



MINUTES
Town of Atherton
City Council
JANUARY 18, 2023
CLOSED SESSION - 5:00 PM
REGULAR MEETING - 6:00 P.M.

Mayor Widmer called the meeting to order at 5:00 PM

5:00 P.M. CLOSED SESSION

A. CONFERENCE WITH LABOR NEGOTIATORS, Unrepresented Employees (Gov. Code Section 54957.6.)

Agency designated representatives: George Rodericks, Anthony Suber, Mark Wilson

Employee Organization: Atherton Police Officers Association

There were no public comments.

6:00 P.M. REGULAR MEETING

CALL TO ORDER: Mayor Widmer called the Regular Meeting to order at 6:05 PM

PLEDGE OF ALLEGIANCE

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

PUBLIC COMMENTS:

- Meris Ota, HPHousing Board President shared comments and noted the calendars that were provided.

PRESENTATIONS – *None*

DEPARTMENTAL WRITTEN REPORTS

There were no Council questions.

REPORT OUT OF CLOSED SESSION by City Attorney Ebrahimi

City Attorney Ebrahimi noted there were no public comments and that City Council met in Closed Session and appointed a negotiation team of City Manager Rodericks, Deputy City Manager / City Clerk Suber, and Attorney Mark Wilson, Burke, Williams & Sorensen, LLP.

CONSENT AGENDA (Items 1 – 6)

- 1. APPROVAL OF BILLS AND CLAIMS FOR DECEMBER 2022 IN THE AMOUNT OF \$2,051,605**

- 2. APPROVAL OF MINUTES FROM DECEMBER 21, 2022, CITY COUNCIL MEETING**
- 3. COUNCIL COMMITTEE ASSIGNMENTS**
- 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 2023-21

- 5. WAIVE THE SECOND READING BY SUBSTITUTION OF THE TITLE AND ADOPT AN ORDINANCE AMENDING ATHERTON MUNICIPAL CODE CHAPTER 8.16 RELATED TO NOISE CONTROL**

Adopted Ordinance No. 657

- 6. APPROVE THE SETTLEMENT AGREEMENT WITH S.J. AMOROSO CONSTRUCTION, INC. FOR TOWN CENTER PROJECT CLOSEOUT**

MOTION by DeGolia, Second by Lewis to approve the Consent Calendar Items

AYES: Holland, DeGolia, Lewis, Hawkins-Manuelian, Mayor Widmer

NOES:

ABSTAIN:

ABSENT:

PUBLIC HEARING (Items 7 – 8)

- 7. INTRODUCTION FOR 1ST READING AND WAIVE FUTURE READINGS TO AMEND TITLE 9 OF THE ATHERTON MUNICIPAL CODE TO ADOPT CHAPTER 9.18 RELATED TO TARGETED RESIDENTIAL PICKETING**

City Manager Rodericks introduced the item and provided a brief background. Chief McCulley provided additional context and noted tools in place for Officers and the benefits incorporating these changes would have on managing future instances.

City Attorney Ebrahimi provided additional guidance for Council consideration.

Public Comments:

- Bo Shein
- Mr. Seabolt
- Rush Housenbold
- Attorney Representing Bo Shein

Council held a discussion related requiring permits and other measures related to protecting the health and safety of residents.

Ebrahimi clarified a few key points within the Ordinance and noted that the Town is able to abate picketing violations under the current municipal code. She cautioned Council against adding a requirement for permits.

MOTION by Lewis, Second by DeGolia to waive the first reading by substitution of the title and introduce an ordinance of the Atherton Municipal Code Chapter 9.18 related to Targeted Residential Picketing as amended.

AYES: Holland, DeGolia, Lewis, Hawkins-Manuelian, Mayor Widmer

NOES:

ABSTAIN:

ABSENT:

**8. ADOPTION OF AN ORDINANCE TO AMEND CHAPTER 15.19 OF THE
ATHERTON MUNICIPAL CODE BY AMENDING AND ADOPTING THE 2022
CALIFORNIA GREEN BUILDING CODE AND AN EV CHARGING AND ALL
ELECTRIFICATION REACH CODES, WITH EXCEPTIONS**

City Manager Rodericks introduced the item and Council held a discussion related to public health, cost of utilities, cost of construction, permitting delays, and the applicability of the ordinance.

Public Comments:

- Jeff Morris
- Laura

MOTION by DeGolia, Second by Widmer to adopt an ordinance amending chapter 15.19 of the Atherton Municipal code by adopting the 2022 California Green Building Code and Electric Vehicle and All Electrification Reach Codes with exceptions.

AYES: DeGolia, Mayor Widmer

NOES: Holland, Lewis, Hawkins-Manuelian,

ABSTAIN:

ABSENT:

REGULAR AGENDA (Items 9 – 12)

**9. CONSIDERATION OF AN APPOINTMENT TO THE BICYCLE AND
PEDESTRIAN COMMITTEE**

City Manager Rodericks introduced the item and Council offered applicant Raymond Juballa an opportunity to speak to his interests in serving on the Bicycle and Pedestrian Committee. Mr. Juballa confirmed that he is currently a senior at Menlo College and will be graduating in the Spring of 2023.

Rodericks clarified the governing rules related to serving on the Bicycle and Pedestrian Committee for Council consideration.

MOTION by Lewis, Second by Widmer to appoint Raymond Juballa to the Bicycle and Pedestrian Committee for a term expiring June 30, 2023.

AYES: Holland, DeGolia, Lewis, Hawkins-Manuelian, Mayor Widmer

NOES:

ABSTAIN:

ABSENT:

10. APPROVAL OF PROPOSAL FROM THE AMERICAN GREEN ZONE ALLIANCE (AGZA) FOR A WORKSHOP FOR PROFESSIONALS TRANSITIONING TO BATTERY ELECTRIC LAND CARE EQUIPMENT AND OPERATIONS

Management Analyst II Londer introduced the item providing background and information of how it developed within the Environmental Program Committee and made it's way to a recommendation to the City Council. Londer confirmed that staff was seeking approval to host the training and approve the contract with the vendor.

Council discussed the benefits and the training, timing of hosting the training and the target audience. Council suggested a target goal of participants for staff monitor.

Environmental Programs Committee Member Farrell provided additional background information related to the timing of the event and the possibility of combining it with the Earth Day Event in April.

MOTION by Lewis Second by Holland to approve the proposal for the American Green Zone Alliance (AGZA) Workshop as recommended by the Environmental Programs Committee (EPC) with a target of 50 attendees.

AYES: Holland, DeGolia, Lewis, Hawkins-Manuelian, Mayor Widmer

NOES:

ABSTAIN:

ABSENT:

11. APPROVAL OF 2023 EARTH DAY WORK PLAN AND BUDGET AS RECOMMENDED BY THE ENVIRONMENTAL PROGRAMS COMMITTEE (EPC).

Management Analyst II Londer introduced the item listing the goals of the event and proposed potential locations at Menlo Atherton High School or Menlo College. Londer reviewed a few planned events and confirmed the plan is to have the same community partners used in 2022.

Environmental Programs Committee Member Farrell provided additional background information related to planned activities and partners that the EPC has connected with.

MOTION by Holland, Second by Lewis to approve the work plan for Earth Day 2023.

AYES: Holland, DeGolia, Lewis, Hawkins-Manuelian, Mayor Widmer

NOES:
ABSTAIN:
ABSENT:

12. REVISIONS TO THE DRAFT HOUSING ELEMENT IN RESPONSE TO HCD COMMENT

City Manager Rodericks introduced the item and provided an overview of the activities related to the Housing Element process to date including outreach activities, public meetings and next steps including HCD's 60-day review. He noted the January 19, 2023 Planning Commission Meeting and January 31, 2023 City Council Special Meeting to approve the Housing Element and submission to HCD.

Council discussed issues related to identifying properties for upzoning, the criteria for selection of those properties, other properties considered, penalties and risk exposure to the Town, impact of upzoning on private property, development standards for multi-family zoning, access on El Camino Real, long-term vision for the Town, lot consolidation, and corrections to the Housing Element narrative.

Upon return from recess, the Council discussed the preceding issues further. Following discussion, the Council closed the item without making substantive changes to the Draft Housing Element, as submitted.

The Council noted that there would be a Public Engagement Planning Commission meeting on Thursday, January 19 at 6 pm and the final City Council Meeting on January 31 at 2 pm for adoption and submission to the State.

Public Comments:

- Stan Hsu
- Mary Alexander
- Etka Hutton (online text comment)
- Tom Giorgia
- Stephanie Sargent
- Loren Gruner
- Pam Silvaroli
- Jennifer Ryan
- Donna Chandra
- Anurag Chandra
- Jin Wang
- Sharin Bronner
- Andrew Ryan
- Jing Yi
- Brian Clark
- Francine Miltenberger
- Lisa Thomas

- Remi Thomas
- Rosa Cornelio
- Anurag Chandra
- Aline NG
- Jennifer & Albert Cheung (online)
- Stephanie Corey (online)
- Kaleb Hum (online)

Public Comments was closed at 8:41 p.m.

Council took a recess at 8:50 and resumed the session at 9:01 p.m.

Council continued the discussion and City Attorney Ebrahimi provided details related to the next steps, potential outcomes from the Housing Element and timelines.

Council provided direction to staff making no substantive changes to the Draft Hosing Element, as submitted.

COUNCIL REPORTS/COMMENTS

Mayor Widmer made reference to the Committee Assignments that were distributed and encouraged Council members to provide input or suggestions. He also noted that the 100 Year Celebration Committee had not met but would be added to the February Regular Meeting for a report.

FUTURE AGENDA ITEMS – None

PUBLIC COMMENTS – None

ADJOURN

Mayor Widmer adjourned the meeting at 9:58 p.m.

Anthony Suber
City Clerk