



**Minutes**  
**Town of Atherton**  
**October 4, 2017**  
**3:00 P.M.**

**Admin Conference Room**  
91 Ashfield Road  
**Council Chambers**  
94 Ashfield Road  
Atherton, California  
**Special Meeting**

**Council Member Widmer may be teleconferencing from the following location:**  
**158 Glenwood Avenue**  
**Atherton, CA 94027**

Council Member Widmer was in attendance at the meeting.

**3:00 PM      CLOSED SESSION IN ADMIN CONFERENCE ROOM**

**ROLL CALL      Lempres, Wiest, Lewis, Widmer, DeGolia**

**PUBLIC COMMENTS**

**CONFERENCE WITH LEGAL COUNSEL – POTENTIAL LITIGATION**  
**(Significant exposure to litigation pursuant to subsection (b) of Government Code Section**  
**54956.9)**

*One (1) Case*

Public Announcement of Closed Session Items – No reportable action

**ADJOURN AND RECONVENE TO SPECIAL MEETING IN THE COUNCIL**  
**CHAMBERS AT 94 ASHFIELD ROAD, ATHERTON, CA**

City Attorney reported out of Closed Session. He reported that the Council met to discuss one case of potential litigation and no action was taken.

**PUBLIC COMMENTS** – None.

**3:30 PM      ACTION ITEM**

**1.      BAYFRONT CANAL/ATHERTON CHANNEL FLOOD PROTECTION AND**  
**RESTORATION PROJECT PLANNING, DESIGN, AND ENVIRONMENTAL**  
**PERMITTING MEMORANDUM OF UNDERSTANDING (MOU)**

**Report:** Community Services Director Mike Kashiwagi

**Recommendation:** Authorize the City Attorney to prepare and the City Manager to execute a Memorandum of Understanding (MOU) in partnership with the City of Redwood City, City of Menlo Park, Town of Atherton, and the County of San Mateo

Town of Atherton City Council Agenda, Special Meeting October 4, 2017

(The Collaborative) to complete the planning, design, environmental permitting, and secure property access rights for the proposed Bayfront Canal/Atherton Channel Flood Protection and Restoration Project (Project)

City Manager Rodericks summarized his staff report. He met with City Managers of Menlo Park, Redwood City (RWC), and the County and provided feedback from Council September discussion and the suggested modifications to the MOU.

Rodericks noted that he attended the County Managers meeting and since Atherton is considering a cap on their participation, Menlo Park expressed concern that they now have to pick up a share of the \$233,000 left on the table in order to move the project forward. This is an issue for them since they have the least amount of flow contribution. The proposal moving forward is that the RWC-grant be applied to the remaining three agencies but that the \$3m grant be applied collaborative wide. This would change the construction phase contribution for Atherton from \$805k to \$855k.

Staff is looking for action from Council authorizing the City Manager to execute the design only MOU, with suggested modifications, not to exceed \$165,000 and a reimbursement schedule of 5-10 years via the County's offer (must be approved by the County).

Council Member Widmer wanted to know why the Town is considering financing when there is excess cash to pay the entire balance. Council Member Lewis questioned how the invoicing would work.

Mayor Lempres questioned why there are two separate grants. Rodericks explained that once the Town suggested a CAP, it was decided that the RWC-grant be applied to Menlo Park, Redwood City and the County only. This constitutes a 50K increase to Atherton for the construction phase contribution. Rodericks concluded that the \$3m grant will be applied to the collaborative.

Council Member DeGolia questioned the accuracy of the 2/3 contributions from Menlo Park for properties on the FEMA flood zone map. Is it a fair assessment for where property improvement would occur?

Vice Mayor Wiest asked if this reduces the size of the flood zone relative to the number of properties it includes. County officials said that it is possible.

Council Member Widmer suggested that the Town continue to take a regional approach on more matters including air traffic noise and air traffic flow. He suggested the Council consider paying the entire balance for design to avoid any outstanding obligations.

Council Member Lewis questioned why Atherton has so much run off, given the number of homes that have their own detention basin. Rodericks noted that there is flow into the drainage system from driveways and streets.

Council Member DeGolia agreed with Widmer on taking a regional approach to matters. It is reasonable to calculate cost on water flow however other issues should be considered as well. He suggested calculating the value of the property that will be improved and taking into account "how able" the entities are to incur these costs.

Council Member Widmer added that the flow coming from Woodside should also be considered.

Vice Mayor Wiest said he is comfortable with the new formula and the CAP as is and also suggested installing a flow meter monitoring system to accurately define the flows (contributions) from each jurisdiction.

Council Member Lewis asked if we are locked in perpetuity to the percentage amount if the Town agrees to it in this phase. Rodericks responded that we are not locked in but it does set a precedent for what the percentages may be.

There was discussion on the 60-day opt out provision.

Council Member Lewis motioned to approved with a not to exceed \$165K. Wiest seconded the motion.

There was discussion about the lease terms, interest rate and prepayment penalties.

**MOTION by Lewis, second by DeGolia to finance over 10 years period at 1.2% interest without prepayment penalty. The motion passed unanimously.**

**MOTION by Wiest, second by Widmer to authorize the City Attorney to prepare and the City Manager to execute the Memorandum of Understanding (MOU). The motion passed unanimously.**

### **STUDY SESSION ITEMS**

#### **2. PRIVATE GATE ACCESS INTO HOLBROOK-PALMER PARK**

**Report:** Community Services Director Mike Kashiwagi

**Recommendation:** This informational report is intended to provide discussion material for the Council to review and decide if action could be required to address the situation

City Manager Rodericks summarized his staff report.

Wiest had concerns with issues of security. He felt a letter to the homeowners who have a gate into the park alerting them of park hours and reminding them to secure their gates is reasonable.

DeGolia felt this is a sensitive and complex issue. He agreed with a letter. DeGolia felt that a property survey should be done so the Town can figure out where their property line is.

There was discussion about what to include in a letter to the property owners.

The Council directed staff to draft a letter with City Attorney input that discusses park hours, security and liability, private gate access concerns, strongly suggest gates be locked for homeowners security and that the Town may be doing a property line survey in the future.

#### **3. REPORT ON LOCAL TRAFFIC FLOW/LONG RANGE PLANNING SOLUTIONS/NTMP**

**Report:** Community Services Director Mike Kashiwagi

**Recommendation:** Provide feedback and direction on local traffic flow/long range planning solutions/neighborhood traffic management program (NTMP)

Marty Hanneman summarized the staff report.

Council Member Widmer felt that given the various traffic counts the Town currently does and the amount of development going on that this methodology would not provide accurate data. He felt that the data would be outdated before the Town had a chance to act on it.

Hanneman noted that he spoke with a colleague who uses this method and indicated that cell phone data is the most accurate traffic counts you can get.

Widmer added that the consultant should incorporate existing and proposed development projects traffic in the region that may impact traffic flow in Atherton.

There was discussion about the cost of the RFP.

Council Member Lewis suggested adding conflict zones at or near local schools into the analysis.

Lempres noted that once complete, the Council needs to have a discussion on the goals for traffic patterns and traffic calming measures.

Vice Mayor Wiest said that traffic volume and flow information would be helpful to assess the impact of cut through traffic. The current proposed methodology does not provide that information.

Mayor Lempres asked what data the Town will get from the study. Hanneman indicated that the study will delineate where the traffic originates from and where it is going.

Lempres added that the data gathered should be used to take stronger action on development projects in adjacent community's particularity when it is affecting quality of life.

Widmer noted that the percentages volumes from left/right turning movements onto local neighborhood streets might be worthwhile data.

Council Member DeGolia felt that the more data the better as it provides good benchmarks for initiating solutions. He noted that the Town should consider connecting with traffic routing applications such as Waze to limit cut through traffic as other communities have done.

Council agreed that the consultant should develop recommendations for the Towns Circulation Element of the General Plan to develop strategies to mitigate cut through traffic and address EIR comments.

#### **4. CHECK-IN ON CITY COUNCIL STRATEGIC GOALS**

**Oral Report:** City Manager George Rodericks

Moved to a future study session agenda.

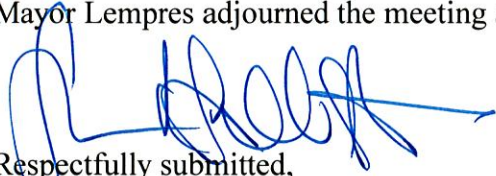
#### **5. UPDATE – QUAD RAILROAD CROSSING GATE AT WATKINS ROAD**

**Report:** Community Services Director Mike Kashiwagi  
**Recommendation:** Informational Report

Moved to a future study session agenda.

**ADJOURN**

Mayor Lempres adjourned the meeting at 4:59



Respectfully submitted,  
Theresa DellaSanta  
City Clerk