



Minutes
Town of Atherton
CITY COUNCIL
December 19, 2018
REGULAR MEETING
7:00 P.M.
City Council Chambers
94 Ashfield Road

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

Mayor Widmer held a moment of silence for former Town Arborist Kathy Hughes Anderson who had passed away.

Mayor Widmer recognized the Menlo-Atherton High School Bears for winning the State Championship the previous week.

Council Member Lewis mentioned that the Town is holding a memorial for Kathy Hughes Anderson on Sunday, January 13 in the Park.

7:00 REGULAR SESSION

1. PLEDGE OF ALLEGIANCE

2. ROLL CALL Widmer, DeGolia, Lewis, Wiest, Lempres

3. PRESENTATIONS

- **Oath of Office and Presentation of Certificates to Appointed Council Members – City Clerk**

City Clerk DellaSanta administered the oath of office to Appointed Council Members Widmer, DeGolia and Lempres.

4. PUBLIC COMMENTS

Irving Pineta, HIP Housing, provided background on services. He thanked Council for their support over the years.

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

6. CITY MANAGER'S REPORT

City Manager Rodericks noted that there were comments about the police activity information within his report. Chief McCulley responded.

McCulley noted that this time of year brings more property crimes and theft. To combat that, police personnel are putting out newsflashes, reminding residents to set their alarm systems, and providing tips to residents on how to better secure their homes.

There was discussion about response times and how the times appeared to increase over the last six months. McCulley indicated that the information in the report should illustrate response times for the last 12 months for accuracy; staff will do that going forward. He noted that the department is well under the national average for response times and that he was satisfied with it.

McCulley noted the difference between a priority one call and a code 3 call. A code 3 requires red lights/sirens and driving through stop lights/traffic.

In response to the discussion about burglaries, McCulley noted that it is very standard for officers to bring packages up to residents' doors or ring their bells to let them know that a package is outside in order to keep burglars away.

Council Member Lewis questioned the Caltrain business plan information within the report. She also questioned the longer process for a proposed water capture project at Menlo School. Rodericks explained there is a longer public review process and it requires time for a development agreement.

7. COMMUNITY ORGANIZATION ROUNDTABLE REPORT

CONSENT CALENDAR (Items 8-10)

Vice Mayor DeGolia pulled item 10.

MOTION by Lewis, second by Wiest to approve the consent calendar consisting of items 8 and 9. The motion passed unanimously.

8. APPROVAL OF MINUTES

Report: City Clerk Theresa DellaSanta

Recommendation: Approve minutes for: October 17, November 14 and December 6, 2018

Description: *This item involves approval of draft minutes from past City Council meetings.*

9. APPROVAL OF BILLS AND CLAIMS FOR NOVEMBER 2018 IN THE AMOUNT OF \$ 1,486,912

Report: Finance Director Robert Barron III

Recommendation: Approve Bills and Claims for November in the total amount of \$1,486,912

Item 10 was taken up next.

10. APPROVAL OF A PROFESSIONAL SERVICES AGREEMENT WITH COMMUNITY DESIGN + ARCHITECTURE FOR GREEN INFRASTRUCTURE PLAN PREPARATION

Report: Public Works Director Robert Ovadia

Recommendation: Authorize the City Attorney to prepare and City Manager to execute an agreement with Community Design + Architecture (CD+A) of Oakland California Staff for the

preparation of a Green Infrastructure Plan, in the total amount of \$100,000, including contingency

Description: *This item involves the selection of a consultant to prepare a Green Infrastructure Plan for the Town in compliance with Municipal Regional Stormwater Permit issued by the San Francisco Bay Regional Water Quality Control Board. Ultimately, staff is recommending that the Council authorize the preparation and execution of a professional services agreement with Community Design + Architecture with a not-to-exceed amount of \$100,000*

Staff answered questions from the Council regarding the State mandate, penalties for non-compliance, timing of compliance, alternatives, locations of possible green infrastructure, viability of the water detention project meeting compliance, cost, ability of a Plan to be drafted by staff, downstream projects (Bayfront Canal), and other bidders.

MOTION by Widmer, second by Lewis to table the discussion and ask staff to investigate whether Interwest Consulting could prepare the appropriate Green Infrastructure Plan and to reach out to see if there are other possible firms that could complete the project. The Council directed that the results be returned to Council for consideration in January. The motion passed unanimously.

PUBLIC HEARING – None

REGULAR AGENDA – (Items 11-12)

Council member Lempres recused himself from the item at 7:54 p.m. due to his residence proximity to the project.

11. CIVIC CENTER UPDATE: RECEIVE AND FILE THE COST MODEL MANAGER, PROJECT SCHEDULE; AUTHORIZE THE CITY ATTORNEY TO REVIEW AND THE CITY MANAGER TO EXECUTE AN AGREEMENT AMENDMENT WITH WRNS STUDIOS TO PROVIDE RE-BID SERVICES; APPROVE THE CIVIC CENTER PLANS, SPECIFICATIONS AND ESTIMATE BID DOCUMENTS; AND AUTHORIZE ADVERTISEMENT FOR PUBLIC BIDS; AND DISCUSS PROJECT FUNDING AND CASH FLOW PROJECTIONS

Report: Marty Hanneman, Project Manager

Recommendation:

- 1) Receive and file the Cost Model Manager (CMM) and Project Schedule;

There was discussion about the numbers within the cost model manager.

Vice Mayor DeGolia asked if five weeks is enough time for responding to the bid. Hanneman noted that there is only one alternate bid (as opposed to the last time there were nine) and the demolition of the library is already done so five weeks is absolutely sufficient.

Council Member Lewis felt that five weeks would incentivize contractors to really get started.

- 2) Authorize the City Attorney to review and the City Manager to execute an agreement amendment with WRNS Studio to provide re-bid services;

MOTION by DeGolia, second by Lewis to Authorize the City Attorney to review and the City

Manager to execute an agreement amendment with WRNS Studio to provide re-bid services at a not to exceed cost of \$65,000. The motion passed 4-0-1 (Lempres recused).

- 3) Approve the Civic Center Plans, Specifications and Estimate (PS&E) Bid Documents; and Authorize advertisement for public bids; and

Council member Lewis noted that she had non substantial grammar edits to provide for the bid notice.

Mayor Widmer asked how many days the bid proposal is good for. Hanneman noted 90 days.

MOTION by Lewis, second by DeGolia to Approve the Civic Center Plans, Specifications and Estimate (PS&E) Bid Documents; and Authorize advertisement for public bids. The motion passed 4-0-1 (Lempres recused).

- 4) Discuss Project Funding and Cash Flow Projections
Description: *This item will involve an update on the Cost Model Manager, which tracks all project related costs to date and expected construction costs, the project schedule, an additional scope of work change for WRNS Studios to provide rebidding services; Council approval of the revised project bid documents and authorization to advertise for public bids; and Council confirmation of staff's understanding of direction for the Civic Center project funding and cash flow options, as it stands today.*

The Council discussed issues related to interest rates, timing and amount of future revenues, timing of a Certificate of Participation, amount of a Certificate of Participation, early payoff of a Certificate of Participation, call periods, cash flow needs, and the opportunity for additional fundraising. No action was taken on this portion of the item.

12. DISCUSSION AND DIRECTION REGARDING THE AMENDED AND RESTATED FRANCHISE AGREEMENT BETWEEN THE TOWN OF ATHERTON AND RECOLOGY SAN MATEO COUNTY FOR RECYCLABLE MATERIALS , ORGANIC MATERIALS, AND SOLID WASTE COLLECTION SERVICES

Report: City Manager George Rodericks

Recommendation: Review report and provide direction for next steps with respect to the Amended and Restated Franchise Agreement between the Town of Atherton and Recology San Mateo County for Recyclable Materials, Organic Materials, and Solid Waste Collection Services

Description: *This item involves discussion of policy issues as they relate to the Amended and Restated Agreement between the Town and Recology including individual discussions regarding membership fit within the SBMWA, benefit of membership in the SBWMA, cost-Benefit of leaving the SBWMA, term of the Franchise Agreement with Recology, foreign market impacts on recyclables, and remaining with SBWMA but rebid for an alternative vendor. The legal issues related to the Amended and Restated Franchise Agreement have been discussed and addressed in the report.*

Council Member Lempres returned to the meeting at 9:02 p.m.

Following a staff report and public comment, the Council discussed issues related to the term of the franchise agreement, overall cost of the agreement, status of other agencies in the SBWMA JPA, changes to the agreement, opportunity for new fleet vehicles, alternative fuel vehicles, rate structure and review,

benefits and burdens of remaining in the JPA, rate comparisons to other agencies in and not in the JPA, protection of the Town's interests as a member of the JPA, differences and fit of the Town in the JPA, and opportunities in a competitive bid process.

Following discussion, the Council directed that staff return in January or February with a rate comparison with similar agencies such as Hillsborough, Ross, Woodside, Portola Valley, etc. and that the City Council Refuse Subcommittee meet with Portola Valley and Woodside to determine if there is any interest in discussing opportunities for the Town to collaborate in a competitive process for services.

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

14. **FUTURE AGENDA ITEMS** – None.

15. **PUBLIC COMMENTS** – None.

16. **ADJOURN**

MOTION by Wiest, second by DeGolia to adjourn the meeting. Mayor Widmer adjourned the meeting at 10:03 p.m.

Respectfully Submitted,

Theresa N. DellaSanta
City Clerk