



**MINUTES**  
**Town of Atherton**  
**City Council**  
**OCTOBER 18, 2023**  
**REGULAR MEETING AND**  
**CLOSED SESSION**

**REGULAR MEETING**

**CALL TO ORDER:** Mayor Widmer called the meeting to order at 6:03 p.m.

**PLEDGE OF ALLEGIANCE**

**ROLL CALL** – Holland, DeGolia, Lewis, Vice Mayor Hawkins-Manuelian, Mayor Widmer– Present

**PRESENTATIONS**

- Sharon Koehler Retirement Proclamation

Chief McCulley read the proclamation recognizing and honoring Koehler for her service to the Town.

- Recognition of Rail Committee Members for Service to the Town:

Mayor Widmer read the plaque and presented it to each member of the Rail Committee; he also acknowledged several former members for their service and contributions to the Town. The current members that were given a plaque included the following;

- Greg Conlon
- John Maulbetsch
- Jim Janz
- Alex Keh
- Jack Ringham
- Jim Massey

**PUBLIC COMMENTS**

- Jim Massey

**DISCLOSURE OF EX PARTE COMMUNICATIONS** – City Council Members

Council members Lewis, Holland, Widmer, and DeGolia disclosed communications.

**DEPARTMENTAL WRITTEN REPORT**

No Comments.

**REPORT OUT OF CLOSED SESSION – by City Attorney Ebrahimi**

Council met in closed session and provided direction to City Attorney Ebrahimi related to existing litigation pursuant to Government Code section 54956.9 (Atherton v. CNA Insurance Company, San Mateo County Superior Court Case No. 23-CIV-00920)

**CONSENT AGENDA (Items 1 – 7)**

- 1. APPROVAL OF BILLS AND CLAIMS FOR SEPTEMBER 2023 IN THE AMOUNT OF \$1,887,973**
- 2. APPROVAL OF MINUTES FOR SEPTEMBER 20<sup>th</sup> AND OCTOBER 4<sup>th</sup> 2023 MEETINGS.**
- 3. APPROVAL OF A BUDGET AMENDMENT FOR LOBBYIST SERVICES AND PUBLIC EDUCATION ASSISTANCE**

**Adopted Resolution No. 2023-21**

- 4. ACCEPTANCE OF WORK AND AUTHORIZATION TO RECORD NOTICE OF COMPLETION FOR THE TOWN CENTER PROJECT**

**Authorized recording of a Notice of Completion for the Town Center Project, Project Number 54015.**

- 5. WAIVE THE SECOND READING BY SUBSTITUTION OF TITLE AND ADOPT AN ORDINANCE ADDING SECTION 12.06.030-D AND CHAPTER 12.10 TO THE ATHERTON MUNICIPAL CODE CLARIFYING CLARIFYING MAINTENANCE RESPONSIBILITIES OF OWNERS OF PROPERTY ADJACENT TO PUBLIC RIGHTS OF WAY AND IMPOSING LIABILITY ON OWNERS OF PROPERTY ADJACENT TO PUBLIC SIDEWALKS FOR INJURIES SUFFERED ON PUBLIC SIDEWALKS, AS DEFINED**

**Adopted Ordinance No. 663**

- 6. ACCEPTANCE OF WORK, AUTHORIZATION TO RECORD NOTICE OF COMPLETION FOR THE 2022 OVERLAY PROJECT, PROJECT NUMBER 56100**

**Authorized recording of a Notice of Completion for the 2022 Overlay Project, Number 56100.**

- 7. BUDGET AMENDMENT FOR A PICKLEBALL PILOT AT HOLBROOK-PALMER PARK**

**Pulled for Discussion by Widmer**

Council discussed the costs related to noise mitigation options and a few structure for pickleball users if tennis courts are permanently configured for pickleball use after the trail.

**Public Comments:**

- Bob Roser
- Alex Keh
- Greg Conlon

**MOTION by DeGolia, Second by Lewis to approve Consent Item No. 7 as amended to develop a fee or reimbursement structure paid by users for costs incurred by the Town.**

**AYES: Holland, DeGolia, Lewis, Hawkins, Widmer**

**NOES:**

**ABSENT:**

**ABSTAIN:**

**MOTION by DeGolia, Second by Lewis to approve the Consent Agenda Items 1 – 6.**

**AYES: Holland, DeGolia, Lewis, Hawkins, Widmer**

**NOES:**

**ABSENT:**

**ABSTAIN:**

**PUBLIC HEARING - NONE**

**REGULAR AGENDA (Items 8 – 11)**

**8. CONSIDERATION OF APPLICANTS FOR APPOINTMENT TO THE ENVIRONMENTAL PROGRAMS COMMITTEE**

City Clerk Suber presented the item, he noted that one additional candidate, Kate Saywell was added to the packet making it a total of 3 applicants for 2 open seats on the Environmental Programs Committee.

Council discussed the applications and candidates.

**MOTION by Lewis, Second by Widmer to appoint Min Hui to the Environmental Programs Committee for a term expiring June 30, 2027 and Sandu Suneet to the Environmental Programs Committee to a term expiring June 30, 2025.**

**AYES: Holland, DeGolia, Lewis, Hawkins, Widmer**

**NOES:**

**ABSENT:**

**ABSTAIN:**

**Council requested a future agenda item to consider amending term limits and age limitations for Town Committees and Commissions by amending the Governing Resolution. This item will return to the Council in early 2024.**

**9. DISCUSSION AND DIRECTION REGARDING THE 2024 EARTH DAY EVENT**

Report: Management Analyst Londer presented the item to Council. Londer reviewed the various components of Earth Day 2024 highlighting a few of the takeaways to for improvements for a 2024 event.

Council discussed the advantages and disadvantages of hosting a Town only Earth Day event versus the collaborative effort and partnership with regional agencies.

**Council directed that staff pursue the Town only Earth Day event for 2024 and return to Council with the formal budget approval request at a future meeting.**

#### **10. REVIEW OF THE SIDEWALK REPAIR PROGRAM AND APPROVAL OF A BUDGET AMENDMENT**

Public Works Director Ovadia presented the item reviewing the Sidewalk Inspection and Repair Program.

The Council discussed issues related to equity, cost, timing, inspection, Town cost, resident cost, and past practice.

**MOTION by DeGolia Widmer, Second by Lewis to approve the staff recommendation and budget amendment and directed the initial year the resident cost for select items would be a 50/50 cost share with the Town and any administrative fees be waived.**

**AYES: Holland, DeGolia, Lewis, Hawkins, Widmer**

**NOES:**

**ABSENT:**

**ABSTAIN:**

Council directed that resident in the Lloyd Park neighborhood be provided a letter advising that the 50/50 cost share and waiver of any administrative fee is for this initial implementation only and that the program, as designed, would be implemented in future years.

#### **11. MEETING PROTOCOLS, HATE SPEECH AND REMOTE PUBLIC COMMENT DURING CITY COUNCIL, COMMISSION AND COMMITTEE MEETINGS AND PROVIDE FEEDBACK**

City Manager Rodericks lead the conversation introducing the item and providing background related to why it appears on the agenda.

The Council discussed issues related to meeting controls, muting of participants, use of profanity or hate-based comments, restrictions on names and photo sharing, restrictions on video sharing, restrictions on screen sharing, allowing citizen engagement at the highest level possible, agenda warnings and requirements, and policies of other agencies.

Public Comments:

- Walter Robinson

The Council directed that staff return with a policy for consideration that implements a written agenda warning, a description of applicable protocols, and a protocol for implementation that

allows for the greatest possible public participation via Zoom while allowing the Town and staff the ability to address inappropriate comments or participant engagement that is considered disruptive to the meeting.

**COUNCIL REPORTS/COMMENTS – None**

**FUTURE AGENDA ITEMS – None**

**ADJOURN**

Mayor Widmer adjourned the meeting at 9:15 pm.

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**Anthony Suber, City Clerk**