

MINUTES
REGULAR CITY COUNCIL MEETING
MONDAY, JULY 14, 2008

Mayor Mullooly called the regular meeting to order at 6:03 p.m. at the Hillsborough Town Hall, 1600 Floribunda Avenue, Hillsborough, California.

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

MINUTES: The minutes of the June 9, 2008 City Council meeting were approved as submitted.

CONSENT CALENDAR:

Item 13 was removed for discussion. On motion of Councilmember Fannon, seconded by Councilmember Kasten, and unanimous on voice vote, Consent Calendar items 1 – 12 and 14 were approved.

1. MONTHLY CLAIMS: JUNE 1 THROUGH JUNE 30, 2008

The monthly claims for the month of June 2008 in the amount of \$3,412,566.25 were approved as submitted.

2. REJECTION OF CLAIM: MS. SURAYNA SPICER

The claim filed by Surayna Spicer against the Town was rejected.

3. QUARTERLY TREASURER'S REPORT

The Treasurer's Report for the quarter ending June 30, 2008, was approved.

4. QUARTERLY INTEREST RATE PRODUCTS (SWAP) REPORT

The Interest Rate Products Report for the quarter ending June 30, 2008, was accepted.

5. RESOLUTION AUTHORIZING THE INCREASE IN THE ANNUAL COST TO PUBLISH THE TOWN'S NEWSLETTER IN THE AMOUNT OF \$11,320

The resolution authorizing the increase in the annual cost to publish the Town's newsletter in the amount of \$11,320 was adopted.

6. RESOLUTION ALLOCATING ADDITIONAL FUNDS FOR THE EMERGENCY REPAIR OF A DAMAGED STORM DRAIN LINE IN THE MACADAMIA OPEN SPACE IN THE AMOUNT OF \$27,180

The resolution allocating additional funds for the emergency repair of a damaged storm drain line in the Macadamia Open Space in the amount of \$27,180, and accepting the project as complete, was adopted.

7. RESOLUTION REQUESTING THE LOCAL AGENCY FORMATION COMMISSION (LAFCO) TO TAKE PROCEEDINGS FOR THE ANNEXATION OF PORTIONS OF SKYLINE BOULEVARD, HAYNE ROAD AND BLACK MOUNTAIN ROAD

The resolution requesting LAFCo to take proceedings for the annexation of portions of Skyline Boulevard, Hayne Road and Black Mountain Road was re-adopted.

8. RESOLUTION AWARDING THE BID TO PETERSON TRACTOR CO. FOR THE PURCHASE OF A 2008 TIER III CATERPILLAR 420E TRACTOR (BACKHOE/LOADER) FOR THE PUBLIC WORKS DEPARTMENT

The resolution awarding the bid for the purchase of one new 2008 Tier III Caterpillar 420E Backhoe/Loader to Peterson Tractor Co. in the amount of \$91,861.78 was adopted.

9. RESOLUTION AWARDING THE CRYSTAL SPRINGS ROAD STRIPING PROJECT TO LINEAR OPTIONS, INC.

The resolution awarding the contract for the Crystal Springs Road Striping Project to Linear Options, Inc. in an amount not to exceed \$13,725 and allocating funds from the General Fund was adopted.

10. RESOLUTION AWARDING A CONTRACT TO AA-1 PAINTING SERVICE FOR THE DARRELL TANK NO. 3 IMPROVEMENTS AND COATINGS PROJECT

The resolution awarding the contract for the Darrell Tank No. 3 Improvements and Coatings Project to AA-1 Service, Inc. in the amount of \$272,795, with a contingency in the amount of \$27,280, for a total construction budget of \$300,075, was adopted.

11. RESOLUTION AWARDING A CONSULTING SERVICES AGREEMENT TO LAURA SVENGUARD FOR GRANT WRITING TECHNICAL ASSISTANCE FOR OPEN SPACE MANAGEMENT GRANTS

The resolution awarding a contract to Laura Svenguard for technical assistance in preparing open space management grant applications on a minimum of three applications was adopted.

12. RESOLUTION AWARDING A CONTRACT TO LORAN MAY & ASSOCIATES FOR WILDLIFE BIOLOGY AND PROFESSIONAL FACILITATION SERVICES FOR THE OPEN SPACE MANAGEMENT TASK FORCE

The resolution awarding a contract to Loran May & Associates for wildlife biology and professional facilitation services for the Open Space Management Task Force was adopted.

13. RESOLUTION TO CONTINUE PARTICIPATING IN AND FUNDING THE WATERWISE EDUCATION PROGRAM

Councilmember Fannon stated that he is Chairman of the Bay Area Water Supply and Conservation Agency's (BAWSCA) Board Policy Committee. He added that 28 cities and water districts are members of BAWSCA. He reported that through the WaterWise Education Program for Hillsborough's fifth graders, an estimated 1.12 million gallons of water in Hillsborough will be conserved through the use of water saving devices and education. Councilmember Fannon added that BAWSCA will use Hillsborough's WaterWise Education Program as a template for the 27 other BAWSCA agencies. Councilmember Fannon thanked City Engineer Cyrus Kianpour for coordinating the WaterWise Education Program with the Hillsborough City School District.

Councilmember Kasten asked if there has been any interest in moving away from the use of chloramine to treat the water because of the high water usage for the required flushing. Mr. Kianpour replied that the San Francisco Public Utilities Commission (SFPUC) is set on using chloramine to treat the water.

On motion of Councilmember Fannon, seconded by Councilmember Regan, and unanimous on voice vote, the resolution to continue participation in the WaterWise Education Program and to provide \$6,120 to fund WaterWise Education Kits for every Hillsborough City School District fifth grader was adopted.

14. RESOLUTION APPROVING THE CSG WORK ORDERS FOR ENGINEERING SERVICES FOR THE DARRELL WATER TANK IMPROVEMENTS PROJECT AND THE WATER TANK CLEANING AND INSPECTION PROJECT

The resolution approving the CSG work orders for the Darrell Water Tank Improvements Project and the Water Tank Cleaning and Inspection Project in the total amount of \$43,050, allocated from the same 2006 Bond issue, was adopted.

PUBLIC HEARING:

15. FUNDRAISING EVENT PERMIT APPLICATION 08-05 FOR THE SAN MATEO ARBORETUM SOCIETY'S HILLSBOROUGH/SAN MATEO GARDEN TOUR

City Clerk Miyuki Yokoyama announced that the San Mateo Arboretum Society submitted a fundraising application to conduct their 33rd Annual Garden Tour on Saturday, September 6, 2008, from 10:00 a.m. to 4:00 p.m. at 140 Stonehedge Road and at the Carolands located at 565 Remillard Drive in Hillsborough.

Ms. Yokoyama stated that public notices have been sent to homeowners located within a 500' radius and that no comments have been received. She added that staff recommended approval of the application subject to the 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 08-05 for the San Mateo Arboretum Society's Hillsborough/San Mateo Garden Tour on Saturday, September 6, 2008, subject to the conditions recommended by staff, was approved.

16. RESOLUTION AUTHORIZING THE PLACEMENT OF SEWER SERVICE AND STORM DRAINAGE CHARGES AND OF THE SPECIAL TAX FOR POLICE PROTECTION AND FIRE PROTECTION AND PREVENTION ON THE 2008-2009 COUNTY TAX ROLL AND AUTHORIZING THE COUNTY TAX COLLECTOR TO COLLECT SUCH CHARGES

Finance Director Edna Masbad stated that the Town's sewer service charges, storm drainage charges and the public safety special tax are collected by the County Tax Collector in the same manner in which the County collects the property taxes pursuant to the Hillsborough Municipal Code. She added that the Code requires the Town to annually adopt a resolution authorizing the County Tax Collector to collect charges.

Councilmember Fannon asked if the rates are the same as the rates for 2007-2008. Ms. Masbad replied that there is no change in the storm drainage charges and public safety tax, but there will be a change in the sewer services charges, which will increase to \$1,563 per residence. She added that the sewer service rate increase was approved at the June 9, 2008 City Council meeting.

Mayor Mullooly thanked Ms. Masbad and opened the public hearing.

Hillsborough resident, W.J. Spitz, asked Ms. Masbad what the County Tax Collector charges the Town for the collection service. Ms. Masbad replied that the County's collection service cost changes year-to-year, but the cost is approximately \$40,000 per year.

Mayor Mullooly closed the public hearing.

On motion of Councilmember Regan, seconded by Councilmember Kasten, and unanimous on voice vote, the resolution authorizing the placement of sewer service and storm drainage charges and of the special tax for police protection and fire

protection and prevention on the 2008-2009 county tax roll and authorizing the County Tax Collector to collect such charges was adopted.

17. ORDINANCE AMENDING HILLSBOROUGH MUNICIPAL CODE SECTION 2.12.070 (C) REGARDING TIMELINES FOR THE PROCESSING OF ARCHITECTURE AND DESIGN REVIEW BOARD (ADRB) APPLICATIONS – ADOPTION

Director of Building and Planning Liz Cullinan stated that she had nothing substantial to add to the agenda report. She stated that the ordinance setting timelines for the processing of ADRB applications was likely adopted when the ADRB held two meetings a month. She added that the new ordinance will defer to the State law which requires 60 – 180 days for processing applications, depending on the level of environmental review and other factors.

Mayor Mullooly opened the public hearing. There were no comments. The public hearing was closed. On motion of Councilmember Kasten, seconded by Councilmember Regan, and unanimous on voice vote, the ordinance amending Hillsborough Municipal Code Section 2.12.070 (C) regarding timelines for the processing of ADRB applications was adopted.

INFORMATION ITEM:

18. SPECIAL CITY COUNCIL MEETING

City Clerk Miyuki Yokoyama reported that a Special City Council Meeting was held on Friday, July 11, 2008, at 4:30 p.m. She stated that the agenda was posted three days before the meeting on the Town's bulletin boards and website to consider adoption of resolutions calling the General Municipal Election of the Town of Hillsborough, requesting the consolidation of the City election with the Statewide General Election, and requesting the County to canvass the returns of Hillsborough's General Municipal Election and authorizing the execution of the necessary service agreement with the County. She stated that the three resolutions were adopted by the City Council and the resolutions have been posted upon the Town's bulletin boards.

Ms. Yokoyama stated that as required by Election Code Section 12101 and 12111, the Notice of Election was published in the San Mateo County Times, Sing Tao (a Chinese language newspaper) and El Mensajero (a Spanish language newspaper). She added that the Town published the Notice of Election in the Daily Journal and Burlingame Daily News. Ms. Yokoyama reported that the Notice of Election was also posted on the Town's website, the Town's three official bulletin boards, on HTV and that these additional postings exceeded the minimum legal requirement for public notice.

Mayor Mullooly thanked Ms. Yokoyama. Mayor Mullooly announced that if only three persons file nomination papers for the three City Council seats, the City Council may appoint the nominees to the City Council and not hold an election. She added that in such event the City Council will need to hold a Special City Council meeting on Thursday, August 21, 2008, to appoint the nominees and asked the City Council to be available on that date.

NEW BUSINESS:

19. RESOLUTION CONFIRMING THE REPORT OF WEED ABATEMENT CHARGES AND ORDERING COLLECTION

Fire Chief Don Dornell stated that this was the yearly request confirming the report of weed abatement charges and ordering collection. He explained that a private firm will perform the work to clear eighteen properties of weeds and debris to prevent the spread of fires and that the Town will charge the homeowners for the work performed.

On motion of Councilmember Fannon, seconded by Councilmember Kasten, and unanimous on voice vote, the resolution confirming the report of weed abatement charges and ordering collection was adopted.

Chief Dornell provided a presentation on the Town of Hillsborough's community fire preparedness and open space fire severity. He discussed the Town's eight open space locations, the Town's resources for fire protection, the open space requirements of other cities in San Mateo County, and Central County Fire Department's (CCFD) recommendations for the prevention of fires and management of fire impact.

Mayor Mullooly thanked Chief Dornell for the report.

DISCUSSION:

20. CAROLANDS GATEHOUSE RECONSTRUCTION

City Engineer Cyrus Kianpour provided an update on the Carolands Gatehouse Restoration Project. He discussed the status of the plans, hazardous materials mitigation, the PG&E Rule 20A Project, historical building preservation, creek protection and permits, green building LEED certification, budget and timeline.

Mayor Mullooly thanked Mr. Kianpour for the update.

PUBLIC COMMENT:

Hillsborough resident, W. J. Spitz, stated that his neighbor has been doing construction work and has had twenty construction workers' cars parked on the street. He stated that on several occasions he could not get out of his driveway. He stated that he has called the Police Department often about the number of cars parked near his property. He added that he was highly upset because his wife cannot see the oncoming traffic when pulling out of their driveway and he was afraid that she may get hit. He stated that he had photos of the cars parked near his driveway.

Mayor Mullooly stated that she was sorry that he was so upset and would look into the parking issue near his home and thanked him for the photos.

Mr. Spitz replied that he just does not want anyone or his wife to be hit.

CITY COUNCIL ITEMS:

Mayor Mullooly acknowledged the letter received from the Mayor of the City of Brisbane for his deep appreciation for the fire, law enforcement and support agencies within San Mateo County's emergency response system, which provided the necessary protection for Brisbane's 300-acre wildland fire.

Mayor Mullooly announced that the San Mateo County Disaster Preparedness Day will be held on Saturday, September 13, 2008, from 10:00 a.m. to 2:00 p.m. at the San Mateo County Event Center.

Councilmember Fannon and Councilmember Kasten announced that they would be attending the Council of Cities Dinner/Meeting on Friday, July 25, 2008, in Daly City.

Councilmember Kasten acknowledged Grant Barton, son of Battalion Chief Ed Barton, who was the 2008 National Champion of the Skills USA National Firefighting Finals in Kansas City, Missouri.

Councilmember Kasten acknowledged Police Captain Nick Gottuso for his eloquent presentation on June 25, 2008, to the Crystal Springs Uplands School on the history of weapons.

Councilmember Kasten acknowledged Police Captain Gottuso and Police Office Scott Fritz for receiving the minute of angle (MOA) award at the North Central Regional SWAT Team sniper meeting on June 13, 2008.

Mayor Mullooly acknowledged Patrick and Daniel Lindecker, sons of Battalion Chief Jack Lindecker, for competing in the State Trapshooting Championships in June 2008. Patrick's Varsity squad took second place in the state and Daniel's Junior Varsity squad took first place in the state and will be representing California at the Grand National Trapshooting Championships in August 2008.

ADJOURN:

Mayor Mullooly adjourned the meeting at 7:22 p.m.