspections within two days would increase staff time. Normally, inspections were done in two days except during the busy summer season. He believed the General Plan Committee would work off of the two model ordinances. Additionally, implementation of such an ordinance had not been included in the upcoming budget. Solar was more of a height issue and was being addressed through PMC.

MOTION – to direct the General Plan Committee to consider implementing changes to the zoning code in order to facilitate solar implementation with consideration in particular, but not limited to, the four items identified in the City Council staff report dated April 16, 2008; additionally, direction was given to work off of the Green Building Guidelines incorporated in San Mateo County’s and Los Altos’ Green Building Regulations and using those as model ordinances for green building within the Town of Atherton

City Manager Jerry Gruber supported green building; however, he expressed concern regarding the costs associated with the item.

Mayor Janz suggested the estimated hours be analyzed, revised, and incorporated into the budget, with particular attention paid to the cost of public outreach.

M/S McKeithen/Marsala

Ayes: 4 Noes: 0 Absent: 0 Abstain: 0

22. ADOPTION OF A MASTER RESOLUTION GOVERNING COMMITTEES/COMMISSIONS

Mayor Janz noted the item was considered in a Study Session earlier that evening. A number of revisions were made to the draft resolution. The City Attorney would revise the resolution and Council would consider it at a future meeting.

Bob Jenkins, Atherton, attended the Study Session. The resolution spoke to the composition and terms, the number of years someone could serve, the need to provide minutes, etc; however, there was no request for an annual progress report of accomplishments. Additionally, he suggested performance appraisals for committees/commissions.

Mayor Janz thought requiring an annual report was a good idea.

Direction was given to the City Manager to schedule the next meeting.

23. ACCEPT AND APPROVE THE RECOMMENDATIONS OF THE CITY COUNCIL SCREENING COMMITTEE FOR ANNUAL APPOINTMENTS TO COMMITTEES/COMMISSIONS

Council Member Marsala said the Screening Committee recommended reappointing Michael DiBattista to the Mid-Peninsula Media Center who also worked in the industry. The Mid-Peninsula Media Center was a nonprofit organization where residents and corporations could make videos. Four highly qualified candidates applied for the San Mateo County Mosquito Abatement and Vector Control District. The Screening Committee recommended Dr. Samuel Lerner, a veterinarian. Council Member Marsala said other appointments to committees/commissions would take place at a later date.

Karen Williams, Clerk of the Board, San Mateo County Mosquito Abatement and Vector Control District, thanked Council for making the appointment. Additionally, she recognized Doris Kellett for her 16+ years of service on the Board.

MOTION – to accept the recommendation of the Screening Committee to reappoint Michael DiBattista to the Mid-Peninsula Media Center and to appoint Dr. Samuel Lerner, a veterinarian, to the Mosquito Abatement and Vector Control District

M/S J.Carlson/McKeithen

Ayes: 4 Noes: 0 Absent: 0 Abstain: 0

24. DISCUSSION AND POSSIBLE CREATION OF A BLUE RIBBON TASK FORCE TO SOLICIT INPUT AND EVALUATE THE FEASIBILITY OF A NEW TOWN CENTER; DISCUSSION AND POSSIBLE CREATION OF A BLUE RIBBON TASK FORCE TO EVALUATE THE FEASIBILITY OF FUNDRAISING OPTIONS FOR A NEW TOWN CENTER

Council Member Marsala gave a PowerPoint Presentation on the background and history of Town facilities. He highlighted nearby towns where fundraising raised most of the funds to build a new Town Center. In a 1999 study, 60 percent of the people were in support of a tax increase to build a new facility. In 2006, Council authorized a needs study for Town facilities. Going forward, the Facilities Committee wanted to create two Blue Ribbon Task Forces to study the feasibility of what the facility would look like and the feasibility of raising funds through donations.

Bob Jenkins, Atherton, thought the Disney Symphony Hall in Los Angeles was a recent and good example of how accomplish it. All the money was raised by residents.

Valerie Gardner, Atherton, thought new facilities would be wonderful for Atherton and a way to improve staff morale and provide a place for residents to gather. She also wanted to take into account how create a vibrant, green urban community to meet the

needs of the community. Atherton had an aging population and the Town needed to update studies to address the needs of today.

Patricia Engasser, Atherton, had serious concerns of commercializing a second floor. She did not want a musical center for the Peninsula with weekend traffic, etc. The facility should serve Atherton residents' needs.

Mayor Janz suggested adding a component to solicit input from Town residents to see whether there was support for a new facility and to gather ideas/concerns regarding what would or would not be appropriate.

Vice Mayor Carlson wanted to get a fair representation of the people in Town to see if the project was viable. He envisioned time in the process to help educate residents. He commended Council Member Marsala for his effort. The project was a big undertaking. He also suggested a timeline, e.g., six months, to report to Council on the findings.

Council Member McKeithen needed more detail: how the members would be selected; how many members would be on the committees; would an outside consultant be needed; what was the time table; what were the fundraising options, etc. She thought those questions needed to be answered and brought back to Council for consideration.

Mayor Janz thought the Facilities Committee would brainstorm the who and the how many and return to Council for approval before forming the committees. The Facilities Committee would also develop a timeline.

Council Member Marsala said he had learned that everything needed to be open with community input, community input, community input. Some residents had volunteered to run charettes, others wanted to help with fundraising. The purpose of the evening was to obtain Council's support.

Council Member McKeithen emphasized gathering input on the feasibility which included desirability. Some people wanted a new facility; however, others did not. More evaluation was needed.

Mayor Janz envisioned that the Blue Ribbon Task Forces would sort out all the issues as part of its charge rather than the City Council. The committees would be representative of the community and would solicit widespread input. He was in favor of the Council approving the Facilities Committee to go forward with the next steps.

MOTION – to direct the Facilities Committee to brainstorm the composition and duties of two Blue Ribbon Task Forces, develop a timeline, and return to Council for approval

Council Member Marsala said there would always be naysayers when dealing with public opinion. There was a lot of information he would use as a basis.

M/S Janz/Marsala

Ayes: 4 Noes: 0 Absent: 0 Abstain: 0

11. APPROVAL OF AN AMENDMENT TO THE TOWN'S E-MAIL POLICY

Mayor Janz continued the item to the City Council meeting of May 21, 2008.

25. COUNCIL REPORTS

- **Council Member McKeithen said the Office of Emergency Services met and discussed a new website. At the San Francisco Airport Community Roundtable, discussion continued on the Woodside Corridor to try to determine why no progress had been made to limit the flights flying below 9,000 ft.**
- **Vice Mayor Carlson commented on Item No. 11. He had questions regarding personal e-mail accounts on personal computers. He asked the City Attorney for clarification and answers. The Transportation Subcommittee was recommending meeting every other month since a lot of issues were on the horizon. An Ad Hoc Committee, put together by Supervisor Richard Gordon, would look at safe routes to schools including Laurel, Encinal, and M-A High School, as well as other projects.**
- **Public Works Director Duncan Jones said several traffic studies were in different stages of the process: Holbrook, Alejandra, Laurel, Fair Oaks, and the intersection of Watkins and El Camino.**
- **Council Member Marsala attended the Facilities Committee meeting and the Environmental Programs Committee meeting. A story in the paper indicated some cities were not properly reporting their diversion. The Town did a good job and staff deserved credit. He announced the GreenStart School Fair on May 4. He represented the County on the League of Cities Employee Relations Committee where Funding Pensions and Retiree Health Care for Public Employees was discussed and the need for more transparency.**
- **Mayor Janz said the Rail Committee discussed the train station noting the repairs from the fire had been made; however, the station still did not look good. Caltrain promised to restore the entire facility. The City Manager received an e-mail from Mark Simon listing all the things Caltrain planned to do, so the station should be looking better soon. He and the Vice Mayor would attend the ABAG meeting later in the month.**

26. PUBLIC COMMENTS

There were no public comments.

27. ADJOURNMENT

Mayor Janz adjourned the meeting was at 11:30 p.m.

Respectfully submitted,

**Kathi Hamilton
Acting City Clerk**