



MINUTES
Town of Atherton
City Council
November 15, 2021
SPECIAL MEETING

Mayor Lewis called the meeting to order at 9:30 a.m.

9:30 AM REGULAR AGENDA

1. **ROLL CALL** - Hawkins-Manuelian, DeGolia, Widmer, Mayor Lewis – Present
2. **PUBLIC COMMENTS** – None
3. **INTERVIEW CITY COUNCIL VACANCY APPLICANTS; AND, IF APPROPRIATE, APPOINT A CANDIDATE TO FILL THE UNEXPIRED TERM**

Greg Conlon withdrew his application in person prior to the meeting.

Mayor Lewis introduced the item and offered candidates an opportunity to address Council. Candidates were called on in the order applications were received.

Susan Warren addressed Council related to her background and interest in serving on the Council. She indicated interest in serving on Council beyond the term expiration of November 2022.

Robert Polito addressed Council related to her background and interest in serving on the Council. He noted that he had no intention in serving on Council past November 2022 and has no plans on running for the open seat when the term expires.

Rose Hau addressed Council related to her background and interest in serving on the Council. She indicated interest in serving on Council beyond the term expiration of November 2022.

Stacy Miles addressed Council related to her background and interest in serving on the Council. She indicated interest in serving on Council beyond the term expiration of November 2022.

Council posed several questions to the candidates prompting response and discussed the selection process and options for appointment.

City Manager Rodericks provided a tracking document for the voting process and Council conducted one round of candidate voting.

Candidate Votes

Hawkins: Miles

DeGolia: Polito

Widmer: Polito

Lewis: Polito

MOTION by Lewis, Second by DeGolia to appoint Bob Polito to fill the City Council vacant seat with a term expiring November 2022.

AYES: DeGolia, Widmer, Lewis

NOES: Hawkins

ABSTAIN

ABSENT

4. ADJOURN

Mayor Lewis adjourned the meeting at 10:12 p.m.

**Anthony Suber
City Clerk**



MINUTES
Town of Atherton
City Council
November 17, 2021
REGULAR MEETING

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

6:00 P.M. REGULAR MEETING– *Convene as the City Council*

1. PLEDGE OF ALLEGIANCE

2. ROLL CALL - Polito, Hawkins–Manuelian, DeGolia, Widmer, Mayor Lewis

Mayor Lewis welcomed newly appointed Council Member Bob Polito who was appointed at the November 15, 2021, Special Meeting to fill the vacant Council seat with a term expiring on November 2022.

3. PUBLIC COMMENTS

Susan Warren invited Council to attend the upcoming A.D.A.P.T. event.

4. CONSIDERATION OF APPOINTMENT TO THE CITY COUNCIL FOR THE UNEXPIRED TERM

Removed from the agenda.

5. PRESENTATION

• **Presentation and Discussion on Formation of Unground Utility Assessment Districts**

Adam Marston from Harris & Associates made a presentation to Council related to forming Underground Utility Assessment Districts.

Council discussed the costs and timelines associated with creating these districts and noted challenges including the property sizes for trenching work.

Public Comments:

- Alex Key asked about Rule 20A Funds and uses for train station improvements.
- Carol Flaherty applauded the Town for evaluating the topic and indicated she would not be in support of creating such a district.
- Greg Conlon commented on the topic in support of further research.

6. CITY MANAGER'S WRITTEN REPORT

City Manager Rodericks briefly presented his report.

CONSENT CALENDAR (Items 7 - 16)

- 7. APPROVAL OF BILLS AND CLAIMS FOR OCTOBER 2021 IN THE AMOUNT OF \$ 2,278,127**
- 8. APPROVAL OF MINUTES FROM OCTOBER 20 AND NOVEMBER 3, 2021.**
- 9. ADOPTION OF A MEMORANDUM OF UNDERSTANDING ESTABLISHING MONITORING AND ENFORCEMENT RESPONSIBILITIES FOR DISPOSABLE FOOD SERVICE WARE.**
- 10. APPROVAL OF SECOND AMENDMENT TO AND RESTATEMENT OF THE JOINT POWERS AGREEMENT ESTABLISHING THE PENINSULA TRAFFIC CONGESTION RELIEF ALLIANCE**
- 11. APPROVE AN AMENDMENT AND PRICE ADJUSTMENT FOR SWEEPING SERVICES WITH CONTRACT SWEEPING SERVICES**
- 12. AUTHORIZE RELEASE OF A REQUEST FOR PROPOSAL FOR PROFESSIONAL DESIGN SERVICES FOR THE ATHERTON RAIL STATION REMODEL PROJECT**
- 13. ACCEPTANCE OF WORK, AUTHORIZATION TO RECORD NOTICE OF COMPLETION FOR THE PAVILION RESTROOM REMODEL PROJECT**
- 14. ACCEPTANCE OF WORK, AUTHORIZATION TO RECORD NOTICE OF COMPLETION FOR THE HOLBROOK-PALMER PARK TURN AROUND PROJECT**
- 15. ACCEPTANCE OF TREASURER'S REPORT FOR THE FIRST QUARTER ENDED SEPTEMBER 30, 2021**
- 16. 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**

MOTION by Polito, Second by Hawkins-Manuelian to approve the Consent Calendar Items 7-16.

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

REGULAR AGENDA (Items 17 – 22)

17. INTRODUCTION OF AN ORDINANCE ADDING CHAPTER 18 SOLID WASTE AND EDIBLE FOOD RECOVERY WASTE RECOVERY TO THE ATHERTON MUNICIPAL CODE.

City Manager Rodericks introduced the item and Lisa Coelho with R3 Consulting who shared a presentation. Lisa reviewed in detail the requirements of SB 1383 and noted that the Town is required to adopt the model ordinance prepared by San Mateo County. Lisa noted for Council the Town’s obligation to adopt the ordinance before January 1, 2022 and the Towns responsibility for providing SB 1383 related outreach and education.

Jack Johnson with the San Mateo County Office of Sustainability responded to Council questions related to citations, fines and enforcement. He also provided some contextual information and definitions for Food Recovery Organizations and Edible Food Recovery Programs.

This item was noticed and conducted as a Public Hearing.

Motion by Lewis, Second by Widmer to waive the first reading and introduce by title only an Ordinance adding Chapter 18 Solid Waste and Edible Food Waste Recovery to the Atherton Municipal Code.

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

18. DISCUSS FINAL RESOLUTION REGARDING MEDIAN STREET TREE REPLACEMENT FOR TUSCALOOSA AVENUE AND MT. VERNON LANE AND ACCEPT A DONATION TO FUND A LARGER TREE AT MT. VERNON LANE

Public Works Director Ovadia made the report to Council and noted the planned tree size and discussed relate to the planting site. Ovadia addressed planned improvements to the median.

Public Comment:

- Karrigan commented on the item.

Motion by Widmer, Second by DeGolia to accept the donation of up to \$16,000 and accept the proposed tree replacement plan.

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

NOES:
ABSTAIN:
ABSENT:

19. NEIGHBORHOOD TRAFFIC MANAGEMENT ACTION PLAN

Public Works Director Ovadia presented an update to the Council recapping steps taken to date with the Neighborhood Traffic Management Action Plan. Ovadia noted the temporary speed lumps will be installed in various intersections at different intervals in order to evaluate the effectiveness and resident responses.

Council discussed the proposed recommendations including stop sign sizes and locations. Council collectivity indicated they would like to review stop sign locations that are proposed for larger signs before they are implemented.

This item will return for further action at a later date for individual items, as needed.

20. TOWN CENTER PROJECT UPDATE

City Manager Rodericks provided an update on the staff relocation to the Town Center noting a few challenges.

21. COUNCIL REPORTS/COMMENTS

Council Member Widmer noted that he planned to attend the San Francisco Roundtable meeting in December and highlighted that SFO is planning for a new landing runway which might cause an increase in noise. He added that the City of Palo Alto was seeking a seat on the Roundtable and sought Council permission to support their request.

Mayor Lewis indicated she would support the City of Palo Alto gaining a seat on the San Francisco Roundtable.

22. ADJOURN

Mayor Lewis adjourned the meeting at 7:56 p.m.

Anthony Suber
City Clerk



MINUTES
Town of Atherton
City Council
December 1, 2021
SPECIAL MEETING/STUDY SESSION
City Council/Planning Commission
JOINT STUDY SESSION

Mayor Lewis called the meeting to order at 4:00 p.m.

4:00 PM STUDY SESSION

1. **ROLL CALL** – Polito, Hawkins-Manuelian, DeGolia, Widmer, Mayor Lewis - Present
2. **PUBLIC COMMENTS** – None
3. **DISCUSSION FOR CONSIDERATION OF AMENDMENTS TO CHAPTER 8.10 “REMOVAL OF AND DAMAGE TO HERITAGE TREES” AND 8.14 “HISTORICAL ARTIFACTS” OF THE ATHERTON MUNICIPAL CODE FOR PURPOSES OF ADDRESSING HISTORIC PRESERVATION IN TOWN**

Principal Planner Davis presented the report for Council discussion and feedback. Council previously provided feedback related to historic preservation and potential Atherton Municipal Code amendments. She noted the proposed ordinance amendment would combine provisions related to the preservation of trees under the Heritage Tree ordinance and the preservation of historic buildings under the Historical Artifacts ordinance. The proposed approach makes no changes to the regulations that are currently included in the Heritage Tree ordinance and only allows an additional layer of protection.

Council discussed the topic including the contracts related to historically designated properties, the cap of 5 properties under contract, limit on property tax loss, qualifying criteria for determining historical trees, and impacts of the proposed approach.

Deputy City Attorney Booher and City Attorney Ebrahimi provided additional background on the approach to the proposed ordinance. Booher also clarified that the property tax calculations are done by the County Assessor’s department.

Town Arborist Bentz provided clarity by providing a definition of what a Heritage Tree is.

City Manager Rodericks provided some clarity related to the topic including options for setting caps on the number of properties eligible.

This item will return for further action at a later date, as needed.

4. **ADJOURN TO SPECIAL JOINT MEETING WITH PLANNING COMMISSION**

Mayor Lewis adjourned the meeting at 5:00 p.m. and Chair Lane called the Joint Study Session to order at 5:00 p.m.

5:00 PM JOINT STUDY SESSION

- 1. ROLL CALL - Council:** Polito, Hawkins-Manuelian, DeGolia, Widmer, Mayor Lewis – Present
Planning Commission: Konce, Lerner, Narancic, Vice Chair Lamb, Chair Lane – Present

- 2. PUBLIC COMMENTS – None**

- 3. SUMMARY OF SENATE BILL 9 (SB9) THAT PROVIDES FOR MINISTERIAL APPROVAL OF TWO RESIDENTIAL UNITS AND/OR A LOT SPLIT IN SINGLE-FAMILY RESIDENTIAL ZONES**

Council Member Widmer disclosed that he has had conversations with a property owner with a pending or proposed application with the Town.

Town Planner Costa Sanders presented a summary of Senate Bill 9 (SB9). She highlighted the impacts in Town, which will likely be most seen in a lot split and construction of one single family residence. She noted that next steps would include a staff presentation to the Planning Commission with an ordinance in 2022 and then to Council. Staff sought Council and Planning Commission feedback and direction.

City Manager Rodericks clarified that a maximum of 4 dwellings will be allowed after an SB 9 lot split. Town Planning Costa Sanders concurred that there is a maximum of 2 units per lot.

Council and Planning Commission discussed the topic including the various rule changes, how SB9 will impact development in Town, the impacts on the Town's Regional Housing Needs Allocation obligations, options for design review, and parking requirements.

Public Comment:

- Alex Key asked about rules related to lot splits and violations of rules.
- Don Arata discussed a development property in Town.

City Attorney Ebrahimi responded to inquiries related to urgency ordinances and indicated it is her position that the Town does not have the necessary circumstances to bring such an ordinance forward.

This was an information only item and no formal action was taken. This item will return for further action at a later date, as needed.

- 4. COUNCIL REPORTS/COMMENTS - None**

- 5. ADJOURN**

Chair Lane adjourned the meeting at 5:58 p.m.

Mayor Lewis adjourned the meeting at 5:58 p.m.

Anthony Suber
City Clerk