



**Draft Minutes**  
**Town of Atherton**  
**CITY COUNCIL**  
**January 15, 2014**  
**7:00 p.m.**  
**94 Ashfield Road**  
**Atherton, California**  
**REGULAR MEETING**

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

**OATH OF OFFICE** – Officer TJ Boyle

Chief Flint introduced new Atherton Police Officer Terrance (TJ) Boyle. The Council welcomed Officer Boyle to the Department and Chief of Police Ed Flint swore him in. TJ's family was present for the ceremony and his wife "pinned" him with his new badge.

4. **PUBLIC COMMENTS**

Laura Fanucchi, HIP Housing representative passed out 2014 calendars to Council. HIP Housing is a nonprofit organization that works toward providing affordable housing opportunities in San Mateo County. The Town makes an annual contribution to HIP Housing through the Town's budget in support of local and regional affordable housing goals.

5. **REPORT OUT OF CLOSED SESSION** - Report out by City Attorney – NONE.
6. **CITY MANAGER'S REPORT**
  - a. **Community Center Advisory Committee Report**

City Manager Rodericks provided brief reports on the issue of the regional animal control services and the construction of a new Animal Shelter, the regional housing allocations, and the summary of PG&E information.

7. **COMMUNITY ORGANIZATION ROUNDTABLE REPORT**

**CONSENT CALENDAR** (Items 8-13)

8. **APPROVAL OF NOVEMBER 20 AND DECEMBER 18 REGULAR MEETING MINUTES**  
**Report:** City Clerk Theresa DellaSanta

**Recommendation:** Approve meeting minutes

Council Member Lewis clarified that the votes were incorrect on items 3b and 16 on the December 18 minutes. The corrections were noted and will be made accordingly.

**9. APPROVAL OF BILLS AND CLAIMS FOR DECEMBER, 2013 IN THE AMOUNT OF \$838,535**

**Report:** Finance Director Robert Barron III

**Recommendation:** Approve Bills and Claims in the amount of \$838,535

**10. FINANCIAL REPORT FOR DECEMBER 31, 2013**

**Report:** Finance Director Robert Barron III

**Recommendation:** Receive the General Fund Financial Report for December 31, 2013

**11. CONTRACT AMENDMENT FOR ENHANCED MAINTENANCE ITEMS**

**Report:** Community Services Director Mike Kashiwagi

**Recommendation:** Approve the attached contract amendment for enhanced maintenance items directed by City Council on November 20, 2013

**12. JOINT POWERS AGREEMENT APPROVAL – EMERGENCY SERVICES COUNCIL**

**Report:** Police Chief Ed Flint

**Recommendation:** Approve the attached First Amendment to the Emergency Services Council (ESC) Joint Powers Agreement and authorize the Mayor to execute the Agreement on behalf of the Town

**13. APPROVAL OF THE TOWN'S LONG-TERM TRASH PLAN**

**Report:** Public Works Superintendent Steve Tyler

**Recommendation:** Review and accept the Long-Term Trash Load Reduction Plan and Assessment Strategy, dated January 15, 2014, and Authorize the City Manager to transmit the Long-Term Trash Load Reduction Plan and Assessment Strategy, dated January 15, 2014 to the Water Board

MOTION by Lewis, second by Widmer to approved the Consent Calendar consisting of items 8 through 13. The motion passed unanimously.

**PUBLIC HEARING** - None.

**REGULAR AGENDA** - (Items 14-18)

**14. MENLO-ATHERTON LITTLE LEAGUE IMPROVEMENTS AT HOLBROOK-PALMER PARK**

**Report:** Community Services Director Mike Kashiwagi

**Recommendation:** Review and approve business points with Menlo-Atherton Little League (M-ALL) which addresses requirements, conditions and constraints regarding the construction, use and responsibilities for improvements to the Little League facility and surrounding areas at Holbrook-Palmer Park; Direct the City Attorney to prepare a

Facility Agreement based upon business points approved by City Council; and Authorize the City Manager to execute the Facility Agreement between the Town of Atherton and M-ALL

Community Services Director Mike Kashiwagi presented the Report and asked the Council to approve the business points of the agreement, direct the City Attorney to prepare the Agreement, and authorize the City Manager to execute the Agreement.

Bob Hellman, M-ALL representative, listed the concessions the M-ALL has given in order to get this project moving along. He encouraged Council to come up with a donation policy to avoid setbacks in the future.

Phil Lively spoke on behalf of the Planning Commission indicating that the Commission the project plans are too large and that they counter the intended character of the park.

Vice Mayor DeGolia asked for clarification on how the maintenance will be performed. Steve Tyler indicated that Atherton emulates what the M-ALL has with Menlo Park.

Bob Hellman said the shared maintenance has been in service for over 2 years and works quite well.

Public Comment:

Julie Quinlan, Atherton resident, was concerned with the size of the structure especially given that the park is a safe route to school.

Walter Sleeth, Atherton resident, noted that he was bothered with the lack of attention to the Planning Commission recommendations.

Denise Kupperman, Atherton resident, said that she voted in favor of the project but is very concerned about its size.

Council Member Lewis felt that the verbiage “stadium” seems to indicate that the size will be much bigger than what is proposed by the project applicants.

Council Member Widmer was concerned with the size and felt the park needs to be preserved for all to enjoy.

Council Member Dobbie said he has attended many little league games for his grandkids over the years and never saw more than approximately 30 people in attendance. Dobbie was concerned with the proposal for 200 seats.

Council Member Lewis felt it was because the M-ALL is a much more robust organization than it was 15 years ago.

Vice Mayor DeGolia felt that a majority of residents voted in November of 2012 to move forward with improvements and it is now the Council responsibility to make sure that happens.

Mayor Wiest felt that 75% of voters approved the project and while change may be hard to accept he is supportive of moving forward with the majority. Wiest suggested an annual status check on the project and the relationship between Town staff and M-ALL.

Further comments and discussion by the Council included the need for outfield fencing, the provisions of Measure M, the architectural design of the seating area, the need for storage, safety concerns in the area, staff requirements for removal of the temporary facilities, screening, and clear definition of maintenance responsibilities and expectations.

A motion was made by Widmer and seconded by Dobbie to designate the stadium seating at 24” per seat. The motion failed 2-3 with Lewis, DeGolia and Wiest opposed because they supported staff recommendation of 36”.

**MOTION by Lewis, second by DeGolia to approve staff recommendation, with the caveat that there be a “post-season” check-in on how things worked and what needs to change each year and that the facility be constructed in a manner that is consistent with the historic character of facilities in the Park. The motion passed 3-2 with Dobbie and Widmer opposed.**

Some of the detailed business points are articulated within the Staff Report, but in broad brush, the details of the improvements include:

- Renovation and improvements to the existing field areas.
- Contribution of funds toward the resurfacing of the Town’s Tennis Courts.
- Contribution of funds toward Park beautification.
- New backstop and dugouts.
- Modifications and improvements to existing path and walkways.
- Permanent covered seating for up to 200 spectators.
- Removable outfield fencing and removable baseline fencing from the edge of the bullpens outward.
- Removable left-field foul pole.
- Permanent right-field foul pole that will be installed as a flagpole that will include a marker for the Town’s military veterans.
- New restroom facilities.
- Permanent electronic scoreboard.
- A detailed maintenance agreement.

## **15. AWARD OF CONTRACT FOR EVENT SERVICES**

**Report:** Community Services Director Mike Kashiwagi

**Recommendation:** Award the contract for Holbrook-Palmer Park Event Management Services, the low bidder, for 50% of 1<sup>st</sup> \$100,000 revenue and 40% of the revenue following that

Community Services Director Mike Kashiwagi noted that the Council authorized staff to solicit bids through a Request for Bids. Following solicitation, the Town received a qualified bid from Catering by Dana & The Absolute Barbecue Company, LLC.

Catering by Dana proposed a revenue sharing stream of 50% of the 1st \$100,000 in generated revenue and 40% of the remainder.

Catering by Dana would provide “turn-key” event services at the Park managing all rental activity that occurs at the Park. All existing Park rules for events would apply as well as specific rules and requirements for larger events when using the venues available for rent. Additional rules and requirements continue to be defined and some will be event specific. Example of requirements include: limitations on the size and number of events per day, coordinating impacts when there are multiple events at multiple venues (such as a party rental at the same time as a Little League game), requirements for valet parking or shuttle services, requirements for insurance coverage, and requirements for event security. Catering by Dana can provide outside services such as catering services, flowers, or other services, but they would not have exclusivity.

Town-sponsored events, such as the Annual Easter Egg Hunt, Art Show, Holiday Tea and Jazz Festival, and others would be considered black-out dates within the calendar during which other events would be restricted.

Comments and discussion by the Council included concerns for the impact of events and the desire to have those impacts mitigated, discussion around limitations on the size and number of events, audit controls, exclusivity, concerns about marketing the Park for revenue purposes, and the setting of black-out dates for Town events and for community use.

**MOTION by Lewis, second by Wiest to award the contract to Catering by Dana and direct the City Attorney to work with the City Manager to implement and revise the contract, as necessary, based on comments from the Council. Through the contract, the City Manager has the discretion to set conditions and standards for events as they are approved subject to the expressed concerns of the Council. The motion passed 3-2, Dobbie and Widmer opposed.**

The City Manager advised the Council that he would return for the Council’s information and comment a set of “conditions and criteria” that he will be using in concert with Catering by Dana to review events and set requirements to mitigate their impact.

**16. AWARD OF CONTRACT FOR TENNIS CLINICS AND ADOPTION OF TENNIS KEY POLICY**

**Report:** Community Services Director Mike Kashiwagi

**Recommendation:** Approve contract for services of Tennis Professional Alan Margot to hold tennis camps at Holbrook-Palmer Park. Discuss and adopt a policy to govern the issuance of tennis keys

Community Service Director Mike Kashiwagi provided an overview of the report. In a prior meeting, the Council discussed options for the Town’s tennis courts in an effort to encourage expanded use of the courts by the community. In addition, the Council wanted to clarify the contract with the Town’s Tennis Professional Alan Margot to address private lessons and public tennis clinics.

Naomi Ramsdenn, representative of the Parks and Recreation Commission, discussed the P&R recommendation for the pricing of tennis keys. The Commission expressed that they supported the Council’s direction of encouraging more use of the courts, but were wary of significant reductions in the cost of keys as the revenue from key rental provided revenue to maintenance of the courts. The

Council expressed their desire to encourage use of the courts and debated about changes to the cost of the keys.

**MOTION by DeGolia, second by Widmer to approve key costs at \$50 for residents and leaving the non-resident cost, as is, at \$200. The motion passed unanimously.**

**MOTION by Wiest, second by Lewis to approve a contract with Alan Margot to continue to operate the Town's Public Tennis Clinics through June 30, 2014. Private lessons may be provided by Mr. Margot outside the scope of the contract with the Town provided that Mr. Margot obtains a Tennis Key, as required. The motion passed unanimously.**

City Manager Rodericks expressed that as part of the Town's review of competitive contracts, operation of the Town's tennis courts (camps and service as the Town's tennis professional) would be considered by the Council for competitive bid near the end of the Fiscal Year.

**17. DISCUSS AND RECOMMEND PROPOSAL OF INCREASE TO GREEN WASTE RATES IN THE TOWN OF ATHERTON**

**Report:** Finance Director Robert Barron III

**Recommendation:** Discuss and Recommend a green waste rate increase and direct staff to issue the Notice of Public Hearing pursuant to requirements of Proposition 218

Finance Director Robert Barron III provided an overview of the report to Council. Barron noted that the actual cost to collect and recycle the contents for each green waste cart is \$19.31. The current rate is set at \$10 each for carts 3 and 4 and \$15 each for carts 5 and above. These rates do not allow for full-cost recovery. The Council debated the merits of setting the rates higher to develop a fairer cost model for green waste collection.

**MOTION by DeGolia, second by Dobbie to set the rates at \$11 each for carts 3 and 4 and \$18 each for cart 5 and above. The motion passed unanimously.**

Residents will receive a Notice of Public Hearing set for March 19 pursuant to the requirements of Proposition 218.

**18. COUNCIL COMMITTEE ASSIGNMENTS**

**Report:** City Clerk Theresa DellaSanta

**Recommendation:** Approve Committee Assignments

City Manager Rodericks noted that each year the Mayor has the opportunity to assign members of the City Council to various liaison and board positions on various commissions and/or committees.

The City Council has 5 Standing Committees, 4 Ad Hoc Committees, and 14 Regional Governmental Committee assignments. A complete list of the current committee assignments is listed below:

**City Council Regional and Other Governmental Committee Assignments (January 2014)**

<b>Agency</b>	<b>Member</b>	<b>Alternate</b>
Association of Bay Area Governments (ABAG)	Rick DeGolia	Elizabeth Lewis
City/County Association of Governments (C CAG)	Elizabeth Lewis	Cary Wiest
Holbrook-Palmer Park Foundation	Bill Widmer	Jim Dobbie
League of California Cities	Elizabeth Lewis	Rick DeGolia
Library JPA Governing Board (San Mateo County)	Rick DeGolia	Elizabeth Lewis
Peninsula Traffic Congestion Relief Alliance	Elizabeth Lewis	Rick DeGolia
San Francisco Airport/Community Roundtable	Elizabeth Lewis	Rick DeGolia
San Mateo County Emergency Services Council	Cary Wiest	Jim Dobbie
San Mateo County Sub-Regional Housing Policy Advisory	Elizabeth Lewis	Cary Wiest
Grand Boulevard Task Force	Elizabeth Lewis	Bill Widmer
Menlo Park Fire Protection District	Bill Widmer	Cary Wiest
Peninsula Cities Consortium	Cary Wiest	Rick DeGolia
Cal/Mod Local Agency Policy Maker Group	Cary Wiest	Rick DeGolia
Atherton Charter City Discussion (Ad-Hoc)	Bill Widmer/ Elizabeth Lewis	
Atherton Bike Coalition (Ad-Hoc)	Bill Widmer	Rick DeGolia
Atherton Refuse & Recycling Rate Committee (Ad-Hoc)	Bill Widmer	Cary Wiest
SBWMA Board of Directors	Bill Widmer	Cary Wiest
Surf Air Aircraft Noise (Ad-Hoc)	Rick Degolia/ Jim Dobbie	

**Standing Committee Assignments (Listed on Committee Sites)**

Audit/Finance	Cary Wiest/ Rick DeGolia	Bill Widmer
Environmental Programs	Jim Dobbie	Rick DeGolia
Rail	Cary Wiest	Rick DeGolia
Transportation	Jim Dobbie	Cary Wiest
Civic Center Advisory Committee	Rick DeGolia/ Elizabeth Lewis	

**19. COUNCIL REPORTS/COMMENTS**

**Nothing further to add to written reports.**

**20. FUTURE AGENDA ITEMS – None.**

**21. PUBLIC COMMENTS – None.**

**22. ADJOURN**

Mayor Wiest adjourned the meeting.

Respectfully submitted,

**Theresa DellaSanta**  
**City Clerk**



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**Town of Atherton**  
**CITY COUNCIL**  
**February 5, 2014**  
**4:00 P.M.**  
**City Council Chambers**  
94 Ashfield Ave  
Atherton, California  
**Study Session**

**ROLL CALL**      **Wiest, DeGolia, Dobbie, Lewis, Widmer**

Council Member Dobbie was excused.

**PUBLIC COMMENTS** - None

**STUDY SESSION**

**1.      TRAFFIC CALMING MEASURES ON SELBY LANE**

**Report:** Community Services Director Mike Kashiwagi

**Recommendation:** Review and provide feedback regarding the desire to identify traffic calming strategies and devices to reduce vehicular speeds and volume on Selby Lane

Community Services Director Mike Kashiwagi presented information regarding the placement of traffic control devices at the intersection of Selby Lane and El Camino Real. This was follow-up to previous Council discussions and presentations by Caltrans regarding the placement of a traffic signal to improve traffic safety at this intersection.

Staff walked the Council through the accident history at the intersection of Selby Lane and El Camino Real and discussed some of the factors involved. Staff also discussed the possibility of installing a hybrid pedestrian beacon at this intersection as an alternative to a traffic signal. The decision on a traffic signal was postponed, but based on resident comments at the December meeting, the Council asked staff to identify feasible measures to reduce traffic volume and vehicular speeds on Selby Lane.

Staff provided the Council with a summary of a scope work to begin a study of feasible traffic calming measures on Selby Lane. Although staff believes such measures would not effectively reduce traffic volumes on Selby Lane, there are potential improvements that could reduce vehicular speeds. Selby Lane is approximately 1.5 miles in length between El Camino Real and Santa Clara Avenue. The street is a straight two lane east/west minor residential collector street and carries approximately 1500 vehicles per day with a posted speed limit of 25 MPH.

A traffic calming study would include data gathering, a technical analysis, and stakeholder outreach. The Council discussed the various issues involved including various types of traffic calming devices – installation of speed tables, enforcement, and the expansion and improvement

of bicycle and pedestrian pathways. The Council also discussed the potential of reducing the number of lanes on El Camino Real from 6 to 4 and the steps needed to begin that process. A couple of residents spoke on the merits of speed control devices such as speed tables.

In the end, the Council determined that additional traffic counts would be needed for the streets in the area and that staff should proceed with gathering that information. The Council also supported the efforts of the Bicycle | Pedestrian Master Plan in moving forward with defining and improving Selby Lane's bicycle and pedestrian pathways. Lastly, the Council asked staff to renew efforts with Caltrans in support of a Project Study Report to reduce the lanes of travel on El Camino Real. It was understood that funding would be necessary to move the Project Study Report forward and that staff should explore ways to recoup those funds, if possible.

## **2. CITY COUNCIL HANDBOOK**

**Report:** City Manager George Rodericks

**Recommendation:** Review and Discuss the City Council handbook and Code of Conduct

Staff presented the Staff Report indicating that the Council had seen the City Council Handbook in late 2013 and that the Handbook presented this evening had a few changes to it that were shown in a redline-strike-out version. The primary areas of change involved the removal of duplicate and inapplicable information, the addition of meeting descriptions, the removal of the Code of Conduct into its own separate document, clarification of the Agenda Preparation process, and other updates consistent with Rosenberg's Rules of Order and current law.

In addition to the Council Handbook, staff presented a draft Nepotism Policy for the Council's consideration to address the hiring and employment of relatives and the appointment of relatives of City Council members to commissions and committees. The Council discussed the proposed Nepotism Policy in depth and articulated concerns about attracting sufficient volunteers, dealing with conflicts and recusals, limiting participation of Council and/or committee members, and concerns with public perception when appointing a relative.

Staff advised that while the proposed policy is broad, the real concern is with the quasi-judicial role of the Planning Commission and the ability of issues to be appealed to the City Council.

Staff suggested that the policy could be narrowed in its applicability to address this concern. In the end, the Council asked staff to return a narrowed policy as part of the Handbook's considered adoption at a future meeting.

## **ADJOURN**

Mayor Wiest adjourned the meeting.

Respectfully submitted,

**Theresa DellaSanta**  
**City Clerk**