



MINUTES
Town of Atherton
City Council
NOVEMBER 15, 2023
REGULAR MEETING

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

PLEDGE OF ALLEGIANCE

ROLL CALL – Holland(Excused Absence), DeGolia, Lewis, Vice Mayor Hawkins-Manuelian, Mayor Widmer (Virtual) – Present

PRESENTATIONS

- Annual Atherton Library Report

Tomika Price, Atherton Library Manager reviewed a presentation with Council.

PUBLIC COMMENTS – *None*

DISCLOSURE OF EX PARTE COMMUNICATIONS – City Council Members

DeGolia disclosed communications related to Housing.

Widmer disclosed communications related to Housing.

DEPARTMENTAL WRITTEN REPORT

Councilmember Lewis complemented staff on the details contained in the report and encouraged residents to read it.

DeGolia requested that Council consider directing staff to make some revisions to how Building Department data is shared. Council agreed to direct staff to provide ADU data in a fiscal year.

REPORT OUT OF CLOSED SESSION - *None*

CONSENT AGENDA (Items 1 – 7)

- 1. APPROVAL OF BILLS AND CLAIMS FOR OCTOBER 2023 IN THE AMOUNT OF \$2,030,807**

- 2. APPROVAL OF MINUTES OCTOBER 18TH AND NOVEMBER 1, 2023**
- 3. ACCEPTANCE OF TREASURER’S REPORT FOR THE FIRST QUARTER ENDED SEPTEMBER 30, 2023**
- 4. AUTHORIZING TOWN STAFF TO APPLY FOR AND ACCEPT ALL AVAILABLE FUNDS FROM THE CALIFORNIA DEPARTMENT OF RESOURCES, RECYCLING, AND RECOVERY (CALRECYCLE) FOR WHICH THE TOWN IS ELIGIBLE FOR THE PERIOD FROM NOVEMBER 2023 THROUGH NOVEMBER 2028.**

Approved Resolution 23-22

- 5. APPOINTMENT OF REPRESENTATIVE TO THE SAN MATEO COUNTY MOSQUITO & VECTOR CONTROL DISTRICT**

Appointed Mason Brutschy to the San Mateo County Mosquito & Vector Control District for a term of four years beginning January 1, 2024, through December 31, 2027.

- 6. REVIEW MEETING PROTOCOL REVISIONS**

Pulled for discussion by Councilmember DeGolia.

Council directed that the agenda packet language include a written warning related to public comments outside of the jurisdiction matter and public announcement be made.

- 7. APPROVAL OF ADDITIONAL CHANGE ORDER AUTHORITY ASSOCIATED WITH THE HOLBROOK-PALMER PARK ACCESS AND CIRCULATION PROJECT, PROJECT NUMBER 56083**

MOTION by DeGolia, Second by Lewis to approve the Consent Agenda Items 1 – 7.

AYES: Holland, DeGolia, Lewis, Hawkins, Widmer

NOES:

ABSENT:

ABSTAIN:

- 10. REVIEW OF CHARTER FOR AN ATHERTON YOUTH ADVISORY GROUP AND PROVIDE DIRECTION TO STAFF**

Moved to be heard before Public Hearing Items.

Fiona Lempres made a request to the City Council to approve a Town affiliated Youth Advisory Group.

The Council asked questions related to engagement, participation, planned activities, and school credit for the youth involved. Council expressed support for the Youth Advisory Group, as formed, and supported staff's recommendation to continue to engage with the Group when appropriate.

PUBLIC HEARING (Items 8-9)

8. INTRODUCE AND CONSIDER AMENDMENTS TO ATHERTON MUNICIPAL CODE CHAPTER 8.08 “DEAD OR DANGEROUS TREES” AND CHAPTER 8.10 “REMOVAL OF AND DAMAGE TO HERITAGE TREES,” AND AMENDMENTS TO THE “HERITAGE TREE PRESERVATION STANDARDS AND SPECIFICATIONS”

Town Planner Bendix made a brief report to Council. Town Arborist Bentz provided commentary on the different Tree Protection Zones (TPZ) for R1-A and R1-B zoning. Bentz noted that she does not recommend lowering the TPZ for R1-A.

Public Comment:

- Carol Flaherty
- Anny Yvonne Walker
- Besty Colby
- Gerda Ungerman

Council discussed issues related to purpose and implementation of the changes to Chapter 8.08 and Chapter 8.10, impact of the change to monthly arborist reports, future changes to the Guidelines and standardization of the Tree Protection Zone (TPZ) for both R1-A and R1-B Zones.

MOTION by Lewis, Second by Widmer to

- **Introduce and consider updates to Chapter 8.08 and Chapter 8.10 of the Atherton Municipal Code and updates to the Heritage Tree Preservation Standards and Specifications, related to tree removals associated with hazards in the public right-of-way, as amended.**
- **Approve an update to the “Heritage Tree Preservation Standards and Specifications” document changing the arborist reporting requirements for construction sites from monthly to quarterly. regarding construction-site monthly arborist reporting to quarterly reporting, as amended.**

AYES: Lewis, DeGolia, Hawkins-Manuelian, Widmer

NOES:

ABSTAIN:

ABSENT: Holland

Council did not vote or provide direction to the Town Arborist on the process for making future changes to the “Heritage Tree Preservation Standards and Specifications.” This will be returned at a future meeting after notice to residents.

9. INTRODUCE AN ORDINANCE TO REPEAL AND REPLACE ATHERTON MUNICIPAL CODE CHAPTER 17.52 “ACCESSORY DWELLING UNITS,” AND TO AMEND CHAPTER 17.36 “PUBLIC FACILITIES AND SCHOOLS DISTRICT (PFS)” AND CHAPTER 17.60 “DEFINITIONS.”

Town Planner Bendix presented the item and City Manager Rodericks provided extensive clarification related to questions

Public Comment:

- Carol Flaherty
- Besty Colby
- Ken Frederick
- Jeff Morris

Council discussed issues related to changes based on State law, the Bonus ADU Program, ADUs above garages, screening, fence height, window placement, entry points, stairwells, height of ADUs above garages, and deed restrictions.

Council provided general support for the changes proposed by staff and directed additional changes. The Council could not reach consensus on the Bonus ADU Program.

MOTION by Widmer, Second by Lewis to continue the item to the January 17 Regular Meeting for further discussion and directed staff to incorporate the changes directed thus far and return the Ordinance(s) at that time.

AYES: Lewis, DeGolia, Hawkins-Manuelian, Widmer

NOES:

ABSTAIN:

ABSENT: Holland

REGULAR AGENDA (Items 10 – 13)

11. CONFLICT WAIVER REQUEST FROM BURKE WILLIAMS AND SORENSON

Assistant City Attorney Booher introduced the item and after a brief discussion the Council did not approve the waiver request.

Public Comment:

- Tom Giorgi

MOTION by Hawkins-Manuelian, No Second to accept the conflict waiver request from Burke Williams and Sorenson.

Motion Failed.

12. RECEIVE AN UPDATE ON THE STATUS OF THE TOWN OF ATHERTON'S 2023-2031 HOUSING ELEMENT AND A REPORT ON NEXT STEPS TO RECEIVE CERTIFICATION

Town Planner Bendix provided a status on the Town's 2023-2031 Housing Element highlighting three major efforts. The first is the environmental review, second are the updates to the planning codes, and third is in the inclusionary housing ordinance.

This was an informational item only; Council received and accepted the report.

13. DISCUSSION OF THE CENTER FOR AGE-FRIENDLY EXCELLENCE FOCUS GROUP AND TASK FORCE RESULTS AND CONSIDERATION OF AARP APPLICATION PROCESS.

Deputy City Manager Suber made a brief presentation and introduced Cynthia Nakayama from the Center for Age-Friendly Excellence to address questions related to benefits of moving forward with an AARP/WHO application.

Council discussed issues related to Town commitment, extent of programs and policies proposed, availability of other services in the region, duplication of effort, staff time and resources.

Public Comment:

- Ken Frederick

Council directed that the Task Force and Standing Committee meet one additional time to formulate a final recommendation to the Council on all policies and programs as well as an application to AARP/WHO.

COUNCIL REPORTS/COMMENTS – None

FUTURE AGENDA ITEMS – None

ADJOURN

Mayor Widmer adjourned the meeting at 10:01 pm.

Anthony Suber, City Clerk