



MINUTES
Town of Atherton
August 1, 2017
9:00 A.M.
Council Chambers
94 Ashfield Road
Atherton, California
Special Meeting

ROLL CALL Lempres, Wiest, Lewis, Widmer, DeGolia

PUBLIC COMMENTS - (Limited to items on the agenda)

ACTION ITEMS

- 1. REVIEW THE RESPONSE FROM LAS LOMITAS SCHOOL DISTRICT REGARDING THE PROPOSED MEMORANDUM OF UNDERSTANDING (MOU) FOR THE WATER CAPTURE FACILITY PROJECT AND PROVIDE STAFF WITH DIRECTION TO CONTINUE OR INVESTIGATE ALTERNATIVE OPTIONS**

Report: City Engineer Marty Hanneman

Recommendation: Review the response from the Las Lomitas School District (District) for the proposed Las Lomitas storm water capture facility or begin discussions with Caltrans to amend the Cooperative Implementation Agreement (CIA) to relocate the water capture facility project to an alternate location, i.e., Holbrook-Palmer Park

Council Member Lewis questioned the water flow at the park channel compared to the flow at Los Lomitas.

Council Member Widmer questioned if the building funds requested would cover the cost of the entire project, excluding the maintenance fees. Engineer Hanneman confirmed that the cost would not exceed the amount requested.

Council Member DeGolia discussed the importance of this project for flood control in Atherton but was concerned about the disruption at Los Lomitas if the basin was to be installed there. DeGolia supported the street light at the intersection of Alameda de las Pulgas and Walsh.

Council Member Widmer suggested if a street light was to be placed at Alameda de las Pulgas and Walsh, Los Lomitas should cover ¼ of that cost.

Vice Mayor Wiest commented that the capture facility project is good for everyone but expressed concern that Atherton would absorb many of the issues if the project is done at Las Lomitas.

Mayor Lempres suggested moving the capture facility to Holbrook-Palmer Park and Vice Mayor Wiest, Council Member Widmer, and Council Member DeGolia expressed their support.

Widmer stated that the move to the park would save in upfront costs and suggested that vendors renting the fields at HPP could potentially share the cost of the basins if the fields were utilized.

Council Member Lewis expressed concern regarding impacts on the trees at the park and having two capture chambers; would there be enough overflow to fill them.

Mayor Lempres and Council Member Lewis also expressed gratitude for Los Lomitas looking into a water capture facility at their location, but felt that having a water capture facility at the park would give the Town more control.

Council Members DeGolia and Lewis questioned if this capture facility could potentially replenish the wells at the park and Engineer Hanneman confirmed they could.

2. REVIEW AND APPROVE BALLOT ARGUMENT IN FAVOR OF MEASURE SUBMITTED TO QUALIFIED ELECTORS AT THE NOVEMBER 7, 2017 ELECTION AND DIRECT STAFF WITH RESPECT TO REBUTTAL ARGUMENTS

Report: City Manager George Rodericks

Recommendation: Approve language submitted by Ad Hoc Subcommittee members Lempres and Lewis for the Argument in Favor of Measure to be submitted to qualified electors at the November 7, 2017 election. Sign the Ballot Argument Submission Form provided by the City Clerk; and direct staff with respect to rebuttal arguments

The City Council performed final wordsmithing to the ballot measure (the final version can be accessed through the City Clerk's office).

Council Member Lewis highlighted minor updates that the Ad Hoc Subcommittee prepared.

MOTION by DeGolia, second by Lempres to approved language submitted by Ad Hoc Subcommittee members Lempres and Lewis including modifications made by Council for the Argument in Favor of Measure to be submitted to qualified electors at the November 7, 2017 election. The motion passed unanimously, 5-0.

Mayor Lempres directed the same ad-hoc subcommittee author the rebuttal argument if necessary. The Council concurred.

A meeting to review possible rebuttal arguments was tentatively set for August 28, 2017 at 9:00 a.m.

3. REVIEW AND, IF APPROPRIATE, APPROVE THE 5TH AMENDMENT TO THE CITY MANAGER'S AGREEMENT

Report: City Attorney Bill Conners

Recommendation: Review and, if appropriate, approve the 5th Amendment to the City Manager's Agreement

City Attorney Conners explained a new law, SB1436, requiring an oral reading of new compensation for City Managers at a Council Meeting. Conners read aloud the changes to the City Manager agreement.

Council Member DeGolia commented on the committee's excellent performance in working on the amendment and expressed his understanding of the deferred compensation section which is equal to the 2.75% extended to Atherton employees.

MOTION by Lewis, second by DeGolia to approve the 5th Amendment to the City Manager's Agreement. The motion passed unanimously, 5-0.

ADJOURN

Mayor Lempres adjourned the meeting at 10:09 a.m.

Respectfully submitted,
Judi Herren
Acting City Clerk



Minutes
Town of Atherton
October 4, 2017
3:00 P.M.
Admin Conference Room
91 Ashfield Road
Council Chambers
94 Ashfield Road
Atherton, California
Special Meeting

Council Member Widmer may be teleconferencing from the following location:
158 Glenwood Avenue
Atherton, CA 94027

Council Member Widmer was in attendance at the meeting.

3:00 PM CLOSED SESSION IN ADMIN CONFERENCE ROOM

ROLL CALL Lempres, Wiest, Lewis, Widmer, DeGolia

PUBLIC COMMENTS

CONFERENCE WITH LEGAL COUNSEL – POTENTIAL LITIGATION
(Significant exposure to litigation pursuant to subsection (b) of Government Code Section
54956.9)

One (1) Case

Public Announcement of Closed Session Items – No reportable action

ADJOURN AND RECONVENE TO SPECIAL MEETING IN THE COUNCIL
CHAMBERS AT 94 ASHFIELD ROAD, ATHERTON, CA

City Attorney reported out of Closed Session. He reported that the Council met to discuss one case of potential litigation and no action was taken.

PUBLIC COMMENTS – None.

3:30 PM ACTION ITEM

1. BAYFRONT CANAL/ATHERTON CHANNEL FLOOD PROTECTION AND
RESTORATION PROJECT PLANNING, DESIGN, AND ENVIRONMENTAL
PERMITTING MEMORANDUM OF UNDERSTANDING (MOU)

Report: Community Services Director Mike Kashiwagi

Recommendation: Authorize the City Attorney to prepare and the City Manager to execute a Memorandum of Understanding (MOU) in partnership with the City of Redwood City, City of Menlo Park, Town of Atherton, and the County of San Mateo

Town of Atherton City Council Agenda, Special Meeting October 4, 2017

(The Collaborative) to complete the planning, design, environmental permitting, and secure property access rights for the proposed Bayfront Canal/Atherton Channel Flood Protection and Restoration Project (Project)

City Manager Rodericks summarized his staff report. He met with City Managers of Menlo Park, Redwood City (RWC), and the County and provided feedback from Council September discussion and the suggested modifications to the MOU.

Rodericks noted that he attended the County Managers meeting and since Atherton is considering a cap on their participation, Menlo Park expressed concern that they now have to pick up a share of the \$233,000 left on the table in order to move the project forward. This is an issue for them since they have the least amount of flow contribution. The proposal moving forward is that the RWC-grant be applied to the remaining three agencies but that the \$3m grant be applied collaborative wide. This would change the construction phase contribution for Atherton from \$805k to \$855k.

Staff is looking for action from Council authorizing the City Manager to execute the design only MOU, with suggested modifications, not to exceed \$165,000 and a reimbursement schedule of 5-10 years via the County's offer (must be approved by the County).

Council Member Widmer wanted to know why the Town is considering financing when there is excess cash to pay the entire balance. Council Member Lewis questioned how the invoicing would work.

Mayor Lempres questioned why there are two separate grants. Rodericks explained that once the Town suggested a CAP, it was decided that the RWC-grant be applied to Menlo Park, Redwood City and the County only. This constitutes a 50K increase to Atherton for the construction phase contribution. Rodericks concluded that the \$3m grant will be applied to the collaborative.

Council Member DeGolia questioned the accuracy of the 2/3 contributions from Menlo Park for properties on the FEMA flood zone map. Is it a fair assessment for where property improvement would occur?

Vice Mayor Wiest asked if this reduces the size of the flood zone relative to the number of properties it includes. County officials said that it is possible.

Council Member Widmer suggested that the Town continue to take a regional approach on more matters including air traffic noise and air traffic flow. He suggested the Council consider paying the entire balance for design to avoid any outstanding obligations.

Council Member Lewis questioned why Atherton has so much run off, given the number of homes that have their own detention basin. Rodericks noted that there is flow into the drainage system from driveways and streets.

Council Member DeGolia agreed with Widmer on taking a regional approach to matters. It is reasonable to calculate cost on water flow however other issues should be considered as well. He suggested calculating the value of the property that will be improved and taking into account "how able" the entities are to incur these costs.

Council Member Widmer added that the flow coming from Woodside should also be considered.

Vice Mayor Wiest said he is comfortable with the new formula and the CAP as is and also suggested installing a flow meter monitoring system to accurately define the flows (contributions) from each jurisdiction.

Council Member Lewis asked if we are locked in perpetuity to the percentage amount if the Town agrees to it in this phase. Rodericks responded that we are not locked in but it does set a precedent for what the percentages may be.

There was discussion on the 60-day opt out provision.

Council Member Lewis motioned to approved with a not to exceed \$165K. Wiest seconded the motion.

There was discussion about the lease terms, interest rate and prepayment penalties.

MOTION by Lewis, second by DeGolia to finance over 10 years period at 1.2% interest without prepayment penalty. The motion passed unanimously.

MOTION by Wiest, second by Widmer to authorize the City Attorney to prepare and the City Manager to execute the Memorandum of Understanding (MOU). The motion passed unanimously.

STUDY SESSION ITEMS

2. PRIVATE GATE ACCESS INTO HOLBROOK-PALMER PARK

Report: Community Services Director Mike Kashiwagi

Recommendation: This informational report is intended to provide discussion material for the Council to review and decide if action could be required to address the situation

City Manager Rodericks summarized his staff report.

Wiest had concerns with issues of security. He felt a letter to the homeowners who have a gate into the park alerting them of park hours and reminding them to secure their gates is reasonable.

DeGolia felt this is a sensitive and complex issue. He agreed with a letter. DeGolia felt that a property survey should be done so the Town can figure out where their property line is.

There was discussion about what to include in a letter to the property owners.

The Council directed staff to draft a letter with City Attorney input that discusses park hours, security and liability, private gate access concerns, strongly suggest gates be locked for homeowners security and that the Town may be doing a property line survey in the future.

3. REPORT ON LOCAL TRAFFIC FLOW/LONG RANGE PLANNING SOLUTIONS/NTMP

Report: Community Services Director Mike Kashiwagi

Recommendation: Provide feedback and direction on local traffic flow/long range planning solutions/neighborhood traffic management program (NTMP)

Marty Hanneman summarized the staff report.

Council Member Widmer felt that given the various traffic counts the Town currently does and the amount of development going on that this methodology would not provide accurate data. He felt that the data would be outdated before the Town had a chance to act on it.

Hanneman noted that he spoke with a colleague who uses this method and indicated that cell phone data is the most accurate traffic counts you can get.

Widmer added that the consultant should incorporate existing and proposed development projects traffic in the region that may impact traffic flow in Atherton.

There was discussion about the cost of the RFP.

Council Member Lewis suggested adding conflict zones at or near local schools into the analysis.

Lempres noted that once complete, the Council needs to have a discussion on the goals for traffic patterns and traffic calming measures.

Vice Mayor Wiest said that traffic volume and flow information would be helpful to assess the impact of cut through traffic. The current proposed methodology does not provide that information.

Mayor Lempres asked what data the Town will get from the study. Hanneman indicated that the study will delineate where the traffic originates from and where it is going.

Lempres added that the data gathered should be used to take stronger action on development projects in adjacent community's particularity when it is affecting quality of life.

Widmer noted that the percentages volumes from left/right turning movements onto local neighborhood streets might be worthwhile data.

Council Member DeGolia felt that the more data the better as it provides good benchmarks for initiating solutions. He noted that the Town should consider connecting with traffic routing applications such as Waze to limit cut through traffic as other communities have done.

Council agreed that the consultant should develop recommendations for the Towns Circulation Element of the General Plan to develop strategies to mitigate cut through traffic and address EIR comments.

4. CHECK-IN ON CITY COUNCIL STRATEGIC GOALS

Oral Report: City Manager George Rodericks

Moved to a future study session agenda.

5. UPDATE – QUAD RAILROAD CROSSING GATE AT WATKINS ROAD

Report: Community Services Director Mike Kashiwagi
Recommendation: Informational Report

Moved to a future study session agenda.

ADJOURN

Mayor Lempres adjourned the meeting at 4:59