



**Minutes**  
**Town of Atherton**  
**CITY COUNCIL**  
**June 15, 2016**

**7:00 P.M. - REGULAR MEETING**  
**Council Chambers**  
94 Ashfield Road,  
Atherton, California

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

**REGULAR SESSION**

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

Mayor Lewis was excused until her arrival at 7:35 p.m.

3. **PRESENTATIONS** – None.
4. **PUBLIC COMMENTS**

Nerissa Dexter, Atherton resident and member of the Rail Committee, provided status and an update on the process for approving a Quiet Zone in Atherton.

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

None.

6. **CITY MANAGER'S REPORT** – Nothing further to add to written report.
7. **COMMUNITY ORGANIZATION ROUNDTABLE REPORT** - None.

**CONSENT CALENDAR** (Items 8-14)

8. **APPROVAL OF MAY 18, 2016 REGULAR MEETING MINUTES**  
**Report:** City Clerk Theresa DellaSanta  
**Recommendation:** Approve meeting minutes
9. **APPROVAL OF BILLS AND CLAIMS FOR APRIL IN THE AMOUNT OF \$875,632**  
**Report:** Finance Director Robert Barron III  
**Recommendation:** Approve Bills and Claims in the amount of \$875,632

10. **APPROVE A 1-YEAR EXTENSION OF TREE MAINTENANCE SERVICE CONTRACT WITH WEST COAST ARBORISTS**  
**Report:** Community Services Director Mike Kashiwagi  
**Recommendation:** Extend the Tree Maintenance Service contract with West Coast Arborists, Inc., for 1 additional year; direct the City Attorney to prepare the appropriate contract; and authorize the City Manager to execute the contract on behalf of the Town
  
11. **AUTHORIZATION TO APPLY FOR CALRECYCLE BEVERAGE CONTAINER RECYCLING PAYMENT PROGRAM AND ADOPT RESOLUTION 16-XX DECLARING TOWN RELATED AUTHORIZATIONS**  
**Report:** Finance Director Robert Barron III  
**Recommendation:** Adopt the attached resolution authorizing the submittal of applications for CalRecycle payment programs
  
12. **FIRST AMENDMENT TO AGREEMENT – CONSULTANT AGREEMENT FOR PUBLIC WORKS DIRECTOR SERVICES WITH INTERWEST CONSULTING – CHANGE IN MONTHLY RATE**  
**Report:** Community Services Director Mike Kashiwagi  
**Recommendation:** Adopt the First Amendment to Agreement for Consultant Services between the Town of Atherton and Interwest Consulting for Public Works Director Services authorizing a change in base compensation
  
13. **ADOPT PAY SCHEDULES FOR COMPLIANCE WITH CALIFORNIA CODE OF REGULATIONS SECTION 570.5 AS REQUIRED BY CALIFORNIA PUBLIC EMPLOYEES RETIREMENT SYSTEM (CALPERS)**  
**Report:** Finance Director Robert Barron III  
**Recommendation:** Adopt resolution approving revised pay schedules for FY 2011/12 through FY 2015/16 for compliance with California Code of Regulations section 570.5 as required by CalPERS
  
14. **INTRODUCTION AND FIRST READING TO AMEND ATHERTON MUNICIPAL CODE SECTION 12.24.085 TO ALLOW BICYCLES ACCESS TO A SECTION OF WALKING PATH AT HOLBROOK-PALMER PARK**  
**Report:** Public Works Director Mike Kashiwagi  
**Recommendation:** Introduce for first reading an amendment to Atherton Municipal Code Section 12.24.085 to allow bicycles access to a section of the walking path at Holbrook-Palmer Park; waive future reading and set second reading and adoption for July 20, 2016.

**MOTION by Wiest, second by Widmer to approve the consent calendar. The motion passed unanimously.**

**PUBLIC HEARING – None**

**REGULAR AGENDA – (Items 15-20)**

15. **RECEIVE THE STAFF REPORT ON THE NEIGHBORHOOD TRAFFIC MANAGEMENT PROGRAM AND CONTINUE THE ITEM TO THE JULY 20**

**CITY COUNCIL MEETING FOR FURTHER DISCUSSION AND  
CONSIDERATION OF ADOPTION**

**Report:** Community Services Director Mike Kashiwagi

**Recommendation:** Receive the Staff Report on the Neighborhood Traffic Management Program; ask clarifying questions; take public comment, and then continue the item to the July 20 City Council Meeting for further discussion and consideration of adoption

Kashiwagi provided a brief staff report to City Council. Council discussed various issues related to adoption of the Plan. Issues raised included thresholds for neighborhood surveys and support; mitigation measures on emergency response routes; the Town's independent ability to review and implement mitigation measures; devices in other communities; neighbor involvement requirements in other communities. The Council discussed the overall idea of the Plan and the rationale for its adoption.

Following discussion, the Council continued the item to the July 20 Council meeting for further review and consideration.

**16. COMMITTEE AND COMMISSION APPOINTMENTS & POSSIBLE INTERVIEWS**

**Report:** City Manager George Rodericks

**Recommendation:** Consider appointments to the Audit/Finance Committee, Park & Recreation Committee, Planning Commission, Rail Committee and Transportation Committee

MOTION by Wiest, second by DeGolia to appoint– Yogesh Amle, Jeffrey Lee, Jim Massey, & Bob Polito to the Finance Committee.

MOTION by DeGolia, second by Widmer to appoint– Alex Keh to the Rail Committee

MOTION by Widmer, second by DeGolia to appoint – Bob Roeser and Mary Lou Timpson to the Park & Recreation Committee

MOTION by Widmer, second by DeGolia to appoint– Gary Lauder, Joseph Davis, Mark Cummings, and Sriram Iyer to the Transportation Committee.

The motions passed unanimously.

The City Council voted to appoint Nancy Lerner and Eric Lane to the Planning Commission.

**17. ADOPT THE ATTACHED RESOLUTIONS ADOPTING THE FY 2016/17  
OPERATIONS AND CAPITAL BUDGET, THE 2016/17 SALARY AND  
CLASSIFICATION SCHEDULE, AND THE GANN LIMIT APPROPRIATIONS**

**Report:** Finance Director Robert Barron III

**Recommendation:** Adopt the accompanying Resolutions:

- a. The FY 2016/17 Gann Limit Appropriations;
- b. The FY 2016/17 Salary Schedules and Classifications;
- c. The FY 2016/17 Operating and Capital Improvement Budget.

Following a staff presentation and public comment, the Council discussed the completed document and the various public meetings held over the last couple of months. Following any final Q&A, the Council adopted the FY 2016/17 Budget together with accompanying resolutions.

**MOTION by Wiest, second by DeGolia to adopt the following Resolutions:**

- a. The FY 2016/17 Gann Limit Appropriations;**
- b. The FY 2016/17 Salary Schedules and Classifications;**
- c. The FY 2016/17 Operating and Capital Improvement Budget.**

**The motion passed unanimously.**

**18. ADOPTION OF A RESOLUTION ASSESSING A SPECIAL PARCEL TAX FOR MUNICIPAL SERVICES FOR FISCAL YEAR 2016/17**

**Report:** Finance Director Robert Barron III

**Recommendation:** Adopt a resolution assessing a special parcel tax for municipal services for the FY 2016/17

After a brief staff report, the Council discussed the Town's various Master Plans and connected the projects identified in the Master Plans to the Parcel Tax and the continuing need to save for these future projects. The Council expressed that there were numerous capital projects underway and more to come. It was also expressed that the Parcel Tax supports a portion of the Atherton Police Department frontline deployment. Following discussion, the Council adopted the Resolution assessing the Special Parcel Tax for FY 2016/17.

**MOTION by Wiest, second by DeGolia to adopt a resolution assessing a special parcel tax for municipal services for the FY 2016/17. The motion passed unanimously.**

**19. RECEIVE AND FILE THE CIVIC CENTER PROJECT STATUS REPORT FOR JUNE 2016**

**Report:** City Engineer Mary Grace Houlihan

**Recommendation:** Receive and File

Staff presented the staff report and a PowerPoint presentation walking the Council through the various committee and internal meetings held with the project team(s) over the last month. Following comments related to the floor planning efforts underway, the Council received the June Report.

**20. ENVIRONMENTAL PROGRAMS COMMITTEE (EPC) AFTER ACTION REPORT FOR EARTH DAY EVENT AND A REVIEW/CONSIDERATION OF AMENDMENTS RELATED TO THE EVENT BUDGET**

**Report:** City Manager George Rodericks

**Recommendation:** Review the After Action Report and provide staff with direction related to the Earth Action Fair budget needs

Staff presented the brief staff report regarding the item asking the Council to consider absorbing the staff time and resources associated with the event to allow the event organizers to use the funds for student challenge awards. The Council discussed the event, the fundraising component of the event, the student challenge award expectations, and the Town's practice and precedent with other events.

Following discussion and public comment, the Council authorized absorbing the staff time and resources into the Town's Community Events line item thus freeing up funds for student awards.

MOTION by Lempres, second by Widmer to approve allocation of staff time and resources for a total of \$1,753.79 into the Community Events budget line item. The motion passed unanimously.

21. **COUNCIL REPORTS/COMMENTS** – None.

22. **FUTURE AGENDA ITEMS** – None.

23. **PUBLIC COMMENTS** - None.

24. **ADJOURN**

Mayor Lewis adjourned the meeting at 9:45 p.m.

Respectfully Submitted,  
Theresa DellaSanta  
City Clerk



**Minutes**  
**Town of Atherton**  
**July 6, 2016**  
**3:00 P.M.**  
**Council Chambers**  
94 Ashfield Road  
Atherton, California  
**Special Meeting**

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

**Teleconference**  
**Vice Mayor Mike Lempres**  
**15 Loma Media Rd.**  
**Santa Barbara, CA 93103**

**PUBLIC COMMENTS** - (Limited to items on the agenda)

**1. DISCUSSION AND DIRECTION REGARDING THE REGULATION OF SMALL UNMANNED AIRCRAFT SYSTEMS (sUAS) OR DRONES**

**Report:** City Manager George Rodericks

**Recommendation:** Review the staff report and provide staff with direction regarding consideration of local regulatory measures related to sUAS or drones

Staff presented the staff report and the Council discussed the various issues related to the use of drones. Following public comment, the Council discussed issues related to privacy, noise, identification, enforcement, the federal regulatory framework, use in the Park, photography (commercial and hobby), use on public property and use on private property. Following discussion, the Council directed staff prepare an ordinance for future consideration regulating drone use within the Town's jurisdiction to the maximum extent possible under Federal law, specifically addressing issues related to privacy and noise.

**2. DISCUSSION AND CONFIRMATION OF PROPOSED CHANGES TO THE BUSINESS LICENSE ORDINANCE FOR THE NOVEMBER 2016 ELECTION BALLOT**

**Report:** Finance Director Robert Barron III

**Recommendation:** Discuss recommended changes to the Town's business license ordinance and confirm direction to consider placing the item on the November 2016 election ballot

Staff presented the staff report and following public comment, the Council discussed issues related to revenue generation, taxation framework, business categories, exclusion of home occupations from the tax framework, and applicability of the tax to the conduct of business in Atherton. Staff advised that the current business license ordinance and tax was adopted 31 years ago, does not identify current business types operating in Town, and is based on a 5% of gross receipts or a flat fee, whichever is less.

The proposed changes would update the business categories and revise the taxation framework to a more modern framework of \$0.25 per \$100 of gross receipts and a flat fee.

Following discussion, the Council directed staff prepare the ordinance and applicable resolution for consideration by the Council at the July 20 Council meeting with changes related to expansion of the specific business identifications/examples covered by the ordinance (for example, adding business descriptions such as cleaning services, professional photography, and commercial operation of drones), exclusion of home occupations from the tax framework since they are separately covered under the Town's land use provisions, include a "catch all" provision for businesses not specifically identified, and consolidate the overall taxation categories to clarify the distinction between businesses with 3 or more employees and 2 or less.

**3. REVIEW AND DISCUSS THE DISPOSITION OF LIBRARY DONOR FUNDS AND PROVIDE THE COUNCIL LIBRARY LIAISON WITH FEEDBACK**

**Report:** City Manager George Rodericks

**Recommendation:** Review and discuss the disposition of library donor funds and provide the Council Library Liaison with feedback

Following a brief staff report, the Council discussed the status of the Library Ad Hoc Subcommittee on Donor Funds and the Council's previously adopted Exhibit "A" Talking Points. The Council went through each talking point and discussed the status of Subcommittee discussion for each.

The Council provided feedback to the Council Library liaison regarding protection of the Town's use of library donor funds for design and construction of the Town's new library, once built – expansion of programs and services to the community, and planning for maintenance, replacement, and refurbishment of the Library and its grounds in the Civic Center.

**ADJOURN**

Mayor Lewis adjourned the meeting at 5:

Respectfully submitted,  
Theresa N. DellaSanta