



MINUTES
Town of Atherton
City Council
July 21, 2021
REGULAR MEETING

Mayor Lewis called the meeting to order at 6:00 p.m.

6:00 P.M. REGULAR MEETING

1. PLEDGE OF ALLEGIANCE

- 2. ROLL CALL - Hawkins–Manuelian, DeGolia, Widmer (Excused Absence), Vice Mayor Lempres, Mayor Lewis – Present**

3. PRESENTATIONS - *None*

4. PUBLIC COMMENTS

Greg Conlon commented on underground public utilities.

5. CITY MANAGER'S WRITTEN REPORT

City Manager Rodericks presented the item and responded to Council inquiry related to the Police Department crime data reporting tools.

CONSENT CALENDAR (Items 6 - 10)

- 6. APPROVAL OF BILLS AND CLAIMS FOR JUNE 2021 IN THE AMOUNT OF \$ 3,812,881**

7. APPROVAL OF MINUTES

Removed from the Consent Agenda to a date certain – September 1, 2021.

- 8. ACCEPTANCE OF WORK, AUTHORIZATION TO RECORD NOTICE OF COMPLETION FOR THE JAMES AVENUE OVERLAY PROJECT, PROJECT NO. 56090**

- 9. APPROVAL OF A MEMORANDUM OF UNDERSTANDING WITH THE COUNTY OF SAN MATEO FOR SENATE BILL 1383 EDIBLE FOOD RECOVERY MONITORING**

10. APPROVAL OF SECOND REVISED AND RESTATED JOINT EXERCISE OF POWERS AGREEMENT SAN MATEO COUNTY OPERATIONAL AREA EMERGENCY SERVICES ORGANIZATION; AND AUTHORIZATION FOR SIGNATURE

MOTION by Lempres, Second by DeGolia to approve the Consent Calendar Items 6-10, removing item 7, which was moved for approval at the September 1, 2021, Council Meeting.

AYES: Hawkins, DeGolia, Vice Mayor Lempres, Mayor Lewis

NOES:

ABSENT: Widmer

ABSTAIN:

REGULAR AGENDA (Items 11-20)

11. CERTIFICATION OF CONTINUING EMERGENCY AND RATIFICATION OF SUCH RULES AND REGULATIONS ENACTED BY THE DIRECTOR OF EMERGENCY SERVICES IN RESPONSE TO COVID-19

City Manager Rodericks introduced the item and briefly reviewed the powers granted to the Emergency Services Director, which for the Town is the City Manager.

Council collectively agreed to postpone a return to in-person meetings until at least October 1, 2021.

Rodericks shared the Town's current practices related to Face Covering rules and added the potential for mandating vaccinations or weekly testing.

Public Comment:

- Stacy Holland commented on the item

City Attorney Ebrahimi provided guidance on employer rights related to mandating vaccinations, challenges and rules related to contact tracing for staff and the public.

Council directed staff continue with current practices and prepare communications demonstrating the Town's support for vaccinations across the board when possible.

MOTION by Lempres, Second by DeGolia to certify the continuing emergency, ratify such rules and regulations enacted by the Director of Emergency Services in response to COVID-19, and provide that the certification of continuing emergency automatically terminates upon the State of California's lifting of the of the COVID-19 Emergency Declaration.

AYES: Hawkins, DeGolia, Vice Mayor Lempres, Mayor Lewis

NOES:

ABSTAIN:

ABSENT: Widmer

12. CONSIDER ACCEPTANCE OF A SCULPTURE DONATION FOR THE LIBRARY DECK FROM THE FRIENDS OF THE ATHERTON COMMUNITY LIBRARY

City Manager Rodericks introduced Sandy Crittenden of the Friends of Atherton Community Library (FACL) who presented the selected art piece and project plan to Council. He noted that the FACL will cover 100% of the costs related to the donation.

Public Comment:

- Christine David commented on the item noting her support for the piece.
- Alex Key commented on the item noting his support for the piece.

Motion by DeGolia, Second by Hawkins to accept the proposed sculpture donation for the Library Deck from the Friends of the Atherton Community Library.

AYES: Hawkins, DeGolia, Lempres, Lewis

NOES:

ABSTAIN:

ABSENT: Widmer

13. EXTENSION OF CONSTRUCTION TIME LIMIT FOR RESIDENTIAL PROJECT LOCATED AT 55 CAMINO POR LOS ARBOLES AND INTERPRETATION OF CONSTRUCTION TIME LIMIT ENFORCEMENT

City Manager Rodericks introduced the item and City Attorney Ebrahimi provided historical background to the item and details regarding the specific case.

Building Official Greenlee provided details about the process of collecting and returning fees for properties subject to the rule and specifics related to the case considered by Council.

Ebrahimi provided additional guidance for Council consideration regarding managing specific cases where staff or Council determine that construction delays occurred outside of the owner's control.

Council directed staff to come back with a list of options related to the definitions of an excusable delay and appeals and modifications of timing related to the appeals process. This direction provided by Council would be to modify the Construction Time Limit Ordinance.

Motion by Lempres, Second by Hawkins that the Council finds that the Town very intentionally adopted the Construction Time Limit ordinance in place to protect the community and residents who are not engaged in construction, and not to protect the remarkable design of a project. The Construction Time Limit ordinance is designed to only allow limited exceptions. In the case of the property at 55 Camino Por Los Arboles the uniqueness and architectural design of the property is within the property owner's control, is a self-induced delay, and should not allow for an exception to ordinance. However, if the

property owner demonstrates actual delays due to COVID impacting the critical path time of construction, they may be entitled to an extension without penalty commensurate with the duration of that particular delay.

AYES: Hawkins, DeGolia, Lempres, Lewis

NOES:

ABSTAIN:

ABSENT: Widmer

14. CONSIDERATION OF RESPONSES TO THE REQUEST FOR PROPOSAL FOR DONOR WALL DESIGN, CONSTRUCTION, AND INSTALLATION; PROVIDE STAFF WITH DIRECTION WITH RESPECT TO NEXT STEPS

City Manager Rodericks introduced the item and laid out options available to Council.

Council held a detailed discussion about the proposals received and associated costs of using WRNS as an alternative vendor.

Motion by Lewis, Second DeGolia to reject both bids received, form an Ad Hoc Subcommittee to work with WRNS for design, construction, and installation and return to Council for input and final approval.

AYES: Hawkins, DeGolia, Lempres, Lewis

NOES:

ABSTAIN:

ABSENT: Widmer

15. KNOX PLAYSCHOOL AMENDMENT TO LEASE TO ADDRESS COVID-19 RELATED RENT REDUCTIONS FOR THE SEPTEMBER 1, 2021 THROUGH AUGUST 30, 2022 PERIOD

City Manager Rodericks introduced the item and responded to Council.

Motion by Hawkins, Second by Lempres to accept staff recommendation and amend the current lease with Knox Playschools, Inc., reducing the payable rent amount for the September 1, 2021, through August 31, 2022, term.

AYES: Hawkins, DeGolia, Lempres, Lewis

NOES:

ABSTAIN:

ABSENT: Widmer

16. REVIEW OF BATTERY-OPERATED LEAF BLOWER PILOT PROGRAM

City Manager Rodericks introduced the item and noted the equipment that was purchased to use for the pilot project. Council watched a video prepared by the Public Works Department staff displaying the functional uses of the equipment. Rodericks noted a few key differences of the battery powered option versus the gas-powered option.

Town Arborist Bentz confirmed that staff did not acquire new information about the equipment as a result of the pilot project. She noted that electric blowers were determined to be quieter and gas-powered blowers were more effective.

Public Comments:

- John Maulbetsch commented on the item
- Patti Spezzaferro commented on the item.
- Ross Koningstein commented on the item.

Council directed the item be returned to the Environmental Programs Committee for further review and evaluate an ordinance for future Council consideration, develop an outreach and education campaign on the related issues. Council further directed that a Subcommittee of the Environmental Programs Committee work with a Subcommittee of the City Council on the issues before returning it to the City Council for consideration.

17. CONSIDERATION OF ACCEPTANCE OF A \$21,000 DONATION IN SUPPORT OF THE PURCHASE OF ADDITIONAL AUTOMATED LICENSE PLATE READERS (ALPRs); AND DIRECTION REGARDING THE LEASE OF AN ADDITIONAL 10 ALPR CAMERAS

City Manager Rodericks introduced the item and noted several other neighboring jurisdictions either have similar cameras or are considering adding them. Rodericks noted that Police Chief McCulley will be making a presentation to Council at the September Regular meeting on the results of the ALPR cameras.

Chief McCulley noted the impact the cameras have been as an investigative tool leading to recent arrests.

Council provided support for additional ALPR cameras.

Motion by DeGolia, Second by Lempres to accept the donation of a \$21,000 for the purchase of additional ALPR cameras.

AYES: Hawkins, DeGolia, Lempres, Lewis

NOES:

ABSTAIN:

ABSENT: Widmer

18. TOWN CENTER PROJECT UPDATE

City Manager Rodericks introduced the item and noted a requirement for emergency response radio coverage issue being required by the Menlo Park Fire Protection District (MPFPD) to comply with the State Fire Code. He noted the requirement is a condition of receiving a temporary occupancy permit. Rodericks proposed the Council Fire District Ad Hoc Subcommittee connect with the MPFPD to seek financial support / partnership on this cost.

Chief McCulley provided additional context on the need for emergency response communications for Fire Department first-responders.

Council directed that the Council Fire District Ad Hoc Subcommittee connect with the MPFPD to seek financial contribution for this requirement.

Mayor Lewis created an Ad Hoc Subcommittee for the planning of the Town Center Ribbon Cutting to which she appointed herself and Council Member Hawkins-Manuelian.

19. COUNCIL REPORTS/COMMENTS

Mayor Lewis noted an upcoming City / County Association of Governments of San Mateo County meeting in Millbrae.

20. ADJOURN

Mayor Lewis adjourned the meeting at 8:42 p.m.

Anthony Suber
City Clerk



MINUTES
Town of Atherton
City Council
September 1, 2021
SPECIAL MEETING / STUDY SESSION

Mayor Lewis called the meeting to order at 4:00 PM

4:00 PM REGULAR AGENDA

1. **ROLL CALL** - Hawkins-Manuelian, DeGolia, Widmer, Vice Mayor Lempres, Mayor Lewis – Present
2. **PUBLIC COMMENTS** – *None*
3. **APPROVAL OF MINUTES FROM MAY 19, JUNE 2, JUNE 16, AND JULY 7, 2021 COUNCIL MEETINGS**

Mayor Lewis appointed Council Member DeGolia to the Ad Hoc Landscape Subcommittee

Motion by Widmer, Second by DeGolia to approve the City Council meeting minutes from May 19, June 2, June 16, and July 7, 2021 meetings.

AYES: Hawkins, DeGolia, Widmer, Lempres, Lewis

NOES:

ABSTAIN:

ABSENT:

4. **REVIEW DESIGNS FOR DONOR WALL AND PROVIDE STAFF WITH DIRECTION REGARDING SELECTED OPTIONS**

City Manager Rodericks presented the item and introduced Jenny Huang from WRNS to present the options to Council.

Huang presented the designs prepared by WRNS for Council review including proposed materials, layout, and dimensions / size of the proposed donor wall.

Council held a thorough discussion on the cost and delivery of materials, methods of recognizing the different level of donors, and the design options. Council also provided language revisions for the donor wall design.

Public Comments:

- John Maulbetsch commented on the item sharing his preferences.

Council expressed support for Design Option 1, structured layout and directed staff to gather additional information related to the following material options and design showing an alphabetized list of donors along the base of the wall:

- **Change the border text to read “Atherton gratefully recognizes our taxpayers and generous donors”.**
- **Obtain estimated cost and timing for Design Option 1 with stacked/offset stone, stacked/offset steel, and stacked/offset Chemetal.**
- **Obtain estimated cost and timing for Design Option 1 with panelized steel and panelized Chemetal.**
- **Return the estimates and costs to the Council for further direction.**

5. REVIEW AND DISCUSS SELECTED NAMING OPPORTUNITIES AND PROVIDE STAFF WITH DIRECTION

City Manager Rodericks introduced the item noting recent donations and updates to naming opportunities. He also advised that the library staff expressed interest in supporting the theme of the room by selecting theme inspired furnishings.

Council Member DeGolia recused himself from the discussion related to the Willie Mays room due to his and his wife’s donation.

Council discussed moving the Willie Mays themed room from the small conference room to the larger conference room. Concerns were raised regarding any perception of favoritism.

Council Member Widmer noted the suggestion to relocate the Willie Mays themed room was made by the library and himself based on the amount of the donated memorabilia received.

Motion by Widmer, Second by Hawkins to approve transitioning the donation for the naming opportunity and Willie Mays theme from the Small Conference Room in the new library to the Large Conference Room in the new library.

Council Member DeGolia was recused.

AYES: Hawkins, Widmer, Lempres, Lewis

NOES:

ABSTAIN:

ABSENT:

Council Member DeGolia returned to the discussion.

Council discussed naming options for the new road in lieu of no present requests or donations for naming rights. Council proposed several naming options for consideration, placeholder names in the interim and agreed to postpone the final naming of the road.

This item will return at a future meeting for discussion.

STUDY SESSION

6. AUTOMATED LICENSE PLATE READER (ALPR) EFFECTIVENESS / EFFICIENCY REVIEW AND BURGLARY ACTIVITY UPDATE AND STATISTICS

Police Chief McCulley presented the item reviewing several specific cases that demonstrated the outcomes and benefits from using the ALPR cameras as investigative resources. Chief noted during his presentation that ALPR results for stolen vehicles remains a large portion of criminal activity addressed.

Council discussed the benefits and effectiveness of the cameras and the continued concerns for resident privacy. Council reviewed the placement of cameras, their effectiveness and uses in investigating burglaries in Town.

Public Comment:

- John Maulbetsch commented on the item inquiring about installation along El Camino Real.

This was an informational item only and no action was taken.

7. REVIEW AND DISCUSS THE OUT YEAR FINANCIAL PLANNING SPREADSHEET AND PROVIDE STAFF WITH DIRECTION

City Manager Rodericks recommended and Council agreed to move this item a future City Council Meeting.

8. COUNCIL REPORTS/COMMENTS – *None*

9. ADJOURN

Mayor Lewis adjourned the meeting at 6:04 p.m.

**Anthony Suber
City Clerk**