



Minutes
Town of Atherton
January 18, 2017
5:30 P.M.
Council Chambers
94 Ashfield Road
Atherton, California
Special Meeting

ROLL CALL Lempres, Wiest, Lewis, Widmer, DeGolia

PUBLIC COMMENTS –

STUDY SESSION ITEMS

1. DISCUSSION OF STUDY SESSION AND OTHER MEETING DATES AND TIMES

Report: City Manager George Rodericks

Recommendation: Discuss

City Manager Rodericks noted that the Mayor had requested a slight change in time to the monthly study sessions. Rodericks added that there has also been some suggestion to change the July and September study session meetings as they coincide with holiday weeks (Independence Day and Labor Day).

Council Member Lewis indicated her difficulty in getting to her San Francisco Airport Roundtable meetings which begin on the same day at 7pm. She noted that if the Atherton study session ends at 6pm, it is not enough time for her to get to Millbrae.

Council member suggested the study session agendas be managed keeping in mind that Lewis has to leave by a certain time.

Mayor Lempres suggested that the meeting be moved from the 3pm-5pm time frame to a 4pm-6pm.

The Council agreed to move maintain the regular Study Session meetings as the 1st Wednesday of each month, but change the timing of the meeting to be 4 pm to 6 pm.

For 2017/2018, the dates of the planned Study Session Meetings are:

February 1, 2017	August 2, 2017 (only if needed)
March 1, 2017	September 6, 2017
April 5, 2017	October 4, 2017
May 3, 2017	November 1, 2017
June 7, 2017	December 6, 2017
July 19, 2017	January 10, 2018

The July study session will be combined with the regular July meeting.

Town of Atherton City Council Minutes, Special Meeting November 2, 2016

Also discussed was the possibility of a Goals Meeting to be set for some time in April and the Annual Joint Meeting with the Fire District planned for the second week of December 2017.

2. CIVIC CENTER PROJECT – REVIEW, DISCUSS AND PROVIDE STAFF WITH FEEDBACK REGARDING FUNDING STATUS AND OPTIONS

Report: City Manager George Rodericks

Recommendation: Review, Discuss and provide staff with feedback regarding funding status and options for the Civic Center Project.

City Manager Rodericks presented the staff report walking the Council through the funding status of the project. Rodericks outlined various alternative funding options for Council consideration. Not included in the conversation was the funds required for the Library as these costs are separately funded in entirety by Library Funds.

Project Design Costs	\$2,590,000
Project Construction Costs (estimated)	\$21,847,000
Total Project Cost and Funding Need	\$24,437,000
Estimated Funds from Atherton Now (as of Jan 2017)	(\$7,000,000)
Remaining Funding Need	\$17,437,000
Applicable Building Revenue Funds	(\$2,935,000)
Remaining Funding Need	\$14,502,000

Council agreed that to apply any other available funds, Measure L must be revised to allow the expenditure of General Funds toward the project. The Council was clear that the Town's mandatory 35% reserves be maintained. The unallocated funds discussed below DO NOT include expenditure of these reserves.

Unallocated Surplus Funds	
- Unallocated General Funds	(\$4,423,138)
- Unallocated Capital Improvement Funds	(\$4,663,980)
Remaining Funding Need	\$5,414,882
Unallocated ERAF Funds (FY 2016/17 & FY 2017/18)	(\$2,103,185)
Remaining Funding Need	\$3,311,697

The Council discussed various funding options to close the funding need. These options included value engineering of the project to reduce costs once 100% design was met; the possibility of using an additional year of ERAF (another estimated \$1.1 million); and financing alternatives (Enhanced Infrastructure Financing Districts, Bond Measure(s), Augmentation of the Parcel Tax, and Certificates of Participation). The Council also discussed any Capital Improvement Projects that would be impacted by using the Town's unallocated surplus funds.

The Staff Report outlines the various planned Capital Projects over the next 5 years. The City Manager advised that provided the Town's Parcel Tax continues as it is currently established, the only planned Capital Project that would be impacted would be Park Improvements.

Following discussion, the Council removed the option of a new tax to fund the gap and instead focused on short-term borrowing using projected revenues over expenditures to fund the debt-service (Certificates of Participation), the application of an additional year of ERAF, and value engineering of the project as much as possible. Using these options, the Council felt the funding need could easily be closed and any additional funds raised by Atherton Now would further reduce the requirement.

The Council provided feedback to staff to return in February with ballot language to revise Measure L (initially planned for the June 2017 ballot) and a financing plan to close the gap in funding need.

ADJOURN

Mayor Lempres adjourned the study session meeting at 6:56 p.m.

Respectfully submitted,

**Theresa DellaSanta
City Clerk**



Minutes
Town of Atherton
CITY COUNCIL
January 18, 2017
7:00 P.M. - REGULAR MEETING
Closed Session to follow
Council Chambers
94 Ashfield Road,
Atherton, California

Mayor Lempres 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**

Proclamations

- Rosemary Maulbetsch – Atherton Rail Committee – **Mayor Lempres**

Rosemary's proclamation was acknowledged by Mayor Lempres. The proclamation will be mailed to Rosemary.

- Retired Atherton K9 Karli – **Acting Chief Joe Wade**

The Council recognized K9 Karli for her years of service to the Town and Acting Chief Joe Wade presented her (via her handler Officer Gomez) a retirement shadow box.

4. **PUBLIC COMMENTS**

Mike McPherson, Watkins Ave, thanked Council for looking into the finances of the Menlo Park Fire District. McPherson felt that the Districts compensation packet was exorbitant. McPherson concluded by thanking Council for creating a Quiet Zone.

Jason McCormick, Menlo Park resident, recalled two separate incidents he had with members of the Atherton Police Department. In order to relieve any perceived tension he wanted to introduce himself.

Nerissa Dexter, Atherton resident, said that Quiet Zone compliance has improved since the Almanac wrote a story about it.

Valerie Gardner, Atherton resident, spoke about an upcoming Big Band Dance concert at Menlo-Atherton High School.

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

Closed Session was moved to the end of the agenda.

6. CITY MANAGER'S REPORT

Council Member Widmer thanked Public Works Superintendent Steve Tyler and the rest of PW staff for their efforts in working with residents to get the Atherton Channels cleaned up.

Council Member Wiest thanked Acting Chief Wade for including stats on bicycle stops in Atherton.

7. COMMUNITY ORGANIZATION ROUNDTABLE REPORT

None.

CONSENT CALENDAR (Items 8-17)

Widmer pulled item 13.

8. APPROVAL OF DECEMBER 7 REGULAR MEETING AND DECEMBER 13 SPECIAL MEETING MINUTES

Report: City Clerk Theresa DellaSanta

Recommendation: Approve meeting minutes

9. APPROVAL OF BILLS AND CLAIMS FOR NOVEMBER IN THE AMOUNT OF \$1,482,689

Report: Finance Director Robert Barron III

Recommendation: Approve Bills and Claims in the amount of \$1,482,689

10. ACCEPTANCE OF TREASURER'S REPORT FOR THE FIRST QUARTER ENDED SEPTEMBER 30, 2016

Report: Finance Director Robert Barron III

Recommendation: Accept the report.

11. RESOLUTION AUTHORIZING THE DESTRUCTION OF RECORDS PURSUANT TO GOVERNMENT CODE SECTION 34090

Report: Acting Chief of Police Joe Wade

Recommendation: Adopt the attached Resolution authorizing the destruction of certain records pursuant to Government Code Section 34090

12. COUNCIL COMMITTEE ASSIGNMENTS

Report: City Clerk Theresa DellaSanta

Recommendation: Receive and File the Mayor's City Council Committee Assignments

14. **ACCEPTANCE OF WORK, AUTHORIZATION TO RECORD NOTICE OF COMPLETION FOR THE BELBROOK CULVERT REPAIR AND SLOPE STABILIZATION PROJECT**
Report: City Engineer Marty Hanneman
Recommendation: Accept work and authorize recording of a Notice of Completion for the Belbrook Culvert Repair and Slope Stabilization Project, Number 56075

15. **ACCEPTANCE OF WORK, AUTHORIZATION TO RECORD NOTICE OF COMPLETION FOR THE 2016 OVERLAY PROJECT**
Report: City Engineer Marty Hanneman
Recommendation: Accept work and authorize recording of a Notice of Completion for the 2016 Overlay Project, Number 56069

16. **AWARD OF A CONSULTANT DESIGN PROFESSIONAL SERVICES AGREEMENT TO WRECO TO PREPARE PLANS, SPECIFICATIONS AND COST ESTIMATE FOR DRAINAGE FACILITIES REPAIRS**
Report: City Engineer Marty Hanneman
Recommendation: Direct the City Attorney to prepare and the City Manager to execute a Design Professional Service Agreement with WRECO to prepare plans, specifications, and cost estimate (PS&E) for Drainage Facilities repairs for Stockbridge Avenue, Euclid Avenue, Polhemus Avenue, Camino al Lago and the Atherton Channel for a not to exceed fee of \$350,000

17. **APPROVE AN AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT WITH CALLANDER ASSOCIATES FOR CONSULTANT SERVICES OF THE LAS LOMITAS SCHOOL STORMWATER DETENTION FACILITY**
Report: City Manager Marty Hanneman
Recommendation: Authorize the City Manager to execute an amendment to the professional services agreement with Callander Associates to prepare additional conceptual level plans, cross-sections, and cost estimates for a stormwater detention facility at Las Lomitas School for a not to exceed fee of \$15,700

MOTION by Lewis, second by DeGolia to approved the consent agenda consisting of items 8-17, except for item 13 which was pulled. The motion passed unanimously.

13. **APPROVE CONSULTING AGREEMENT BETWEEN TELECOMMUNICATIONS ENGINEERING ASSOCIATES FOR POLICE RADIO AND ANTENNA SERVICES FOR NEW TOWN CENTER CONSTRUCTION**
Report: Acting Chief of Police Joe Wade
Recommendation: Authorize the City Attorney to prepare a Professional Services Agreement and the City Manager to execute this Agreement with Telecommunications Engineering Associates (TEA) to provide telecommunications consulting services for the new Civic Center project not to exceed the fee of \$43,225.00

Council Member Widmer felt that the funds for this project should not be taken from general funds. Rather it should be funded out of the civic center design project fund.

MOTION by Wiest, second by Lewis to approve authorizing the City Attorney to prepare a Professional Services Agreement and the City Manager to execute this Agreement with Telecommunications Engineering Associates (TEA) to provide telecommunications consulting services for the new Civic Center project not to exceed the fee of \$43,225.00 with cost to be funded from civic center design. The motion passed unanimously.

PUBLIC HEARING – *This item is moved to the February 15 City Council Agenda*

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

Report: City Attorney Bill Connors

Recommendation: *The Public Hearing for this Item is moved to the February 15 City Council agenda in order to give the Park & Recreation Committee time to review the ordinance.*

REGULAR AGENDA – (Items 19-20)

19. RECEIVE AND ACCEPT THE CIVIC CENTER PROJECT STATUS UPDATE; AND APPROVE AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT WITH WRNS STUDIO FOR ADDITIONAL DESIGN SERVICES FOR THE PROJECT, PROJECT NUMBER 54015; AND DIRECT STAFF REGARDING A BALLOT MEASURE FOR JUNE 2017

Report: City Engineer Marty Hanneman

Recommendation:

1. Receive update on the January 9, 2017 Civic Center Advisory Committee meeting on the Landscaping Plans; and
2. Receive update on SFPUC water line;
3. Receive and approve update on Civic Center Corporation Yard Design;
4. Receive project schedule update
5. Authorize the City Manager to execute an amendment to the consulting services agreement with WRNS Studio to perform additional design services for the Civic Center Project for a fee not to exceed \$TBD.
6. Direct staff to move forward with a ballot measure for the June 2017 Ballot regarding Measure L.

The Council discussed the Civic Center Project Status Update, approval of amendments to scope for the Project Architect, and directed staff regarding various components of the Project and the potential June 2017 Ballot Measure.

Following a staff report, the Council discussed the various landscape, hardscape and signage options recently presented to the Civic Center Advisory Committee. The Council provided staff with feedback to inject back into the Committee discussion. The Council then discussed issues related to alignment of the SFPUC waterline in the project area as well as modifications to the planned design for the Corporation Yard. The Council then discussed 6 potential amendments to the architect's scope of work. All of the items presented were "mission critical" items that had been incorporated into the base project and/or were to be designed as additive alternates during the bid phase of the project. After discussion and Q&A with staff, the Council deferred approval of 2 of the 6 amendments requesting

additional detail regarding funding allocation and design. The two items continued to the February meeting were PV designs and fountain designs.

MOTION by DeGolia, second by Widmer to directed staff to return on February 15 with ballot language and required actions to allow the Council to call a Special Election for June 2017 to amend the provisions of Measure L. Staff was also directed to return with additional funding alternative details around Certificates of Participation and the Town's General Fund projections for the coming years. The motion passed unanimously.

Council Member Lewis noted that she was opposed to preparing a ballot measure for June. She felt it was too soon and that the council should wait until November in order to allow for ample campaigning time.

20. APPROVE PRIORITIZATION OF GREENHOUSE GAS REDUCTION MEASURES IN THE ADOPTED CLIMATE ACTION PLAN AS RECOMMENDED BY THE ENVIRONMENTAL PROGRAMS COMMITTEE (EPC)

Report: Senior Planner Stephanie Davis

Recommendation: It is recommended that the City Council review and approve the prioritized Greenhouse Gas (GHG) reduction measures in the adopted Climate Action Plan (CAP) as recommended by the Environmental Programs Committee (EPC).

Senior Planner Davis informed Council that the EPC has recommended that 16 of the GHG measures be prioritized for implementation. Consideration was based on the amount of reduction the measure would achieve, while also evaluating the implementation effort and cost effectiveness of each measure selected.

Davis added that the EPC would like direction from the Council on development of an Earth Day event as well.

Davis recommended that the City Council review and approve the prioritized Greenhouse Gas (GHG) reduction measures in the adopted Climate Action Plan (CAP) as recommended by the Environmental Programs Committee (EPC).

Council Member Wiest questioned if reduction of the GHG levels rose since the last discussions. Davis said yes because the consultants reviewed and updated their numbers based on prior direction from Council.

Council Member Widmer clarified that there are items within the CAP that have already been discussed and decided upon in prior meetings. He wanted to make sure there would be no duplication of activities or any additional undertakings outside of what has already been discussed.

Council Member Lewis clarified that the EPC will not be doing any additional activities that are above or beyond what Council has already approved. She noted that the EPC's intent is to work with the Council to inform residents about the CAP.

MOTION by Lewis, second by DeGolia to approve the priorities as presented directing staff to work with the Committee on the priorities in the coming year. It was noted that significant

programs and policies would be returned to the Council for review and approval before implementation. The motion passed unanimously.

21. COUNCIL REPORTS/COMMENTS

None.

22. FUTURE AGENDA ITEMS

None.

23. PUBLIC COMMENTS

None.

24. ADJOURN TO CLOSED SESSION IN ADMINISTRATION CONFERENCE ROOM

Mayor Lempres adjourned the meeting to a closed session at 8:51 p.m. The closed session was moved to the administrative conference room at Town Hall, 91 Ashfield Road.

ROLL CALL Lempres, Wiest, Lewis, Widmer, DeGolia

PUBLIC COMMENTS

Public Announcement of Closed Session Items

CLOSED SESSION

A. PUBLIC EMPLOYEE PERFORMANCE EVALUATION - Pursuant to Government Code Section 54957(b)

City Manager

City Attorney Bill Conners reported out that the Council approved (3-1-1 with Widmer opposed and DeGolia absent), a 5% of base salary performance incentive for the City Manager, effective for January 18, 2017.

ADJOURN

Mayor Lempres adjourned the meeting at approximately 9:30 p.m.

Respectfully Submitted,
Theresa N DellaSanta
City Clerk

**Town of Atherton
CITY COUNCIL AND
CIVIC CENTER ADVISORY COMMITTEE
JOINT MEETING
MINUTES
February 1, 2017
4:00 P.M.
Council Chambers
94 Ashfield Road
Atherton, California
Special Meeting**



Michael Lempres will be teleconferencing from the following location:
Kimpton Mason and Rook Hotel
1430 Rhode Island Ave NW
Washington, DC 20005

Didi Fisher will be teleconferencing from the following location:
38 Tuscaloosa
Atherton, CA

1. ROLL CALL

City Council: Lempres, Wiest, Lewis, Widmer, DeGolia
CCAC Members: Dostart, Hau, David, Dillabough, Fisher, Merredew, Tonelli

Fisher was excused from the meeting.

2. PUBLIC COMMENTS – For items on the agenda

3. REGULAR AGENDA

a. TOWN CENTER PROJECT HISTORY

Report: City Manager Rodericks
Recommendation: Review and Discuss

City Manager Rodericks noted that this item is review of the Civic Center Project History. The History Paper was a collaborative effort of staff, Chair Steve Dostart, Vice Chair Rose Hau, Member Clive Merredew, and Council Liaisons Rick DeGolia and Elizabeth Lewis.

Staff did not go through the document in detail, but rather highlighted the progression of the project from the early Master Plan phase to today. It was noted that as the project moved from the early Master Plan phase consisting of box-shaped buildings with limited to no architectural design elements and limited program knowledge to the more defined program needs and architectural design, size and cost became more defined. Examples include lobby space, Council Chambers, elevator, stairwells, etc. that

were not defined in the early design phase and more defined as the project moved forward. Staff noted that the best comparative would be the 2016 Schematic Design where the Town had more programmatic details nailed down to now where we have a better idea of actual building design - contingencies have also been reduced.

Mayor Lempres thanked staff for the project history paper and noted that his goal is to make sure the document is accurate on the assessment of the project history.

Council Member Lewis noted that the City Clerks Department has a lot of history on the undertakings by the former civic center committees including the Blue Ribbon Task Force and the Town Center Task Force.

CCAC member Steve Dostart provided background on the Town Center Task Force. He added that the CCAC spent a little more time and efforts in making sure the buildings look like they belong in Atherton, i.e. stucco on outside of the building, tile on roof. A town green was also developed. Dostart concluded that everything was carefully and thoughtfully considered.

Staff noted that the Library was reduced from 10,014 gross square feet to 9,876; but, now that its design elements and site work have been clearly identified in scope, the construction cost estimate increased from \$10.3 million to \$14.9 million (at 50% Design Development). Staff noted that there are current and projected funds available in the Library Fund sufficient for the project's estimated cost.

The Admin/PD/CDD Building was reduced from 32,753 GSF to 30,923 GSF and the cost estimate decreased from \$25.1 million to \$21.7 million (at 50% Design Development).

The Council reviewed the History Paper and discussed the various elements of the project related to how the project has evolved over time, peer reviews, space needs and program review, evolution of the "town green", quality design, and value engineering opportunities at the next phase. It was noted that it is important to carefully review value engineering decisions to ensure that the core concept of the facility is maintained.

Widmer suggested that once the design is completely done that costs be revisited from a value engineer standpoint. There are some things that can be reviewed for cost effectiveness and should be refined before final design reaches Council.

Council Member Wiest agreed.

CCAC member Dillabough said he understands the need for a value engineer assessment but be careful as you start to pick at the perimeter because it may have a bigger impact than some will recognize.

The CCAC motioned to adjourn their part of the meeting at 4:17 p.m.

City Council took up the next item.

b. CIVIC CENTER PROJECT – REVIEW, DISCUSS AND PROVIDE STAFF WITH

FEEDBACK REGARDING FUNDING STATUS AND OPTIONS RELATED TO MEASURE L – PART II

Report: City Manager Rodericks

Recommendation: Review, Discuss and provide staff with feedback regarding funding status and options for the Civic Center Project – specifically related to Certificates of Participation and Measure L

City Manager Rodericks presented the staff report walking the Council through the funding status of the project at the 50% Design Development Cost Estimate level - for the Administration, Police Department, and Community Development Building only. The City Manager outlined the various supporting funds available to fund the project if revisions to Measure L were successful.

Council Member DeGolia that that if the gap can't be filled with private donation his preference would be to look at Certificates of Participation (COP).

Council Member Widmer has concerns with COPs.

The Council asked a few questions regarding Certificates of Participation and staff will engage a consultant to attend an upcoming Council meeting to advise the Town on the process for issuance of the financing option.

Mayor Lempres questioned whether there is agreement that no higher parcel taxes and/or other means of revenue generation are being considered to close the gap on this project.

The Council agreed that a key component to the success of the Civic Center Project and the funding plan was that the Town's Parcel Tax continue in its current form to support the continued use of funds for necessary capital projects related to streets and drainage.

The Council then moved on to a discussion of a possible ballot measure in June to change the funding restrictions under Measure L to allow the Town to use General Funds for its building capital requirements similar to how the Town funds other capital improvements. At this point in the meeting, the City Attorney advised that a recent California Supreme Court decision clarified how advisory ballot measures work under California law. The City Attorney noted that while the Council's intent with Measure L and indeed the City Attorney's analysis at the time was that Measure L would be a binding measure, California law rendered it advisory only.

After brief discussion, the consensus of the Council was that it did not matter whether Measure L was binding or advisory since the Town acted as if it were binding. Staff advised that from the passage of Measure L forward, all expenditures related to the Project have been consistent with the provisions of the Measure. The Council noted its intent to return the question back to the community in June for another advisory vote with respect to the Project moving forward asking the community if the Town should supplement private donations with the use of available surplus General Funds.

The Council briefly discussed verbiage for the measure and the Mayor assigned an Ad Hoc Subcommittee of Council Member DeGolia and Vice Mayor Wiest to work with staff to return language for consideration and adoption at the February 15 Council Meeting.

4. ADJOURN

Recommendation: Adjourn

Mayor Lempres adjourned the meeting at 5:25 p.m.

Respectfully Submitted,
Theresa N. DellaSanta
City Clerk