

MINUTES
REGULAR CITY COUNCIL MEETING
MONDAY, MARCH 10, 2008

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

ROLL CALL: Present: Fannon, Kasten, Regan, Krolik, Mullooly

MINUTES: The minutes of the February 11, 2008 City Council meeting were approved as submitted subject to one wording change. Vice Mayor Krolik stated that the fourth paragraph in Agenda Item 9 on page 2 in should read "*Vice Mayor Krolik asked Chief Dornell if the information in the monthly report to the City Council could include how many calls were above the acceptable response times, the location of the calls, and why they were above the target times.*"

CONSENT CALENDAR:

Item 5 was removed for discussion. On motion of Councilmember Fannon, seconded by Councilmember Kasten, and unanimous on voice vote, Consent Calendar items 1 through 4 and 6 through 10 were approved.

1. MONTHLY CLAIMS: FEBRUARY 1 THROUGH FEBRUARY 29, 2008

The monthly claims for the month of February 2008 in the amount of \$2,247,938.37 were approved as submitted.

2. RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE THE MEMORANDUM OF UNDERSTANDING BETWEEN THE TOWN OF HILLSBOROUGH AND THE INTERNATIONAL ASSOCIATION OF FIREFIGHTERS (IAFF 2400) / CENTRAL COUNTY FIRE DEPARTMENT

The resolution authorizing the City Manager to execute the Memorandum of Understanding between Central County Fire Department / IAFF Local 2400 and the Town of Hillsborough was adopted.

3. RESOLUTION CONSENTING TO THE SAN MATEO COUNTY HEALTH OFFICER ENFORCEMENT OF ORDERS AND STATE LAWS RELATING TO PUBLIC HEALTH WITHIN THE TOWN

The resolution consenting to the San Mateo County Health Officer enforcement of orders and State laws relating to public health within the Town was adopted.

4. RESOLUTION APPROVING THE PURCHASE OF TWO REPLACEMENT POLICE VEHICLES

The resolution approving the purchase of two replacement black and white 2008 Crown Victoria vehicles for the bid amount of \$ 47,617.20 from San Francisco Ford Lincoln Mercury from the Police Vehicle Replacement Fund was adopted.

5. RESOLUTION APPROVING THE PURCHASE OF A FIRE DEPARTMENT URBAN SEARCH AND RESCUE TRUCK FROM SUPER VACUUM MANUFACTURING, INC.

Vice Mayor Krolik announced some minor wording changes recommended by City Attorney Norm Book to the Intent to Purchase Agreement for Super Vacuum Manufacturing, Inc.

On motion of Vice Mayor Krolik, seconded by Councilmember Regan, and unanimous on voice vote, the resolution approving the purchase of a 2007 SVI Rescue Truck in the amount of \$349,495.00 and authorize the expenditure of 10% matching funds in the amount of \$34,949.50 upon delivery of the new apparatus was adopted.

6. RESOLUTION ACCEPTING AS COMPLETE THE CONTRACT WITH INSITUFORM TECHNOLOGIES, INC. FOR THE 2006 SANITARY SEWER MAINS LINING PROJECT PHASE III

The resolution accepting as complete the contract with Insituform Technologies, Inc. for the 2006 Sanitary Sewer Mains Lining Project Phase III in the amount of \$811,914 was adopted.

7. RESOLUTION ACCEPTING AS COMPLETE THE CONTRACT WITH BOND BLACKTOP, INC. FOR THE 2007 PAVEMENT MAINTENANCE AND REHABILITATION PROJECT

The resolution accepting as complete the contract with Bond Blacktop, Inc. for the 2007 Pavement Maintenance and Rehabilitation Project in the amount of \$493,911.14 was adopted.

8. RESOLUTION ACCEPTING AS COMPLETE THE CONTRACT WITH FARALLON COMPANY FOR THE VISTA PARK CONCRETE MASONRY UNIT WALL PROJECT

The resolution accepting as complete the contract with Farallon Company for the Vista Park CMU Wall Project in the amount of \$55,058 was adopted.

9. RESOLUTION AUTHORIZING ADDITIONAL FUNDS FOR THE 2007 WATER MAIN REPLACEMENT PROJECT PHASE V

The resolution authorizing additional funds for the 2007 Water Main Replacement Project Phase V in the amount of \$70,000 for a total project allocation of \$1,468,975 from the 2006 Water and Sewer Bond Issue was adopted.

10. RESOLUTION APPROVING THE PURCHASE OF SMARTCOVER MANHOLE MONITORING SYSTEMS

The resolution approving the purchase of SmartCover manhole monitoring systems and allocating funds from the 2006 Water and Sewer Bond was adopted.

PUBLIC HEARING:

11. FUNDRAISING EVENT PERMIT APPLICATION 08-01 FOR THE COMMUNITY SERVICE LEAGUE KITCHEN TOUR

Assistant City Manager Kathy Leroux stated that the Community Service League submitted a fundraising application to conduct their Kitchen Tour on Friday, May 16, 2008, from 10:00 a.m. to 3:00 p.m., at 605 Hillsborough Boulevard, 1215 Tournament Drive, 315 Pinehill Road, and 234 West Santa Inez Avenue in Hillsborough.

Ms. Leroux stated that Public Notices were sent to homeowners located within a 500-foot radius of the properties and no comments were received. She stated that staff recommended approval of the application subject to the restrictions and conditions of the Police, Fire and Building Departments.

Mayor Mullooly opened the public hearing. There were no comments. The public hearing was closed.

On motion of Vice Mayor Krolik, seconded by Councilmember Kasten, and unanimous on voice vote, Fundraising Event Permit Application 08-01 for the Community Service League's Kitchen Tour on Friday, May 16, 2008, subject to the conditions recommended by staff, was approved.

12. FUNDRAISING EVENT PERMIT APPLICATION 08-02 FOR THE PARCA AUXILIARY LUNCHEON AND FASHION SHOW

Assistant City Manager Kathy Leroux stated that the Parca Auxiliary submitted a fundraising application to conduct their Luncheon and Fashion Show on Wednesday, May 21, 2008, from 8:00 a.m. to 2:30 p.m., at 183 Bridge Road in Hillsborough.

Ms. Leroux stated that Public Notices were sent to homeowners located within a 500-foot radius of the properties and no comments were received. She stated that staff recommended approval of the application subject to the restrictions and conditions of the Police, Fire and Building Departments.

Mayor Mullooly opened the public hearing. There were no comments. The public hearing was closed.

On motion of Councilmember Kasten, seconded by Councilmember Fannon, and unanimous on voice vote, Fundraising Event Permit Application 08-02 for the Parca Auxiliary's Luncheon and Fashion Show on Wednesday, May 21, 2008, subject to the conditions recommended by staff, was approved.

NEW BUSINESS:

13. RESOLUTION ENDORSING THE GUIDING PRINCIPLES OF THE GRAND BOULEVARD INITIATIVE FOR CONSIDERATION IN FUTURE PLANS AFFECTING EL CAMINO REAL

Director of Planning and Building Liz Cullinan stated that the Grand Boulevard Initiative is a plan to improve the performance, safety and aesthetics of El Camino Real from Daly City to San Jose. She added that the area in Hillsborough would extend from Floribunda Avenue to Bellevue Avenue, which is approximately ¼ mile in length. Ms. Cullinan explained that because of the limited area of the El Camino corridor within Hillsborough, the Guiding Principles would present limited opportunities for application in Hillsborough, but that coordination with adjacent communities offered through the Guiding Principles could benefit Hillsborough by facilitating joint efforts with other communities for procedural and financial support for beautification and roadway safety improvements at intersections such as Floribunda and Bellevue Avenues. She added that there would be no financial implications to the Town of Hillsborough caused by endorsing the Guiding Principles.

Ms. Cullinan stated that staff recommends that the City Council adopt the Guiding Principles of the Grand Boulevard Initiative, including the preservation of the essential character of the Town and preservation of improvement opportunities for vehicular, bicycle, and pedestrian safety at key intersections, such as Floribunda Avenue and El Camino Real.

Ms. Cullinan introduced Michael Garvey, a consultant with SamTrans and a former San Carlos City Manager. Mr. Garvey stated that the Grand Boulevard Initiative would have limited impact in Hillsborough, but it would be important for the Town to be involved regionally. Mr. Garvey provided information on the evolution of El Camino Real, the vision of a Grand Boulevard, the goal and focus, the partners, the process, and the current status of the Grand Boulevard Initiative. He stated that the vision is that El Camino would achieve its full potential as a place for residents to work, live, shop and play, creating links between communities that promote walking and transit and an improved and meaningful quality of life.

Councilmember Fannon asked about the timing of the Grand Boulevard plans. Mr. Garvey responded that the Working Committee is looking for federal grants to start five projects this summer.

Councilmember Regan asked if there were any "grand concepts" in mind for the Town of Hillsborough. Mr. Garvey replied that it would be up to each individual city to decide what would work best to improve the effectiveness and appearance of El Camino in its own community.

Councilmember Kasten stated that the regional approach could be a huge asset to the region, as the guidelines and principles that were developed for the Grand Boulevard Initiative would provide a more integrated look along the boulevard. Mr. Garvey added that the Guiding Principles of the Grand Boulevard Initiative still encourages cities to maintain their particular look or design.

Vice Mayor Krolik stated that Hillsborough would be the twelfth city to adopt the resolution endorsing the Guiding Principles of the Grand Boulevard Initiative. She added that Redwood City completely transformed itself and that twenty years from now, El Camino from Daly City to San Jose would have a different look.

Ms. Cullinan clarified that the draft resolution was customized to Hillsborough's needs and was not identical to the model resolution.

Mayor Mullooly thanked Ms. Cullinan and Mr. Garvey.

On motion of Councilmember Fannon, seconded by Councilmember Kasten, and unanimous on voice vote, the resolution endorsing the Guiding Principles of the Grand Boulevard Initiative for consideration in future plans affecting El Camino Real in the Town of Hillsborough was adopted.

OLD BUSINESS:

14. RESOLUTION AUTHORIZING THE CONSTRUCTION OF A FUEL TANK SITE AT TOWN HALL

Police Captain Mark O'Connor stated that the Town Hall Fuel Tank Fund in the 2007/2008 Capital Budget contains \$50,000 reserved for the construction of a concrete pad, perimeter wall and installation of an above-ground fuel storage tank, which would be positioned in the rear police parking lot adjacent to the Hillsborough Water Conservation Park. He explained that this secure location would provide fuel for police vehicles, Town Hall pool vehicles and related department vehicles, as well as providing a redundant fuel source for all other Town vehicles and reducing the off-hour traffic in and out of the Municipal Service Center site.

Captain O'Connor stated that the pad and perimeter walls of the project site would encroach into the Water Conservation Park and would result in a minor change in the existing foliage and ground vegetation, which would be adjusted during future improvements planned by the Hillsborough Beautification Foundation.

Captain O'Connor stated that the tank manufacturer, Modern Custom Fabrications of Fresno, is considered a sole source provider for the tank, which would contain both regular and premium grades of gasoline. He added that the cost for the tank, fuel pump, vapor recovery system, delivery and installation is \$30,775.68.

Vice Mayor Krolik asked Captain O'Connor why the proposed fuel tank site was not closer to El Camino Real. Captain O'Connor replied that there is a large oak tree that would have to be removed, if the fuel tank site was closer to El Camino Real.

Councilmember Regan asked Captain O'Connor how many vehicles currently go to the Municipal Service Center for fuel. Captain O'Connor replied that approximately twelve police vehicles go to the Municipal Service Center for fuel every day.

Mayor Mullooly thanked Captain O'Connor.

On motion of Vice Mayor Krolik, seconded by Councilmember Kasten, and unanimous on voice vote, the resolution authorizing the purchase of the fuel tank from Modern Custom Fabrications of Fresno in the amount of \$30,775.68 and authorizing Diodati Construction, Inc. of Burlingame to proceed with the construction of the concrete pad and perimeter wall in the amount of \$ 18,975.00, with a 10% contingency in the amount of \$4,975.00, for a total construction project of \$54,725.68, was approved.

DISCUSSION:

15. DISCUSSION OF OPTIONS TO ADDRESS SANITARY SEWER OVERFLOWS ON THE CRYSTAL SPRINGS SEWER TRUNK

Mayor Mullooly introduced San Mateo County Supervisor Mark Church and San Mateo County Public Works Director Jim Porter. City Engineer Cyrus Kianpour explained that half of Hillsborough's sewer discharge flows to Burlingame and the other half flows to San Mateo. Mr. Kianpour provided a Power Point presentation of the connection points to the City of San Mateo sewer system and Crystal Springs County Sanitation District. He also pointed out the City of San Mateo sewer treatment plant, pump station and meter locations. Mr. Kianpour stated that sanitary sewer overflows occurred on the 700 block of El Cerrito Avenue and the 1000 block of Crystal Springs Road. He stated that the Town of Hillsborough received a notification of a pending Cease and Desist Order. He added that Town staff will be meeting with the Regional Water Quality Control Board (RWQCB) and will be audited by the U.S. Environmental Protection Agency. He explained the three projects completed to date on the Crystal Springs Sanitary Sewer Trunk.

Mr. Kianpour explained the existing conditions of the trunk sewer system. He stated that the pipes have been cleaned, videotaped and foam treated and are free from obstructions as of 2006. He added that there is not enough wet weather capacity in the system downstream to the City of San Mateo treatment plant, which was part of Phase I of the 2003 Crystal Springs Project.

Mr. Kianpour listed the key issues that the Town of Hillsborough is facing, including financial constraints, school schedules, the downstream capacity in San Mateo, and Burlingame's sewer system.

Mr. Kianpour suggested possible solutions, including detention with Hillsborough's sewer system by using pipes or a possible offsite location, diversion to Burlingame (Cherry Creek), or a lateral replacement program. Mr. Kianpour listed possible detention locations, including South School, the Hillsborough City School District Offices, the Hillsborough Racquet Club, or a location purchased by the Town.

Mr. Kianpour stated the next steps would be to evaluate Phase II improvements, upsize existing pipes downstream of Phase I, investigate possible detention locations, and a lateral policy. Mr. Kianpour stated that the recommendation would be for the City Council to direct staff to explore possible locations for detention and to enter into discussions with the Hillsborough City School District and/or Hillsborough Racquet Club.

Councilmember Regan asked Mr. Kianpour if the detention facility would be placed underground. Mr. Kianpour replied that the detention facility would be an underground storage facility for use only in the event of an overflow and that once the peak flow passes the overflow would be sent back into the sewer mains.

Councilmember Kasten asked Mr. Kianpour if the problem is the sewer pipe capacity or the processing capacity of the City of Burlingame. Mr. Kianpour replied that the problem is both the sewer pipe capacity and the processing capacity of the City of Burlingame.

Councilmember Kasten asked Mr. Kianpour if all jurisdictions contributing to the problem are involved in solving the problem. Mr. Kianpour replied that all jurisdictions involved are working together to find a solution to the problem.

Councilmember Kasten asked Mr. Kianpour if there are agreements for each jurisdiction's share of the cost. Mr. Kianpour replied that there are agreements for each jurisdiction based on flow measurement. Mayor Mullooly asked if the Town measures what comes into the Town's sewer system and if the Town knows if that increases during heavy rain flow. Mr. Kianpour replied that the Town has measurements of flow from San Mateo County and into the City of San Mateo.

Councilmember Fannon asked whether the first step would be for San Mateo to increase their capacity. Mr. Kianpour replied that the Town of Hillsborough and City of San Mateo are working on projects to increase the City of San Mateo's capacity and that is why Phase II of the Crystal Springs Sewer Project is so important.

Councilmember Regan asked Mr. Kianpour about the significance of the origination of the Crystal Springs sewer flow. Mr. Kianpour replied that about 40% of the sewer flow is from the Crystal Springs County Sanitation District. Mr. Kianpour added that the Crystal Springs County Sanitation District proposed sewer rate increase was subject to Proposition 218 and resulted in a negative vote; therefore, funding to their capital improvement program has been minimized.

Councilmember Fannon asked Mr. Kianpour if all jurisdictions involved were working together to find a solution. Mr. Kianpour replied that Town staff has been meeting with the other jurisdictions about every two months to find a solution.

Councilmember Fannon asked Mr. Kianpour if the other jurisdictions have been willing to commit funds to the project. Mr. Kianpour replied that the City of San Mateo and the Town of Hillsborough have committed funds for the project, but that the County of San Mateo has not yet committed funds to the project.

Councilmember Regan asked what the Town's options to the sewer overflow problem were. Supervisor Church stated that the County is concerned about the sewer overflows and the project costs. He added that a resolution would involve a commitment from all parties involved. He stated that the County is committed to working out a solution to the problem. He offered his assistance and offered to meet with other Mayors to find a satisfactory solution. He added that the County is separate from the Crystal Springs County Sanitation District.

Mr. Porter stated that the sewer overflows on the Crystal Springs Sewer Trunk is a very complex problem. He stated that since Crystal Springs County Sanitation District voted against a sewer rate increase, their rates have been held flat. He stated that the County loaned the Crystal Springs County Sanitation District \$1,000,000 for Phase I of the Crystal Springs Sewer Project. Mr. Church and Mr. Porter informed the City Council of their discussions with the property owners.

Mr. Porter stated that the jurisdictions are questioning the accuracy of the City of San Mateo's meter readings and how the jurisdictions are to divide the cost of the project. He stated that the meter readings are being reviewed to ensure that they are accurate.

Mayor Mullooly asked Mr. Porter how long he expects it to take the jurisdictions to decide on how to divide the cost of the project. Mr. Porter replied that it will take more than one meeting to decide on each jurisdiction's portion of the cost of the project and that he would like to avoid litigation and get the problem resolved as soon as possible. He added that he will meet with the Crystal Springs County Sanitation District about increasing their fees to cover the capital improvement project.

City Attorney Norm Book suggested that an independent consultant be hired to suggest options. Mr. Porter replied that he would be open to hiring an independent consultant.

Mr. Kianpour stated that the Town needs to do something in the interim, such as having a discussion with the Hillsborough City School District regarding a detention facility. Councilmember Fannon suggested that meeting with the School District now might be too soon and to wait until after the meetings with the other jurisdictions. He suggested reporting back to the City Council with more information at the June 2008 City Council meeting.

Councilmember Kasten asked Mr. Kianpour to outline the sewer overflow problem and consequences and to outline possible solutions and responsibilities of all parties involved. Mr. Kianpour replied that he would provide the information requested to the City Council.

Mayor Mullooly thanked Mr. Kianpour, Supervisor Church, and Mr. Porter.

16. DEMONSTRATION OF THE AGENDA MANAGEMENT SYSTEM

Finance Director Edna Masbad stated that on July 9, 2007, the City Council authorized the implementation of an electronic document system that includes an agenda management module that would work towards a “paperless” agenda. She explained that in an effort to avoid customization and to be more cost-effective, the current agenda process might require a slight change.

Ms. Masbad introduced Kurtis Breiner, Project Manager of LR Hines. Mr. Breiner stated that Hillsborough’s agenda is a little different from what he is used to dealing with at other cities. He explained that having a separate agenda cover and agenda report with backup information is unique for an agenda. He added that the Sire Agenda Management System is not set up for Hillsborough’s two-part agenda. He suggested that the agenda cover and report be combined into one agenda document, but the agenda packet could remain the same.

Mayor Mullooly asked if the agenda backup material would be available electronically. Mr. Breiner replied that the agenda backup material would be available electronically through the Sire Agenda Management System.

Mr. Breiner provided a presentation of the Sire Agenda Management System.

Mayor Mullooly recommended that staff proceed with combining the agenda cover and agenda report into one agenda document.

PUBLIC COMMENT:

Mayor Mullooly asked if there was any public comment.

Dr. J. Bennett stated that he wanted the City Council to know that he feels that he has suffered police abuse and citizens abuse. He stated that he has sent numerous emails to the City Council and Town employees and apologized if his emails were not clear.

Mayor Mullooly asked if there were any further public comments. There were no further comments.

CITY COUNCIL ITEMS:

Mayor Mullooly announced that Fernando Oliveira, owner of Farallon Company, sent a letter commending the Public Works staff and Public Works Director during the storm on January 27, 2008, for avoiding a potential disaster.

Mayor Mullooly announced that the United States Secret Service sent a letter thanking the Police Department personnel during President Bush’s visit to Hillsborough on January 30, 2008.

Mayor Mullooly announced that the Hillsborough Housing Element Steering Committee has been formed with Councilmember Kasten as Chair and Councilmember Fannon as a Committee member.

Mayor Mullooly announced that the Sustainable Hillsborough Task Force has been formed with Councilmember Regan as Chair and Vice Mayor Krolik as a Committee member.

Mayor Mullooly announced that the Nueva School Hillside Learning Complex received a Green Building Award at the 9th Annual Sustainable San Mateo County Awards event held on Thursday, March 13, 2008.

Mayor Mullooly announced that the Council of Cities Dinner/Meeting will be held in Pacifica on Friday, March 28, 2008. None of the Councilmembers replied that they would be attending.

ADJOURN:

Mayor Mullooly adjourned the meeting at 8:13 p.m. in memory of Leland C. McGraw, former Financial Advisory Committee member.