



**MINUTES**  
**Town of Atherton**  
**City Council**  
**SEPTEMBER 20, 2023**  
**REGULAR MEETING**

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**CALL TO ORDER:** Vice Mayor Hawkins-Manuelian called the meeting to order at 6:01 p.m.

**PLEDGE OF ALLEGIANCE**

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

**Council approved Mayor Widmer’s remote participation under AB 2449 “Just Cause” provision.**

**PRESENTATIONS**

- Proclamation for Recovery Happens Month

Vice Mayor Hawkins-Manuelian read the proclamation and Sydney Reynolds spoke on behalf of San Mateo County Voices of Recovery.

- Proclamation for Suicide Prevention Month

**PUBLIC COMMENTS** – *None*

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

Widmer disclosed his attendance at neighborhood meetings related to Housing items.

**DEPARTMENTAL WRITTEN REPORT**

No Comments.

**REPORT OUT OF CLOSED SESSION** - *None*

**CONSENT AGENDA (Items 1 – 9)**

- 1. APPROVAL OF BILLS AND CLAIMS FOR JULY 2023 IN THE AMOUNT OF \$3,169,593 AND AUGUST 2023 IN THE AMOUNT OF \$1,800,461.**

2. **APPROVAL OF MINUTES FOR APRIL 20, JULY 19, AUGUST 10, AUGUST 30, SEPTEMBER 6, AND SEPTEMBER 12, 2023.**
3. **ACCEPTANCE OF TREASURER’S REPORT FOR THE THIRD QUARTER ENDED MARCH 31, 2023**
4. **ACCEPTANCE OF TREASURER’S REPORT FOR THE FOURTH QUATER ENDED JUNE 30, 2023.**
5. **ADOPT A RESOLUTION DESIGNATING A VOTING DELEGATE AND UP TO TWO ALTERNATES FOR THE LEAGUE OF CALIFORNIA CITIES ANNUAL CONFERENCE, SEPTEMBER 20 22, 2023.**

**Adopted Resolution No. 2023-19**

6. **CONSIDERATION OF AMENDMENTS TO THE COMMITTEE AND COMMISSION RESOLUTION DISSOLVING THE RAIL COMMITTEE**

**Adopted Resolution No. 2023-20**

**Public Comment:**

- **John Maulbetsch**
7. **APPROVE A TASK ORDER WITH INTERWEST CONSULTING GROUP FOR THE DESIGN AND CONSTRUCTION MANAGEMENT OF THE HOLBROOKPALMER PARK PLAYGROUND IMPROVEMENTS PROJECT**

Council comments were received.

Public Comments were received on this item.

8. **THIRD AMENDMENT TO THE AGREEMENT FOR TENNIS FACILITY MANAGEMENT SERVICES BETWEEN THE TOWN AND PLAYER CAPITAL TENNIS**

Council comments were received.

9. **APPROVE A PROFESSIONAL SERVICES AGREEMENT WITH DOUGLAS KIM + ASSOCIATES FOR PROJECT MANAGEMENT SERVICES ASSOCIATED WITH THE EL CAMINO REAL COMPLETE STREETS GAP CLOSURE PROJECT, SELBY LANES BIKE LANE PROJECT AND EL CAMINO REAL DRAINAGE IMPROVEMENTS**

Council comments were received.

**MOTION by Widmer Second by LEWIS to approve the Consent Agenda Items 1 – 9.**

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

**NOES:**

**ABSENT:**

**ABSTAIN:**

**PUBLIC HEARING (Items 10)**

**10. WAIVE THE FIRST READING AND INTRODUCE BY TITLE ONLY, AN ORDINANCE ADDING SECTION 12.06.030D AND CHAPTER 12.10 TO THE ATHERTON MUNICIPAL CODE 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**

Public Works Director Ovadia presented the report.

Public Comment:

- Jim Massey
- Frank Burke
- Judy Stroyer
- Bob Roser
- David Barca
- Walter Robinson
- Sharon Hume

Council discussed issues related to timing, liability, State law, past practice, cost, and development of an assessment program.

City Manager Rodericks addressed comments related to liability for damages and Ovadia responded to questions related to damages trees can cause to streets and sidewalks and maintenance responsibilities along El Camino Real.

Council directed staff to return with a comprehensive sidewalk assessment and replacement program. The Council directed that the Town be responsible for the costs related to assessment and basic grinding; but, that remedial work beyond basic grinding should be the responsibility of the adjacent property owner, unless otherwise directed after review of the program.

**MOTION by DeGolia, Second by Widmer as amended to waive the first reading and introduce by title only, an Ordinance adding Section 12.06.030D and Chapter 12.10 to the Atherton Municipal Code ("AMC") to clarify the maintenance responsibilities of property owners of adjacent sidewalks and public right-of-way, as defined therein.**

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

**NOES:**

**ABSENT:**

**ABSTAIN:**

**REGULAR AGENDA (Items 11 – 14)**

**11. RESPONSE TO GRAND JURY REPORT: “BIKE SAFETY IN SAN MATEO COUNTY: MAKING BICYCLING SAFER IN THE COUNTY”**

Police Chief McCulley made the presentation noting an updated Bicycle and Pedestrian Master Plan update is needed and additional community outreach.

Council had questions about enforcement of recommendations contained in the report and revisions were suggested related to dates/timelines for updating the Bike and Pedestrian Master Plan.

**MOTION by Widmer, Second by DeGolia to approve and authorize the Mayor to sign the Grand Jury response letter, as modified**

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

**NOES:**

**ABSENT:**

**ABSTAIN:**

**12. REVIEW AND RECOMMEND POTENTIAL MULTIFAMILY HOUSING SITES AND LAND USE STRATEGIES TO INCLUDE IN THE PROJECT DESCRIPTION FOR THE ENVIRONMENTAL REVIEW OF THE 6 CYCLE HOUSING ELEMENT**

Town Planner Housing Element Project Manager, Bendix began the presentation to review potential multifamily housing sites and land use strategies. She noted that selected sites will be included in the project description, which is a required step in beginning environmental review pursuant to California Environmental Quality Act (CEQA).

It was noted that for the purposes of the Housing Element, the Menlo Circus Club and Cal Water have stated they have no intent to add workforce housing during the next Housing Element cycle.

Public Comment:

- Pamula Riddle
- Nauneet Dalal
- Elizabeth Jensen
- Woodsen Martin
- Paul McDonald
- Gary George
- Bob Polito
- David Mark
- Rod Shephard
- Jeff Morris
- Han

- Jim White
- Dan
- Damon Mamalakis, CalWater

Council discussed projects outside of the Atherton’s jurisdiction that might have an impact on traffic and Council held a robust discussion related to which sites to exclude or include and at what development density levels.

Assistant Town Attorney Booher provided insight related to the CEQA process

Council directed that the properties on Bay Road be reduced to 10 units per acre for the purposes of CEQA; that the Ravenswood properties and properties in the POS Zone also be reduced to 10 units per acre; and that the only area to be analyzed in Holbrook-Palmer Park will be the area where the Gilmore House is located.

**MOTION by Lewis, Second by Holland to approve properties on Bay Road be reduced to 10 units per acre, Ravenswood properties and properties in the POS Zone be reduced to 10 units per acre and to only include the area occupied by the Gilmore House within Holbrook Palmer park for the purposes of CEQA.**

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

**NOES:**

**ABSENT: Widmer**

**ABSTAIN:**

**13. CITY COUNCIL FEEDBACK AND DIRECTION REGARDING AFFORDABLE HOUSING FEASIBILITY STUDY; ENGAGING OF MARKETING FIRM TO ASSIST WITH HOUSING ELEMENT; AND ENGAGING OF A LOBBYIST FIRM TO ASSIST WITH HOUSING ELEMENT**

City Manager Rodericks presented the item providing the benefits of adding the support to assist with the remaining stages to be completed for the Housing Element.

Council discussed issues related to potential findings of the affordability study, the need for the study at this time, the value of the marketing assistance, and value of the lobbyist services.

Public Comment:

- Nauneet Dalal
- Bob Polito
- Rod Sheppard

**Council directed staff to move forward with engaging support for marketing and lobbyist assistance, but not the affordability study at this time.**

#### **14. PICKLEBALL PILOT AT HOLBROOKPALMER PARK**

Public Works Director Ovadia presented the item and reviewed potential court medications and sound baffling options for Council consideration.

Public Comments:

- Bob Roser
- Walt Robinson

Council discussed issues related to number of courts, funding, key logistics, baffling, cost, striping, and fees.

**Council directed that staff move forward with the trial as presented, discuss the striping proposed with Player Capital Tennis, and seek to borrow the baffling from the Circus Club. Council authorized staff to determine the best approach regarding purchasing noise mitigation materials.**

**COUNCIL REPORTS/COMMENTS – None**

**FUTURE AGENDA ITEMS – None**

**ADJOURN**

Vice Mayor Hawkins-Manuelian adjourned the meeting at 11:01 pm.

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**Anthony Suber, City Clerk**