

MINUTES
REGULAR CITY COUNCIL MEETING
MONDAY, March 10, 2003

Mayor Regan called the regular meeting to order at 6:00 p.m. at the Hillsborough Town Hall, 1600 Floribunda Avenue, Hillsborough California.

ROLL CALL: Present: Mullooly, Fannon, Kasten, Regan
Absent: Adams

MINUTES: The minutes of the February 10, 2003 City Council meeting were approved as submitted subject to a few grammatical corrections and a minor change.

RECOGNITIONS & PRESENTATIONS:

- **Jackie Speier** League of California Cities, Legislator of the Year Award
- **Martha DeBry** League of California Cities, John Nail Award
- **Kim Springer** Certificate of Appreciation, Town of Hillsborough Recycling Program

CONSENT CALENDAR:

On motion of Councilmember Mullooly and seconded by Councilmember Fannon, unanimous on voice vote, Consent Calendar items 1 - 9 were approved. Item number 10 was removed from the Consent Calendar.

1. MONTHLY CLAIMS

The monthly claims for February 2003 were approved.

2. RESOLUTION FIXING THE EMPLOYER'S CONTRIBUTION UNDER THE PUBLIC EMPLOYEE'S MEDICAL AND HOSPITAL CARE ACT

The resolution fixing the employer's contribution under the Public Employee's Medical and Hospital Care Act was adopted and resolution 03-91 was rescinded.

3. RESOLUTION OF THE CITY COUNCIL OF THE TOWN OF HILLSBOROUGH AUTHORIZING COMPENSATION ADJUSTMENTS IN THE FIRE UNIT/SAN MATEO COUNTY FIREFIGHTERS LOCAL #2400

The resolution of the City Council of the Town of Hillsborough authorizing compensation adjustments in the Fire Unit/San Mateo County Firefighters Local #2400 was adopted.

4. ORDINANCE AMENDING CHAPTER 1.04 OF THE HILLSBOROUGH MUNICIPAL CODE

The ordinance amending Chapter 1.04 of the Hillsborough Municipal Code was introduced and set for public hearing at the April 14, 2003 Council meeting.

5. SET PUBLIC HEARING DATE FOR CONSIDERATION OF ADOPTION OF ORDINANCE AMENDING HILLSBOROUGH MUNICIPAL CODE CHAPTERS 15.04, 15.05, 15.08 15.12 AND 15.16 TO REFLECT ADOPTION OF THE UPDATE UNIFORM BUILDING CODES

The ordinance amending the Hillsborough Municipal Code Chapters 15.04, 15.05, 15.08 15.12 and 15.16 to reflect the adoption of the update Uniform Building Codes was introduced and set for public hearing at the April 14, 2003 Council meeting.

6. AWARD OF BID PURCHASE OF NEW VEHICLE FOR THE PUBLIC WORKS DEPARTMENT

The contract for the purchase for a new vehicle in the Public Works Department was awarded to S & C Ford in the amount of \$23,641.25.

7. AWARD OF BID PURCHASE OF TRUCK MOUNTED SECTIONAL RODDER FOR THE PUBLIC WORKS DEPARTMENT

The contract for the purchase for a new truck with mounted sectional rodder in the Public Works Department was awarded to 3T Equipment Company, Inc. in the amount of \$63,211.25 with the trade-in for Truck #225.

8. AWARD THE SANITARY SEWER MANHOLE REHABILITATION CIP PROJECT TO GELCO SERVICES, INC.

The resolution awarding the Sewer Manhole Rehabilitation Project to Gelco Services, Inc. in the amount of \$59,400 with a 10% contingency of \$5,940 bringing the total construction budget to \$65,340 was adopted.

9. AWARD THE SPENCER LAKE FENCE REPLACEMENT TO ALL FENCE COMPANY, INC.

The resolution awarding the Spencer Lake Fence Replacement Project to All Fence Company, Inc. in the amount of \$3,150 with a \$2,000 contingency for a total construction budget of \$15,150 was adopted.

10. ORDINANCE AMENDING CHAPTER 13.20 (WATER CHARGES) OF THE HILLSBOROUGH MUNICIPAL CODE

This item was removed from the agenda, and will be placed under public hearing on the April 14, 2003 agenda.

PUBLIC HEARINGS:

11. FINAL ARCHITECTURE AND DESIGN REVIEW OF NEW HOUSE OVER 8,000 SQ. FT. IN SIZE AT 125 ROBIN ROAD; Mr. and Mrs. Scott Langmack, applicants

Associate Planner Leslie Hopper explained that the new home to be built exceeds 8,000 sq. ft. in size and that in 2001 plans for a house twice this size were approved for the same lot. The ADRB considered the application on February 3, 2003 and voted 5-0 to recommend approval of the project, subject to complying with the Standard Conditions and Fire Department requirements. Ms. Hopper indicated that at the ADRB hearing there were no neighbor objections and no appeal has been filed. Ms. Hopper showed the colored rendering of the new home and she said that the home fully complies with the zoning requirements, and is an English Tudor, with authentic details. Ms. Hopper added that the Floor Area Ratio (FAR) on the property was so low since the house was only 10,196 sq. ft. on a 2.8-acre lot.

Councilmember Mullooly asked if the black and white stripped story poles were used to measure height, and stated that, if so, the back end of the house seems to exceed 32ft. Ms. Hopper indicated that the height of the poles were measured at 31½ ft. and certified by a licensed Engineer.

Mayor Regan opened the public hearing.

Architect John Stewart was available to answer any questions.

Councilmember Fannon asked if the homeowner met with the immediate neighbors. Mr. Langmack the homeowner for 125 Robin Road indicated that three of the neighbors visited the site and did a walk around.

Councilmember Mullooly asked about the chain link fence around the property and whether it would take long for the vegetation to grow in. Mr. Stewart said that there was a combination of different plants included on the plans, and the Town's Landscape Architect had reviewed the plans and made suggestions.

Mayor Regan closed the public hearing.

On motion of Councilmember Fannon, seconded by Councilmember Mullooly, unanimous on voice vote, the final Architecture and Design review of a the new house over 8,000 sq. ft. in size at 125 Robin Road was accepted subject to compliance with the Standard Conditions.

12. ORDINANCE AMENDING TITLE 17 OF THE HILLSBOROUGH MUNICIPAL CODE (ZONING), PROVISIONS RELATED TO PRIVATE SCHOOLS

Assistant City Attorney Penny Greenberg, explained that Title 17 was approved by Council several months ago, but the private schools had requested some minor changes to the section related to schools. Mrs. Greenberg indicated that these changes will mean that the schools will not need to apply for an amendment to their permit when making minor modifications to the schools. The Assistant City Attorney and the City Planner met with representatives of Crystal Springs Uplands School and Nueva School and also with Gary Baker of the Uplands Homeowners Association in the course of drafting the ordinance. Ms. Greenberg noted that the Homeowners Association presented information that is relevant to further study of the issues for future code review and revision.

Mayor Regan asked about Section 5, item 4, sheet rock nailing and landscape installation. Ms. Morton indicated that an ADRB subcommittee came up with this section to help get the landscaping process underway so the landscape could be started and finished before a certificate of occupancy is issued.

Vice Mayor Kasten asked about Section 2, if the word tennis should be added. Mrs. Greenberg stated that tennis is included under the provision for "other team sport".

Mayor Regan opened the public hearing.

Gary Baker, President of the Uplands Homeowners Association, stated that the Association reviewed the Zoning Ordinance changes proposed for private schools and is in support. The Association suggests that Council refer the materials the Association presented to Town staff on January 29, 2003 to an appropriate committee for further review of the technical zoning issues raised in that presentation, pertinent to Code Section 17.16.30.B.6 and D.

The Association also urges further study and action in order to bring the Town's General Plan and the Zoning Ordinance into compliance with State requirements, specifically, Government Code Section 65302(a) which requires establishment of building intensity and standards for land uses within the General Plan. Mr. Baker said the Association is not suggesting that the items presented to staff are all inclusive, but that Council address important issues of detail such as: student density per acre, Floor Area Ratio for private school uses, provision for hillside sites, specific set back standards for private schools, maximum hardscape, standard specific for private school acreages, parking requirements based upon seating capacities and uses, in addition to student and employee populations. He also said that each school campus should be self-contained without the interaction between a main campus and a satellite campus of the same school or different schools.

Mayor Regan closed the public hearing.

On motion of Councilmember Mullooly, seconded by Vice Mayor Kasten, unanimous on voice vote, the ordinance amending Title 17 of the Hillsborough Municipal Code (zoning) provisions related to private schools Section 17.16.030 and Chapter 17.56 was adopted.

13. RESOLUTION OF DECLARATION OF FINDINGS REGARDING FORMATION OF AND MEMBERSHIP IN THE BAY AREA WATER SUPPLY AND CONSERVATION AGENCY (BAWSCA) AND RESOLUTION APPOINTING MEMBER OF BOARD OF DIRECTORS OF THE BAY AREA SUPPLY AND CONSERVATION AGENCY (BAWSCA)

Public Works Director Mike Meloni explained that Assemblyman Louis Papan authored Assembly Bill AB2058, which created a Regional Water Supply and Conservation Agency (BAWSCA). At the February 10, 2003 meeting, Council appointed Jean Auer to the Board of Directors of the San Francisco Bay Area Water System Financing Authority. It is recommended that Mrs. Auer also be appointed as the Town's representative to the Board of Directors of the Bay Area Water Supply and Conservation Agency.

Councilmember Fannon asked if Mrs. Auer was willing to do both. Mayor Regan said yes. Mr. Meloni indicated that most agencies use the same person for both to provide a smoother flow of information.

Mayor Regan opened the public hearing. There being no comment, the public hearing was closed.

On motion of Vice Mayor Kasten, seconded by Councilmember Fannon, unanimous on voice vote, the resolution of declaration of findings regarding formation of and membership in the Bay Area Water Supply and Conservation Agency (BAWSCA) was adopted and the resolution appointing Jean Auer as the representative from the Town of Hillsborough to the Board of Directors of the Bay Area Water Supply and Conservation Agency was adopted.

NEW BUSINESS:

14. RESOLUTION OF THE CITY COUNCIL OF THE TOWN OF HILLSBOROUGH AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH THE CITY OF BURLINGAME TO PROVIDE HUMAN RESOURCE SERVICES

Acting Assistant City Manager Kathy Leroux explained that in the current budget, the Town does have a position available for Human Resources personnel. However, due to budget restraints Hillsborough has looked into developing an agreement with the City of Burlingame's Human Resources Department to provide personnel administration and human resources in a way that would reduce the costs for both cities and improve efficiencies. Mrs. Leroux stated that this agreement is for a period of one year, and can be terminated without cause by either party with thirty days advance notice.

Mayor Regan asked about Section 3 of the agreement where it discusses payment to have Burlingame conduct a testing process for a new position. Mrs. Leroux indicated that the cost the Town would pay includes the entire testing process. Mrs. DeBry added that Burlingame would create an eligibility list after the process is complete, and then the Town would be billed.

Vice Mayor Kasten asked if the Town of Hillsborough would have the final say in who is hired. Mr. Leroux said yes.

Vice Mayor Kasten asked if the person hired leaves, would the Town need to repay Burlingame for another test. Mrs. DeBry said no the Town would continue to hire from the eligibility list.

On motion of Vice Mayor Kasten, seconded by Councilmember Mullooly, unanimous on voice vote, the resolution authorizing the City Manager to enter in an agreement with the City of Burlingame to provide Human Resource Services was adopted.

15. LEAGUE OF CALIFORNIA CITIES: Peninsula Division Council Liaison and Rapid Response Teams

City Manager Anthony Constantouros indicated that the State Legislature and the League of California Cities are forming two new areas of involvement for City Council members in San Mateo County. The Peninsula Division Council Liaison would serve as a liaison between their council and the League Peninsula Division. The Rapid Response Team would consist of volunteer elected officials throughout the county and would act as the first line of contact related to municipal issues. Mr. Constantouros added that the purpose of this is to develop a strategy of new concepts in effort to be more organized.

Mayor Regan appointed Tom Kasten to represent and serve as the Peninsula Division Council Liaison and volunteer for the Rapid Response Team.

OLD BUSINESS:

16. REVISION TO RESOLUTION FOR ACCEPTANCE OF THE 2002 SANITARY SEWER CLEANING AND LINING - PHASE II, PROJECT NUMBER SS-207

City Engineer Cyrus Kianpour reviewed with Council the problem found with processing the final retention for this project. After reviewing the file and payments made, the total project expenditures were actually \$848,777. With this revised total, the project cost is still under budget by \$46,028. Mr. Kianpour indicated that the project resulted in a stronger and smoother pipe system with minimal amount of disruption from trenching through streets and easements. The newly lined sewers are less susceptible to root infiltration and exhibit increased flow and capacity characteristics.

On motion of Councilmember Fannon, seconded by Vice Mayor Kasten, unanimous on voice vote, the resolution accepting the 2002 Sanitary Sewer Cleaning and Lining - Phase II, Project Number SS-207 was adopted.

CITY SERVICE PRESENTATION:

17. WATER BILLING AND OTHER RELATED FUNCTIONS

The Hillsborough Water Department made a presentation to Council related to water billing and other related functions.

PUBLIC COMMENT:

None

CITY COUNCIL ITEMS:

Mayor Regan commented on the alarm fee project in the Police Department, and believes this could have a successful outcome. He recommends the Financial Advisory Committee look into a few of the issues.

Councilmember Mullooly reminded staff of the swearing in ceremony for Capitan Mark O'Connor.

Acting Assistant City Manager Kathy Leroux informed Council that staff will be going forward with the Team Building Workshop, April 3, 4, and 5. The main focus of this retreat is the budget and leadership skills. A total of twelve employees will be attending this workshop.

Director of Public Works Mike Meloni updated Council about the status of the Sewer Departments new garage in the Public Works Department. The new garage has been designed as a two story structure, for the purpose of additional storage. Since the adjacent neighbor to the corporation yard has a concern about this structure, staff has decided to take this project through the Architecture and Design Review Board process even though the Town is exempt from certain rules.

Director of Public Works Mike Meloni also informed Council of the emergency slide repair on Macadamia that is being started on March 11, 2003.

City Manager Anthony Constantouros indicated to Council that a few months ago Council received information on the Housing Endowment Fund needs in San Mateo County is very complex and came up with creative ways to see the housing element contribute to this. Vice Mayor Kasten asked about the Orange County Pilot Program. City Planner Maureen Morton didn't know if it was complete, but would ask Naphtali Knox. Mr. Constantouros said financial participation is needed, and cities would contribute. Mayor Regan asked if Town could assess fees to add sq. ft. or a developer fees. Assistant City Attorney Penny Greenberg said she would have to look into Prop. 218 issues.

Mayor Regan adjourned the meeting at 8:00 p.m.