



MINUTES
Town of Atherton
CITY COUNCIL
January 15, 2020
REGULAR MEETING

Mayor DeGolia called the meeting to order at 7:03 pm

7:00 PM REGULAR SESSION – *Convene as the City Council*

1. **PLEDGE OF ALLEGIANCE**
2. **ROLL CALL** *Widmer, Wiest, Lempres, Lewis, DeGolia*
3. **PRESENTATIONS** – None
4. **PUBLIC COMMENTS** – None
5. **REPORT OUT OF CLOSED SESSION** – None
6. **CITY MANAGER’S WRITTEN REPORT AND VARIOUS DEPARTMENT ORAL REPORTS**

City Manager Rodericks provided his report that included reports from the Police Department, Public Works, and Community Services. Rodericks requested direction from Council related to providing a letter to the League of California Cities related to SB 50 with the Town’s position.

Council provided feedback and comments for inclusion in a letter outlining the Town’s position. The Council provided direction to staff and the subcommittee to prepare a letter and authorize the Mayor to sign.

Mayor DeGolia recommended that future Committee and Commission recruitments be timed to allow appointments to occur at the earliest possible Council meeting available.

7. **COMMUNITY ORGANIZATION ROUNDTABLE REPORT** – None

CONSENT CALENDAR (Items 8 - 14)

8. **APPROVAL OF MINUTES FOR DECEMBER 18, 2019 MEETING**

9. **APPROVAL OF BILLS AND CLAIMS FOR DECEMBER 2019 IN THE AMOUNT OF \$2,908,922**
10. **RESOLUTION AUTHORIZING THE DESTRUCTION OF RECORDS PURSUANT TO GOVERNMENT CODE SECTION 34090 (Resolution 20-01 Adopted)**
11. **COUNCIL COMMITTEE ASSIGNMENTS**
12. **ADOPTION OF AMENDMENTS DELETING AND REPLACING ATHERTON MUNICIPAL CODE CHAPTER 8.10 “REMOVAL OF AND DAMAGE TO HERITAGE TREES” (Ordinance 641 Adopted)**
13. **ACCEPT THE FISCAL YEAR 2018-19 AUDITED BASIC FINANCIAL STATEMENTS**
14. **APPROVE SELECTION OF UNDERWRITER AND BOND AND DISCLOSURE COUNSEL FOR THE ISSUANCE OF CERTIFICATES OF PARTICIPATION**

Betsy Colby made public comments thanking staff and Council for their efforts related to Item Number 12.

City Manager Rodericks noted that Item Number 11 was modified to leave the Surf Air Subcommittee as it presently is with Council Members Lempres and Widmer.

MOTION by Wiest, second by Lewis to approve the Consent Calendar. The motion passed unanimously.

PUBLIC HEARING (Item 15)

15. **ADOPTION OF A RESOLUTION (1) CERTIFYING THE PREPARED INITIAL STUDY/MITIGATED NEGATIVE DECLARATION AND MITIGATAION MONITORING AND REPORTING PROGRAM FOR THE GENERAL PLAN UPDATE IN ACCORDANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) AND (2) APPROVING AMENDMENTS TO THE TOWN’S GENERAL PLAN**

Senior Planner Davis presented a staff report providing an overview of the updates to the Town’s General Plan and noted that the Plan does not make any changes to the Towns designated land uses.

Councilmember Widmer commented on the Negative Declaration and raised questions related to increased air traffic with no impact.

City Manager Rodericks commented that modifications to the number of lanes of travel on El Camino Real are not part of the environmental impacts discussed in the report.

City Attorney Ebrahimi commented that any issues or concerns related to this item should be addressed prior to moving forward with any motion to approve.

Councilmember Widmer indicated that he would not support approval with the current listing of less than significant impact within the Noise Element portion.

Planner Davis continued the presentation by reviewing the Noise Element, Open Space and Conservation Element, and Circulation Element with specific attention to Street Classifications.

Vice Mayor Lewis asked clarifying questions as to what the impacts there would be to any changes within the circulation element or street classifications.

Planner Davis and Public Works Director Ovadia responded.

Mayor DeGolia introduced newly hired City Attorney Mona Ebrahimi to the audience.

City Attorney Ebrahimi noted for the record that the public hearing was opened and there were no public comments.

Council discussed continued related to various elements of the plan and associated impacts.

MOTION by Lewis, second by Wiest to adopt the Resolution 20-02 with modifications certifying the prepared initial study/mitigated negative declaration and mitigation monitoring and reporting program for the general plan update, as amended. The motion passed unanimously.

MOTION by Widmer, second by Lempres to approve general plan amendments, as amended. The motion passed unanimously.

REGULAR AGENDA (Items 16 - 21)

16. DISCUSSION AND FEEDBACK REGARDING THE CALTRAIN PROPOSAL TO PERMANENTLY CLOSE THE ATHERTON STATION

Public Works Director Ovadia introduced the staff report and presented the letter proposal provide to the Town by CalTrain. Director Ovadia noted that this was just a proposal and further direction from Council is being requested.

Councilmember Lempres and Vice Mayor Lewis asked questions related to current service, use of the Atherton station and future crossing paths.

Councilmember Widmer asked if the Town had considered partnership opportunities with Commute.org to which Director Ovadia stated we have not.

Public Comment was received by the following members of the public supporting the closure of the Atherton train station; Ed Hoven, Roland Lebrun, Nerissa Dexter, Regis Anderson, Frank Berk, Barret Anderson, Alex Key, Jim Massey, Randy Hodnett, Matt Chen, Greg Conlon, and Kim Steere

Public Comment was received by the following members of the public opposing permanent closure of the Atherton train station; Malcolm Dudley and James Bradbury.

Councilmember Wiest noted various benefits of a permanent closure and offered his support of a closure noting that the benefits outweigh other considerations.

Councilmember Widmer noted his support for a permanent closure and noted his desire to extend the quiet zone and inclusion of quad gates within the improvement options.

Councilmember Lempres stated that he supports the concept of a permanent closure, recognizing the expense of maintaining the station in the future. He also noted that he is eager to see the details in the memorandum of understanding moving forward.

Mayor DeGolia shared a brief historical account of the Atherton train station and requested Council consider the trade-offs and benefits of the proposal. He noted that the top priorities are improvements to safety and quality of life. Mayor DeGolia indicated his belief that this is a progressive change that will benefit residents.

Council directed that staff work with Caltrain to develop a Memorandum of Understanding inclusive of the proposal provided by Caltrain and the concerns expressed by Council.

17. RECEIVE PRESENTATION BY REPRESENTATIVES FROM FLOCK AND NCRIC AND APPROVE LEXIPOL POLICY 469- AUTOMATED LICENSE PLATE READERS (ALPRs)

Mike Sena, Northern California Regional Intelligence Center (NCRIC) Director presented the uses, policies, and practices employed by NCRIC when using ALPR.

Davis Lukens, Flock Safety representative presented the ALPR Flock camera technology and shared its deployment successes within other public jurisdictions.

Council discussion continued related to deployment in other jurisdictions, oversight, and regulations related to any and all use of the systems and data.

Roland Lebrun asked a question under public comment that had been addressed by NCRIC representatives.

Police Chief McCulley highlighted the policy changes presented to Council in the Town's Lexipol Policy. City Manager Rodericks added that additional language changes can be considered.

Councilmember Lempres raised questions about audit content and data management. Mike Sena responded to informing Council that NCRIC has a full-time officer dedicated to auditing the access to the system including access by other regional partner law enforcement agencies.

Mayor DeGolia recommended that installation of any permanent ALPR cameras be brought to Council for consideration and that signage, indicating the use of ALPR cameras be placed at strategic entry points throughout Town to serve as deterrents.

Chief McCulley noted security measures in place to protect data and track its access. He continued to discuss potential future public – private partnership opportunities that may evolve with residential use of ALPR technology.

MOTION by Wiest, second by Lempres to approve with recommended modifications the Lexipol Policy 469 – Automated License Plate Readers updates. The motion passed unanimously.

18. REPORT FROM AD HOC SUBCOMMITTEE ON NAMING OPPORTUNITIES, OUTREACH AND DONOR PROGRAMS; PROVIDE DIRECTION TO AD HOC SUBCOMMITTEE ON NEXT STEPS

Councilmember Widmer introduced the item and shared a brief review of the conversation he had with Atherton Now and the request made on behalf of the donors they secured.

Vice Mayor Lewis reviewed the naming opportunities and associated donation levels with Council. Vice Mayor Lewis shared suggestions for marketing material including Town Center images and descriptive language.

Mayor DeGolia noted the three topic areas of what the naming opportunities are, how donors will be recognized for their donation, and how the Town will communicate this information with the community. Council held a discussion on these topics.

Council provided direction to staff to communicate with Atherton Now the available naming opportunities and the request for those donors.

19. REVIEW AND DISCUSS THE PROPOSED EDUCATION/OUTREACH PROGRAM RELATED TO THE FIRE SERVICES STUDY AND PROVIDE DIRECTION

City Manager Rodericks introduced issues related to an education and outreach program related to the Fire Services Study.

Vice Mayor Lewis recommend staff consider hosting a community engagement forum such as a town hall meeting.

Council provided consensus support for moving forward with public education/outreach related to the topic.

20. REVIEW, DISCUSS AND PROVIDE DIRECTION ON NEXT STEPS FOR SOLID WASTE COLLECTION AND POST-COLLECTION SERVICES

City Manager Rodericks introduced the item and shared the activity performed by the subcommittee to date.

Mayor DeGolia asked clarifying questions about the impacts of SB 1383 to which Councilmember Widmer provided insight into the proposed requirements of the bill.

Mayor DeGolia asked what the process of leaving the SBWMA would require.

City Manager Rodericks responded indicating the Town would need to give SBWMA notice by June 2020 and that there would be a negotiation as to what the associated costs would be.

Council continued the item to February for further discussion and direction.

21. CIVIC CENTER PROJECT UPDATE

City Manager Rodericks noted that this is an information only report. No action is required

22. COUNCIL REPORTS/COMMENTS – None

23. PUBLIC COMMENTS – None

24. ADJOURN

Mayor DeGolia adjourned the meeting at 11:01 p.m.

Anthony Suber
City Clerk