



**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*

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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 fewer 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 4<sup>th</sup> 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.**

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**Anthony Suber  
City Clerk**



**MINUTES**  
**Town of Atherton**  
**City Council**  
**May 24, 2022**

Mayor DeGolia called the meeting to order at 1:31 p.m.

**REGULAR AGENDA**

1. **ROLL CALL** - Hawkins-Manuelian, Polito, Lewis, Vice Mayor Widmer, Mayor DeGolia – Present
2. **PUBLIC COMMENTS**
  - **Jim Massey shared comments related to the item.**
  - **Richard Bradshaw shared comments related to the item.**
3. **DISCUSS ADDITIONAL HOUSING ELEMENT UPDATE STRATEGIES AND PROVIDE DIRECTION TO STAFF**

City Manager Rodericks introduced the item and referenced supplemental material provided to council. Rodericks provided an overview of the purpose for the special meeting as an opportunity for council to discuss the zoning overlay strategy. He concluded that the recommendation from staff was to add properties discussed but not included in the current proposed overlay and/or reevaluate density levels at properties already included in order to put forward a Housing Element with a better opportunity for approval from the State Housing and Community Development agency.

Town Planner Costa Sanders responded to inquires related to the involvement of local schools, the Circus Club, Menlo Park Fire Protection District, and other residential units.

**Public Comment:**

- Jim Massey commented on the item.
- Richard Bradshaw commented on the item.

Council discussed issues with development that might include challenges with infrastructure, increases in student populations at local schools, and traffic management. They continued to evaluate staff recommendations for the proposed overlay, Accessory Dwelling Unit development, and creating a fund for the development of affordable housing.

Costa Sanders noted that staff was working on a feasibility study assessing affordable housing production among other topics. She also noted that Menlo College showed interest in building onsite housing possibly in conjunction with the development of another building. She added that although Menlo School noted they were not interested in building housing onsite if a property

was available that was adjacent to the school or nearby they would be open to having the Overlay Zoning applied to allow housing development.

Councilmember Polito expressed support for the addition of all three proposed properties, which include 170 Atherton Avenue, 290 Polhemus, and 97 Santiago into the Overlay Zoning.

Councilmember Lewis expressed her opinion that the Council should consider adding additional density to the Oakwood property that makes a development project more economically likley. Lewis expressed support for development at the 170 Atherton Avenue property and 290 Polhemus. She noted that any increase of housing in town will lead to an increase of traffic congestion and noted her opposition to include 97 Santiago with the consideration of the smaller lot size and location within Town.

Councilmember Hawkins-Manuelian noted she was in favor of adding the three additional properties into the Overlay with the understanding that it has been done with a set of guiding principles that include evaluating areas that are immediate adjacent to high density housing, schools, and areas near high density streets.

Councilmember Widmer expressed his openness to include 170 Atherton Avenue in the Zoning Overlay given that he has a more comprehensive understanding of the screening at the property. He also expressed support for adding 290 Polhemus and 97 Santiago into the Overlay. Widmer suggested the Council consider including the Firehouse in Atherton and both private schools for faculty housing in the Overlay.

Mayor DeGolia encouraged Council to consider a slow approach to ensure the best interest of the Town and its residents. DeGolia noted that he supports an Overlay of Townhomes within Town. He expressed his support to maintain the density levels approved at the May 18, 2022, Council meeting. DeGolia continued to express comfort with included the 290 Polhemus property consider the lot size at a possible 10 units per acre. He later indicated that he would oppose increasing the density levels at 23 Oakwood. He noted that he has reservations about supporting the addition of 170 Atherton Ave and 97 Santiago into the Overlay without receiving more community/resident feedback.

Councilmember Hawkins-Manuelian noted that one of the more areas that are not presently including are properties along El Camino Real.

**MOTION by Polito, Second by Lewis to approve 8 units per acre at 170 Atherton.**

**AYES: Lewis, Widmer, Polito**

**NO:**

**ABSTAIN: Hawkins, DeGolia**

**ABSENT:**

**Motion by Lewis, Second by Polito to approve 8 units per acre at 290 Polhemus.**

**AYES: Hawkins, Polito, Lewis, Widmer, DeGolia**

**NO:**

**ABSTAIN:**

**ABSENT:**

**MOTION by Widmer, Second by Polito to approve 6 units per acre at 97 Santiago.**

**AYES: Hawkins, Widmer, Polito**

**NO: Lewis, DeGolia**

**ABSTAIN:**

**ABSENT:**

**MOTION by Hawkins, Second by Polito to approve 16 units per acre at 23 Oakwood.**

**AYES: Hawkins, Polito, Lewis**

**NO: DeGolia**

**ABSTAIN: Widmer**

**ABSENT:**

**Public Comment:**

- Dave Arrata commented on the item.

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

Richard Bradshaw inquired about zoning changes and potential impacts on Town's Heritage Tree Ordinance.

**5. ADJOURN**

**Mayor DeGolia adjourned the meeting at 3:05 p.m.**

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



**MINUTES**  
**Town of Atherton**  
**City Council**  
**June 15, 2022**  
**CLOSED SESSION**  
**REGULAR MEETING**

Mayor DeGolia called the meeting to order at 5:30 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

**PUBLIC COMMENTS** - Public Announcement of Closed Session Items

- 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*

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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 – Swear-In of Officer Bobby Magami**

Chief McCulley presented the Oath of Office and swearing in for Officer Magami. Megami's wife and son were present.

**4. PUBLIC COMMENTS – NONE**

**5. REPORT OUT OF CLOSED SESSION by City Attorney, Mona Ebrahimi**

City Attorney Ebrahimi reported there was no public comment and that Council met in Closed Session providing an excellent review of the City Manager’s Performance and awarding a \$15,000 bonus with a 5% salary increase. She added that Council also reviewed the City Attorney Performance and will be increasing the retainer from \$15,000 per month to \$17,000 per month.

**6. CITY MANAGER’S WRITTEN REPORT**

Councilmember Lewis shared that the City Manager’s report includes details related to the Police Department that is available for the public.

Mayor DeGolia announced he terminated 5 subcommittees that are no longer active.

**CONSENT CALENDAR (Items 7 - 10)**

**7. APPROVAL OF BILLS AND CLAIMS FOR MAY 2022 IN THE AMOUNT OF \$ 1,895,271.**

**8. APPROVAL OF MINUTES FROM MAY 4 AND JUNE 1, 2022.**

**9. 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**

**10. ACCEPTANCE OF WORK, AUTHORIZATION TO RECORD NOTICE OF COMPLETION FOR THE HOLBROOK-PALMER PARKING LOT LIGHTING REPLACEMENT PROJECT**

**MOTION by Lewis, Second by Polito to approve the Consent Calendar Items 7-10, removing the Council Minutes from May 18 and May 24 to return for approval at a future meeting.**

**AYES: Polito, Hawkins, Lewis, Widmer, DeGolia**

**NOES:**

**ABSENT:**

**ABSTAIN:**

**Mayor DeGolia moved Item 17**

## 17. **DISCUSS COMMUNITY FEEDBACK REGARDING HOUSING ELEMENT UPDATES**

Mayor DeGolia indicated due to the nature of the meeting and the issue and timing a few notes related to how public comment will be received for the item.

City Manager Rodericks provided background related to the item including the timeline for receiving public comments and the documentation process conducted for public comments. He noted upcoming Special Meetings related to the Housing Element Update and some likely revisions to the Housing Element. Rodericks shared details about possible penalties or issues with not having an approved Housing Element. He also added that 290 Polhemus will be removed from the zoning overlay at the next Regular Council meeting.

Councilmember Lewis shared her pleasure with the outpouring of public interest in this topic. Lewis later articulated the rationale behind including 290 Polhemus in the Zoning Overlay at the May 24<sup>th</sup> meeting.

Councilmember Polito noted he saw comments from 37 people and his position is that unless the Town submits a plan in good faith the Town will have a problem with the State Housing and Community Development. He continued that the Town would maintain some control to mediate issues relate to traffic congestion and improvements to public safety.

Councilmember Widmer discussed comments he received and noted many concerns shared were related to traffic congestion. He added that he has received community feedback suggesting the Town consider adding the northwest region of El Camino Real, Gilmore House, and the Town Corporation Yard into the Zoning Overlay. Widmer expressed a desire to submit a plan that is achievable and actionable.

Councilmember Hawkins-Manuelian noted she received comments indicating that the process for selecting properties to be included in the Overlay was done in an arbitrary manner. She recommended that Council ensure the initial criteria for selecting areas to include in an Overlay be used, including areas near schools, existing high-density housing, Bear Gulch, and along El Camino Real.

Mayor DeGolia addressed his colleagues on Council and referenced the City Manager comments related to the Los Angeles County being delayed out of compliance. DeGolia shared his position is that this is a good opportunity for the Town to observe what takes place statewide. He articulated that in his resident interactions that many residents are opposed to at least 3 of the properties being considered in the overlay. He went on to address the Council concerns including wanting to avoid being a target of the State or housing advocates, the concept of a multi-family housing overlay being a new proposition for the Town's consideration, and concerns with stress on existing infrastructure. He cautioned his colleagues on Council to go slowly and included that by adding the Overlay the Town can protect areas within Town that cannot be done under SB9

### **Public Comments:**

- Jerry Fletcher commented on the item
- Jeff Morris commented on the item
- Allen Austin commented on the item

- Laurie Shepard commented on the item
- Jim Massey commented on the item
- Steve Smith commented on the item
- Nahil Anizhazi commented on the item
- James Green commented in the item

Mayor DeGolia indicated the Town did complete a General Plan update in 2019.

**Mayor DeGolia called for a 5 Minute Recess at 7:17 PM.**

**PUBLIC HEARING (Items 11-15)**

**11. DECLARATION OF EXEMPTION OF GOVERNMENT CODE SECTION 4902 REVIEW BY THE PLANNING COMMISSION FOR STREET-RELATED REAL PROPERTY ACQUISITIONS THAT ARE MINOR IN NATURE; AND VACATION OF A PORTION OF MADRONE ROAD**

Public Works Director Ovadia shared historical information related to the item.

**MOTION by Widmer, Second by Polito to adopt the Resolution 2022-13 declaring that provisions of California Government Code section 65402 shall not apply to minor street related acquisitions, dispositions, abandonments, and alignments.**

**AYES: Polito, Hawkins, Lewis, Widmer, DeGolia**

**NOES:**

**ABSTAIN:**

**ABSENT:**

**MOTION by Lewis, Second by Polito to conduct a Public Hearing and adopt the attached Resolution 2022-14 vacating the street use of a portion of Madrone Road and retaining existing utility easement rights.**

**AYES: Polito, Hawkins, Lewis, Widmer, DeGolia**

**NOES:**

**ABSTAIN:**

**ABSENT:**

**12. APPEAL OF A PLANNING COMMISSION DECISION TO DENY A VARIANCE TO ALLOW FOR A FENCE/WALL TO EXCEED SIX FEET IN HEIGHT AND TO ALLOW FOR A RETAINING WALL TO BE LOCATED LESS THAN FIVE FEET FROM THE PROPERTY LINE AT 25 ISABELLA DRIVE.**

Principal Planner Davis presented the item providing a detailed review of the history and background information. She noted the Planning Commission decision and rules related to granting variances as directed within the Atherton Municipal Code.

City Attorney Ebrahimi provided guidance for Council to disclose communications held with anyone other than the City Manager.

Vice Mayor Widmer disclosed his site visit, watched the Planning Commission Meeting and discussed the issue with Mayor DeGolia.

Councilmember Polito disclosed that he visited the site and watched the Planning Commission meeting.

Councilmember Lewis indicated that she watched the Planning Commission meeting.

Councilmember Hawkins-Manuelian indicated that she watched the Planning Commission meeting.

Mayor DeGolia indicated that he visited the site, watched the Planning Commission meeting and discussed the topic with Vice Mayor Widmer.

The property owner of 25 Isabella addressed Council along with her Attorney and provided the reasons and case for the variance application.

Councilmember Lewis read the letter prepared by the property owner seeking a variance that was shared with neighbors.

Council held a discussion with the property owner of 25 Isabella and the impacted neighbor on 15 Isabella to gain insight on their decision for an appeal application as to whether to uphold or reverse a prior Planning Commission decision which denied a variance request to allow for an as-built fence/wall to be greater than 6 feet in height and an associated retaining wall to be located less than 5 feet from a property line.

**After hearing from both parties Council encouraged property owners to make another attempt at finding a feasible resolution through negotiations suggesting both parties use some form of mediator to engage in the dialogue. Council instructed that if an arrangement cannot be met then they will hear the matter again at a future Council meeting to make a final determination.**

**This item was continued to September to allow the property owners to attempt to resolve the issue.**

**13. INTRODUCTION OF ORDINANCE AMENDMENTS TO CHAPTER 17.50 “LANDSCAPE SCREENING” OF THE ATHERTON MUNICIPAL CODE (AMC).**

Principal Planner Davis presented the item and provided a summary of the amendments.

Council held a brief discussion related to the size of trees and language included in the amendments to Atherton Municipal Code (AMC) Chapter 17.50 Landscape Screening Ordinance.

Town Arborist Bentz provided insight as to what types of tree species would be prescribed.

City Attorney Ebrahimi provided guidance on allowable language which was discussed by Council.

**MOTION by Widmer, Second by Lewis as amended to conduct the public hearing and introduce Ordinance amendments to Chapter 17.50 “Landscape Screening” of the Atherton Municipal Code (AMC) based on the following finding and for the reasons outlined in this report.**

**AYES: Polito, Hawkins, Lewis, Widmer, DeGolia**

**NOES:**

**ABSTAIN:**

**ABSENT:**

**14. INTRODUCTION AND 1ST READING OF AN ORDINANCE APPROVING A POLICY FOR THE USE AND ACQUISITION OF MILITARY EQUIPMENT AS REQUIRED BY ASSEMBLY BILL 481 LAW ENFORCEMENT AND STATE AGENCIES**

City Manager Rodericks introduced the item and there was no Council discussion.

**MOTION by Widmer, Second by Lewis to introduce for 1st reading and waive future reading of an ordinance for the, “military equipment use policy and approving the use, acquisition, collaboration, and seeking of funding for military equipment,” as required by California Government Code § 7071 (a)(1) per Assembly Bill (AB) 481.**

**AYES: Polito, Hawkins, Lewis, Widmer, DeGolia**

**NOES:**

**ABSTAIN:**

**ABSENT:**

**15. ADOPT THE ATTACHED RESOLUTIONS ADOPTING THE FY 2022/23 OPERATIONS AND CAPITAL BUDGET, SALARY & BENEFIT RESOLUTION FOR UNREPRESENTED STAFF, 2022/23 SALARY AND CLASSIFICATION SCHEDULE, GANN LIMIT APPROPRIATIONS AND ADOPT A FEE RESOLUTION AMENDING VARIOUS FEES AND CHARGES ON THE TOWN MASTER FEE SCHEDULE**

City Manager Rodericks introduced the item and reviewed several key changes for Park fees. Rodericks noted that the Park and Recreation Committee plans to review the fees and may return to Council with future recommendations.

The Public Hearing was conducted and there was no public comment.

**MOTION by Widmer, Second by Polito to adopt**

- 1. Resolution 2022-08 of the City Council of the Town of Atherton Approving Fiscal Year 2022-2023 Salary Schedules and Classifications; and**
- 2. Resolution 2022-09 of the City Council of the Town of Atherton Establishing the Appropriations Limit for Fiscal Year 2022-2023 Pursuant to Article XIII B of the California Constitution**
- 3. Resolution 2022-10 of the City Council of the Town of Atherton Adopting the Fiscal Year 2022-2023 Operating and Capital Improvement Program Budget; and**
- 4. Resolution 2022-11 of the City Council of the Town of Atherton adopting the attached fee resolution amending various fees and charges on the Town Master Fee Schedule; and**

**5. Resolution 2022-12 of the City Council of the Town of Atherton Adopting Salaries and Benefits for Unrepresented Staff.**

**AYES:** Polito, Hawkins, Lewis, Widmer, DeGolia

**NOES:**

**ABSTAIN:**

**ABSENT:**

**REGULAR AGENDA (Items 16- 19)**

**16. CONSIDERATION OF AND APPOINTMENTS TO VARIOUS TOWN COMMITTEES AND PLANNING COMMISSION**

City Manager Rodericks introduced the item and Council discussed the future of the Rail Committee, suggesting that committee be transitioned to a committee more similar to that of the Tree Committee. Mayor DeGolia suggested staff discuss this with the Rail Committee members and bring it back for Council consideration at a later meeting.

**MOTION by Widmer, Second by Lewis to appoint**

- **Thomas Hill to the Audit and Finance Committee to fill 4-Year terms expiring on June 30, 2026; and**
- **Kenneth Frederick to the Environmental Programs Committee for a 4-Year term expiring on June 30, 2026 and Amy Farrell to a mid- term vacancy expiring on June 30, 2024; and**
- **Taylor Henkel to the Parks and Recreation Committee for a 4-Year term expiring on June 30, 2026 and Frank Merrill to the Foundation seat for a 2-Year term expiring on June 30, 2024; and**
- **Eric Lane to the Planning Commission to fill a 4-Year term expiring on June 30, 2026; and**
- **John Maulbetsch to the Rail Committee to fill a 4-Year term expiring on June 30, 2026.**

**17. DISCUSS COMMUNITY FEEDBACK REGARDING HOUSING ELEMENT UPDATES**

**This item was moved to be heard before ITEM 11.**

**18. CITY MANAGER PERFORMANCE EVALUATION AND APPROVAL OF AMENDMENT TO CITY MANAGER EMPLOYMENT CONTRACT**

City Attorney Ebrahimi reported that the City Manager received an excellent performance review and was awarded a \$15,000 bonus and 5% raise in annual salary up to \$256, 854.15 effective July 1, 2022.

**MOTION by Lewis, Second by Polito to approve the 9<sup>th</sup> amendment with George Rodericks for a base salary of \$256,854.15 per year and a one-time bonus of \$15,000 with amended language.**

**AYES:** Polito, Hawkins, Lewis, Widmer, DeGolia

**NOES:**

**ABSTAIN:**

**ABSENT:**

**19. CITY ATTORNEY PERFORMANCE EVALUATION AND APPROVAL OF AMENDMENT TO LEGAL SERVICES AGREEMENT**

City Manager Rodericks introduced the item noted Council direction to amend the contract for legal services with Kronick, Moskovitz, Tiedemann & Girard to increase the monthly retainer from \$15,000 to \$17,000.

**MOTION by Lewis, Second by Hawkins to approve the amendment to the legal services agreement with Kronick, Moskovitz, Tiedemann & Girard to \$17,000 monthly.**

**AYES: Polito, Hawkins, Lewis, Widmer, DeGolia**

**NOES:**

**ABSTAIN:**

**ABSENT:**

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

**21. ADJOURN**

**Mayor DeGolia adjourned the meeting at 9:28 p.m.**

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