



Minutes
Town of Atherton
CITY COUNCIL
December 7, 2016

6:30P.M. – CLOSED SESSION
7:00 P.M. - REGULAR MEETING
Council Chambers
94 Ashfield Road,
Atherton, California

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

7:00 REGULAR SESSION

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

APPOINTED COUNCIL MEMBERS

Presentation of Certificates and Oath of Office for Council Members Appointed due to Cancelled November 8, 2016 Election – **Administered by City Clerk**

Appointed members Lewis and Wiest were sworn in.

COUNCIL REORGANIZATION

- a) Message from Outgoing Mayor

Mayor Lewis recapped her year as Mayor including having the privilege to be interviewed by Fiona Lempres over milk and cookies, first pitch at the Menlo-Atherton Little League opening day, meeting Caroline “KK” Clark, who won a gold medal as a key member of the U.S. women’s water polo team at the 2016 Summer Olympics in Rio, National Night Out, Annual Easter Egg Hunt, Town & Gown event, Atherton employee appreciation day and much more.

Mayor Lewis discussed her three main goals for 2016 which were completing the civic center project, health and safety of residents, and good fiscal management.

She noted that the outreach to residents allowed public input at every stage of the process. The guidance by staff and the architects have allowed us to almost complete the design. Lewis noted that 100% completion of the design will go to Council next month. Fundraising has increased and gained momentum over the last few months. Lewis concluded that Council will be looking at financing enhancement measures early next year.

Lewis said her focus on health and safety was primarily on El Camino Real to reduce speed and in making crosswalks safer. The first ever HAWK beacon was installed on ECR and Almendral and Selby Lane intersection improvement plans are in the works. The Town is looking into grants and working with surrounding jurisdiction to make the improvements a reality. Lewis said the bike advisory signs and sharrows are a great improvement for people using bicycles.

Lewis said her third main goal of fiscal management involves management and deployment of current general fund reserves into the necessary and neglected town infrastructure projects such as the marsh road channel project which was completed under budget and on time.

Lewis noted that other goals she saw through were the Quiet Zone crossing at Fair Oaks, Atherton 2020 Earth Day event, Climate Action Plan approval, and airport noise reduction measures. Lewis said this is one of the busiest and most rewarding years of her entire council tenure. She concluded by thanking each staff member individually for their skills and expertise in helping guide the Town to completion of these goals. She noted that staff has helped Council see around corners and into the future, while taking care of the day-to-day operations of the Town.

b) Nominations and Selection of Mayor and Vice Mayor

MOTION by Lewis, second by DeGolia to nominate Michael Lempres for Mayor. The motion passed unanimously.

Lewis noted that Lempres comes with a pedigree of experience in law and politics and is great “outside of the box” thinker.

MOTION by Lempres, second by DeGolia to nominate Cary Wiest for Vice Mayor. The motion passed unanimously.

c) Oath of Office -New Mayor and Vice Mayor

Mayor Lempres and Vice Mayor Wiest were sworn in by City Clerk DellaSanta.

d) Message from Incoming Mayor

Mayor Lempres thanked Council for the vote of confidence and Council Member Lewis for her leadership as Mayor. Lempres took the time to thank his family. He noted that as a Council Member their families put up with a lot of sacrifices given the time spent on Council. He personally thanked his wife Stephanie and his children. He noted that 2017 will be a busy year. The agenda is set and priorities are laid out. “Our direction is fixed and we are traveling down the right road.” He added that there are a number of items that are yet to be laid out to include safety on El Camino Real, rail quiet zones, high speed rail, airport noise, and a new police.

Lempres said that the Town will make big strides in the civic center this year to include funding options. A tremendous amount of work has already been done on the civic center and we owe a great deal of thanks to the staff, and architects for getting us this far in the process. He noted that the current facilities are inadequate and unsafe and we should not continue to allow our staff and residents to use these facilities.

Lempres added that the Town has been operating under the constraints of Measure L which requires the civic center to be built primarily with privately raised funds preventing the use of general fund money on the project. Despite the best efforts of Atherton Now Fundraising group, the constraints of Measure L have proved to be unrealistic. Council will need to consider revising or repealing Measure L. We must shape a new public-private partnership which the Council will begin looking at next month. Lempres noted that he is committed to finding a prudent financial responsible source to fund the new civic center. A civic center we can be proud of.

Lempres concluded that he will work with neighboring communities to help improve communication efforts on development projects that directly affect Atherton. Large projects on our borders increase traffic and other impacts on our residents. Input on these projects will need to improve in order to reduce quality of life issues such as traffic.

Lempres asked council to assume good intentions in our actions this year and agree to disagree without being disagreeable. Lempres will work hard to maintain the collegiality and effectiveness this Council has had over the years. He concluded that he is proud to be a part of this Council.

4. **PUBLIC COMMENTS** – None.

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

No reportable action from Closed Session.

6. **CITY MANAGER’S REPORT**

Council Member Lewis asked for clarification of the agenda for the joint meeting between Council and the Fire District. Rodericks noted that he notified the District that the medical services JPA item under 4 is important to Council and it will be moved up if necessary.

There was discussion about the JPA and who represents the Town on the JPA.

7. **COMMUNITY ORGANIZATION ROUNDTABLE REPORT**

CONSENT CALENDAR (Items 8-9)

8. **APPROVAL OF NOVEMBER 7 CITY COUNCIL/CCAC SPECIAL MEETING MINUTES**

Report: City Clerk Theresa DellaSanta

Recommendation: Approve meeting minutes

9. **APPROVAL OF AN ORDINANCE TO AMEND TITLE 15 OF THE ATHERTON MUNICIPAL CODE ADOPTING BY REFERENCE THE 2016 CALIFORNIA BUILDING STANDARDS CODE, RETAINING EXISTING MODIFICATIONS, AND AMENDING CHAPTER 15.52.040 OF THE ATHERTON MUNICIPAL CODE TO COMPLY WITH 2016 CALIFORNIA GREEN BUILDING CODE AND CONFORM TO CAL-RECYCLE’S STATEWIDE GOAL OF 75% FOR THE YEAR 2020 AS STATED IN CA AB 341 (CHAPTER 476, STATUTES OF 2011)**

Report: Community Services Director Mike Kashiwagi

Recommendation: Approve ordinance to amend Title 15 of the Atherton Municipal Code adopting by reference the 2016 California Building Standards Code, retaining existing modifications, and amending chapter 15.52.040 of the Atherton Municipal Code to comply with 2016 California Green Building Code and conform to Cal-Recycle's statewide goal of 75% for the year 2020 as stated in CA AB 341 (chapter 476, statues of 2011)

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

PUBLIC HEARING – None

REGULAR AGENDA – (Items 10-12)

10. UPDATE – ATHERTON FAIR OAKS QUIET ZONE

Report: Community Services Director Mike Kashiwagi

Recommendation: Review and discuss staff report and provide any additional direction to staff

Kashiwagi provided Council with an overview.

DeGolia said that given the significant amount of work that was done in establishing the quiet zone, he believes there is still a disturbing amount of horn blowing north of Fair Oaks. He noted that north of Fair Oaks, under the FAA, it is clear that there is absolutely no reason the horns should be blasted unless there is an emergency that requires it. DeGolia suggested that we work hard with Caltrain to enforce the quiet zone rule and if we get no where then we move up to the FRA for assistance.

Widmer suggested that Caltrain be given an appropriate amount of time to work with their engineers to correct the problem. A status report should be provided to the Town.

Lewis commented that there seems to be different opinions on the policy of horn blowing at the grade crossing. She suggested the Town work with Caltrain to clearly define it.

Wiest noted that this is the first establishment of a quiet zone in the county and there will be a learning curve from all parties involved. He added that the Town is working to clarify and fix the issues with Caltrain.

Nerissa Dexter, Atherton resident, noted that it has been proven that there are no pedestrian crossings within the quiet zone and thus there should be no horn blowing for pedestrian crossing.

Lempres said that the Town will engage Caltrain and find out if they agree or disagree with the Town and take it from there.

11. ACCEPT THE CIVIC CENTER PROJECT STATUS UPDATE; RECEIVE AND APPROVE SUSTAINABILITY ITEMS

Report: City Engineer Marty Hanneman

Recommendation:

1. Receive update on the December 5th, 2016 joint Civic Center Advisory Committee and City Council meeting; and

2. If needed, receive and approve from the Green Building Committee recommendations on sustainability items and costs for the Civic Center and Library project; and
3. Receive update on SFPUC water line; and
4. Receive project schedule update

City Engineer Hanneman updated Council on the status of the civic center project. He noted that 100% design development will come to Council at their February meeting.

Vice Mayor Wiest noted that the joint meeting of the CCAC and Council held earlier in the week was very productive and he is comfortable with where we are in the process.

Mayor Lempres noted that he attended the holiday tree lighting in Menlo Park and he hopes that the landscape design would include something that would allow for the Town to consider doing something similar.

DeGolia suggested that the Town do some outreach to the community requesting input at their next landscape meeting in January.

12. CONSIDERATION OF AN ORDINANCE TO ADD CHAPTER 9.06 OF THE ATHERTON MUNICIPAL CODE REGULATING OPERATION OF UNMANNED AIRCRAFT SYSTEMS (AKA DRONES, MODEL AIRCRAFT)

Report: Assistant City Attorney Jennifer Larson

Recommendation:

Assistant City Attorney Jennifer Larson provided Council with a report.

There was discussion about federal law requirements, violations and registration of a drone. The Council discussed the idea of developing a permit that allow an individual to operate a drone in public places such as the park.

The Council asked staff to gather input from the Park & Recreation Committee. The draft drone ordinance will return to Council for a public hearing at their January 18, 2017 meeting.

13. COUNCIL REPORTS/COMMENTS

14. FUTURE AGENDA ITEMS

Council Member Lewis requested that Council look into Air BnB at a future meeting.

15. PUBLIC COMMENTS

16. ADJOURN – *Adjourn to Reception for Appointed Council Members*

MOTION by DeGolia, second by Lempres to adjourn the meeting to a council reception. Mayor Lempres adjourned the meeting at 8:31 p.m.

Respectfully Submitted,

Theresa N DellaSanta
City Clerk