

TOWN OF HILLSBOROUGH

San Mateo County

Thomas M. Kasten, Mayor
Catherine U. Mullooly, Vice Mayor
D. Paul Regan
John J. Fannon
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1600 Floribunda Avenue
Hillsborough, CA 94010



A G E N D A

MONDAY, October 10, 2005

4:00 p.m. CLOSED SESSION

6:00 p.m. CITY COUNCIL MEETING

Hillsborough Town Hall

CLOSED SESSION (4:00 p.m.)

A. CONFERENCE WITH LEGAL COUNSEL—ANTICIPATED LITIGATION

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

B: CONFERENCE WITH LABOR NEGOTIATOR

Section 54957.6

Agency Negotiator: Anthony Constantouros, City Manager

Employee Organization: Unrepresented Employees

Police Chief, Police Captains, Executive Assistant, Public Works Director, Chief Building Official, City Planner, Assistant City Planner, Public Works Assistant Superintendent, Public Works Supervisors, Finance Director, Assistant City Manager, Assistant Finance Director and City Clerk

C. PUBLIC EMPLOYEE PERFORMANCE EVALUATION

Section 54957

Title: City Manager

I. PLEDGE OF ALLEGIANCE

II. ROLL CALL

III. MINUTES: September 12, 2005

IV. RECOGNITION:

Central County Fire will recognize the six department members who responded to New Orleans to assist with the Hurricane Katrina recovery efforts as part of California Urban Search and Rescue Task Force 3.

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: SEPTEMBER 1 THROUGH SEPTEMBER 30, 2005
2. QUARTERLY TREASURER'S REPORT
3. RESOLUTION DECLARING THE OFFICIAL INTENT TO REIMBURSE EXPENDITURES FROM THE PROCEEDS OF TAX EXEMPT FINANCING
4. RESOLUTION AWARDED A CONTRACT TO CORRPRO WATERWORKS FOR THE CATHODIC PROTECTION INSPECTION PROJECT
5. RESOLUTION AWARDED A CONTRACT TO FARALLON COMPANY FOR THE EL CERRITO HEADWALL REPLACEMENT PROJECT
6. APPROVAL OF SERVICE ORDER FOR ENGINEERING DESIGN OF THE WATER MAIN REPLACEMENT, PHASE 5
7. RESOLUTION ACCEPTING AS COMPLETE THE PINEHILL RALSTON SEWER RELOCATION PROJECT
8. RESOLUTION AUTHORIZING ADDITIONAL FUNDS FOR THE REPLACEMENT AND UPGRADE OF THE MUNICIPAL SERVICE CENTER MAIN ELECTRICAL PANEL
9. RESOLUTION ACCEPTING AS COMPLETE THE WATER MAIN REPLACEMENT PROJECT, PHASE 3
10. ORDINANCE AMENDING CHAPTERS 12.04, 12.12, AND 15.16 OF THE HILLSBOROUGH MUNICIPAL CODE AND UPDATING REFERENCES

VI. DISCUSSION:

11. ORDINANCE AMENDING CHAPTER 8.32 (NOISE REGULATIONS) OF THE HILLSBOROUGH MUNICIPAL CODE FOR CLARITY AND SIMPLIFICATION
12. UPDATE ON STATUS OF BOND PROCEEDS AND THE WATER AND SEWER CAPITAL IMPROVEMENT PROGRAM AND ITS EFFECT ON PUBLIC WORKS OPERATIONS
13. UPDATE ON HILLSBOROUGH CITY SCHOOL DISTRICT MASTER PLAN

VII. 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.

VIII. 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.

IX. 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.

MINUTES:

A copy of the unapproved minutes will be made available the Friday before the next regularly scheduled City Council meeting. Once minutes are approved by the City Council they will be made available the following day. City Council Agendas and approved minutes are available at the Town's website, www.hillsborough.net.



AGENDA – REPORTS

HILLSBOROUGH CITY COUNCIL

Monday, October 10, 2005
6:00 p.m.
Hillsborough Town Hall
1600 Floribunda Avenue, Hillsborough

CONSENT CALENDAR:

1. MONTHLY CLAIMS: SEPTEMBER 1 THROUGH SEPTEMBER 30, 2005 (Finance Director)

Summary: The monthly claims for the month of September 2005 in the amount of \$2,062,622.53 are submitted for approval.

Recommendation: Approve the monthly claims for September 2005 as submitted.

2. QUARTERLY TREASURER'S REPORT (Finance Director)

Summary: The Government Code 53646(b) requires that the Quarterly Investment report be rendered to the Council during public session within 30 days of the quarter's end.

Recommendation: Approve the Treasurer's Report for the quarter ending September 30, 2005.

3. RESOLUTION DECLARING THE OFFICIAL INTENT TO REIMBURSE EXPENDITURES FROM THE PROCEEDS OF TAX EXEMPT FINANCING (Finance Director)

Summary: Pursuant to the Financial Advisory Committee recommendation to finance the Water and Sewer Capital Program through the issuance of long-term debt, it is anticipated that the Financial Advisory Committee will be submitting for Council approval, a proposal for a debt issue to continue the Water and Sewer Improvement Program (collectively the "Project"). Through the approval of this resolution, the Council authorizes reimbursement of funds expended for the construction and acquisition of the Project from the sale and delivery of long-term debt issue pursuant to Treasury Regulations Section 1.150.2.

Recommendation: Adopt the resolution declaring the official intent to reimburse expenditures from the proceeds of tax exempt financing.

4. RESOLUTION AWARDING A CONTRACT TO CORRPRO WATERWORKS FOR THE CATHODIC PROTECTION INSPECTION PROJECT (City Engineer)

Summary: This project will hire a consultant to inspect the cathodic protection systems for fifteen of the Town's water tanks. A cathodic protection system is a series of electrically charged metal pieces called sacrificial cathodes. The cathodes absorb energy that would otherwise cause the tank walls and structural members to corrode. Periodically, the sacrificial cathodes must be replaced as they deteriorate.

The consultant will inspect the existing cathodic protection systems and make recommendations for improvements in operation and efficiency of the systems, with a goal of extending the service life of the cathodic protection systems.

The Town received four bids and Corrpro Waterworks was the low bidder with a proposal of \$11,235. The results are presented in the table below.

#	CONTRACTOR	BASE
1	Corrpro Waterworks	\$11,235
2	Harper and Associates Inc.	\$13,680
EE	Engineer's Estimate	\$15,000
3	Cor.Tec	\$22,900
4	Farwest Corrosion Control Co.	\$23,710

Staff conducted an analysis of the proposals and verified that the contractors' qualifications and experience levels are satisfactory.

This project is included in the CIP budget and will be funded by the 2003 Water and Sewer Bond.

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 Corrpro Waterworks the contract for the Cathodic Protection Inspection Project in the amount of \$11,235 with a 15% contingency in the amount of \$1,685 for a total construction budget of \$12,920.

5. RESOLUTION AWARDING A CONTRACT TO FARALLON COMPANY FOR THE
EL CERRITO HEADWALL REPLACEMENT PROJECT (City Engineer)

Summary: This project replaces an existing headwall that is failing at 610 El Cerrito Avenue. This headwall failure has created a potential public hazard due to its proximity to El Cerrito Avenue. A headwall is the concrete structure that holds a corrugated storm drain pipe in place. Typically these can be seen on either side of a road or driveway where an underground storm drain pipe is needed.

The Town solicited six bidders for the project and only received two bids. Farallon Company was the low bidder with a proposal of \$17,649. The results are presented in the table below.

#	CONTRACTOR	BASE
EE	Engineer's Estimate	\$14,000
1	Farallon Company	\$17,649
2	Fermin Sierra Construction, Inc.	\$18,500

Staff conducted an analysis of the proposals and verified that the contractors' qualifications and experience levels are satisfactory.

This project is included in the CIP budget and will be funded by the 2003 Water and Sewer Bond.

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 Farallon Company the contract for the El Cerrito Headwall Replacement Project in the amount of \$17,649 with a 15% contingency in the amount of \$2,647 for a total construction budget of \$20,296.

6. APPROVAL OF SERVICE ORDER FOR ENGINEERING DESIGN OF THE WATER MAIN REPLACEMENT PROJECT, PHASE 5 (Public Works Director)

Summary: CSG has submitted a proposal for the engineering design of the Water Main Replacement Project, Phase 5. Design services for this phase of the water main replacement program have been expanded to include replacement of additional segments of water main on Hillsborough Boulevard, Black Mountain Road and Arcadia Place. The construction estimate for Phase 5 is \$1.9 million. Design costs are estimated at \$42,960, which will be funded with 2003 Bond Proceeds.

Recommendation: Adopt the resolution approving the CSG service orders in the amount of \$42,960 from the 2003 Bond.

7. RESOLUTION ACCEPTING AS COMPLETE THE PINEHILL RALSTON SEWER RELOCATION PROJECT (City Engineer)

Summary: This project installed 3,480 linear feet of new sewer main on Ralston Avenue, Pinehill Road and Robin Road. The purpose of this project was to divert flows from sewer mains, which are difficult to maintain, as well as segments which were geologically unstable areas. The final contract amount for this project is \$905,291.46.

This project was awarded to J. Flores Construction with an original budget of \$1,005,181, which included a 15% contingency.

The work is complete and staff is requesting City Council acceptance of this project in order to file the Notice of Completion with the County Recorder. This request is exempt from CEQA.

The source of funding for this project is the 2003 Water and Sewer Bond.

Recommendation: Adopt the resolution accepting as complete the Pinehill Ralston Sewer Relocation Project, and authorize staff to file a Notice of Completion for the project.

8. RESOLUTION AUTHORIZING ADDITIONAL FUNDS FOR THE REPLACEMENT AND UPGRADE OF THE MUNICIPAL SERVICE CENTER MAIN ELECTRICAL PANEL
(Public Works Director)

Summary: On August 11, 2003, the Council authorized \$17,000 for the repair and upgrade of the main electrical panel at the Municipal Service Center. Staff is requesting additional funding to replace the panel and install a new service in lieu of a repair and upgrade of the existing site. The contractor will be installing a stand-alone structure instead of using the existing pump station to house the electrical equipment. A new service will be installed leading to the new panel increasing the power to the Municipal Service Center from 400 amps to 600 amps. All existing wires will be intercepted and routed to the new panel, which will allow for the demolition of the existing pump house. The contractor has submitted a revised bid for this revised scope of work in the amount of \$24,873. Staff is requesting additional funding for this project in the amount of \$7,873 plus 10% contingency in the amount of \$2,487 for a total project cost of \$27,360.

In reviewing the project of the Municipal Service Center, repairing and upgrading the panel did not meet the future power needs which are increasing with the introduction of more computerized systems at Public Works. A new free-standing panel was designed to accommodate all future needs. When the design was bid, the cost was well in excess of the budget. Staff worked with Gardini Electric to standardize the design while providing extra capacity in the electrical panel.

The resolution before Council is to authorize additional funds for the project from the water and sewer enterprise funds.

Recommendation: Approve the resolution authorizing additional funds in the amount of \$10,360 for Gardini Electric Co. for the replacement and upgrade of the main electrical panel at the Municipal Service Center.

9. RESOLUTION ACCEPTING AS COMPLETE THE WATER MAIN REPLACEMENT PROJECT, PHASE 3
(City Engineer)

Summary: This project installed 1,656 linear feet of 6 inch, 12,447 linear feet of 8 inch, and 2,256 linear feet of 10 inch water mains, including 45 new fire hydrants, valves, water services and other appurtenances. The final contract price for this project is \$2,233,084.53.

This project was awarded to Shaw Pipeline with an original budget of \$2,090,656, including a 10% contingency. Subsequently, the City Council authorized the addition of new work beyond the original scope of this contract and increased the budget for this work by an amount of \$319,545 for a total budget of \$2,410,201.

The work is complete and staff is requesting City Council acceptance of this project in order to file the Notice of Completion with the County Recorder. This request is exempt from CEQA.

The source of funding for this project is the 2003 Water and Sewer Bond.

Recommendation: Adopt the resolution accepting as complete the Water Main Replacement Project, Phase 3, and authorize staff to file a Notice of Completion for the project.

10. ORDINANCE AMENDING CHAPTERS 12.04, 12.12, AND 15.16 OF THE HILLSBOROUGH MUNICIPAL CODE AND UPDATING REFERENCES

(City Planner)

Summary: This ordinance represents the latest "clean-up" amendment and includes several changes to the Code to reflect current practice. The changes are not substantive, so the ordinance was not scheduled for a preliminary discussion.

The first change is to Chapter 12.04, entitled "Improvements, Excavations and Obstacles", to allow retaining walls 18 inches or shorter to be installed in the public right-of-way, subject to the approval of the City Engineer and with an encroachment permit, to allow for the development of parking strips, etc. Such insignificant features should not require approval by the City Council, which is what the current Code requires. This change reflects current procedures.

The second proposed change is to Chapter 12.12 which regulates "outdoor fixtures", which are walls, fences, columns, light posts and other things which do not qualify as buildings or structures. The change is to add a new category, called "utility boxes" (it should be noted that personal wireless service facilities are not included in this definition), and provide a process for their location and screening. The placement of transformers and large service panels has become somewhat of an issue in recent years, especially with larger houses. The design and location of these features is not determined until well into the construction process, so they are not part of the design review process. Applicants must work with the utility companies and the Building Department to locate them so that they are convenient for service, yet not too intrusive to neighbors. The proposed amendment codifies the current process, where the staff, on a case-by-case basis, works with the applicant to ensure that there is as little visual impact as possible.

The third change is to Chapter 15.16 which adopts the Uniform Plumbing Code and the Uniform Swimming Pool, Spa and Hot Tub Code and amendments thereto. The change eliminates an unnecessary requirement and corrects a minor inconsistency in permit penalty language.

The final update includes changing all references from Hillsborough Fire Department to Central County Fire Department.

Recommendation:

1. Waive reading and introduce the ordinance; and
2. Set November 7, 2005 as the public hearing date to consider adoption of the ordinance.

DISCUSSION:

11. ORDINANCE AMENDING CHAPTER 8.32 (NOISE REGULATIONS) OF THE HILLSBOROUGH MUNICIPAL CODE FOR CLARITY AND SIMPLIFICATION

(Assistant City Attorney)

Summary: Chapter 8.32 sets forth the noise regulations of the Town. The ordinance was originally drafted and adopted in 1987 and patterned after the ordinance then in effect in the City of Palo Alto. Minor amendments to Chapter 8.32 were made in 1994, 1997, and 1998. At a recent meeting of the City Council, it became clear that there was some confusion about the specifics of the Town's noise regulations. Staff reviewed the current language of Chapter 8.32 and concluded that the existing provisions could be written more simply to make them easier to understand and enforce without changing the substance of the regulations. The ordinance does that and also incorporates a few additional administrative and general plan clarifications.

Recommendation:

1. Discussion and review of ordinance.
 2. Direct staff to place ordinance amending Chapter 8.32 of the Hillsborough Municipal Code for introduction at the November 14, 2005 City Council Meeting.
12. UPDATE ON STATUS OF BOND PROCEEDS AND THE WATER AND SEWER CAPITAL IMPROVEMENT PROGRAM AND ITS EFFECT ON PUBLIC WORKS OPERATIONS

(Public Works Director)

Summary: Staff has been working with the Financial Advisory Committee (FAC) to review the status of bond funding. Since 1996, the Town has issued four bonds generating approximately \$30,000,000 in funding for water and sewer capital projects. The Finance Director summarized the disposition of the proceeds as of June 30, 2005 in a document prepared for the FAC.

As of June 30, 2005 a total of \$7,149, 915 in funds were available. Since June, Council has allocated an additional \$3,923,194 towards projects, design and engineering services. In the coming months several large projects are expected to be awarded, including the El Arroyo Tank Site (\$2,100,000) and Phase 5 Water Main Improvements (\$1,900,000). Thus the Town will spend the full amount of the bond proceeds well in advance of the August 2006 deadline.

The FAC requested that Public Works evaluate the Capital Program and determine the need for funding over the next 3-4 years. Approximately \$14,000,000 in priorities were identified by staff, paring the capital program down from \$20,000,000 in projects. The FAC is working with staff to develop a recommendation regarding a future bond issue that is appropriate to meet priorities and minimizes rate impacts.

Staff also discussed with the FAC the need to fund inspection services and properly staff the Public Works Department in order to sustain a continuously active capital program. The FAC was supportive of funding temporary inspection positions with bond proceeds if an additional bond issue is approved by Council.

Recommendation: For information only.

13. UPDATE ON HILLSBOROUGH CITY SCHOOL DISTRICT MASTER PLAN

(Public Works Director)

Summary: The Hillsborough City School District (HCSD) will update Council on its Master Plan construction process. In June 2004, Assistant Superintendent Larry Raffo advised Council about various projects that were undertaken that summer, which included changing doors, an elevator at Crocker and some landscaping. During Summer 2005, classroom renovations were the focus of improvements.

HCSD has recently completed a Negative Declaration required by the California Environmental Quality Act (CEQA) and is prepared to begin some of the larger on-site and off-site improvements. (A copy of the executive summary is included in the Council's agenda packet.) Among the improvements studied and planned for 2006 are the removal of the Eucalyptus trees along Ralston Avenue, and the construction of a westbound right turn lane and traffic signal near Crocker School to facilitate traffic during school drop off and pick up times. (A copy of the proposed layout is also included in the Council's agenda packet.)

Recommendation: No action required; for discussion only.