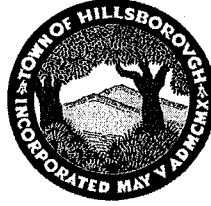


TOWN OF HILLSBOROUGH

San Mateo County

Christine M. Krolik, Mayor
Thomas M. Kasten, Vice Mayor
John J. Fannon
D. Paul Regan
Jess E. Benton

1600 Floribunda Avenue
Hillsborough, CA 94010



A G E N D A

MONDAY, JULY 12, 2010

4:30 pm SITE VISIT

6:00 pm CITY COUNCIL MEETING
Hillsborough Town Hall

SITE VISIT (4:30 p.m.)

- 3115 Ralston Avenue
- 3080 Ralston Avenue

REGULAR CITY COUNCIL MEETING (6:00 pm)

I. PLEDGE OF ALLEGIANCE

II. ROLL CALL

III. MINUTES: June 14, 2010

IV. PRESENTATIONS:

- Certificate of Appreciation - George and Anna Hsu for their very generous donation to the Carolands Gatehouse Project to preserve one of Hillsborough's most charming and beloved treasures

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: JUNE 1 THROUGH JUNE 30, 2010
2. QUARTERLY TREASURER'S REPORT
3. QUARTERLY INTEREST RATE PRODUCTS (SWAP) REPORT

4. RESOLUTION AMENDING THE LANGUAGE IN SECTION 14 OF THE JOINT POWERS AGREEMENT (JPA) ESTABLISHING THE CENTRAL COUNTY FIRE DEPARTMENT (CCFD) TO CLARIFY THE DISBURSEMENT OF REVENUES
5. RESOLUTION CONFIRMING THE REPORT OF WEED ABATEMENT CHARGES AND ORDERING COLLECTION
6. RESOLUTION APPROVING AN AMENDMENT TO THE CONTRACT WITH BROWN AND CALDWELL FOR THE COMPLETION OF THE WASTEWATER COLLECTION SYSTEM MASTER PLAN (BURLINGAME PORTION)
7. RESOLUTION AWARDED THE 2009-2010 SANITARY SEWER CLEANING AND VIDEO INSPECTION PROJECT – PHASE VII (A) TO ROTO-ROOTER
8. RESOLUTION AWARDED THE ENERGY EFFICIENCY CONSERVATION BLOCK GRANT (EECBG) PUMP MOTOR REPLACEMENT PROJECT TO PUMP REPAIR, INC.

VI. NEW BUSINESS:

9. RESOLUTION AUTHORIZING THE PURCHASE OF GREEN WASTE CARTS
10. APPROVAL OF HILLSBOROUGH BEAUTIFICATION FOUNDATION'S PROPOSED DESIGN FOR THE NEW PLACE ISLAND

VII. PUBLIC HEARING:

11. FUNDRAISING EVENT PERMIT APPLICATION 10-03 FOR THE SAN MATEO ARBORETUM SOCIETY'S 35TH ANNUAL HILLSBOROUGH/SAN MATEO GARDEN TOUR
12. FUNDRAISING EVENT PERMIT APPLICATION 10-04 FOR THE COYOTE POINT MUSEUM DINNER AND AUCTION
13. RESOLUTION ADOPTING THE MITIGATED NEGATIVE DECLARATION (MND) AND MITIGATION MONITORING PLAN (MMP) AND RESOLUTION APPROVING THE DESIGN FOR THE 3115 RALSTON AVENUE RESIDENTIAL PROJECT (MARK SINCLAIR, BREWER DEVELOPMENT LLC / HABITAT ARCHITECTURE / MICHAEL CALLAN LANDSCAPE)

VIII. 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.

IX. 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.

X. 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.

ATTACHMENTS:

Any items listed as "Attachments" to the agenda are available on the Town's website or at the City Clerk's office.

Any writings or documents provided to a majority of the City Council regarding any item on this agenda, except as exempt from public disclosure under applicable law, will be made available for public inspection in the City Clerk's Office located at 1600 Floribunda Avenue, Hillsborough, CA 94010, during normal business hours.

AUDIO / VISUAL ADVISORY:

Those persons who wish to use PowerPoint, CDs, DVDs, VHS tapes or other mediums when presenting to the City Council, will be required to submit media items to the City Clerk by 12:00 p.m. on the day of City Council meetings. Media items can be emailed to myokoyama@hillsborough.net or brought in on disc or flash drives to the City Clerk's Office located at 1600 Floribunda Avenue, Hillsborough, CA 94010.



TOWN OF HILLSBOROUGH

San Mateo County
1600 Floribunda Avenue
Hillsborough, CA 94010

1

CONSENT CALENDAR
CITY COUNCIL MEETING
JULY 12, 2010

AGENDA STAFF REPORT

ITEM SUBJECT: MONTHLY CLAIMS: JUNE 1 THROUGH JUNE 30, 2010

SUMMARY: The monthly claims for the month of June 2010, in the amount of \$6,724,741.19 are submitted for approval.

FISCAL IMPACT: Claims have been expended pursuant to the approved budget.

ENVIRONMENTAL ISSUES: There are no environmental issues associated with this item.

ATTACHMENTS: Monthly Claims Listing

PREPARED BY: Marie Bernardo, Assistant Finance Director

RECOMMENDATION: Approve the monthly claims for June 2010, as submitted.



TOWN OF HILLSBOROUGH

San Mateo County
1600 Floribunda Avenue
Hillsborough, CA 94010

2

**CONSENT CALENDAR
CITY COUNCIL MEETING
JULY 12, 2010**

AGENDA STAFF REPORT

ITEM SUBJECT: QUARTERLY TREASURER'S REPORT

SUMMARY: Government Code Section 5364(b) requires that the Quarterly Investment Report be rendered to the City Council during public session within 30 days of the quarter's end.

FISCAL IMPACT: There is no fiscal impact associated with this item.

ENVIRONMENTAL ISSUES: There are no environmental issues associated with this item.

ATTACHMENTS: Quarterly Treasurer's Report

PREPARED BY: Marie Bernardo, Assistant Finance Director

RECOMMENDATION: Approve the Treasurer's Report for the quarter ending June 30, 2010.



TOWN OF HILLSBOROUGH

San Mateo County
1600 Floribunda Avenue
Hillsborough, CA 94010

3

**CONSENT CALENDAR
CITY COUNCIL MEETING
JULY 12, 2010**

AGENDA STAFF REPORT

ITEM SUBJECT: QUARTERLY INTEREST RATE PRODUCTS (SWAP) REPORT

SUMMARY: Pursuant to Government Code Section 5922(a) and the Town's Interest Rate Mitigation Policy, the quarterly report providing the status of all interest rate products is provided to the City Council.

FISCAL IMPACT: There is no fiscal impact associated with this item.

ENVIRONMENTAL ISSUES: There are no environmental issues associated with this item.

ATTACHMENTS: Interest Rate Products Report for Quarter Ending June 30, 2010

PREPARED BY: Edna Masbad, Finance Director

RECOMMENDATION: Accept the Interest Rate Products Report for the quarter ending June 30, 2010.



TOWN OF HILLSBOROUGH

San Mateo County
1600 Floribunda Avenue
Hillsborough, CA 94010

4

CONSENT CALENDAR
CITY COUNCIL MEETING
JULY 12, 2010

AGENDA STAFF REPORT

ITEM SUBJECT: RESOLUTION AMENDING THE LANGUAGE IN SECTION 14 OF THE JOINT POWERS AGREEMENT (JPA) ESTABLISHING THE CENTRAL COUNTY FIRE DEPARTMENT (CCFD) TO CLARIFY THE DISBURSEMENT OF REVENUES

SUMMARY: The topic of how to equitably apply revenue allocation has been discussed since 2008. The Fire Board directed the City Managers of the Member Agencies to bring a solution to the issue. At the Board's April 27, 2010 meeting, Burlingame City Manager Jim Nantell presented a memo outlining the City Managers' recommendations. These recommendations were accepted by the Fire Board and the legal counsel noted that the JPA must be amended to reflect the agreed upon change in revenue allocation.

The proposed amendment to Section 14D of the JPA, which adds the following language at the end of the section and would read:

"Indirect costs are not subject to the 60/40 cost allocation formula and in no instance will either Member Agency be required to pay for the indirect costs of the other Member Agency. Indirect costs are Town of Hillsborough and City of Burlingame general management costs for activities; services and equipment required to provide direction and control of the Member Agency as a whole. General management costs consist of general administrative activities, cost for services needed by either Member Agency as a whole, cost of Member Agency memberships, training and travel, and other costs that are necessary for the general operation of either Member Agency.

Any and all revenue generated by the Department shall be program income of the Department. Program income shall be credited against final, actual Department expenditures at year-end prior to applying the 60/40 allocation of expenses as provided above."

The Fire Board agreed that Fire Chief Don Dornell should take this back to the respective City Councils for approval.

FISCAL IMPACT: There is no fiscal impact associated with this item.

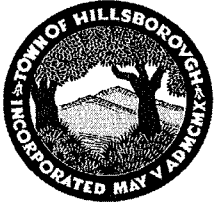
ENVIRONMENTAL ISSUES: There are no environmental issues associated with this item.

ATTACHMENTS: Resolution and Amendment No. 2

PREPARED BY: Don Dornell, Fire Chief

RECOMMENDATION: Adopt the resolution to amend the language in the Joint Powers

Agreement Establishing the Central County Fire Department to clarify the disbursement of revenues.



TOWN OF HILLSBOROUGH

San Mateo County
1600 Floribunda Avenue
Hillsborough, CA 94010

5

CONSENT CALENDAR
CITY COUNCIL MEETING
JULY 12, 2010

AGENDA STAFF REPORT

ITEM SUBJECT: RESOLUTION CONFIRMING THE REPORT OF WEED ABATEMENT CHARGES AND ORDERING COLLECTION

SUMMARY: This is the yearly request for the resolution confirming the report of weed abatement charges and for ordering collection. Approval of this resolution will authorize the Fire Chief to act as the City Assessor in having the charges collected. This is the same procedure as followed in previous years.

FISCAL IMPACT: There is no fiscal impact to the Town associated with this item. Funding is handled through property tax assessments.

ENVIRONMENTAL ISSUES: There are no environmental issues associated with this item.

ATTACHMENTS: Resolution, Notice of Hearing on Appeal of Assessments, and Summary Weed Abatement Report

PREPARED BY: Don Dornell, Fire Chief

RECOMMENDATION: Adopt the resolution confirming the report of weed abatement charges and ordering collection.



TOWN OF HILLSBOROUGH

San Mateo County
1600 Floribunda Avenue
Hillsborough, CA 94010

6

CONSENT CALENDAR
CITY COUNCIL MEETING
JULY 12, 2010

AGENDA STAFF REPORT

ITEM SUBJECT: RESOLUTION APPROVING AN AMENDMENT TO THE CONTRACT WITH BROWN AND CALDWELL FOR THE COMPLETION OF THE WASTEWATER COLLECTION SYSTEM MASTER PLAN (BURLINGAME PORTION)

SUMMARY: Completion of capacity assessment studies is a condition of the San Francisco Regional Water Quality Control Board's Cease and Desist Order R2-2009-0020. In February and May of 2009, the City Council approved contracts with Brown and Caldwell (Consultant) for Tasks 1 through 7 of the Master Plan Proposal for a total budget of \$126,905.

The study's purpose is to create a hydraulic model of the Town's sewer system that feeds into Burlingame's Wastewater Treatment Plant (WWTP). Brown and Caldwell requested survey data and water use data in order to calibrate the model for the study. There were some issues regarding the accuracy of information provided to the Consultant that required extra verification in the field, and additional calibration of the model. As a result, the Consultant encountered project overruns in Tasks 3 and 7 totaling approximately \$14,000.

Staff recommends amending the contract with Brown and Caldwell in the amount of \$14,000 for a total contract price of \$140,905 to complete the remaining tasks included in the Master Plan Study.

FISCAL IMPACT: The total additional cost for the study will cost \$14,000, which can be allocated from the Sewer Fund.

ENVIRONMENTAL ISSUES: There are no environmental issues associated with this approval.

ATTACHMENTS: Resolution, Brown and Caldwell Summary

PREPARED BY: Cyrus Kianpour, City Engineer

RECOMMENDATION: Adopt the resolution amending the contract with Brown and Caldwell for the completion of the Master Plan Study (Burlingame WWTP Tributary) in an amount not to exceed \$14,000, and allocating the same from the Sewer Fund.



TOWN OF HILLSBOROUGH

San Mateo County
1600 Floribunda Avenue
Hillsborough, CA 94010

7

**CONSENT CALENDAR
CITY COUNCIL MEETING
JULY 12, 2010**

AGENDA STAFF REPORT

ITEM SUBJECT: RESOLUTION AWARDING THE 2009-2010 SANITARY SEWER CLEANING AND VIDEO INSPECTION PROJECT – PHASE VII (A) TO ROTO-ROOTER

SUMMARY: In compliance with the Regional Water Quality Control Board Cease and Desist Order R2-2009-0020, the Town must video inspect all 116 miles of its sewer system.

The 2009 Sewer Cleaning and Video Inspection Project was developed to clean and video inspect approximately 20 miles of 6-inch sanitary sewer pipes in hard to access easement areas. The first phase of this project inspects approximately 36,300 linear feet (approximately 7 miles) of sanitary sewer pipes.

The Town held a mandatory pre-bid meeting on June 16, 2010, to familiarize all potential contractors with the difficult nature of this work. Four contractors attended this pre-bid meeting. The project bid opening was held on June 24, 2010, and the following bids were received:

CONTRACTOR	BID PRICE
J.F. Pacific Liners	\$386,034
Nor Cal Pipeline Services	\$253,355
Express Plumbing	\$186,408
Roto-Rooter	\$157,670

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

The per unit prices in the bid were the lowest the Town has received for a video inspection project in years.

FISCAL IMPACT: A contingency of 20% is recommended for this project due to the potential for unforeseen circumstances that may require changes or additional work during construction. The funding for the project will be \$157,670, with a contingency in the amount of \$31,534, for a total construction budget of \$189,204, which can be allocated from the Sewer Fund.

ENVIRONMENTAL ISSUES: This project is exempt from the California Environmental Quality Act (CEQA) per Section 15301(d) of the State Public Resources Code.

ATTACHMENTS: Resolution, Bid Summary

PREPARED BY: Cyrus Kianpour, City Engineer

RECOMMENDATION: Adopt the resolution awarding the contract for the 2009-2010 Sanitary Sewer Cleaning and Video Inspection Project - Phase VII (A) to Roto-Rooter in the amount of \$157,670, with a contingency in the amount of \$31,534, for a total construction budget of \$189,204 and allocating the same from the Sewer Fund.



TOWN OF HILLSBOROUGH

San Mateo County
1600 Floribunda Avenue
Hillsborough, CA 94010

8

CONSENT CALENDAR
CITY COUNCIL MEETING
JULY 12, 2010

AGENDA STAFF REPORT

ITEM SUBJECT: RESOLUTION AWARDING THE ENERGY EFFICIENCY CONSERVATION BLOCK GRANT (EECBG) PUMP MOTOR REPLACEMENT PROJECT TO PUMP REPAIR, INC.

SUMMARY: The Town applied for and was awarded \$58,463 from the California Energy Commission (CEC) to do energy retrofit improvements on Town facilities. The Town, with assistance from the CEC, identified seven water pump motors that qualified for funding due to their high energy use. Based on the size of pumps and their use, the motors qualified for \$51,000 of grant funding. (The remainder of the funds will be allocated separately to lighting retrofits.) The Town estimated that the total motor pump replacement costs would be approximately \$93,210.

As required, Public Works solicited request for proposals from three companies to replace the seven water pump motors. The following bids were received.

CONTRACTOR	BID PRICE
Pump Repair, Inc.	\$ 94,183.51
E and M, Inc.	\$101,978.24
Express Plumbing	\$102,135.25

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

FISCAL IMPACT: A contingency of 5% is recommended for this project due to the potential for unforeseen circumstances that may require changes or additional work during construction. The total costs for this project will not exceed \$99,184. The total grant funding for the project will be \$51,000. The Town's cost-share for the project will not exceed \$48,184, which can be allocated from the Water Fund.

ENVIRONMENTAL ISSUES: This project is exempt from the California Environmental Quality Act (CEQA) per section 15301 (d) of the State Public Resources Code.

ATTACHMENTS: Resolution

PREPARED BY: Martha DeBry, Public Works Director

RECOMMENDATION: Adopt the resolution awarding the contract for the EECBG Water Pump Motor Replacement Project in the amount of \$94,184, with a contingency in the amount of \$5,000, for a total construction budget of \$99,184, and allocating \$48,184 from the Water Fund.



TOWN OF HILLSBOROUGH

San Mateo County
1600 Floribunda Avenue
Hillsborough, CA 94010

9

NEW BUSINESS
CITY COUNCIL MEETING
JULY 12, 2010

AGENDA STAFF REPORT

ITEM SUBJECT: RESOLUTION AUTHORIZING THE PURCHASE OF GREEN WASTE CARTS

SUMMARY: The Town has granted a franchise to a new waste hauler effective January 2011. In order to reduce start-up costs, the Town can purchase the existing green waste carts from Republic Waste Services. The carts would become the property of the Town and would be serviced by Recology in 2011. A price of \$10 per cart has been negotiated with Republic Waste Services, and it is estimated that 3,500 carts are currently in use in Hillsborough. An exact count will be completed near the end of the franchise. (For comparison purposes, the cost of a new cart is approximately \$60.)

Shortly before 2011, the Town will distribute stickers that can be affixed to the carts, so residents will know what organic materials can be deposited in the carts.

Residents who have multiple green waste carts will be able to retain their multiple carts.

After 2011, if a resident needs a new cart because the existing one fails (crushed, broken wheels, holes), the resident will be able to request a replacement from Recology. The cost for future cart replacements will be built into the refuse rate. Roughly 7% of carts will be replaced annually.

FISCAL IMPACT: The cost of the purchase would be factored into the final rate application by Republic to the Town. At this time, it is anticipated that the Town will run a deficit with Republic, which can be paid off with a roughly \$200,000 reserve established after the Ox Mountain settlement. The purchase of the carts is estimated to save \$0.20 per residence per month over the life of the franchise.

ENVIRONMENTAL ISSUES: Retaining the existing carts ensures that all carts are used for the entire useful life before replacement. Implementation of the organics program will substantially improve the Town's waste diversion rate.

ATTACHMENTS: Resolution

PREPARED BY: Martha DeBry, Public Works Director

RECOMMENDATION: Adopt the resolution approving the purchase of the green waste carts and approving the costs to be included in the 2010 rate application to be submitted by Republic Waste Services.



TOWN OF HILLSBOROUGH

San Mateo County
1600 Floribunda Avenue
Hillsborough, CA 94010

10

NEW BUSINESS
CITY COUNCIL MEETING
JULY 12, 2010

AGENDA STAFF REPORT

ITEM SUBJECT: APPROVAL OF HILLSBOROUGH BEAUTIFICATION FOUNDATION'S PROPOSED DESIGN FOR THE NEW PLACE ISLAND

SUMMARY: Hillsborough Beautification Foundation (HBF) is proposing a project to rehabilitate the New Place island located at the corner of Eucalyptus Avenue and New Place Road immediately in front of North School. A committee consisting of Lori Marquadt, Maryellie Johnson, Leslie Wilson and Donna Abrahamson are working with Landscape Architect John Northmore Roberts to redesign the island to conform to crosswalk improvements developed by the City Engineer.

A copy of the design is included in the City Council's agenda packet. The project will install approximately 24 cherry trees and a variety of sedges and plants.

The City Engineer and Police Department developed a new crosswalk plan to promote pedestrian safety in the area surrounding the New Place island. The changes to the crosswalks will be installed prior to the start of the school year.

It should be noted that HBF is contemplating two complementary projects that will enhance the general area in the coming year. The frontage of North School may include the removal of five parking spaces between the New Place gates and the North School driveway to accommodate plantings in their place. The City Engineer has offered an opinion that this would be the safest option for pedestrians and vehicles, as compared to the existing parking or creation of parallel parking. The Hillsborough City School District will be working with HBF regarding these improvements, which are on school property. HBF is also evaluating the possibility of installing small planter areas in front of the New Place gates, which will result in the removal of small patches of asphalt immediately adjacent to the gates that are not used for driving or parking. These projects are only conceptual and are being mentioned for informational purposes.

HBF anticipates beginning construction of the New Place island project this fall.

FISCAL IMPACT: The Hillsborough Beautification Foundation will be funding the New Place Island Project. The estimated cost of the project is below \$100,000 and will be subject to the informal bidding process.

ENVIRONMENTAL ISSUES: This project would be categorically exempt under the California Environmental Quality Act (CEQA) Section 15301.

ATTACHMENTS: Design, Elevation

PREPARED BY: Martha DeBry, Public Works Director

RECOMMENDATION: Approve the proposed design for the New Place island.



TOWN OF HILLSBOROUGH

San Mateo County
1600 Floribunda Avenue
Hillsborough, CA 94010

11

**PUBLIC HEARING
CITY COUNCIL MEETING
JULY 12, 2010**

AGENDA STAFF REPORT

ITEM SUBJECT: FUNDRAISING EVENT PERMIT APPLICATION 10-03 FOR THE SAN MATEO ARBORETUM SOCIETY'S 35TH ANNUAL HILLSBOROUGH/SAN MATEO GARDEN TOUR

SUMMARY: The San Mateo Arboretum Society submitted an application to conduct its 35th Annual Hillsborough/San Mateo Garden Tour on Saturday, September 11, 2010, at the following addresses:

1585 Marlborough Road
308 Alberta Way
120 Roblar Avenue

Hillsborough Municipal Code Section 5.16.080 requires a public hearing for a fundraising event permit where more than 200 people will be in attendance during any one day at any one property. Public Notices have been sent to owners of properties located within a 500-foot radius of the properties listed above. One letter of concern has been received and is included in the City Council's agenda packet.

The Police, Fire and Building Departments have reviewed the application and submitted comments and recommendations, which are included in the City Council's agenda packet.

FISCAL IMPACT: There is no fiscal impact associated with this item.

ENVIRONMENTAL ISSUES: There are no environmental issues associated with this item.

ATTACHMENTS: Fundraising Event Permit, Police, Fire and Building Department Comments and Recommendations, and Letter of Concern

PREPARED BY: Miyuki Yokoyama, City Clerk

RECOMMENDATION:

1. Open the public hearing and receive comments;
2. Close the public hearing; and
3. Approve Fundraising Event Permit Application 10-03 for the San Mateo Arboretum Society's 35th Annual Hillsborough/San Mateo Garden Tour on Saturday, September 11, 2010, subject to the conditions recommended by staff.



TOWN OF HILLSBOROUGH

San Mateo County
1600 Floribunda Avenue
Hillsborough, CA 94010

12

PUBLIC HEARING
CITY COUNCIL MEETING
JULY 12, 2010

AGENDA STAFF REPORT

ITEM SUBJECT: FUNDRAISING EVENT PERMIT APPLICATION 10-04 FOR THE COYOTE POINT MUSEUM DINNER AND AUCTION

SUMMARY: The Coyote Point Museum submitted an application to conduct a dinner and auction on Friday, September 24, 2010, at 190 Bridge Road.

Hillsborough Municipal Code Section 5.16.080 requires a public hearing for a fundraising event permit where more than 200 people will be in attendance during any one day at any one property. Public Notices have been sent to owners of properties located within a 500-foot radius of the property listed above.

The Police, Fire and Building Departments have reviewed the application and submitted comments and recommendations, which are included in the City Council's agenda packet.

FISCAL IMPACT: There is no fiscal impact associated with this item.

ENVIRONMENTAL ISSUES: There are no environmental issues associated with this item.

ATTACHMENTS: Fundraising Event Permit and Police, Fire and Building Department Comments and Recommendations

PREPARED BY: Miyuki Yokoyama, City Clerk

RECOMMENDATION:

1. Open the public hearing and receive comments;
2. Close the public hearing; and
3. Approve Fundraising Event Permit Application 10-04 for the Coyote Point Museum's Dinner and Auction on Friday, September 24, 2010, subject to the conditions recommended by staff.



TOWN OF HILLSBOROUGH

San Mateo County
1600 Floribunda Avenue
Hillsborough, CA 94010

13

PUBLIC HEARING
CITY COUNCIL MEETING
JULY 12, 2010

AGENDA STAFF REPORT

ITEM SUBJECT: RESOLUTION ADOPTING THE MITIGATED NEGATIVE DECLARATION (MND) AND MITIGATION MONITORING PLAN (MMP) AND RESOLUTION APPROVING THE DESIGN FOR THE 3115 RALSTON AVENUE RESIDENTIAL PROJECT (MARK SINCLAIR, BREWER DEVELOPMENT LLC / HABITAT ARCHITECTURE / MICHAEL CALLAN LANDSCAPE)

SUMMARY: On June 17, 2010, the Architecture and Design Review Board (ADRB) unanimously approved a new two-story Mediterranean style residence of 11,815.62 square feet in floor area (15.63% Floor Area Ratio), along with an associated landscape plan including new plantings, tree removal, new tennis court, swimming pool and terraces, by means of a 4:0 vote (Boardmember Ho was excused), based on the findings and the conditions outlined in the ADRB resolutions included in the City Council agenda packet. Grading associated with the project is approximately 3,595 cubic yards of cut and 2,660 cubic yards of fill earth material with approximately 685 cubic yards of exported earth matter. The ADRB incorporated additional conditions of approval requiring the replacement of the proposed trees along Pinehill Road with 48-inch box specimen trees and staff review of the entry gate and mailbox. Plans submitted for City Council consideration on July 1, 2010 include 48-inch box size trees along Pinehill Road, as required by the ADRB. A summary of the project evolution and ADRB process, inclusive of environmental review issues raised and the Town's responses, is included in the staff report in the City Council agenda packet.

The design of the proposal reviewed and approved by the ADRB is a Mediterranean architectural style with a palette of high quality materials, including clad wood windows, Redlands clay tile roof, copper gutters, downspouts and chimney caps, custom garage and entry doors and custom roof eave detailing. The proposed residence would be located in generally the same building footprint as the current residence, but would be setback further from the two street sides than the existing structures and would exceed setbacks required by the Hillsborough Municipal Code.

The project site is approximately two acres (or 87,692 square feet) in size located at the northwest intersection of Ralston Avenue and Pinehill Road. A two-story residence of approximately 5,066 square feet exists at the site and is in poor condition.

ENVIRONMENTAL REVIEW:

As a general rule, the California Environmental Quality Act (CEQA) does not require an environmental review process for a single family residential project and considers such projects as "categorically exempt." Nevertheless, staff made the conservative judgment to prepare a Draft Initial Study (IS) and Mitigated Negative Declaration (MND) for the project to address potential environmental impacts associated with grading on slopes exceeding 10% as outlined in CEQA

Section 15304. The ADRB is required to consider the IS/MND, as well as provide design review of the project, which occurred at a special meeting held on June 17, 2010. The IS/MND were delivered to the ADRB and the City Council on Monday, April 5, 2010. Notification of the IS and MND were mailed to property owners within a 500-foot radius on April 1, 2010, and the public review period for the Draft IS/MND was from April 7, 2010, through April 26, 2010. The environmental documents conclude that any potential environmental impacts associated with aesthetics, biological resources, hazards and dangerous materials, utilities/services systems, cultural resources, hydrology/water quality, noise, air quality, geology/soils and transportation/traffic can be mitigated to a level of insignificance. The Draft Mitigated Negative Declaration provides a summary of these potential impacts and their associated mitigation measures.

CEQA also requires that the Town adopt a Mitigation Monitoring Plan (MMP) in order to ensure implementation of mitigation measures presented in the MND. The MMP is included in the City Council agenda packet.

Staff has reviewed in detail the public comments received regarding the environmental documents. These comments have raised concerns in the following areas: aesthetics, air quality, biological resources, landscaping, transportation and traffic, noise, soils and geology. Staff has carefully considered the issues raised. Certain comments asserted that there were potentially significant impacts that were either not addressed or not adequately mitigated in the MND, while other comments sought additional information or suggested potential changes to the project. While the conclusions remain that the project will not have a significant environmental impact with the proposed mitigations, and the previously considered IS and MND sufficiently cover the potential environmental issues associated with this single family residential project, the Town has enhanced the documents from what was initially issued. Details of these enhancements, staff's responses to comments received regarding the environmental documents, and all public comment received, are included in the City Council agenda packet.

In summary, the MND found that the project would not result in any significant impacts on the environment once the specified mitigation measures were implemented. Although many issues have been raised in the public comment process, during and after the circulation periods for the MND, none have demonstrated a new potentially significant impact that would mandate additional mitigation. Nevertheless, all of these comments have been considered or addressed in some manner through the inclusion of additional information in the MND provided to the ADRB or through enhancements to the project. Accordingly, the May 27, 2010, and July 1, 2010, revisions to the project, which reduced its size and scope are included in the City Council agenda packet. The enhancements to the MND and related documents do not represent a "substantial revision" to the document previously circulated for public review, as that term is defined under CEQA, and no further recirculation is required.

Should the City Council approve the residential project at 3115 Ralston Avenue, the resolution adopting the Mitigated Negative Declaration (MND) and Mitigation Monitoring Plan (MMP) would first need to be adopted. In considering adoption of the MND and MMP, the City Council must consider the environmental documents together with any comments received during the public review process and may adopt the MND and MMP for the reasons outlined in the resolution included in the City Council agenda packet. Should the City Council adopt the resolution adopting

the MND and MMP, the City Council may then consider action on the resolution approving the design of the residential project.

DESIGN REVIEW:

The key elements for design approval are consistency with the Town's General Plan, Zoning Code and Design Guidelines. These documents, which outline land use policies, development standards and expectations/guidelines for residential design, require that a project be compatible with its neighborhood, consistent with quantitative development standards set forth in the Hillsborough Municipal Code (i.e. height, setbacks, size), be sensitive to the environment, the topography of the site and surrounding buildings, be of high quality, unique, and historically accurate architecturally. The ADRB voted unanimously to approve the residential project at the special meeting held on June 17, 2010, based on these factors and determined the project to be in compliance with the Town's General Plan, Zoning Code and Design Guidelines.

Assessments completed through surveys of surrounding home sizes, lot sizes and setbacks, quantitative analysis of factors, specifically related to the proposed new residence inclusive of setbacks, height and floor area, evaluation of massing impacts, neighborhood compatibility, architecture, landscaping, siting and topography, upon which the ADRB's approval is based, are incorporated in the staff report, which is included in the City Council agenda packet.

Should the City Council adopt the resolution approving or conditionally approving the design of the residential project at 3115 Ralston Avenue, the finding that the proposal is consistent with the Town's Design Guidelines and, therefore, the Zoning Code and General Plan would need to be made and is included as one of the reasons outlined in the resolution included in the City Council agenda packet.

FISCAL IMPACT: There is no direct fiscal impact associated with the project.

ENVIRONMENTAL ISSUES: An Initial Study, Mitigated Negative Declaration and Mitigation Monitoring Plan have been prepared for the project.

ATTACHMENTS:

- A. Staff Report for 3115 Ralston Avenue Residential Project
- B. City Council Resolution adopting the Mitigated Negative Declaration and Mitigation Monitoring Plan
- C. City Council Resolution approving the design for the 3115 Ralston Avenue residential project
- D. Architecture and Design Review Board (ADRB) resolutions approving the 3115 Ralston Avenue residential project
- E. July 1, 2010, 3115 Ralston Avenue project plans and application materials
- F. Initial Study, Mitigated Negative Declaration and Mitigation Monitoring Plan

G. Supplemental information submitted by Applicant, Mark Sinclair, including letters from Barton Hechtman, dated June 2, 2010, and June 15, 2010, Geotechnical Investigation prepared by Earth Investigations Consultants dated June 10, 2010 and letter dated July 6, 2010, Noise Study prepared by Edward L. Pack Associates dated June 1, 2010, and letter from Brewer Development, LLC, dated June 7, 2010, requesting continuance to a special ADRB meeting date

H. Supplemental Information from staff including memorandum dated June 10, 2010, including tennis court noise readings from the Hillsborough Police Department; memorandum from the City Engineer dated June 24, 2010 responding to letter prepared by Dennis Rinehart of CSW/ST2 and memorandum dated June 15, 2010, reviewing the June 10, 2010 Geotechnical Investigation prepared by Earth Investigations Consultants; memorandum from C. Barry Butler, Principal Engineer of Cornerstone Earth Group dated July 7, 2010

J. Public comments received regarding the project from the ADRB meetings and up to July 2, 2010

PREPARED BY: Elizabeth Cullinan, Director of Building and Planning

RECOMMENDATION:

1. Open the public hearing and receive comments;
2. Close the public hearing; and
3. Adopt the resolution adopting the Mitigated Negative Declaration (MND) and Mitigation Monitoring Plan (MMP); and
4. Adopt the resolution approving the design for the 3115 Ralston Avenue residential project.