

# TOWN OF HILLSBOROUGH

San Mateo County

Thomas M. Kasten, Mayor  
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1600 Floribunda Avenue  
Hillsborough, CA 94010



## A G E N D A

**MONDAY, August 8, 2005**

**5:15 p.m. CLOSED SESSION**

**6:00 p.m. CITY COUNCIL MEETING**

**Hillsborough Town Hall**

### **CLOSED SESSION: (5:15 p.m.)**

#### **A. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION**

Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9  
(one potential case)

#### **I. PLEDGE OF ALLEGIANCE**

#### **II. ROLL CALL**

#### **III. MINUTES: July 11, 2005**

#### **IV. PROCLAMATION: September 2005 - National Alcohol and Drug Addiction Recovery Month**

#### **V. CONSENT CALENDAR:**

*The Consent Calendar includes routine items, which do not require discussion. A Councilmember may remove an item for discussion, and any member of the audience may request a Councilmember to remove an item for discussion. The items are approved in one motion.*

1. MONTHLY CLAIMS: JULY 1 THROUGH JULY 31, 2005
2. RESOLUTION AWARDED A CONTRACT TO TEMPLETON ENGINEERING CONTRACTORS, FOR THE SHADY CREEK RETAINING WALL / EROSION REPAIR PROJECT
3. RESOLUTION AUTHORIZING THE DIRECTOR OF PUBLIC WORKS TO WAIVE THE WATER CAPITAL CONSTRUCTION DEVELOPMENT FEE FOR 893 CRYSTAL SPRINGS ROAD
4. RESOLUTION AUTHORIZING UTILIZATION OF FUNDS FROM RALSTON/PINEHILL SEWER RELOCATION PROJECT BUDGET

5. RESOLUTION AWARDDING A CONTRACT TO JMB CONSTRUCTION FOR THE WATER MAIN REPLACEMENT PHASE IV – 2005 PROJECT
6. RESOLUTION APPROVING SERVICE ORDERS FOR ENGINEERING DESIGN OF THE 2005 SANITARY SEWER LINING PHASE III, CONSTRUCTION MANAGEMENT FOR SHADY CREEK RETAINING WALL / EROSION REPAIR PROJECT, AND THE 2005 WATER MAIN REPLACEMENT PHASE IV

**VI. PUBLIC HEARING:**

7. GRADING PERMIT APPLICATION AND NEGATIVE DECLARATION; 25 MOUNTAIN WOOD COURT, Mr. Mike Ping, applicant

**VII. NEW BUSINESS:**

8. RESOLUTION AWARDDING A CONTRACT TO ROBERT A. BOTHMAN, INC. IN THE AMOUNT OF \$1,119,000 FOR VISTA PARK IMPROVEMENTS AND APPROVING CHANGE ORDER NUMBER ONE REDUCING THE SCOPE OF THE PROJECT TO AN AMOUNT NOT TO EXCEED \$890,000

**VIII. DISCUSSION:**

9. DISCUSSION OF PARKING STRIP REQUIREMENTS WITHIN THE PUBLIC RIGHT-OF-WAYS

**IX. PUBLIC COMMENT:**

*Under Government Code 54954.3, members of the public have the right to address the City Council on any matter within the Council's jurisdiction. However, the Council may not take action on any non-agenda item (except in emergency circumstances). Before addressing the Council, speakers are requested to complete a yellow speaker's card and submit it to the City Clerk. Please come to the podium, state your name and address, limit remarks to 3 minutes, and do not repeat comments by other speakers.*

**X. CITY COUNCIL ITEMS:**

*This section of the agenda provides the City Council an opportunity to ask questions on any project of interest. No action can be taken on any item not on the agenda.*

**XI. ADJOURN**

**SPECIAL ACCOMMODATIONS:**

*If you need a disability-related modification or accommodation, including auxiliary aids or services, to participate in the City Council meeting, or if you need an agenda in an alternate form, please contact the City Clerk's Office at 375-7412 at least 24 hours before the scheduled City Council meeting.*



## AGENDA – REPORTS

### HILLSBOROUGH CITY COUNCIL

Monday, August 8, 2005  
6:00 p.m.  
Hillsborough Town Hall  
1600 Floribunda Avenue, Hillsborough

#### CONSENT CALENDAR:

1. MONTHLY CLAIMS: JULY 1 THROUGH JULY 31, 2005 (Finance Director)

**Summary:** The monthly claims for the month of July 2005 in the amount of \$2,659,894.48 are submitted for approval.

**Recommendation:** Approve the monthly claims for July 2005 as submitted.

2. RESOLUTION AWARDING A CONTRACT TO TEMPLETON ENGINEERING CONTRACTORS, FOR THE SHADY CREEK RETAINING WALL / EROSION REPAIR PROJECT (City Engineer)

**Summary:** This project consists of installing or replacing parts of a failed retaining wall system along a sanitary sewer line easement between Hayne Road and Marlborough Road, including repairs to the access roadway, storm drain system and some critical erosion control repairs.

Staff made a presentation to the City Council in March of 2005 presenting the magnitude of the project. The Town held a mandatory pre-bid meeting on July 19, 2005 to familiarize all potential contractors with the difficult nature of this work. Four contractors attended this pre-bid meeting. The project bid opening was held on July 26, 2005 and the following bids were received:

<u>#</u>	<u>Contractor</u>	<u>Bid Price</u>
1	Templeton Engineering Contractors	\$358,110
2	Engineered Soil Repairs Inc.	\$404,965
EE	Engineer's Estimate	\$415,000

The low bidder for this project is Templeton Engineering Contractors. Staff conducted an analysis of the proposals and verified that the contractor's qualifications and experience levels are satisfactory. A contingency of 20% is recommended for this project based on the difficult site conditions and potentially unknown geological conditions. This project is budgeted, and funding will be appropriated from the 2003 Bond Issue. This project is exempt from the California Environmental Quality Act (CEQA) per section 15301 (d) of the State Public Resources Code.

**Recommendation:** Adopt the resolution awarding the contract for the Shady Creek Retaining Wall / Erosion Repair Project to Templeton Engineering Contractors in the amount of \$358,110.00, with a contingency in the amount of \$71,622.00 for a total construction budget of \$429,732.00.

3. RESOLUTION AUTHORIZING THE DIRECTOR OF PUBLIC WORKS TO WAIVE THE WATER CAPITAL CONSTRUCTION DEVELOPMENT FEE FOR 893 CRYSTAL SPRINGS ROAD  
(City Engineer)

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**Summary:** The water service for 893 Crystal Springs Road was directly connected to the San Francisco Water Department main on Crystal Springs Road. In order for the owner to sell the property, the connection from SFPUC's main was removed and the service was connected to Hillsborough's water system. The Town did not have an existing water main on Crystal Springs Road and the owner extended the water main at the corner of El Cerrito Avenue and Crystal Springs Road to the end of their property at a distance of approximately 750 feet.

The total cost of the work completed by the owner was \$102,195. The owner has requested that the Town waive the water connection fee (Water Capital Construction Development Fee) in an amount of \$10,876 since he extended the water main beyond his property line as well as transferring services and hydrants.

**Recommendation:** Adopt the resolution authorizing the Director of Public Works to waive the Water Capital Construction Development Fee in an amount of \$10,876 for 893 Crystal Springs Road.

4. RESOLUTION AUTHORIZING UTILIZATION OF FUNDS FROM THE RALSTON/PINEHILL SEWER RELOCATION PROJECT BUDGET  
(City Engineer)

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**Summary:** The Ralston/Pinehill Sewer Relocation project budget was established in an amount of \$1,005,181, including a 15% construction contingency fund. This project is substantially complete and the project costs to date are \$ 822,502. During the construction of these improvements, it became necessary to re-construct the roadway at the intersection of Pinehill and Ralston due to the location of the existing water main. Staff has received a proposal from the contractor in the amount of \$44,863 and will authorize this extra work since funding is available in the contingency. Staff is requesting City Council authorization to utilize \$19,500 from the Ralston/Pinehill project's budget in order to resurface segments of Ralston, Pinehill and Robin Road impacted by construction of the sewer main.

This project is exempt from the California Environmental Quality Act (CEQA) per section 15301 (c), of the State Public Resources Code.

**Recommendation:** Adopt the resolution authorizing utilization of funds from the Ralston/ Pinehill project budget to resurface segments of streets impacted by construction of the sewer main in the amount of \$19,500.

5. RESOLUTION AWARDING A CONTRACT TO JMB CONSTRUCTION FOR THE WATER MAIN REPLACEMENT PHASE IV – 2005 PROJECT (City Engineer)

**Summary:** This project includes construction of replacement ductile iron water mains, fire hydrant assemblies, installation of new water service lines and meter boxes, abandoning or removing existing hydrants and gate valves, upsizing existing water mains by use of pipe bursting methods, and other ancillary work.

This is the fourth in a series of related projects that is replacing an antiquated and undersized water distribution system throughout the Town. This phase provides or replaces nearly 15,000 linear feet of water mains.

The project bid opening was held on July 26, 2005 and the following bids were received:

<u>#</u>	<u>Contractor</u>	<u>Bid Price</u>
1	JMB Construction	\$2,154,770
2	Shaw Pipeline Inc.	\$2,171,185
<b>EE</b>	Engineer's Estimate	\$2,530,294
3	West Valley Construction	\$2,559,122

The low bidder for this project is JMB Construction. Staff conducted an analysis of the proposals and verified that the contractor's qualifications and experience levels are satisfactory.

A contingency of 15% is recommended for this project based on recent experience for similar work due to the nature of numerous unforeseen problems that may be encountered. This project is budgeted, and funding will be from the 2003 Bond Issue. This project is exempt from the California Environmental Quality Act (CEQA) per section 15301 (d), of the State Public Resources Code.

**Recommendation:** Adopt the resolution awarding the contract for the Water Main Replacement Phase IV – 2005 Project, to JMB Construction in the amount of \$2,154,770, with a contingency in the amount of \$323,230, for a total construction budget of \$2,478,000.

6. RESOLUTION APPROVING SERVICE ORDERS FOR ENGINEERING DESIGN OF THE 2005 SANITARY SEWER LINING PHASE III, CONSTRUCTION MANAGEMENT FOR SHADY CREEK RETAINING WALL / EROSION REPAIR PROJECT, AND THE 2005 WATER MAIN REPLACEMENT PHASE IV (Public Works Director)

**Summary:** CSG has submitted proposals for the engineering design of the following projects:

*2005 Sanitary Sewer Lining Phase III* - CSG will develop plans, specifications and cost estimates to construct repairs to sanitary sewer lines in areas that will be cleaned and inspected as part of Phase III Cleaning and Video Inspection. The estimated cost for these repairs is approximately \$900,000 with the design and investigation costs at \$17,100, which will be funded with 2003 Bond revenues.

*Shady Creek Retaining Wall / Erosion Repair Project – Construction Management Services* - Project management will require CSG to monitor the progress of the contractor who will be constructing the repairs and provide sub consulting geotechnical support for the project. The estimated cost for these repairs is \$360,000 with the construction management costs at \$25,500 and geotechnical oversight at \$20,000, which will be funded with 2003 Bond revenues.

*2005 Water Main Replacement Phase IV – Construction Management Services* - Project management will require CSG to monitor the progress of the contractor who will be constructing the replacement of the water mains. CSG will assist with the field inspection of repairs/construction inspection on this project. Project management costs are estimated at \$60,000, which will be funded with 2003 Bond Proceeds.

**Recommendation:** Adopt the resolution approving the CSG service orders in the total amount of \$122,600 and allocating the funds from the 2003 Bond.

## **PUBLIC HEARING:**

7. GRADING PERMIT APPLICATION AND NEGATIVE DECLARATION; 25 MOUNTAIN WOOD COURT, Mr. Mike Ping, applicant (City Engineer / City Planner)

**Summary:** This agenda item includes two related matters: the environmental assessment, which is a Mitigated Negative Declaration, and a Grading Permit application for which City Council approval is required because the total amount of off-haul exceeds 1,500 cubic yards, for a proposed new house and landscape plan at the vacant lot at 25 Mountain Wood Court (part of the Stonebridge Subdivision). A location map is included on page 2 of the Negative Declaration.

The original house and landscape plans (prepared by the developers of the subdivision) were approved by the Architecture and Design Review Board (ADRB) in August of 2002. The amount of grading associated with the project did not require City Council approval. Mr. Ping purchased the site and revised the house and landscape plans. The revised plans were approved by the ADRB in December of 2004. The amount of grading associated with the revised landscape plan requires approval by the City Council.

Please keep in mind that it is required that action is taken on the Mitigated Negative Declaration before action is taken on the Grading Permit application. If the City Council adopts the Mitigated Negative Declaration, based on the required findings, action may then be taken on the grading application. If the Negative Declaration is not adopted, the grading application may not be considered.

Negative Declaration – An Initial Study, a draft Mitigated Negative Declaration and a Mitigation Monitoring Plan were prepared, according to the provisions of the California Environmental Quality Act (CEQA). Although an EIR was certified in 2001 for the subdivision, a subsequent environmental assessment is required because the grading permit is considered discretionary (because the City Council, rather than the City Engineer, must approve it) and because the EIR anticipated 1,000 cubic yards of grading per lot, where this application proposes 4,870 cubic yards.

The Negative Declaration concludes that, with the specified mitigation measures incorporated into the project, there will not be a significant effect on the environment as a result of this grading project. The mitigation measures, which are summarized on pages 3 – 6 of the Negative Declaration, relate to air quality, biological and cultural resources, geology and soils, hazards and hazardous materials, hydrology and water quality, noise and traffic.

The City Planner met with the applicant to review the measures and discuss possible alternatives to the project, including reducing the amount of grading in the rear yard (which accounts for over 3,000 cubic yards of the total grading). The applicant indicated that he had specific reasons to grade the site in this way and opted to proceed with the application, and he agreed to incorporate the mitigation measures into the project. The applicant understands that if this grading permit application is not approved, the landscape and grading plans will need to be revised such that the total off-haul is less than 1,500 cubic yards.

The Notice of Intent to Adopt a Negative Declaration was circulated and posted with the County Clerk as required by the California Environmental Quality Act. The Town's environmental consultants, MHA Environmental Consulting, Inc., will attend the City Council meeting to answer any questions the City Council may have on the Negative Declaration.

Grading Permit Application – The application for grading shows material in excess of 1,500 cubic yards to be hauled from the site. The total amount of grading proposed is 4,870 cubic yards, including 3,830 cubic yards to be exported from the site. This will result in approximately 380 round trips, using a 10-yard dump truck, to complete the off-haul from the site. The haul route to and from the site is consistent with the route approved with the original EIR for the Stonebridge Subdivision. The Negative Declaration establishes several mitigation measures that are to be implemented during the grading of the project to minimize the potential impacts to the surrounding neighborhood and the environment.

A Public Notice regarding the Grading Permit application was prepared and mailed to all Hillsborough property owners within 500 feet of the site and to all San Mateo property owners within 300 feet of the site, as required by the Municipal Code.

The Public Notice, Grading Permit application, Draft Mitigated Negative Declaration, Mitigation Monitoring Plan and related items are included in the City Council's agenda packet.

**Recommendation:**

1. Open the 2 public hearings and receive comments;
2. Close the public hearings; and,
3. In two (2) separate motions:
  - A. Adopt the Mitigated Negative Declaration, based on the findings as listed on page 6 of the document; and,
  - B. Approve the grading permit application, subject to incorporating the mitigation measures as listed on pages 3 - 6 of the Mitigated Negative Declaration and authorize staff to issue grading permit upon completion of the plans.

**NEW BUSINESS:**

8. RESOLUTION AWARDING A CONTRACT TO ROBERT A. BOTHMAN, INC. IN THE AMOUNT OF \$1,119,000 FOR VISTA PARK IMPROVEMENTS AND APPROVING CHANGE ORDER NUMBER ONE REDUCING THE SCOPE OF THE PROJECT TO AN AMOUNT NOT TO EXCEED \$890,000 (Public Works Director)

**Summary:** The Vista Park Improvements Project is funded jointly by the Town of Hillsborough and Hillsborough Beautification Foundation (HBF). The project will completely renovate the play field; install new play equipment, walkways, picnic tables and other site furnishings, trellis, and rebuild failed retaining walls.

The bid opening was held on June 28, 2005 and the Town received the following bids:

- |                            |             |
|----------------------------|-------------|
| 1. Robert A. Bothman, Inc. | \$1,119,000 |
| 2. Jensen Corporation      | \$1,264,888 |

Staff has been negotiating with the low bidder to evaluate various ways of reducing project costs. The original budget for the project was \$600,000 with \$283,000 from City funds and \$313,000 from HBF. Following the opening of the bids, the HBF has met and approved a total budget of \$643,000 for the project, (including \$43,000 in already incurred costs). A separate memo is attached presenting alternatives for City Council consideration, and a power point presentation has been prepared to discuss the project's evolution, the factors affecting costs, how the project scope can be reduced, and funding for the project.

Staff is recommending that City Council proceed with alternative A and award the contract, together with Change Order Number One which reduces the scope of the project to meet the available funding. Additionally, staff is recommending that CSG be awarded a service order not to exceed \$59,000 for construction management and inspection of the park. This activity would be funded from the General Fund reserve.

**Recommendation:**

1. Adopt the resolution awarding Robert A. Bothman, Inc. the contract for the Vista Park Improvement Project and Change Order Number One in the amount not to exceed \$890,000.
2. Adopt the resolution awarding a service order to CSG Engineering in an amount not to exceed \$59,000 for the construction management and inspection of the project.

**DISCUSSION:**

9. **DISCUSSION OF PARKING STRIP REQUIREMENTS WITHIN THE PUBLIC RIGHT-OF-WAYS** (City Engineer)

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**Summary:** Staff is seeking direction and feed back from the City Council in regards to construction of parking strips in the public right-of-ways. Staff has been requiring construction of parking strips along the frontage of properties as building permit application have been issued. Recently, as approved by the City Council's sub-committee, staff waived the requirement for construction of parking strips along Ralston Avenue in exchange for landscaping in the right-of-way. The current parking strip ordinance requires all properties to construct parking strips to accommodate street parking without regards to the location of the residence and available parking on site. Staff has received numerous complaints from applicants; however, the requirements of the ordinance have been implemented unless approved otherwise by the City Council. Staff is requesting direction from City Council as to whether the parking strip ordinance should be re-evaluated and the text of the ordinance be modified to reflect any requested changes by City Council.

**Recommendation:** No action required; for information only.