



MINUTES
Town of Atherton
City Council
OCTOBER 19, 2022
REGULAR MEETING

Mayor DeGolia called the meeting to order at 6:00 P.M.

PLEDGE OF ALLEGIANCE

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

PUBLIC COMMENTS – *None*

DEPARTMENTAL WRITTEN REPORTS

City Manager Rodericks introduced the item and there were no Council questions.

CONSENT CALENDAR (Items 1 – 5)

1. **APPROVAL OF MINUTES FOR SEPTEMBER 21, OCTOBER 5, AND OCTOBER 11, 2022**
2. **BILLS AND CLAIMS SEPTEMBER 2022**
3. **ADOPT A RESOLUTION 22-22 APPROVING AN UPDATE OF THE TOWN'S CONFLICT OF INTEREST CODE AND APPENDIX "A" DESIGNATING POSITIONS IN THE CONFLICT OF INTEREST CODE**

Adopted Resolution 2022-22

4. **CONSIDERATION OF RESOLUTION RATIFYING PROCLAMATION OF A STATE OF EMERGENCY IN THE TOWN AND AUTHORIZING TELECONFERENCE MEETINGS OF TOWN LEGISLATIVE BODIES PURSUANT TO THE BROWN ACT GOVERNMENT CODE SECTION 54953(E)**

Adopted Resolution No. 22-20

5. REVIEW AND CONSIDERATION OF REVISIONS TO THE RESOLUTION GOVERNING TOWN COMMITTEES AND COMMISSIONS.

Adopted Resolution No. 22-24

PUBLIC HEARING (Items 6 – 7)

6. CONDUCT THE PUBLIC HEARING AND INTRODUCE FOR FIRST READING, BY TITLE ONLY, AN ORDINANCE TO AMEND TITLE 15 OF THE ATHERTON MUNICIPAL CODE ADOPTING BY REFERENCE THE 2022 CALIFORNIA BUILDING STANDARDS CODE, RETAINING EXISTING MODIFICATIONS; AND RATIFY THE FIRE REGULATIONS, AS ADOPTED BY THE MENLO PARK FIRE PROTECTION DISTRICT.

Building Official Greenlee introduced the item and the Council conducted the public hearing. Fire Marshal Johnson also presented the Menlo Park Fire Protection District.

Council had a few questions for Fire Marshal Johnston, discussed which jurisdictions are governed by the adoption and discussed the need to include Section 8 and City Attorney Ebrahimi suggested a strike-out to avoid confusion considering other upcoming ordinance amendments related to green building codes.

MOTION by Polito, Second by Lewis to conduct the public hearing and introduce for First Reading, by title only, an Ordinance amending Title 15 of the Atherton Municipal Code adopting by Reference the 2022 California Building Standards Code, retaining existing modifications; and ratify the fire regulations, as adopted by the Menlo Park Fire Protection District, striking out Section 8 in its entirety.

AYES: Polito, Hawkins, Lewis, Widmer, DeGolia

NOES

ABSTAIN:

ABSENT:

7. CONDUCT THE PUBLIC HEARING AND WAIVE THE FIRST READING AND INTRODUCE BY TITLE ONLY, ORDINANCE NO. 2022-XX AMENDING CHAPTER 15.19 OF THE ATHERTON MUNICIPAL CODE BY ADOPTING THE 2022 CALIFORNIA GREEN BUILDING CODE AND AN EV CHARGING AND ALL ELECTRIFICATION REACH CODES, WITH EXCEPTIONS

Building Official Greenlee introduced the item and Mayor DeGolia opened the public hearing.

Rafael Reyes, Peninsula Clean Energy and Farad Farham addressed the council and discussed a variety of specifics related to electric vehicle charges, fire places, cooking facilities and other appliances.

Council sought clarification related to when the ordinance would apply to home remodels and/or new construction.

Public Comment:

- Mike Chen
- Stacy Miles Holland, EPC Chair
- Walter Robinson
- Mike Childs

MOTION by Lewis, Second by Polito to introduce by title only, the first reading of an Ordinance amending Chapter 15.19 of the Atherton Municipal Code by Adopting the 2022 California Green Building Code and an Electrification Reach Code and EV Charging Ordinance, with exceptions to be effective January 1, 2023.

AYES: Polito, Hawkins, Lewis, Widmer, DeGolia

NOES:

ABSTAIN:

ABSENT:

REGULAR AGENDA (Items 8 – 10)

8. CONSIDERATION OF AN APPOINTMENT TO THE PARK AND RECREATION COMMITTEE

City Clerk Suber introduced the item and introduced the applicant, Bob Roeser for the Park and Recreation vacancy for a term expiring June 2026.

Bob Roeser addressed the City Council and spoke to his interest in serving.

MOTION by DeGolia, Second by Lewis to appoint Bob Roeser to the Park and Recreation Committee to a term expiring on June 30, 2026.

AYES: Polito, Hawkins, Lewis, Widmer, DeGolia

NOES:

ABSTAIN:

ABSENT:

9. PLAYER CAPITAL TENNIS RENT CREDIT FOR TENNIS COURT CLOSURES ASSOCIATED WITH THE OVERLAY OF THE TENNIS COURTS AT HOLBROOK-PALMER PARK

Public Works Director Ovadia introduced the item and provided background information for Council consideration.

Public Comments:

- Greg Conlon
- Bob Roeser

Michael Jessup, Player Capital Tennis addressed the reason for the request and responded to Council inquiry.

MOTION by Lewis, Second by Widmer to approve 50% of the reimbursement request in rent reduction.

AYES: Polito, Hawkins, Lewis, Widmer, DeGolia

NOES:

ABSTAIN:

ABSENT:

10. **ADOPT A RESOLUTION SUPPORTING THE EL CAMINO REAL COMPLETE STREETS GAP CLOSURE PROJECT AND SUBMITTING A GRANT APPLICATION TO THE SAN MATEO COUNTY TRANSPORTATION AUTHORITY FOR PROJECT PLANNING FUNDS**

Public Works Director Ovadia introduced the item and provided background information for Council consideration.

Council discussed the item including a conversation regarding the Town's level of influence in participating in the project, conceptual layout/designs of the El Camino Real corridor and requirements for Green Infrastructure or Improvements.

MOTION by Lewis, Second by Widmer to approve Resolution 2022-23 for local support for the El Camino Real Gap complete streets closure project grant application to the San Mateo County Transportation Authority for project planning funds.

AYES: Polito, Hawkins, Lewis, Widmer, DeGolia

NOES:

ABSTAIN:

ABSENT:

COUNCIL REPORTS/COMMENTS – *None*

ADJOURN

Mayor DeGolia adjourned the meeting at 8:25 p.m.

Anthony Suber
City Clerk