



MINUTES
Town of Atherton
City Council
October 20, 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, Mayor Lewis – All Present

3. PRESENTATIONS

- *Recognition of Former Vice Mayor Michael Lempres*

Mayor Lewis presented a plaque from the Town to former Council Member Mike Lempres in recognition of his commitment and service to the Town.

Council Members Hawkins-Manuelian, DeGolia, and Widmer shared their gratitude for Lempres service and commented on his pragmatic approach when dealing with topics.

City Manager Rodericks also thanked Lempres for his service toward the Town.

Michael Lempres sincerely thanked the residents of Atherton for the honor of representing them, he thanked his colleagues on Council and Town staff for their support and partnership over the years.

Public Comments:

- Nicolas, Field Representative from Congresswoman Anna Eshoo’s Office thanked former Council Member Lempres for his service to the community.

4. PUBLIC COMMENTS – *None*

5. CITY MANAGER’S WRITTEN REPORT

City Manager Rodericks introduced the report briefly and welcome Council questions.

CONSENT CALENDAR (Items 6 - 16)

6. **APPROVAL OF BILLS AND CLAIMS FOR SEPTEMBER 2021 IN THE AMOUNT OF \$ 3,269,368**
7. **APPROVAL OF MINUTES FOR SEPTEMBER 15 AND OCTOBER 6, 2021.**
8. **WAIVER THE FINAL READING AND SUBSTITUTION OF THE TITLE AND ADOPT AN ORDINANCE AMENDING ATHERTON MUNICIPAL CODE CHAPTER 2.08.010 “POSTING PLACES”**

Adopted Ordinance No. 648

9. **APPROVAL OF AMENDMENT NO. 1 TO AGREEMENT WITH RENNE PUBLIC LAW GROUP, LLP FOR GRANT WRITING SERVICES**
10. **APPROVAL OF AMENDMENT NO. 2 TO AGREEMENT WITH REGIONAL GOVERNMENT SERVICES AUTHORITY FOR HUMAN RESOURCES SUPPORT SERVICES**
11. **APPROVE AN AMENDMENT TO INCLUDE THE TOWN CENTER FACILITIES AND PRICE ADJUSTMENT FOR JANITORIAL SERVICES WITH TONY’S CLEAN TEAM, LLC**
12. **AUTHORIZE THE PURCHASE OF TWO (2) UNMARKED POLICE VEHICLES; AND DECLARE AS SURPLUS ONE UNMARKED POLICE VEHICLE**
13. **APPROVAL OF THE CONSENT AND FIRST AMENDMENT TO THE FRANCHISE AGREEMENT BETWEEN THE TOWN AND GREENWASTE RECOVERY, INC. FOR COLLECTION AND PROCESSING OF WASTE, MIXED COMPOSTABLE MATERIALS, RECYCLABLE MATERIALS AND YARD TRIMMINGS APPROVING THE CHANGE OF CONTROL FROM GREENWASTE RECOVERY, INC. TO MIP V WASTE, LLC**
14. **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**
15. **ADOPTION OF RESOLUTION ACCEPTING EXPENDITURES FOR BALANCE OF FISCAL YEAR 2021-2022 SUPPLEMENTAL LAW ENFORCEMENT SERVICES FUND (SLESF), CITIZEN’S OPTION FOR PUBLIC SAFETY (COPS) GRANT**

Adopted Resolution 21-16

16. ACCEPTANCE OF \$30,645.22 DONATION IN SUPPORT OF POLICE DEPARTMENT TACTICAL MEDICAL PROGRAM WITH THE PURCHASE OF NEW MEDICAL EQUIPMENT, PROTECTIVE EQUIPMENT, AND INITIAL TRAINING

MOTION by DeGolia, Second by Lewis to approve the Consent Calendar Items 6-16.

AYES: Hawkins-Manuelian, DeGolia, Widmer, Mayor Lewis

NOES:

ABSTAIN:

ABSENT:

REGULAR AGENDA (Items 17 – 25)

17. CITY COUNCIL SELECTION OF A VICE MAYOR

City Manager Rodericks presented the item and noted the options before Council for consideration.

Council held a brief discussion evaluating any advantages or disadvantages of appointing a Vice Mayor during this meeting or waiting until the December 2021 annual Council Reorganization.

MOTION by Hawkins-Manuelian, Second by DeGolia to postpone naming a Vice Mayor until the December 2021 annual Council Reorganization.

AYES: Hawkins-Manuelian, DeGolia, Widmer, Mayor Lewis

NOES:

ABSTAIN:

ABSENT:

18. CITY COUNCIL VACANCY APPOINTMENT PROCESS OR ELECTION PROCESS FOR THE CURRENT CITY COUNCIL VACANCY INCLUDING THE POSSIBILITY OF IMMEDIATE APPOINTMENT

City Manager Rodericks introduced the item and presented the options for Council consideration.

Council discussed the merits of each option presented.

Council Member DeGolia noted that short of conducted a Special Election in June 2022 he believed the best way to engage the community would be to post the vacancy and solicit applications for consideration and appointment at a future meeting.

MOTION by Lewis, Second by Hawkins-Manuelian to move forward option no. 2, to conduct an interview / screening process to serve on Council filling the unexpired term of the current Council vacancy until November 2022.

AYES: Hawkins-Manuelian, DeGolia, Mayor Lewis

NOES: Widmer

ABSTAIN:

ABSENT:

19. PROVIDE DIRECTION REGARDING DONOR WALL MATERIALS

Mayor Lewis and City Manager Rodericks introduced the item. Rodericks noted there have been delays in getting cost estimates for materials.

Council came to a consensus that the material of choice was for the stone.

MOTION by Widmer, Second by DeGolia to authorize up to \$250,000 for the completion of the Donor Wall design and installation and for the Ad Hoc Subcommittee for design to continue their work.

AYES: Hawkins-Manuelian, DeGolia, Widmer, Mayor Lewis

NOES:

ABSTAIN:

ABSENT:

20. CONSIDERATION OF CONCEPT PLAN FOR TRAIN STATION RENOVATION – FEEDBACK AND DIRECTION

City Manager Rodericks presented an overview and the Ad Hoc Subcommittee present a report walking through some next steps including a need to prepare and obtain Council authorization to release a Request for Proposal (RFP) for bids.

Council Member Hawkins-Manuelian reviewed the report with Council showcasing some noteworthy historical images to demonstrate the concept for the project.

MOTION by Widmer, Second by Lewis to approve the development of an RFP for design services and subsequent construction of the Atherton historical train station design and concept.

AYES: Hawkins-Manuelian, DeGolia, Widmer, Mayor Lewis

NOES:

ABSTAIN:

ABSENT:

21. TOWN CENTER PROJECT UPDATE: AUTHORIZE CHANGES TO THE CITY MANAGER CHANGE ORDER LIMIT

City Manager Rodericks presented the item to Council noting change orders for the City Manager allow for an aggregate up to \$2MIL with no singular approval over \$250k. He noted that the approval being sought was an adjustment of the City Manager threshold from \$2MIL to \$2.5MIL.

MOTION by Widmer, Second by DeGolia to approve an increase of the City Manager change order aggregate to \$2.5MIL.

AYES: Hawkins-Manuelian, DeGolia, Widmer, Mayor Lewis

NOES:
ABSTAIN:
ABSENT:

22. RESPONSE TO GRAND JURY REPORT: “BUILDING GREATER TRUST BETWEEN THE COMMUNITY & LAW ENFORCEMENT VIA THE RACIAL AND IDENTITY PROFILING ACT”

City Manager Rodericks introduced the item.

Chief of Police McCulley provided some insight into the report and related Police Department processes and procedures. He noted the Atherton Police Department has created a formal advisory board to address the topic of Racial and Identity Profiling Act (RIPA) in June 2021.

Chief McCulley also noted a new software that allows officers to document and track RIPA related data on Town issued smartphone devices. The software is scheduled to be fully implemented for use by January 2022.

Council discussed data collection and internal reporting practices and policies in place to which Chief McCulley responded. Council also requested regular reports related to the data collected.

MOTION by Widmer, Second by Hawkins-Manuelian to approve the Grand Jury Response letter for RIPA.

AYES: Hawkins-Manuelian, DeGolia, Widmer, Mayor Lewis
NOES:
ABSTAIN:
ABSENT:

23. REVIEW AND APPROVE THE RESPONSE TO GRAND JURY REPORT – SAN MATEO COUNTY: CALIFORNIA’S GROUND ZERO FOR SEA LEVEL RISE

City Manager Rodericks presented the item and response letter.

Council asked a few clarifying questions including if there are any underground hazard sites in Town or a way to track that data and Rodericks indicated that staff may be able to identify some data with past permits or County reports.

MOTION by Widmer, Second by DeGolia to approve the Grand Jury Response letter, with minor modifications for Ground Zero for Sea Level Rise.

AYES: Hawkins-Manuelian, DeGolia, Widmer, Mayor Lewis
NOES:
ABSTAIN:
ABSENT:

24. COUNCIL REPORTS/COMMENTS – *None*

25. ADJOURN

Mayor Lewis adjourned the meeting at 8:04 p.m.

**Anthony Suber
City Clerk**



MINUTES
Town of Atherton
City Council
November 3, 2021
STUDY SESSION

Mayor Lewis called the meeting to order at 3:00 p.m.

3:00 PM STUDY SESSION

1. **ROLL CALL** - Hawkins-Manuelian, DeGolia, Widmer (Joined at 3:20 PM), Mayor Lewis
2. **PUBLIC COMMENTS** – *None*

Mayor Lewis indicated that Item 6 would be heard first.

6. PROVIDE STAFF WITH DIRECTION ON WILDFIRE HOME HARDENING

Building Official Greenlee introduced the report and Fire Marshal Johnston delivered a presentation to Council.

Fire Marshal Johnston made several recommendations to council for consideration including requiring Class A roofs for all new construction that help with reducing the spread of fires.

Council held a robust discussion related to the report, the various acceptable materials, impacts of roof replacements versus new construction projects, and issues with trees.

Council Member Hawkins-Manuelian suggested continuing the efforts in sharing information to educate residents with the voluntary options available in partnership with the Fire District and sought information from the district on managing smoke.

This item will return to Council for further action at a future meeting in the form of adopting building code amendments and potential ordinance amendments.

3. PROVIDE STAFF WITH DIRECTION REGARDING REACH CODES –PROPOSED ELECTRIFICATION REACH CODES FOR 2019 ENERGY CODE

Building Official Greenlee introduced the item.

Rafael Reyes from Peninsula Clean Energy (PCE) provided a brief review of the item before introducing Senior Project Manager Farhad Faramand from TRC who presented a detailed presentation to Council.

Council sought clarifications throughout the presentation including how PCE planned to handle increase loads caused by Caltrain's electrification.

Public Comments:

- Stacy Miles, Environmental Programs Committee Member spoke in support of Reach Codes.
- Dr. Robert Gould, San Francisco Bay Physicians for Social Responsibility spoke in support of Reach Codes
- Kristel Wickham spoke in support of Reach Codes.
- Bruce Naegel spoke in support of Reach Codes.
- James Tuleya, Carbon Free Silicon Valley spoke in support of Reach Codes.
- Dashiell Leeds, Sierra Club spoke in support of Reach Codes.
- Natalia Esparza, Silicon Valley Youth Climate Action spoke in support of Reach Codes.
- Terry Nagel spoke in support of reach codes
- Stephanie Morris, Mouthers Out Front spoke in support of Reach Codes.
- Tom Kabot spoke in support of Reach Codes.
- Diane Bailey, Fossil Free Buildings in Silicon Valley spoke in support of Reach Codes.

City Manager Rodericks indicated that staff will bring the item back to Council for further consideration and evaluation. He added that it would be prudent to build in time for public engagement and input prior to any adoption.

This item will return to Council for further consideration at a future meeting. The Council expressed a preference for a qualified All Electric Code with some exceptions to be considered during the process of adoption. Staff advised that they would attempt to return something to Council for consideration in January/February 2022.

4. CLIMATE ACTION PLAN PROGRESS REPORT

City Manager Rodericks introduce Sustainability Coordinator Kim who reviewed the Climate Action Plan (CAP) progress report.

Kim reviewed the report for Council highlighting the CAP measures, noting the Town achieved its 2020 goal in reducing GHGs, reducing organic waste, and increased its use of electric vehicles.

Public Comments:

- James Tuleya, HomeIntel Energy Savings Program commented on the item
- Bruce Naegel commented on the item.

Council held a discussion on the topic and requested additional information including the reduction in numbers year over year to show the progression toward current statistics and enhancing our public outreach and education sharing with residents the various voluntary methods to move the Town closer to its goals.

This item will return to Council with further reports and Climate Action Plan updates.

5. LEAF BLOWER SUBCOMMITTEE REPORT

Council Member Widmer presented the item reviewing several components including Assembly Bill 1346, discussions held by the Ad Hoc Subcommittee advocating for action to eliminate pollutants and noise of two-stroke gardening equipment, and various other restrictions.

Council Member Hawkins-Manuelian added that the subcommittee discussed Spare the Air Days and the committee's recommendation to continue no blowing after heavy smoke days.

This item was informational only and will return to Council for further consideration in the form of an ordinance amendment.

7. COUNCIL REPORTS/COMMENTS – *None*

8. ADJOURN

Mayor Lewis adjourned the meeting at 5:40 p.m.

Anthony Suber
City Clerk