



MINUTES
Town of Atherton
City Council
APRIL 19, 2023
REGULAR MEETING
6:00 PM
Council Chambers
80 Fair Oaks Lane
Atherton, CA 94027

Mayor Widmer called the meeting to order at 6:00 p.m.

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

PRESENTATIONS

SAN MATEO COUNTY AGE-FRIENDLY COMMITTEE PRESENTATION *presented by Cynthia Nakayama Deputy Director, CAFÉ Center for Age-Friendly Excellence*

RECOGNITION OF NATIONAL PEACE OFFICERS MEMORIAL DAY *presented by Chief Steve McCulley*

PUBLIC COMMENTS

- Carol Flaherty commented on the concerns for gas-banning on ADUs

DEPARTMENTAL WRITTEN REPORT

Council Member DeGolia asked for additional details to the updates on the project on Fair Oaks Lane and Lloyd. City Manager Rodericks informed the Council that there is a current conceptual design that will be reviewed by the Transportation Committee then by the Council. Council Member DeGolia commented on the addition title summary of ADUs and single-family residences within the report being relevant to assisting in the Housing Element process.

REPORT OUT OF CLOSED SESSION presented by City Attorney Ebrahimi; there was no public comment and Council provided direction on both items.

CONSENT AGENDA (Items 1 – 5)

1. **APPROVAL OF MINUTES**
2. **APPROVAL OF BILLS AND CLAIMS FOR MARCH 2023 IN THE AMOUNT OF \$1,391,045.**
3. **ACCEPT THE SCOPE OF WORK FOR THE INCLUSIONARY STUDY AS DIRECTED BY THE ADOPTED HOUSING ELEMENT; DIRECT THE CITY ATTORNEY TO PREPARE AND AUTHORIZE THE CITY MANAGER TO**

EXECUTE AN AGREEMENT FOR THE WORK; AND ADOPT THE ATTACHED BUDGET AMENDMENT RESOLUTION TO APPROPRIATE FUNDS WITHIN THE FY 2022/23 BUDGET TO COMPLETE THE STUDY

4. **APPROVAL OF EVENT GARDEN ENHANCEMENTS AT HOLBROOK-PALMER PARK**
5. **APPROVAL OF FUNDING AND AWARD OF CONTRACT FOR DECOMPOSED GRANITE PATHWAY IMPROVEMENTS IN HOLBROOK-PALMER PARK**

MOTION by Lewis, Second by Holland to approve the Consent Calendar

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

NOES:

ABSENT:

ABSTAIN:

PUBLIC HEARING (Items 6 – 7)

6. **WAIVE THE FIRST READING AND INTRODUCE BY TITLE ONLY, AN ORDINANCE AMENDING ATHERTON MUNICIPAL CODE CHAPTER 8.16 TO BAN GAS POWERED LEAF BLOWERS**

City Manager Rodericks presented the item to the Council. Mayor Widmer opened for Public Comment, no public comments.

Vice Mayor Hawkins-Manuelian added that for environmental care the ban on gas powered leaf blowers is the focus but electric powered leaf blowers still produce a disruptive noise that should be considered in the future discussion of the Noise Ordinance.

Mayor Widmer commented that this pertains to the Noise Ordinance and would be appropriate when reviewing the Noise Ordinance.

MOTION by Lewis, Second by Holland to approve the acceptance by title only, an ordinance amending Atherton Municipal Code Chapter 8.16 to ban gas powered leaf blowers

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

NOES:

ABSENT:

ABSTAIN:

7. REQUEST TO REVIEW THE PROPOSAL FOR A TENTATIVE MAP AND CONDITIONAL EXCEPTION TO ALLOW THE SUBDIVISION OF A 2.5 ACRES LOT INTO TWO LOTS WITH NON-CONFORMING LOT WIDTHS (LESS THAN REQUIRED 175 FT.) AT 43 SANTIAGO AVENUE. (APN 070-343-310)

Senior Planner Radha Hayagreev presented the item.

Mayor Widmer asked staff if the intent of the developer is to maintain the proper setbacks on two sides that are against the neighboring property or will they equally place it on all sides. Planner Radha informed Council that they have a preliminary conceptual development plan that shows that they are required to maintain all development standards in respect to the lot itself and are center aligning the development. Additionally, the current presentation is on the map and the reduced lot which would result in a substandard lot for each resultant lot, which requires them to follow all the development standards for the new lots created. Mayor Widmer followed up with an additional question on whether the applicants were interested in creating a flag lot. Staff responded that it was not discussed but the current division of the lot would be the simplest approach.

Applicant, Sean Lopes with Pacific Peninsula Group, presented the proposed subdivision lot.

Council Member Lewis commented that the presentation on the property's lot split proposal is compelling but disagrees with the added misinformation on the current lot splits representing Atherton as non-conforming.

Council Member DeGolia commented on the plans not reflecting the ordinance requiring 175 feet street frontage but since it is a smaller lot, there should be a consideration to change that requirement for future subdivision projects.

MOTION by DeGolia, Second by Widmer to approve the tentative map and conditional exception to allow the subdivision of a 2.5 acres lot into two lots with non-confirming lot widths (less than required 175 ft.) at 43 Santiago Avenue. (APN-070-949-310)

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

NOES:

ABSENT:

ABSTAIN:

REGULAR AGENDA (Items 8 – 12)

8. REVIEW AND FEEDBACK REGARDING THE REPORT FROM THE AD HOC CITY COUNCIL SUBCOMMITTEE ON HOUSING – CRITERIA FOR OPPORTUNITY SITE SELECTION

Council Member Lewis presented the item. City Manager Rodericks explained that there are several steps that need to be reached before a final acceptance by HCD since the adopted Housing Element was denied and given several comments. There is an estimate of three to six months to complete which will need several meetings for review and approval. Regarding the Builder's Remedy, those applicants would still be subject to a CEQA review.

Council Member DeGolia commented that the language should only contain major arterials and eliminate minor arterials to restrict only to El Camino Real. He commented that since there are commercial or retail developments that the term 'planned' should not be included. Lastly, he opted to remove the last criteria and expressed that he was not in support of cluster multi-family developments.

Council Member Holland commented that the half of a mile criteria should be reduced to a quarter mile. Additionally, she commented that lot consolidation should be considered to support the opportunity for multi-family housing units.

Council Member Lewis agreed with the revisions made.

Vice Mayor Hawkins-Manuelian commented that the criteria are necessary for the current Housing Element needs and future projects that could affect the residents. Additionally, she noted that the streets are small and have minimal transit commuter activity. She commented that the term zoned should also reflect the purposes of what it will be used for and that areas that are currently dense should be considered first.

Mayor Widmer opened the item for Public Comments

- Pam Silveroli commented that there should be a criterion for lot size.
- Ron Sheppard commented that there need to be community input on the guidelines and that the transit corridors need to be specific.
- Laurie Sheppard commented that there is no obligation to put up multi-family housing.
- Carol Flaherty commented to consider the issue of traffic congestion, public safety hazards, and create a backup plan.
- Mike Childs expressed his frustrations with the current criteria being presented.
- Jeff Morris expressed his disappointment with the current criteria and that there needs to be clear details along with a map.
- Walter Sleeth commented that the state is crossing resident boundaries and litigation should be considered.

Mayor Widmer closed Public Comments and informed the audience that there is no action taken by the Council. Lastly, he commented that the goal of the Council is continue to make progress with HCD and avoid the possibilities of a Builder's Remedy.

1st Bullet - Reduce the 1/2 mile designation to 1/4 mile; Eliminate Minor Arterials restricting the routes to El Camino Real only.

2nd Bullet - Revise "Across from" to "Across the Street from"; Remove "planned" and retain "existing" only.

3rd Bullet - Remove "planned"; eliminate "denser development"

4th Bullet - Leave as is

5th Bullet - Leave as is

6th Bullet - Leave as is

7th Bullet - Leave as is

8th Bullet - Remove

The Council directed that the criteria be revised and returned for further discussion.

9. DISCUSS AND DECIDE ON THE INSTALLATION OF ELECTRIC VEHICLE (EV) CHARGING INFRASTRUCTURE AT HOLBROOK-PALMER PARK THROUGH PENINSULA CLEAN ENERGY'S EV READY PROGRAM

Management Analyst II Rachael Londer presented the item.

Council Member Lewis asked for Park and Recreation Committee input. City Manager Rodericks informed Council that it was not presented to the Park and Recreation Committee.

Council Member DeGolia asked staff about the cost differences. Staff commented that it is the labor that is required to install the chargers due to the water tower. Additionally, he was in support for the adding chargers because of the convenience and growing need.

Vice Mayor Hawkins-Manuelian questioned staff if the chargers installed now might be obsolete in the future. Staff replied that the least expensive part is the chargers and ports themselves.

Council Member Holland asked if we could add chargers in the future. Staff replied that there are opportunities.

Mayor Widmer is in support of the need for chargers at the park for public access and to build two or four chargers in the proposed areas with the exception of the Main House.

MOTION by DeGolia, Second by Widmer to approve the installation of eight electric vehicle (EV) charging infrastructure at Holbrook-Palmer Park with the exclusion of the Main House.

AYES: Holland, DeGolia, Lewis, Vice Mayor Hawkins-Manuelian, Mayor Widmer
NOES:
ABSENT:
ABSTAIN:

10. APPROVAL OF PLAYSTRUCTURE REPAIRS AT HOLBROOK-PALMER PARK PLAYGROUND

Public Works Director Robert Ovadia presented the item.

Vice Mayor Hawkins-Manuelian commented that the cost of repair is near the cost of installing a new playground. Director Robert commented that the labor cost is high. Additionally, he commented that community feedback and committee feedback would be recommended.

Council Member Holland noted that the playground will be updated within the Capital Improvement Project timeline, but repair is urgently needed. Director Robert added that the current state it is in poses a hazard risk.

Council Member Lewis asked about how long the repair will take. Director Robert responded that it would last as long as five years but there will be plans in the nearer future to completely restructure the playground.

MOTION by Holland, Second by Widmer to approve the play structure repairs at Holbrook-Palmer Park playground.

AYES: Holland, DeGolia, Lewis, Vice Mayor Hawkins-Manuelian, Mayor Widmer
NOES:
ABSENT:
ABSTAIN:

11. AWARD OF CONTRACT FOR THE ATHERTON RAIL STATION REHABILITATION PROJECT, PROJECT NUMBER 56285

Public Works Director Robert Ovadia presented the item.

Council Member DeGolia commented on the difficulties in finding contractors to bid for small-job proposals and is in support of creating the museum.

Vice Mayor Hawkins-Manuelian commented that the building needs to be safe for public access.

Council Member Holland commented that given the current state of the structure that the option to create a museum is the best option.

Council Member Lewis asked staff on the background of the contractor. Director Robert commented that they have extensive background in building infrastructures.

MOTION by Lewis, Second by DeGolia to award the contract for the Atherton Rail Station Rehabilitation Project, Project Number 56285 to Castillo Plumbing of Hayward.

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

NOES:

ABSENT:

ABSTAIN:

12. AUTHORIZATION TO USE FY 2022/23 TOWN LIBRARY FUNDS TO SUPPORT PRODUCTION OF TWO ATHERTON HISTORY VIDEOS

Mayor Widmer presented the item and opened for public comment.

Walter Sleeth asked if there is a current vendor, staff responded yes.

MOTION by Widmer, Second by Lewis to authorize the use of FY 2022/23 Town Library Funds to support production of two Atherton History Videos.

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

NOES:

ABSENT:

ABSTAIN:

COUNCIL REPORTS/COMMENTS

- Vice Mayor Hawkins-Manuelian reported that the Fire District Board unanimously voted that 25 Almendral be reserved for expanding the fire station and fire services use only. Additionally, there is current construction of an accessory dwelling unit. Furthermore, future plans must be presented to them through a subcommittee.

FUTURE AGENDA ITEMS

PUBLIC COMMENTS

- Carol Flaherty commented that she appreciates the work that the Council has done for the community.

ADJOURN

Mayor Widmer adjourned the meeting at 8:48 p.m.

Francesca Reyes
Receptionist/Postal Clerk