



MINUTES
Town of Atherton
City Council
September 5, 2018
8:00 A.M.
Council Chambers
94 Ashfield Road
Atherton, California
Special Meeting

Mayor Wiest called the meeting to order at 8:00 a.m.

ROLL CALL

Lewis, DeGolia, Lempres, Vice Mayor Widmer, Mayor Wiest

PUBLIC COMMENT –

Christine David, wanted to remind the Council that the residents are very excited about building the civic center and they hope there aren't any changes to the design.

SPECIAL SESSION AGENDA

1. URBAN FUTURES PRESENTATION

Report: Michael Busch, Urban Futures

Description: Representatives from Urban Futures, Inc. will present the Council with an overview of various funding solutions that could be implemented to assist the Town with cash flow needs during the project timeline. Depending on the value engineering options selected by the City Council for the City Hall and Police Building and the actual bid returns in 2019, staff projects future funding will be sufficient to fund the project. However, staff has identified a cash flow concern in that the Town only receives its revenues twice a year and invoices are paid monthly during the project. Therefore, staff has suggested to the Council that some sort of bridge funding be considered to assist with cash flow during the project. The Council will be discussing these and other funding options during the Urban Futures presentation. Solutions that the Council could discuss as part of this item include certificates of participation, private placement funding, revenue anticipation notes, fundraising, and other financing solutions reasonably related.

Michael Busch, Urban Futures presented Council overview of various funding solutions that could be implemented to assist the Town with cash flow needs during the project timeline.

2. REVIEW AND DISCUSS THE CIVIC CENTER PROJECT UPDATE TO INCLUDE A DISCUSSION OF PROJECT FUNDING; REVIEW, DISCUSS AND PROVIDE DIRECTION ON DESIGN CHANGES AND VALUE ENGINEERING OPTIONS FOR THE ADMINISTRATIVE/POLICE BUILDING; DIRECT STAFF TO REQUEST A RE-DESIGN PROPOSAL FROM WRNS STUDIOS; AUTHORIZE THE CITY ATTORNEY TO PREPARE AND CITY MANAGER TO EXECUTE AN AGREEMENT AMENDMENT WITH WRNS STUDIOS TO

PERFORM RE-DESIGN WORK FOR THE LIBRARY; AND AUTHORIZE ADVERTISEMENT FOR PUBLIC BIDS TO PROVIDE DEMOLITION AND ABATEMENT SERVICES FOR THE LIBRARY BUILDING

Report: Marty Hanneman

Recommendation:

1. Review and Discuss the Civic Center Project Update to include a discussion project funding;
2. Review, discuss and provide direction on design changes and value engineering (VE) options for the Administrative/Police building; and
3. Direct staff to request a re-design proposal from WRNS Studios for Council approved VE options for the Administrative/Police building; and
4. Authorize the City Attorney to prepare and City Manager to execute an agreement amendment with WRNS Studios to perform re-design work for the library; and
5. Authorize advertisement for public bids to provide demolition and abatement services for the library building.

Description: This item will involve a discussion by the Council on the various possible design changes and value-engineering options for the City Hall and Police Building. These options include a review of discrete systems within the plans and recommendations for changes, as well as, other project specific areas where costs can be cut. Council discussion, will include, but not be limited to, plumbing systems, mechanical systems, landscaping, square footage, phasing and staging options, CalGreen requirements, furniture, fixtures, and finishes, windows, and other items reasonably related to the issue. The Council will also discuss funding options related to the overall project which will include, but not be limited to, fundraising, cash available for the project, certificates of participation, bonds, and other items reasonably related to funding. Ultimately, staff is recommending that the Council provide specific direction and feedback on each of the possible areas where costs can be cut or changes can be made to the City Hall and Police Building and have an in-depth discussion and provide feedback on funding for the overall project. Staff is also asking the Council to authorize a bid package to demolish the existing library prior to the award of construction for a new library. Lastly, staff is asking the Council provide authorization to request a redesign proposal from the project architect to specifically address the value-engineering options recommended by the Council for the City Hall and Police Building.

City Manager Rodericks reported.

Vice Mayor Widmer was pleased with the presentation by Urban Futures but still hesitant to take on any debt without resident approval.

DeGolia wanted to look at comparisons on one-year notes. He mentioned that we can wait to look at this option until after bids are received. He is not averse to going out to the public for a bond.

Lewis concurred. She supported short-term finance options and would even support a 10-year bond.

Lempres felt the discussion was premature. He is inclined to drive the cost down as much as possible and not delay the project.

Wiest was glad to see the various financing options and have the ability to evaluate them to see what works best for the town.

The following is a summary of the Council action taken:

- Authorized the City Attorney to prepare and City Manager to execute an agreement amendment with WRNS Studios to perform re-design work for the library; and
- Directed staff to request a re-design proposal from WRNS Studios for Council approved VE options for the Administrative/Police building that includes the following items with estimated savings:
 - * Windows/Storefront/Etc. - \$303,000
 - * Change Roofing to Asphalt - TBD - discuss change at Sept 19 - scope should be quoted with and w/o. - One option may be listed as add alt
 - * Split-face CMU/Plaster Finish - \$82,000
 - * Hydroseed in-lieu of landscaping - \$162,000
 - * Remove Site Furnishings - \$18,000
 - * Change Fencing to Cedar @ Ashfield - \$12,000
 - * Delete Corp Yard Improvements. - \$837,000
 - * Eliminate Acoustic Ceiling/Simplify Railings/Eliminate Gate - \$426,000
 - * Reduce Casework at CDD - \$52,000
 - * Incorporate P-Laminate - \$13,000
 - * Reduce Ballistic Sheathing to level 3 - \$143,000
 - * Remove Ceiling Fans - \$64,000
 - * Eliminate Onsite pad/Admin/CDD - \$39,000
 - * Site Phasing - \$400,000
- Add alts/deducts - leave Council Chambers as a deductive alternate, to be determined on the photovoltaic (PV) as an add alternative - depends on discussion of the roofing material, may do partial clay tile and asphalt shingle; and
- Authorized advertisement for public bids to provide demolition and abatement services for the library building.

ADJOURN

Mayor Wiest adjourned the meeting at 10:47 a.m.

Respectfully submitted,

Theresa N. DellaSanta
City Clerk



Minutes
Town of Atherton
CITY COUNCIL
September 19, 2018
REGULAR MEETING
7:00 P.M.
City Council

Mayor Wiest called the meeting to order at 7:00 p.m.

7:00 REGULAR SESSION

1. **PLEDGE OF ALLEGIANCE**
2. **ROLL CALL** Wiest, Widmer, Lewis, DeGolia, Lempres
3. **PRESENTATIONS**

Proclamation – Mayor

Mayor Wiest presented Almanac reporter Barbara Wood a proclamation for her retirement.

Atherton Fiber – Philip Clark

Clark provided the Council with an update on the Atherton Fiber network deployment through Town. Council Member Lewis questioned the number of subscribers and Vice Mayor Widmer requested that the company's website be updated for clarity.

4. **PUBLIC COMMENTS**

Joe Strat commented that Surf Air is resuming operations at San Carlos Airport and discussed the merging of Surf Air with Encompass Air.

David Fleck, commented on Surf Air and requested the Council engage San Mateo County Board of Supervisors to prevent them from resuming operations at San Carlos Airport.

5. **REPORT OUT OF CLOSED SESSION** - Report out by City Attorney

6. **CITY MANAGER'S REPORT**

Council Member Lempres commended staff for the work they performed in a pedestrian sting on El Camino Real.

Mayor Wiest thanked Code Enforcement for her work on providing details regarding food trucks in Atherton.

7. **COMMUNITY ORGANIZATION ROUNDTABLE REPORT** - None.

CONSENT CALENDAR (Items 8-18)

Lempres pulled item 17.

8. **APPROVAL OF MINUTES**

Report: City Clerk Theresa DellaSanta

Recommendation: Approve minutes for: June 20, 2018; July 18, 2018, August 17, 2018, August 21, 2018

9. **APPROVAL OF BILLS AND CLAIMS FOR JULY, 2018 IN THE AMOUNT OF \$ 3,051,530; AND FOR AUGUST, 2018 IN THE AMOUNT OF \$ 1,489,036**

Report: Finance Director Robert Barron III

Recommendation: Approve Bills and Claims for July and August in the total amount of \$4,540,566

10. **ACCEPTANCE OF TREASURER'S REPORT FOR THE FOURTH QUARTER ENDED JUNE 30, 2018**

Report: Finance Director Robert Barron III

Recommendation: Accept the Treasurer's Report for the Fourth Quarter Ended June 30, 2018

11. **2nd READING AND ADOPTION OF AN ORDINANCE ESTABLISHING THE DEVELOPMENT AGREEMENT ADOPTION PROCEDURE UNDER CHAPTER 17.07 OF THE ATHERTON MUNICIPAL CODE**

Report: Town Planner Lisa Costa Sanders

Recommendation: Adopt an establishing the Development Agreement Adoption Procedure under Chapter 17.07 of the Atherton Municipal Code

Description: *This item involves adopting an ordinance that establishes Development Agreement Adoption Procedures. It is the 2nd Reading and Adoption of the Ordinance.*

12. **ACCEPTANCE OF WORK, AUTHORIZATION TO RECORD NOTICE OF COMPLETION FOR THE 2018 OVERLAY PROJECT, PROJECT NUMBER 56085**

Report: Public works Director Robert Ovadia

Recommendation: Accept work and authorize recording of a Notice of Completion for the 2018 Overlay Project, Number 56085

Description: *This item involves the acceptance of work completed under the 2018 street overlay project by G. Bortolotto & Company and authorization to file the Notice of Completion with the San Mateo County Recorder's Office.*

13. **ACCEPTANCE OF WORK, AUTHORIZATION TO RECORD NOTICE OF COMPLETION FOR THE STOCKBRIDGE AVE. VALLEY GUTTER REPLACEMENT PROJECT**

Report: Public Works Director Robert Ovadia

Recommendation: Accept work and authorize recording of a Notice of Completion for the Stockbridge Ave. Valley Gutter Replacement Project, Number 56086

Description: *This item involves the acceptance of work completed under the Stockbridge Avenue Valley Gutter Replacement project by Golden Bay Construction, Inc. and authorization to file the Notice of Completion with the San Mateo County Recorder's Office.*

14. ACCEPTANCE OF WORK, AUTHORIZATION TO RECORD NOTICE OF COMPLETION FOR THE 2018 SLURRY SEAL PROJECT, PROJECT NUMBER 56084

Report: Public Works Director Robert Ovia

Recommendation: Accept work and authorize recording of a Notice of Completion for the 2018 Slurry Seal Project, Project Number 56084

Description: *This item involves the acceptance of work completed under the 2018 street slurry seal project by American Asphalt Repair and Resurfacing Company, Inc. and authorization to file the Notice of Completion with the San Mateo County Recorder's Office.*

15. ADOPTION OF RESOLUTION ACCEPTING EXPENDITURES FOR BALANCE OF FISCAL YEAR 2018-2019 SUPPLEMENTAL LAW ENFORCEMENT SERVICES FUND (SLESF), CITIZEN'S OPTION FOR PUBLIC SAFETY (COPS) GRANT

Report: Police Chief Steve McCulley

Recommendation: Adopt the attached resolution accepting the recommended expenditures of the remaining balance of FY 2018-19 Supplemental Law Enforcement Services Fund (SLESF), Citizen's Option for Public Safety (COPS) Grant in the amount of \$100,000 in accordance with California state requirements.

Description: *This item involves the adoption of a Resolution in support of the Grant. The Resolution identifies the uses for the various public safety grants in order for the Town to continue receiving them.*

16. ADOPT RESOLUTION 18-XX APPROVING THE ESTABLISHMENT OF SPEED LIMITS ON ATHERTON AVENUE, ELENA AVENUE, FREDRICK AVENUE, GLENWOOD AVENUE, GREENOAKS AVENUE, OAK GROVE AVENUE, POLHEMUS AVENUE, SELBY LANE, AND STOCKBRIDGE AVENUE

Report: Public Works Director Robert Ovia

Recommendation: Adopt a Resolution declaring the following speed limits based upon the engineering and speed studies and other related information in the staff report

Description: *This item involves the establishment of speed limits on Atherton Avenue, Elena Avenue, Frederick Avenue, Glenwood Avenue, Greenoaks Avenue, Oak Grove Avenue, Polhemus Avenue, Selby Lane, and Stockbridge Avenue. The Resolution does not make any amendments to the current limits on any of the identified streets.*

18. ACCEPTANCE OF WORK, AUTHORIZATION TO RECORD NOTICE OF COMPLETION FOR THE SERIES CIRCUIT STREET LIGHT REPLACEMENT PROGRAM PROJECT, PROJECT 56080

Report: Public Works Director Robert Ovia

Recommendation: Accept work and authorize recording of a Notice of Completion for the Series Circuit Street Light Replacement Program Project, Project Number 56080

Description: *This item involves the acceptance of work completed under the Series Circuit Street Light Replacement Program project by Nema Construction and authorization to file the Notice of Completion with the San Mateo County Recorder's Office.*

MOTION by Lewis, second by Lempres to approved the consent calendar excluding item 17. The motion passed unanimously.

ITEM 17 was taken up next

17. AUTHORIZATION TO RELEASE REQUEST FOR PROPOSALS FOR ENVIRONMENTAL DOCUMENTATION FOR A PROPOSED STORMWATER CAPTURE FACILITY PROJECT AT CARTAN FIELD

Report: Town Planner Lisa Costa Sanders

Recommendation: The City Council authorize Planning Department Staff to release a Request for Proposals (RFP) to qualified environmental consulting firms for the preparation of an Initial Study and Mitigated Negative Declaration (IS/MND) for a proposed Stormwater Capture Facility Project at Cartan Field

Description: *This item involves the release of a request for proposals from qualified environmental consultants to prepare an Initial Study and Mitigated Negative Declaration for a Stormwater Capture Facility at Cartan Field. If removed from the Consent Agenda for discussion, the Council will discuss the content of the Request for Proposals and the timing of the environmental document preparation. Staff is recommending that the Council authorize the release of the Request for Proposals. Once responses to the Proposal are received, the Council will review and discuss award of any work to be done.*

Vice Mayor Widmer recused himself because he teaches at Menlo College.

Council Member Lempres requested staff input on how to inform residents of this project.

Town Planner Costa Sanders noted that circulating the mitigated negative declaration for public review will satisfy public review but to take it further we can extend the time period for comment and hold additional community hearings.

Lempres requested that staff make extra effort to get the word out.

MOTION by DeGolia, second by Lempres to release a Request for Proposals (RFP) to qualified environmental consulting firms for the preparation of an Initial Study and Mitigated Negative Declaration (IS/MND) for a proposed Stormwater Capture Facility Project at Cartan Field. The motion passed 4-0-1 (Widmer recused).

PUBLIC HEARING – (19-22)

19. PROPERTY OWNER APPEAL OF NOTICE & ORDER ISSUED FOR 370 WALSH ROAD

Report: Police Chief McCulley/Code Enforcement Officer Diaz

Recommendation: Staff recommends the corrective actions in the Notice and Order issued on July 19, 2018 for existing violations at the property located at 370 Walsh Road be upheld. The Notice and Order is requiring that the Property Owners comply with the Atherton Municipal Code, California Building Code, Uniform Code for the Abatement of Dangerous Buildings and Uniform Housing Code through standardized repairs with proper plans and building permits, or by removing or demolishing a structure located on the property.

Description: This item is the result of Code Enforcement at the referenced property. The Council will conduct a Public Hearing and then discuss the various violations present on the property that require remedy. The Council will also discuss the history of the property and the Town's enforcement actions. The Council may also discuss next steps should the Town fail to gain compliance on any enforcement action.

Mayor Wiest recused himself due to his proximity of the appellant.

Vice Mayor Widmer reviewed the steps for conducting a public hearing.

Code Enforcement Officer Monica Diaz summarized the report.

Appellant (property owner) Jennifer Tong was given 10 minutes to speak. Tong explained that her father actively worked on the property up until his death in February, 2016. She noted that since her father's passing the family has put in much effort and worked hard to make as much progress as they could. She wanted to discuss what they could appeal and whether they could have more time. She said she would like the option to be able to re-open the expired permits and remodel, and has submitted the appeal in hopes of getting more time.

City Attorney Conners discussed the history behind the expired permits and the change in building codes since expiration.

Council Member Lewis asked if the property has ever been occupied. Appellant Tong's brother noted that they had people helping clean out the property who may have stayed after hours while doing so. The Tongs also explained that while growing up they stayed at the property on weekends and helped their father with the property.

Tong's brother asked that if they don't have the option to re-open the expired permit, would it be possible, given the amount of progress made since their father's death, to get a reprieve of the fines.

Bill Curamano, Walsh Road resident, noted that there is access at every location of the property as it stands and anyone could just go there and live. That's a real safety issue and can be dangerous for surrounding residents.

Council Member DeGolia felt that it was a very unfortunate situation for the children of the property owner to be in. He also felt it was unfortunate for the neighbors and that it just isn't fair or appropriate to them. He felt it should be resolved so that it moves forward and the people who have lived in the neighborhood for 28 years don't have to deal with this any longer.

Council Member Lempres said he felt deeply for the property owners being in this difficult situation. He didn't hear any reasons to not uphold staff decisions. He encouraged the property owners to reach out to the town and try to work something out to get moving.

Council Member Lewis concurred and was sorry for the property owners' situation. She felt it was staggering that this has gone on so long and didn't see a reason to approve the appeal.

Council Member Lempres said that we should never allow this to happen again.

Vice Mayor Widmer felt the issue has gone on too long. He appreciated the desire to remodel but that is not an option since construction was never completed. He suggested working with staff on next steps.

MOTION by Lewis to deny the appeal and that the corrective actions in the Notice and Order issued on July 19, 2018 for existing violations at the property located at 370 Walsh Road be upheld. The motion passed 4-0-1 (Wiest, recused).

20. CONDUCT A PUBLIC HEARING; AND, IF APPROPRIATE, INTRODUCE UPDATED ORDINANCE NO. 12.24, AN ORDINANCE OF THE TOWN OF ATHERTON RELATED TO HOLBROOK PALMER (HP) PARK

Report: Police Chief Steve McCulley

Recommendation: Conduct a Public Hearing; and, if appropriate, introduce updated Ordinance No. 12.24, an Ordinance of the Town of Atherton related to Holbrook Palmer Park

Description: *This item involves revisions to Chapter 12.24 of the Atherton Municipal Code related to the rules and regulations for Holbrook Palmer Park. The Council will conduct a Public Hearing and discuss the proposed revisions to the Ordinance. The proposed revisions deal with adding regulations for the use of drones, the control and leashing of dogs, the consumption or possession of alcohol, and the use of amplified sound. The Town's leash law and regulations for drones already exist so the adds to the Ordinance are merely an update to current laws already on the books. Alcohol is allowed in the Park only under a Town permit or rental agreement. This is clarified in the update. Amplified sound is also allowed only under a Town permit or rental agreement. This too is clarified. The Council will discuss these changes to the ordinance and may discuss the entirety of the Ordinance itself relating to Park regulations. The Council may discuss activities in the Park that they experience and how the Town staff manages or regulates these activities*

Police Chief McCulley gave a brief presentation noting that the proposed ordinance amended sections of the Code related to the Park in order to bring those sections into alignment with other current law. A suggested amendment was related to Section 12.24.055, Animals to ensure that approved Facility Rental Agreements were taken into consideration. Following the staff report and public comment, the Council discussed the amendments and whether or not to consider a future discussion of an off leash area. There was not support from a majority of Council to do so.

It was noted that the Park & Recreation Committee would be reviewing the possibility of an off leash area in the near future.

MOTION by Lewis, second by DeGolia to introduce updated Ordinance No. 12.24, an Ordinance of the Town of Atherton related to Holbrook Palmer Park. The motion passed unanimously.

21. SECOND READING AND ADOPTION OF ORDINANCE NO. XX, AN ORDINANCE OF THE TOWN OF ATHERTON RELATED TO FALSE ALARM SYSTEMS; AND ADOPTION OF A RESOLUTION SETTING FEES FOR FALSE ALARMS

Report: Police Chief Steve McCulley

Recommendation: Accept for Second Reading and Adoption Ordinance No. XX, an Ordinance of the Town of Atherton related to False Alarm Systems; and Adopt Resolution No. 18-XX, A Resolution Setting Fees for False Alarms

Description: *This item involves the 2nd Reading and Adoption of an Ordinance regulating False Alarm Response in the Town and the adoption of a Resolution that sets the fees for false alarms. The Council has discussed much of this item at prior meetings; but the Council's discussion may include issues related to the number of false alarms, the types of response by the Town, the fees suggested for collection in the event of false alarms, and any grace period for removing a Town-monitored alarm system.*

MOTION by Lewis, second by Widmer to accept for Second Reading and Adoption Ordinance No. XX, an Ordinance of the Town of Atherton related to False Alarm Systems; and Adopt Resolution No. 18-XX, A Resolution Setting Fees for False Alarms. The motion passed unanimously.

22. CONDUCT A PUBLIC HEARING TO CONSIDER ADOPTION OF A FEE RESOLUTION AMENDING FEES AND CHARGES RELATED TO RENTAL FEES FOR THE PAVILION AT HOLBROOK PALMER PARK

Report: Public Works Director Robert Ovadia

Recommendation: Conduct a Public Hearing and adopt the attached fee resolution amending fee and charges related to rental fees for the Pavilion at Holbrook Palmer Park

Description: *The City Council will hold a Public Hearing and consider the adoption of new rental fees for the Pavilion at Holbrook Palmer Park, pursuant to the recommendations of the Park and Recreation Committee. The Council may discuss issues related to park rentals, facilities, cost of maintenance and operations, as well as the fees and characteristics for neighboring similar venues*

Public Works Director Ovadia summarized the report.

Vice Mayor Widmer felt some of the increases were steep. The increase for rentals on Friday nights from \$1,200 to \$4,000 is considerably high.

Council Member Lewis said she appreciated the comparisons to other venues and asked if any of those venues include an administration fee. Julie Simonin, Park Events Manager said that the comparisons include any additional or added fees from any of the venues.

Council Member Lempres questioned the administration fee. He felt that 30% to process paperwork for an event is extraordinary.

Rodericks noted that the administration fee is strictly a way to differentiate resident and non-resident and that Catering by Dana does not receive any of the administration fee.

MOTION by DeGolia, second by Lewis to adopt the attached fee resolution amending fee and charges related to rental fees for the Pavilion at Holbrook Palmer Park. The motion passed unanimously.

REGULAR AGENDA – (Items 23-29)

23. REVIEW AND DISCUSS THE CIVIC CENTER PROJECT UPDATE TO INCLUDE A CONTINUED DISCUSSION OF PROJECT FUNDING; AUTHORIZE THE CITY ATTORNEY TO PREPARE AND CITY MANAGER TO EXECUTE AN AGREEMENT

AMENDMENT WITH WRNS STUDIOS TO PERFORM RE-DESIGN WORK FOR THE ADMINISTRATIVE/POLICE BUILDING

Report: Marty Hanneman

Recommendation:

1. Recommendation: Review and Discuss the Civic Center Project Update to include a continued discussion of project funding; and
2. Authorize the City Attorney to prepare and City Manager to execute an agreement amendment with WRNS Studios to perform re-design work for the Administrative/Police building.

Description: *This item will involve a continued discussion by the Council on funding options related to the overall project which will include, but not be limited to, fundraising, cash available for the project, certificates of participation, bonds, and other items reasonably related to funding. Staff is also asking the Council to Authorize the City Attorney to prepare and City Manager to execute an agreement amendment with WRNS Studios to perform re-design work for the Administrative/Police building. With respect to the Scope of Work and VE options, the Council may discuss which items should be included as part of the base bid and to what extent and which should be included as additive alternates or deducts. This may include a discussion of the Council Chambers and the extent of roofing to be done as clay tile versus asphalt shingle.*

City Manager Rodericks summarized the report.

Council Member DeGolia noted that the Library JPA unanimously approved a funding agreement with the Town to advance funds to ensure completion of the new library; loaned funds would be repaid to the Library JPA by retaining excess funds set aside in a trust fund.

City Manager Rodericks noted that at the last meeting staff received clear direction on value engineering but still needed direction on the asphalt versus clay tile roofing.

Public Comment

Christine David, provided a power point presentation and urged the Council to move forward and build the town center.

Victor Para, felt that the council should not be held up on building the project because of what certain donors want included in the plan.

The Council discussed issues related to the clay tile roof value engineering option, the future installation of photovoltaic panels, project funding, and the Council Chambers.

MOTION by Lewis, second by Widmer to amend the scope for the roofing to place asphalt shingle wherever there were planned photovoltaic panels and clay tile in the remainder and directed that staff move the Council Chambers to an Additive Alternate as opposed to being a part of the base bid and authorize the Scope of Work for the Project Architect. The motion passed unanimously.

24. ADOPTION OF A TREE INSPECTION AND RISK MANAGEMENT POLICY FOR TOWN MAINTAINED TREES; AND REVIEW, DISCUSSION AND DIRECTION ON RESPONSIBILITY FOR MAINTENANCE OF TREES ALONG MIDDLEFIELD ROAD AND MARSH ROAD

Report: Public Works Director Robert Ovadia

Recommendation:

1. Adopt the attached Tree Inspection and Risk Management Policy for Town Maintained Trees; and
2. Review, discuss and provide direction on the responsibility for maintenance of trees along Middlefield Road and Marsh Road

Description: *This item will involve the discussion by the Council on whether to adopt a new policy regarding the inspection and risk management of Town maintained trees. The Council will also discuss whether the Town should continue maintaining the trees on the east side of Middlefield Road and if the Town should add maintenance responsibility for the trees along the south side of Marsh Road within Town limits. The Council may discuss issues related to cost of maintenance, numbers of trees, budget, and maintenance standards.*

Arborist Bentz presented to Council.

Council Member Lewis questioned the mechanism for replacement of certain species. Bentz noted that it would be her discretion with approval of the Public Works Director to decide if the species of a certain tree should be altered when replanting occurs.

Vice Mayor Widmer felt an analysis for the reasons on altering species should be considered.

Bentz noted that her goal is to get all of the trees on the inventory to be on a 3-5 year pruning cycle.

There was discussion about maintenance standards and how staff defines the difference between a tree and bush.

Council Member Lewis asked if there is a budget. Bentz said there is \$70,000 for street trees and \$15,000 for park trees.

Vice Mayor Widmer noted in response to an earlier discussion about the elm trees on Marsh Road, that the Town planted those and maintained them for many years. He also felt that there wasn't enough money in the budget to implement this policy.

Council Member DeGolia questioned the complaint process and whether the 5-day response time was adequate.

Council Member Lempres suggested a grammatical fix and thanked Bentz for her work on the inventory and policy.

MOTION by DeGolia, second by Lempres to adopt the Tree Inspection and Risk Management Policy and direct that staff continue to maintain the trees along Middlefield Road but continue to require property owner maintenance of the trees along Marsh Road. The motion passed unanimously.

25. **RESPONSE LETTER TO THE SAN MATEO COUNTY CIVIL GRAND JURY REPORT REGARDING THE DEPLOYMENT OF NARCAN BY PEACE OFFICERS**
Report: Police Chief Steve McCulley

Recommendation: Approve the Town of Atherton’s Response Letter to the San Mateo County Civil Grand Jury Report “Law Enforcement Officers+ Narcan = Lives Saved From Opioid Overdoses.”

Description: *For this item, the Council will discuss the Grand Jury Report on the deployment of narcan by peace officers. The Council will discuss the position of the Town; review the Grand Jury Response Letter; make any modifications as deemed appropriate; and approve the Letter for signature by the Mayor.*

MOTION by DeGolia, second by Widmer to approve the Town of Atherton’s Response Letter to the San Mateo County Civil Grand Jury Report “Law Enforcement Officers+ Narcan = Lives Saved From Opioid Overdoses. The Motion passed unanimously.

26. REVIEW AND AUTHORIZE THE MAYOR TO EXECUTE A RESPONSE TO THE 2017-2018 GRAND JURY REPORT:

“SMOKE-FREE MULTIUNIT HOUSING: NO IFS, ANDS, OR BUTTS”

Report: Town Planner Lisa Costa Sanders

Recommendation: Consider the attached response to the San Mateo Grand Jury on their report entitled “Smoke-free Multiunit Housing: No Ifs, Ands, or Butts”; and, if appropriate, authorize the Mayor to execute the response

Description: *For this item, the Council will discuss the Grand Jury Report on smoke-free multiunit housing. The Council will discuss the position of the Town; review the Grand Jury Response Letter; make any modifications as deemed appropriate; and approve the Letter for signature by the Mayor.*

MOTION by Lewis, second by Widmer to approve the Town’s response to the San Mateo Grand Jury on their report entitled “Smoke-free Multiunit Housing: No Ifs, Ands, or Butts”; and, if appropriate, authorize the Mayor to execute the response. The motion passed unanimously.

27. REVIEW AND APPROVE THE RESPONSE TO GRAND JURY REPORT: “COOPERATIVE PURCHASING- A ROADMAP TO MORE EFFECTIVE PROCUREMENT”

Report: Finance Director Robert Barron III

Recommendation: Review and Approve the attached response to the San Mateo County Grand Jury Report on their report entitled “Cooperative Purchasing-A Roadmap to More Effective Procurement

Description: *For this item, the Council will discuss the Grand Jury Report on purchasing. The Council will discuss the various purchasing options that the Town uses; review the Grand Jury Response Letter; make any modifications as deemed appropriate; and approve the Letter for signature by the Mayor.*

MOTION by Lempres, second by Widmer to approve the Town’s response to the San Mateo County Grand Jury Report on their report entitled “Cooperative Purchasing-A Roadmap to More Effective Procurement. The motion passed unanimously.

28. REVIEW AND APPROVE THE RESPONSE TO GRAND JURY REPORT: “SOARING CITY PENSION COSTS- TIME FOR HARD CHOICES”

Report: Finance Director Robert Barron III

Recommendation: Review and approve the attached response to the San Mateo County Grand Jury Report on their report entitled “Soaring City Pension Costs- Time for Hard Choices”

Description: *For this item, the Council will discuss the Grand Jury Report on pension obligations. The Council will discuss the various pension positions of the Town; review the Grand Jury Response Letter; make any modifications as deemed appropriate; and approve the Letter for signature by the Mayor.*

MOTION by Widmer, second Lewis to approve the Town’s response to the San Mateo County Grand Jury Report on their report entitled “Soaring City Pension Costs- Time for Hard Choices”. The motion passed unanimously.

29. INTRODUCTION OF ORDINANCE OF THE COUNCIL OF THE TOWN OF ATHERTON AUTHORIZING AN AMENDMENT TO THE CONTRACT BETWEEN THE TOWN OF ATHERTON AND THE BOARD OF ADMINISTRATION OF THE CALIFORNIA PUBLIC EMPLOYEES’ RETIREMENT SYSTEM AND RESOLUTION OF INTENTION TO APPROVE AN AMENDMENT TO THE CONTRACT BETWEEN THE BOARD OF ADMINISTRATION CALIFORNIA PUBLIC EMPLOYEES’ RETIREMENT SYSTEM AND THE CITY COUNCIL OF THE TOWN OF ATHERTON

Report: City Manager George Rodericks

Recommendation: 1) Introduce the Ordinance of the City Council of the Town of Atherton authorizing an Amendment to the contract between the Town and the Board of Administration of the California Public Employees’ Retirement System. Waiver further reading.

2) Adopt the Resolution of Intention to approve an amendment to the contract between the Board of Administration California Public Employees’ Retirement System (CalPERS) and the City Council of the Town of Atherton.

Description: For this item, the Council will discuss authorizing an amendment to the contract with California Public Employees Retirement System to add additional pension cost share provisions for Atherton Police Officers’ Association members. The provisions under this Ordinance are already in force through the collective bargaining process and the resultant negotiated Memorandum of Understanding between the Town and the Atherton Police Officers Association.

MOTION by Widmer, second by Lempres to 1) Introduce the Ordinance of the City Council of the Town of Atherton authorizing an Amendment to the contract between the Town and the Board of Administration of the California Public Employees’ Retirement System. Waiver further reading. 2) Adopt the Resolution of Intention to approve an amendment to the contract between the Board of Administration California Public Employees’ Retirement System (CalPERS) and the City Council of the Town of Atherton. The motion passed unanimously.

30. COUNCIL REPORTS/COMMENTS –

Council agreed to send a letter to the San Mateo County Board of Supervisors opposing Surf Air resume operations at the San Carlos Airport.

31. FUTURE AGENDA ITEMS – None.

32. PUBLIC COMMENTS – None.

33. **ADJOURN**

Mayor Wiest adjourned the meeting at 10:09 p.m.

**Respectfully Submitted,
Theresa N. DellaSanta
City Clerk**