

# TOWN OF HILLSBOROUGH

San Mateo County

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1600 Floribunda Avenue  
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## *A G E N D A*

*TUESDAY, NOVEMBER 13, 2007*

*4:15 p.m. CLOSED SESSION*

*5:00 p.m. STUDY SESSION*

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

*Hillsborough Town Hall*

### **CLOSED SESSION (4:15 p.m.)**

**A. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION**  
(Subdivision (a) of Section 54956.9)

Name of case: Town of Hillsborough v. Ranger Pipelines

**B. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION**  
(Subdivision (a) of Section 54956.9)

Name of case: Town of Hillsborough v. Tolu and Naber

### **STUDY SESSION (5:00 p.m.)**

- Wireless Facilities Update

### **REGULAR CITY COUNCIL MEETING (6:00 p.m.)**

**I. PLEDGE OF ALLEGIANCE**

**II. ROLL CALL**

**III. MINUTES: October 8, 2007**

#### **IV. PRESENTATIONS:**

- The Central County Fire Department will recognize the firefighters who assisted in fighting the Southern California wildfires of October 2007
- The Central County Fire Department will present winners of the Fire Department's Fourth Annual Fire Safety Poster Contest
- Distinguished Budget Presentation Award to the Town of Hillsborough: Government Finance Officers Association. This is the fifth time the Town of Hillsborough has received this award.
- Metropolitan Transportation Commission Award to the Town of Hillsborough for "Movin' On Up the PCI Scale" recognizing significant improvement in Hillsborough's overall street improvement index rating

#### **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: OCTOBER 1 THROUGH OCTOBER 31, 2007
2. RESOLUTION APPROVING THE AWARD OF CONTRACT TO R3 CONSULTING TO STUDY RESIDENTIAL BACKYARD AND CURBSIDE SOLID WASTE RATES
3. RESOLUTION AWARDED THE IRRIGATION REPAIR FOR TOWN HALL TO MJ NEWELL LANDSCAPING
4. RESOLUTION SETTING FIRE HYDRANT TESTING (SPRINKLER SYSTEMS) FEES
5. RESOLUTION APPROPRIATING UP TO \$16,100 FOR THE EMERGENCY REPAIR OF THE DRAINAGE ALONG CRYSTAL SPRINGS ROAD
6. RESOLUTION APPROVING CSG WORK ORDERS FOR CONSTRUCTION MANAGEMENT SERVICES FOR 1) CROCKER LAKE EASEMENT ROAD REPAIR PROJECT, 2) 2007 STREET REHABILITATION PROJECT, 3) 2007 WATER MAIN REPLACEMENT PHASE V PROJECT, 4) WATER MAINS & PRESSURE REDUCING VALVES – VISTA & FOREST VIEW ZONE PROJECT, 5) PUMP STATION UPGRADES AT SKYFARM 3 AND TOURNAMENT TANK SITES PROJECT, AND 6) CRYSTAL SPRINGS ROAD IMPROVEMENTS PROJECT
7. RESOLUTION APPROVING CSG WORK ORDERS FOR DESIGN SERVICES FOR 1) VISTA WATER TANK IMPROVEMENTS PROJECT, 2) WATER TANK CLEANING AND INSPECTION PROJECT, 3) HILLSBOROUGH BOULEVARD/SAN

RAYMUNDO INTERSECTION IMPROVEMENTS PROJECT, AND 4) GIS  
UPGRADE OF THE TOWN UTILITY SYSTEMS PROJECT

8. RESOLUTION ACCEPTING AS COMPLETE THE CONTRACT WITH FARALLON COMPANY FOR THE CROCKER LAKE EASEMENT ROAD REPAIR PROJECT

**VI. OLD BUSINESS:**

9. UPDATE REGARDING RECONSTRUCTION OF THE CAROLANDS GATEHOUSE

**VII. NEW BUSINESS:**

10. FIRE HAZARD SEVERITY ZONE MAPPING
11. ORDINANCE ADOPTING THE 2007 CALIFORNIA FIRE CODE AND AMENDING CHAPTER 15.20 OF THE HILLSBOROUGH MUNICIPAL CODE – INTRODUCTION
12. ORDINANCE AMENDING TITLE 15 OF THE HILLSBOROUGH MUNICIPAL CODE REGULATING BUILDING AND CONSTRUCTION – INTRODUCTION

**VIII. DISCUSSION ITEM:**

13. SUSTAINABLE HILLSBOROUGH PLAN
14. PRESENTATION ON AIRPORT NOISE MONITORS
15. OPTIONS FOR ANNEXATION OF THE BLACK MOUNTAIN ROAD AND HAYNE ROAD INTERSECTION

**IX. PUBLIC HEARING:**

16. ORDINANCE AMENDING CHAPTER 1.20.015 OF THE HILLSBOROUGH MUNICIPAL CODE REGARDING BULLETIN BOARDS – ADOPTION

**X. 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.*

**XI. 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.*

**XII. 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](http://www.hillsborough.net).*



## AGENDA – REPORTS

### HILLSBOROUGH CITY COUNCIL

Tuesday, November 13, 2007

6:00 p.m.

Hillsborough Town Hall

1600 Floribunda Avenue, Hillsborough

#### CONSENT CALENDAR:

1. MONTHLY CLAIMS: OCTOBER 1 THROUGH OCTOBER 31, 2007 (Finance Director)

**Summary:** The monthly claims for the month of October 2007 in the amount of \$2,865,867.94 are submitted for approval.

**Recommendation:** Approve the monthly claims for October 2007 as submitted.

2. RESOLUTION APPROVING THE AWARD OF CONTRACT TO R3 CONSULTING TO STUDY RESIDENTIAL BACKYARD AND CURBSIDE SOLID WASTE RATES (Public Works Director)

**Summary:** R3 Consulting, a firm that specializes in the analysis of refuse collection systems and the associated rate structures, has prepared a scope of work to study the refuse rate structure for residential customers. Currently, the Town uses a progressive rate system that charges \$0.66 per gallon up to 90 gallons, and a higher \$0.78 per gallon above 90 gallons. The majority of residents subscribe to a 32-gallon service level, commonly called one-can service. About 40% of residents place their can at the curb, and 60% of residents place their can at a location in the side or rear yard. Without regard to the time a refuse worker must spend walking to a garbage can, all residents are charged the same rate for collection.

The R3 study will evaluate the time spent in motion to collect refuse at the curb versus the side or rear yard. Based on those findings, R3 will recommend a different rate structure that minimizes cost for residents who place their garbage can at the curb, and differentially increases rates for residents who opt for the higher level of service. At the same time, R3 will evaluate the use of pup trucks, which service long, steep driveways, to determine if a separate rate is needed for that level of service.

This rate study will be completed in time to report the findings to the City Council so they may consider incorporating its recommendations into next year's refuse rate increase. It is projected that the next rate increase will need to generate about 10% more revenue than is currently collected. The estimated cost for the study will be \$17,500, which is about \$4 per residence. The cost for the rate study can be funded directly by the future refuse rates as a pass-through cost to the South Bayside Waste Management Authority.

**Recommendation:** Adopt the resolution awarding a contract to R3 Consulting to study residential backyard and curbside solid waste rates, and authorizing the cost of \$17,500 to be paid through future refuse rates.

3. RESOLUTION AWARDING THE IRRIGATION REPAIR FOR TOWN HALL TO MJ NEWELL LANDSCAPING (Public Works Director)

**Summary:** The City Council passed a resolution on April 9, 2007, awarding the repair of the Town Hall irrigation system to Terra Ferma for \$10,982, and a contingency of \$3,000 for the replacement of some plant materials. The City Council subsequently passed a separate resolution on July 9, 2007, awarding the landscape maintenance of 1600 Floribunda Avenue to MJ Newell Landscaping. Public Works staff met with both contractors in August 2007 to coordinate the irrigation repair, plant replacement and maintenance work. Plant replacement needs were identified by the maintenance contractor and a quote of \$9,600 was submitted for the purchase and installation of plants.

In September 2007, Terra Ferma reported to Public Works staff that they would not be able to schedule or complete the irrigation system repair until February 2008. Additionally, Terra Ferma recommended that MJ Newell do the irrigation repairs and installation of plant material since MJ Newell will ultimately be responsible for its maintenance. MJ Newell has agreed to do the irrigation repairs for the same cost as Terra Ferma (\$10,982). They are available to begin work on the project within two weeks of final approval.

Staff is recommending that MJ Newell be awarded the irrigation repair bid for the amount of \$10,982. Staff is also recommending increasing the plant purchase and installation contingency to \$9,600.

**Recommendation:** Adopt the resolution awarding the irrigation repair for Town Hall to MJ Newell Landscaping in the amount of \$10,982 and increase the plant replacement contingency to \$9,600.

4. RESOLUTION SETTING FIRE HYDRANT TESTING (SPRINKLER SYSTEMS) FEES (Public Works Director)

**Summary:** In the past year, the Public Works Department has assumed more responsibilities related to fire hydrant testing. Previously, this work was performed by the Central County Fire Department. Several changes to the fee schedule are being recommended to fully recover the cost of hydrant testing. Ordinarily, this service is requested by a property owner who is intending to install a fire sprinkler system and needs the flow information for hydraulic calculations. The following changes to the fee schedule are recommended:

<u>FEE</u>	<u>CURRENT</u>	<u>RECOMMENDED</u>
Fire flow application fee	N/A	\$ 64.00
Fire flow test in field fee	\$117	\$138.50

The fire flow application fee is based on the time it takes for Central County Fire Department to take the application in, and for the Public Works Department to research the hydrant history and respond to the Fire Department, which will have final contact with the applicant. The fire flow test in-field fee is required when no current fire flow data is available, and a crew of two persons must physically test the hydrant in the field.

**Recommendation:** Adopt the resolution setting fire hydrant testing fees.

5. RESOLUTION APPROPRIATING UP TO \$16,100 FOR THE EMERGENCY REPAIR OF THE DRAINAGE ALONG CRYSTAL SPRINGS ROAD (Public Works Director)

**Summary:** Staff was notified of an existing drainage problem along the shoulder of Crystal Springs Road. This problem was confirmed by recent storm events. Staff observed severe ponding on the shoulder of the road and encroachment of the standing water into the travelled way. The water ponds well into the northbound lane causing drivers to use evasive action to avoid hydroplaning. Because of this potential hazard, crews have removed parts of the steep bank and installed erosion control blankets. This will reduce the potential for debris and rocks to fall onto the shoulder of the roadway which impedes the flow of storm water to the inlet.

The installation of approximately 150 linear feet of new curb and gutter along this stretch of road is necessary to ensure public safety by reducing the possibility of hydroplaning in the area, especially at night when it is hard to see the road when there is ponding. This work will also improve the Street crew's capabilities to maintain the shoulder of the road more efficiently and effectively.

The Town solicited three bids and received responses from Aguilar and Sons Paving and Farallon Company, Inc. in the amount of \$13,977 and \$15,425, respectively. Staff conducted an analysis of the proposals and verified that their qualifications and experience levels are satisfactory. Staff is recommending a 15% contingency budget for this project.

Because the need for repairs is immediate, staff authorized the start of work prior to receiving City Council approval. Funds for the project are available through Measure A revenue. An emergency appropriation requires a minimum 4/5 vote of the City Council to find that an emergency exists, and as a result the entire Consent Calendar is recommended to be approved by a roll call vote.

**Recommendation:** Adopt the resolution appropriating up to \$16,100 for the emergency repair of the drainage system along Crystal Springs Road. Since this item requires a 4/5 vote the entire Consent Calendar will require a roll call vote.

6. RESOLUTION APPROVING CSG WORK ORDERS FOR CONSTRUCTION MANAGEMENT SERVICES FOR 1) CROCKER LAKE EASEMENT ROAD REPAIR PROJECT, 2) 2007 STREET REHABILITATION PROJECT, 3) 2007 WATER MAIN REPLACEMENT PHASE V PROJECT, 4) WATER MAINS & PRESSURE REDUCING VALVES – VISTA & FOREST VIEW ZONE PROJECT, 5) PUMP STATION UPGRADES AT SKYFARM 3 AND TOURNAMENT TANK SITES PROJECT, AND 6) CRYSTAL SPRINGS ROAD IMPROVEMENTS PROJECT (Public Works Director)

**Summary:** CSG has submitted proposals for construction management and implementation of the following projects:

Crocker Lake Easement Road Repair – CSG provided additional staff augmentation to coordinate the project to ensure [California Environmental Quality Act \(CEQA\)](#) compliance and prepare for Federal Emergency Management Agency (FEMA) grant amendment and closure. The additional cost is estimated at \$6,500 and will be funded through the Sewer Fund revenues and FEMA grant.

2007 Street Rehabilitation – CSG provided additional construction management services for the project, which included construction engineering, surveillance, inspection, and documentation of project progress. The additional cost is estimated at \$3,200 and will be funded through Measure A and Gas Tax.

2007 Water Main Replacement Phase V – CSG will provide construction support for the project, which includes resident engineer, construction inspection services, project coordination, and civil engineering design support. The construction cost for the project is approximately \$1.2 million and construction management costs are estimated at \$108,800. The project will be funded through the 2006 Bond proceeds.

Water Mains & Pressure Reducing Valves – Vista & Forest View Zone – CSG will provide construction support for the project, which includes resident engineer, construction inspection services, project coordination, and civil engineering design support. The construction cost for the project is approximately \$614,000 and construction management costs are estimated at \$61,800. The project will be funded through the 2006 Bond proceeds.

Pump Station Upgrades at Skyfarm 3 and Tournament Tank Sites – CSG will provide construction management services for the project, which includes resident engineer, construction inspection services, project coordination, and civil engineering design support. The construction cost for the project is approximately \$1.7 million and construction management costs are \$165,900. The project will be funded through the 2006 Bond revenues.

Crystal Springs Road Improvements – CSG will provide construction management oversight for the project, which includes design support, oversight of resident engineer, and construction inspection services. The construction cost for the project is approximately \$130,000 and construction management oversight costs are \$7,200. The project will be funded through the Measure A and Gas Tax.

In July 2006, staff presented a report to the City Council regarding the status of the CSG Engineering contract with the Town. CSG continues to perform well and provides construction management services within the 9% limit specified in the contract.

**Recommendation:** Adopt the resolution approving the CSG work orders in the total amount of \$353,400 and allocating \$6,500 in Sewer Fund revenues, \$10,400 from Measure A and Gas Tax revenues, and \$336,500 from the 2006 Bond revenues.

7. RESOLUTION APPROVING CSG WORK ORDERS FOR DESIGN SERVICES FOR 1) VISTA WATER TANK IMPROVEMENTS PROJECT, 2) WATER TANK CLEANING AND INSPECTION PROJECT, 3) HILLSBOROUGH BOULEVARD/SAN RAYMUNDO

INTERSECTION IMPROVEMENTS PROJECT, AND 4) GIS UPGRADE OF THE TOWN UTILITY SYSTEMS PROJECT (Public Works Director)

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

Vista Water Tank Improvements – CSG will provide design services to prepare plans, specifications, and cost estimates for the demolition of an existing water tank and the construction of a new 600,000 gallon steel water tank, a pump station, an onsite emergency generator, and other site improvements. Design of the tank will require approximately 18 months to complete. The estimated construction cost for the project is approximately \$2.9 million with the design cost at \$225,700. The project will be funded through the 2006 Bond revenues and Water Fund revenues.

Water Tank Cleaning and Inspection – CSG will provide design services to prepare a contract specification package to provide on-going annual cleaning and inspection services for a water tank inspection program. The total cost of the design services is estimated at \$11,900, and will be funded through the 2006 Bond revenues.

Hillsborough Boulevard/San Raymundo Road Intersection Improvements – CSG will provide preliminary design services to develop alternatives and a budget estimate for traffic flow and safety improvements to the Hillsborough Boulevard/San Raymundo Road intersection. Both Engineering and the Police Department have been evaluating the safety of the intersection at the request of nearby residents. The total cost of the design services is estimated at \$3,500 and will be funded through the General Fund, Measure A, and Gas Tax.

GIS Upgrade of Town Utility Systems – CSG will provide additional GIS services to input and update the existing utility system drawings and incorporate changes identified by Town staff. The additional cost associated with the Town GIS systems update is estimated at \$6,000 and will be funded through the Water Fund revenues.

In July 2006, staff presented a report to the City Council regarding the status of the CSG Engineering contract with the Town. CSG continues to perform well and provides construction management services within the 9% limit specified in the contract.

**Recommendation:** Adopt the resolution approving the CSG work orders in the total amount of \$247,100 and allocating \$3,500 from Measure A, Gas Tax and General Fund revenues, and \$243,600 from the 2006 Bond revenues and the Water Fund.

8. RESOLUTION ACCEPTING AS COMPLETE THE CONTRACT WITH FARALLON COMPANY FOR THE CROCKER LAKE EASEMENT ROAD REPAIR PROJECT (City Engineer)

**Summary:** This project repaired an unpaved easement road which provides maintenance access to a sewer main at the Crocker Lake Open Space. Farallon Company completed the project with the installation of 130 linear feet of retaining walls and 240 linear feet of sub-drains along the failed portion of the easement road caused by a landslide. In addition, the contractor completed extra work to install environmental fencing to protect the endangered California Red-Legged Frog and San Francisco Garter Snake, as required by Federal Emergency

Management Agency (FEMA), double wood lagging at the bottom of the retaining walls for additional reinforcement, additional backfills, guard rails at the top of the walls, and erosion control measures to prepare the site for the wet season.

This project was awarded to Farallon Company in September 2007, with a construction budget of \$139,510, which includes contingencies in the amount of \$20,000 for biological monitoring services, \$ 5,215 for geotechnical consultant services, and \$24,785 for unforeseen expenses. The project has been completed under budget for a final amount of \$132,164.50, including \$17,768.83 for biological monitoring services, \$3,659.76 for geotechnical consultant services, and \$21,218.86 for extra work performed by the contractor.

**Recommendation:** Adopt the resolution accepting as complete the contract with Farallon Company for the Crocker Lake Easement Road Repair Project in the amount of \$132,164.50.

## OLD BUSINESS:

9. UPDATE REGARDING RECONSTRUCTION OF THE CAROLANDS GATEHOUSE  
(Public Works Director)

**Summary:** On October 9, 2006, the City Council heard a presentation on the renovation of the Carolands Gatehouse and the related fundraising efforts. The Town was recently advised that adequate funding is available to proceed with the reconstruction of the Gatehouse building, which is located at the corner of Eucalyptus and Ralston Avenues. A project schedule outline will be discussed with the City Council.

**Recommendation:** Authorize proceeding with the Carolands Gatehouse reconstruction project and direct finalization of plans for presentation to the City Council.

## NEW BUSINESS:

10. FIRE HAZARD SEVERITY ZONE MAPPING (Fire Chief)

**Summary:** In the wake of the Oakland-Berkeley Hills Fire in 1991, the State of California began to map Local Responsibility Areas (LRA) to determine classification of Fire Hazard Severity Zones in accordance with the Bates Bill (AB557). Criteria utilized a "Hazard Weighting Scorecard" which compared fuels, weather, slope, and housing density. It was the local jurisdiction's responsibility to concur, add, or remove areas from the State recommended areas by formal administrative adoption. Upon determination by a local agency, stringent roofing requirements could be enforced.

In 1995, the State of California mapped San Mateo County and determined the open space identified currently as Tobin-Clark was deemed a Very High Fire Hazard Severity Zone. In lieu of a formal declaration, the Hillsborough Municipal Code was modified as follows:

1. Require Class "A" roofing standards throughout the Town.

2. Restrict the use of wood siding throughout all areas contiguous to open space.
3. Restrict the use of wood decks throughout all areas contiguous to open space.

*Note: "Contiguous to open space" has been applied to only those homes with parcels sharing a border with Town Open Space.*

As a result of the many wildfires since 1991, the State of California has developed statewide regulations (CBC 7A) for exterior siding and decks, windows, doors, and other opening protection, which are scheduled to become effective in July of 2008. These new regulations will be required for construction in mapped areas listed as Very High Fire Hazard Severity Zones within LRA. It was left to the discretion of local government to make a determination on whether or not these standards would be applied in moderate and high severity zones.

As of January 2005, all Building Officials are required to certify that all structures built within a wildland-urban interface have been constructed in accordance with adopted wildland-urban interface codes prior to insurance companies granting fire insurance. The areas required to be identified as wildland-urban interfaces are those areas identified in LRA mapping as Very High Fire Hazard Severity Zones (VHFHSZ).

In October of 2007, the State distributed the first draft of new LRA maps to local jurisdictions. These maps were developed by Cal Fire's Fire Resource Assessment Program (FRAP) utilizing new data and logical, science-based methods. Once adopted by the State of California, the maps may not be modified by local jurisdictions. Local jurisdictions may only request a re-assessment by the FRAP upon implementation of code standards, enforcement, and new development.

The map distributed to Hillsborough indicates that most of the Town is falls into either "moderate", "high", or "very high" categories.

The new building codes (CBC 7A) enforced in any Very High Fire Hazard Severity Zone will have an impact on building costs due to the cost of materials for home siding, doors, windows, and decks utilized to meet the new standards. These regulations will only affect new construction and substantial remodel of projects within the mapped area. Staff believes that this will be a relatively low number of projects due to the "built-out" status of the areas identified on the draft map.

The mapping should be recognized as a tool to be used by the Town to identify areas where building codes can be applied that will improve a structure's survivability during a wildland fire, and to identify "Fire Improvement Zones" for planning purposes.

The Fire Department has filed a Notice of Intent to apply for a FEMA grant to develop an approved Local Hazard Mitigation Plan, which includes a complete assessment of the Town, utilizing Hyper Spectral Imaging technology. The Mitigation Plan can be used by the Fire Department, in conjunction with the Hazard Maps, to administer a comprehensive education and enforcement program with residents and private property owners.

**Recommendations:**

1. Direct staff to make a formal request for more time to review the maps distributed by the State of California.
  2. Direct staff to provide information to the State to ensure the validity and consistency of the proposed LRA maps as they relate to the Town of Hillsborough.
11. ORDINANCE ADOPTING THE 2007 CALIFORNIA FIRE CODE AND AMENDING CHAPTER 15.20 OF THE HILLSBOROUGH MUNICIPAL CODE – INTRODUCTION (Fire Chief)

**Summary:** For the first time in nearly ten years, California will have a complete set of building codes based on the latest national and international model building codes, making use of the most current technologies and methods of construction. Included in this process is the adoption of the building standards provisions of the International Fire Code (2006 Edition) as the official California Fire Code, with some amendments made by the State, and the non-building standards of the International Building Code of the International Fire Code (2006 Edition) with all Appendices.

The new California Fire Code will become effective statewide on January 1, 2008. At the local level, the new state code will be enforced as adopted at the state level unless a city or county adopts modifications to it.

The enforcing authority for the new Fire Code will be the Central County Fire Department (CCFD). Consequently, efforts have been made to standardize the adoption of the California Fire Code and local modifications for both Burlingame and Hillsborough, so that CCFD can have a uniform set of standards to enforce. Any modifications adopted by Hillsborough or Burlingame will become effective when the amending ordinance takes effect; until then, the general provisions of the new California Fire Code will apply.

CCFD has worked regionally with the fire departments of San Mateo, Millbrae, San Bruno, and the County of San Mateo to develop a single set of local modifications to the California Fire Code. This allows for streamlined construction processes, consistency of standards and enforcement policies, and enhanced emergency response tactical coordination. The code review group worked cooperatively to review all existing local ordinances and determine best practices and needs. The group verified that the California Fire Code, with the proposed modifications set forth in the adopting ordinance, will be in the best interests of our communities and are justified by climactic, geological, and/or topographical conditions in our specific areas. Some modifications are directed primarily to industrial or commercial uses and may have little effect within Hillsborough, but are included to achieve consistency with the regional group's recommendations.

Some portions of the current Chapter 15.20 are not affected by the new California Fire Code or the proposed local modifications and so will not be repealed.

**Recommendation:**

1. Introduce and waive the first reading of the ordinance; and
2. Set December 10, 2007, as the public hearing date to consider adoption of the ordinance.

12. ORDINANCE AMENDING TITLE 15 OF THE HILLSBOROUGH MUNICIPAL CODE REGULATING BUILDING AND CONSTRUCTION – INTRODUCTION (Chief Building Official)

**Summary:** Construction Codes are required by the State Legislature to be adopted every three years in conjunction with the most current codes being published by the State Model Code Groups. The State agencies, such as the Department of Housing and Community Development are then required by law to amend these codes as they see fit. Local jurisdictions then have the opportunity to further amend their local codes. Local variations from State Codes can only be held valid if they are more restrictive than the State Codes.

Currently, Title 15 of the Hillsborough Municipal Code is in need of updating because of discrepancies between new State and local regulations. While local codes are permitted to be more restrictive than State Law, local codes cannot be less restrictive than State law. Certain components of the Hillsborough Municipal Code relating to building and construction are less restrictive than State law. Additionally, staff is proposing a more restrictive local component to the Hillsborough Municipal Code relating to construction management to protect the quality of life within neighborhoods during construction.

The Building and Fire Departments have worked with other jurisdictions throughout the State of California to establish consistent standards to minimize the impact that varying standards might have on development and redevelopment of residential, institutional, and commercial buildings. It is only through high building standards and effective fire prevention and containment programs that citizens will receive appropriate protection.

Should the City Council introduce the draft ordinance, staff proposes to bring forward an amendment to the Uniform Fee Schedule for future consideration. Now that the State Codes have been updated/revised, and staff has had an opportunity to frame updated Hillsborough Building Codes based on State Code update, staff sees the need for changes to the building permit fees. Existing building permit fees are based on national valuation standards and are not reflective of the local costs and resources involved in permit processing. The existing fees, therefore, are not covering the costs of permitting activities by Town staff and the difference is being subsidized by the Town.

**Recommendation:**

1. Introduce and waive the first reading of the ordinance; and
2. Set December 10, 2007, as the public hearing date to consider adoption of the ordinance.

**DISCUSSION ITEM:**

13. SUSTAINABLE HILLSBOROUGH PLAN (Assistant City Manager)

**Summary:** “Sustainability” can be defined as practices that meet the needs of the present without compromising the ability of future generations to meet their needs. A sustainable community maintains a healthy environment, economy, and society for the long term. Increasing numbers of jurisdictions have developed sustainable city plans.

Hillsborough has several environmental programs that promote sustainability, such as the construction and demolition recycling policy, the environmental preferable purchasing policy, energy efficient building/code requirements, water conservation programs, and energy efficiency audits for Town facilities. However, a comprehensive sustainability plan can provide a roadmap for the Town to identify and prioritize sustainability programs that the Town and community can undertake to further advance sustainable practices.

A “Sustainable Hillsborough Plan” can be developed to include objectives, goals and programs with methods to measure progress toward meeting those goals. Kathleen Gallagher of CSG and a representative from Sustainable San Mateo County will be presenting to City Council ideas and recommendations for moving forward with a sustainability plan for the Town of Hillsborough.

**Recommendation:** For discussion only; no action required.

14. PRESENTATION ON AIRPORT NOISE MONITORS (Public Works Director)

**Summary:** A brief presentation will be made by Bert Ganoung of the San Francisco International Airport’s Aircraft Noise Abatement Office regarding the use of noise monitoring equipment in Hillsborough. A temporary noise monitoring site is located at the Skyfarm 2 tank site located at 8 Fir Court.

**Recommendation:** For discussion only; no action required.

15. OPTIONS FOR ANNEXATION OF THE BLACK MOUNTAIN ROAD AND HAYNE ROAD INTERSECTION (Public Works Director)

**Summary:** A discussion of options for annexation of the Black Mountain Road and Hayne Road intersection will be presented. This annexation is proposed to be consistent with General Plan Policy C-2.6, which states “*Coordinate with adjacent jurisdictions and regional planning agencies to promote safe and efficient roadway design at Town entrances, as well as to support overall traffic congestion.*” Supporting this policy Action C-2.1 states:

*The Town will work with San Mateo County, the SFPUC and CalTrans to implement feasible improvements at the intersection of Black Mountain Road/Hayne Road/Skyline Boulevard to improve traffic flow or limit the amount of regional cut-*

*through traffic into the Town. Such improvements might include adding a separate eastbound left-turn lane and separate shared through/right-turn lane...*

The Public Works Department requested that the County consider the addition of a left-turn lane, and was advised no changes would be made per the County's street maintenance criteria. Following that discussion, the Town asked if annexation of the intersection was possible, in order to give the Town the authority to make such traffic control changes. The County is receptive to an annexation and is requesting the Town consider alternatives to assume responsibilities for portions of Black Mountain Road and Skyline Boulevard, which are not contiguous to other County roads.

If an application is made to the Local Agency Formation Commission (LAFCO) for annexation, staff is also recommending that the Town's jurisdictional boundary be aligned to coincide with roads within Town, and not cross Highway 280 as it presently does.

**Recommendation:** For discussion only; no action required.

#### **PUBLIC HEARING:**

16. ORDINANCE AMENDING CHAPTER 1.20.015 OF THE HILLSBOROUGH MUNICIPAL CODE REGARDING BULLETIN BOARDS – ADOPTION (City Engineer)

**Summary:** As discussed with the City Council in July 9, 2007, a code amendment is needed in order to move the Town's bulletin boards from their present locations at Brentwood Drive and West Santa Inez Avenue, and Baileyana Road at Jackling Drive to Fire Stations 32 and 33. If adopted, the ordinance will designate Fire Stations 32 and 33 as the official posting locations effective in January 2008.

#### **Recommendation:**

1. Waive reading and open the public hearing; and
2. Close the public hearing and adopt the ordinance amending Chapter 1.20.015 of the Hillsborough Municipal Code.