

# MINUTES

## REGULAR CITY COUNCIL MEETING

### MONDAY, JUNE 14, 2010

Mayor Krolik called the regular meeting to order at 6:02 p.m. at the Hillsborough Town Hall, 1600 Floribunda Avenue, Hillsborough, California.

**ROLL CALL:** Present: Krolik, Kasten, Fannon, Regan, Benton

Mayor Krolik announced that in the Closed Session held earlier in the evening, the City Council approved a tolling agreement and authorized the City Manager to execute the tolling agreement for one potential litigation matter.

**MINUTES:** The minutes of the May 10, 2010 City Council meeting were approved as submitted.

#### **PRESENTATIONS:**

- Mayor Krolik recognized the Town's Centennial Committee Co-Chairs Letty Callinan, Vicky Lowdon and Lilli Rey for memorable and successful events, which included the Centennial Celebration on May 5, 2010, the Historic Homes Tour on May 14, 2010, and the Centennial Parade of the Century on May 31, 2010, commemorating the Town's 100th Anniversary. Police Chief Matt O'Connor provided a slide show of the Centennial Celebration at Town Hall and the Centennial Parade. He stated that almost \$4,000 was raised during the May 31<sup>st</sup> event for the Town's Adopt-A-Unit. Mayor Krolik thanked Ms. Callinan, Ms. Lowdon and Ms. Rey for their talent, dedication, experience, knowledge, and hard work in creating the Celebration of the Century for the Town of Hillsborough. Mayor Krolik presented Ms. Lowdon and Ms. Rey with gifts and Certificates of Appreciation. (Ms. Callinan was not able to attend the City Council meeting.) Ms. Rey and Ms. Lowdon expressed their appreciation for the opportunity to work with the community and staff on the Town's Centennial Celebration events.

Mayor Krolik announced that a thank you luncheon will be held for Town employees in appreciation of their assistance with the Centennial Celebration events. Mayor Krolik expressed her gratitude to department management and staff for all their help and support with the three very successful Centennial Celebration events. Mayor Krolik also thanked Sally Meakin, Police Lieutenant Caroline Serrato, and Barbara Backer for the keepsake Hillsborough Centennial newsletter. She stated that the upcoming August 2010 edition of the Town newsletter will have photos of the Town's Centennial events.

Mayor Krolik presented Lieutenant Serrato with a Lamp of Learning award for her articles on Hillsborough's Centennial in *La Peninsula*, the journal of the San Mateo County Historical Association and in the Centennial edition of the Town newsletter. Mayor Krolik presented Police Captain Mark O'Connor with the Most Valuable Player award for all his efforts for the Centennial events, including the successful Centennial Parade, which included over 80 floats. Captain O'Connor accepted the award on behalf Chief Building Official John Mullins and everyone else that helped out with the staging of the parade participants.

City Manager Anthony Constantouros recognized and expressed his gratitude to Mayor Krolik for her vision and plans for the Town's Centennial events, and especially her long-time dream to have a parade as a community event. Mayor Krolik expressed how lucky she felt that the Centennial events occurred during her mayoral term and she stated how astounded she was by the accomplishments of the Centennial Committee Co-Chairs and the support received from Town staff. She added that the events were far more than what she imagined them to be.

Police Chief Matt O'Connor explained the keepsake Centennial police badge and Captain Mark O'Connor presented the badge to Councilmember John Fannon. (The keepsake Centennial police badges were presented to the other Councilmembers during the May 10, 2010 City Council meeting.) Councilmember Fannon thanked Chief O'Connor.

- Councilmember Regan recognized Finance Director Edna Masbad and the Finance Department for receiving the Government Finance Officers Association's Certificate of Achievement for Excellence in Financial Reporting Award for the eighth time. He thanked Ms. Masbad and Assistant Finance Director Marie Bernardo for their long hours and hard work.

### **CONSENT CALENDAR:**

On motion of Vice Mayor Kasten, seconded by Councilmember Regan, and unanimous on voice vote, Consent Calendar items 1-8 were approved with a roll call vote.

1. MONTHLY CLAIMS: MAY 1 THROUGH MAY 31, 2010

The monthly claims for the month of May 2010, in the amount of \$2,640,106.58 were approved as submitted.

2. RESOLUTION ESTABLISHING THE TOWN OF HILLSBOROUGH'S APPROPRIATIONS LIMIT FOR FISCAL YEAR 2010-2011

The resolution establishing the appropriations limit for fiscal year 2010-2011 was adopted with a unanimous roll call vote.

3. RESOLUTION CALLING THE GENERAL MUNICIPAL ELECTION OF THE TOWN OF HILLSBOROUGH AND DIRECTING THE CITY CLERK TO PERFORM ALL ACTIONS REQUIRED OF THE CITY ELECTIONS OFFICIAL OTHER THAN THOSE TO BE PERFORMED BY THE COUNTY

The resolution calling the general municipal election of the Town of Hillsborough and directing the City Clerk to perform all actions required of the City Elections Official other than those to be performed by the County was adopted.

4. RESOLUTION REQUESTING THE CONSOLIDATION OF THE CITY ELECTION WITH THE STATEWIDE GENERAL ELECTION

The resolution requesting the consolidation of the City election with the statewide election was adopted.

5. RESOLUTION REQUESTING THE COUNTY TO CANVASS THE RETURNS OF THE TOWN OF HILLSBOROUGH GENERAL MUNICIPAL ELECTION AND AUTHORIZING THE EXECUTION OF THE NECESSARY SERVICE AGREEMENT WITH THE COUNTY

The resolution requesting the County to canvass the returns of the Town of Hillsborough general municipal election and authorizing the execution of the necessary service agreement with the County was adopted.

6. RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH RICHARDSON CONSULTING FOR CONTRACT PLANNING SERVICES

The resolution authorizing the City Manager to enter into an agreement with Richardson Consulting for contract planning services in an amount not to exceed \$35,000 was adopted.

7. RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH RICHARD WOGISCH FOR PROFESSIONAL CONTRACT LANDSCAPE ARCHITECTURAL SERVICES

The resolution authorizing the City Manager to enter into an agreement with Richard Wogisch for professional contract landscape architectural services in an amount not to exceed \$25,000 was adopted.

8. CONTINUE TO FUTURE MEETING: ORDINANCE AMENDING HILLSBOROUGH MUNICIPAL CODE CHAPTERS 17.56, 17.32, 2.12, 15.30, 17.20, 17.24 AND 17.08 REGARDING LANDSCAPE PERMITS, DEFINITION OF HARDSCAPE, TIE VOTES, ADRB EXTENSIONS, TIME EXTENSIONS FOR BONDS, PUBLIC NOTIFICATION OF APPEALS, ALTERATIONS TO NONCONFORMING ACCESSORY STRUCTURES, TREE REMOVAL, SOLAR ENERGY SYSTEMS, AND SECOND STORY SECOND UNITS AND ADRB REVIEW

The ordinance amending Hillsborough Municipal Code Chapters 17.56, 17.32, 2.12, 15.30, 17.20, 17.24, and 17.08, regarding landscape permits, definition of hardscape, tie votes, ADRB extensions, time extensions for bonds, public notification of appeals, alterations to nonconforming accessory structures, tree removal, solar energy systems, and second story second units and ADRB review, was continued to a future City Council meeting.

#### **PUBLIC HEARING:**

9. ORDINANCE AMENDING HILLSBOROUGH MUNICIPAL CODE CHAPTERS 17.16, 17.52 AND 17.60 REGARDING DENSITY BONUSES, SECOND DWELLING UNITS, TRANSITIONAL AND SUPPORTIVE HOUSING, AND EMERGENCY SHELTERS FOR PURPOSES OF IMPLEMENTING THE 2009 HILLSBOROUGH HOUSING ELEMENT – ADOPTION

Director of Building and Planning Liz Cullinan reported that on June 8, 2009, the City Council adopted the Town of Hillsborough's 2009 Housing Element, and that on July 1, 2010, the Town received certification of its 2009 Housing Element from the State of California Department of Housing and Community Development. She explained that the 2009 Housing Element commits the Town to planning for the creation of 86 new housing units between 2007 and 2014, and of these units, 34 units would need to be affordable to lower income households.

Ms. Cullinan stated that the 2009 Housing Element demonstrates that the Town can meet these requirements by providing lower income units within second units, on institutional (private school and country club) properties, and on vacant and subdividable properties. She further stated that the 2009 Housing Element also commits the Town to amend the zoning code by updating the allowance of density bonuses, further relaxing the second dwelling unit process, affirmatively allowing for transitional and supportive housing, and providing zoning for an emergency shelter for the homeless.

Ms. Cullinan explained that the reasons for the proposed changes are because density bonus law has been revised and is now different than outlined in the Hillsborough Municipal Code, the ordinance amendment further promotes second unit opportunities since Hillsborough relies heavily on second units as affordable housing (an issue that will become increasingly important during future Housing Element cycles), and State law supersedes local law and requires that all California jurisdictions allow transitional and supportive housing facilities as permitted uses in the same manner as single-family residential uses. She stated that Transitional and Supportive Housing is assisted living for lower income persons to improve their health status and long-term self-sufficiency.

Ms. Cullinan reported that the State law that passed in 2007 requires that every city provide an area within their borders for emergency shelter adequate to meet the community's local homeless needs. She explained that although there are no current reports of homelessness in Hillsborough, all communities must provide zoning to accommodate such a shelter, and that State law allows jurisdictions to develop standards to control hours of operation, maximum number of beds, lighting, security, and general management.

Ms. Cullinan stated that the Housing Element Steering Committee is recommending that the Town zone the former fire station within the Civic Center/Town Hall area to

allow an emergency shelter for the homeless accommodating a small family with up to three people close to amenities, within the Civic Area, and with proximity to the Police Department. She added that the Draft Ordinance has been reviewed by a Subcommittee of the Housing Element Steering Committee, the City Attorney, special counsel on Housing Element law, and the Police Department.

Ms. Cullinan reported that on February 17, 2010, the Town distributed public notices to property owners within a 500-foot radius of the Town Hall site informing them of the proposed ordinance amendments, and, additionally, the public notice was posted at the Town's three public bulletin board locations. She explained that the notice specifically referenced proposed amendments to allow an emergency shelter for the homeless, subject to specific standards, for up to three individuals at the Town Hall property in the former fire station building at 1600 Floribunda Avenue. She further explained that past public outreach on all of the Housing Element implementing measures has occurred over the last two years, including the mailing of individual notices to every property owner in Town.

Ms. Cullinan stated that one public comment letter was received noting support for a longer length of stay than 30 days, less police department involvement, and transitional programs. She explained that law enforcement involvement is a common component of homeless shelters, a shelter at this location would not be operated by the Town, many homeless shelters are connected with transitional programs, and State law defines emergency shelters as providing shelter for a minimum of 30 days.

Ms. Cullinan stated that the recommended action is to open the public hearing and receive public comment, close the public hearing, and adopt the ordinance implementing the 2009 Housing Element.

Councilmember Regan asked about the provision for one parking space per employee of the emergency shelter. Ms. Cullinan explained that there would need to be an employee on-site to manage the emergency shelter and that a parking space would be provided.

Vice Mayor Kasten asked about the wording in Section 17.60.030.C regarding the financial assistance that the city planner can support when making a recommendation to the City Council, as the Town is not offering financial assistance. Ms. Cullinan replied that she will change the wording to Section 17.60.030.C regarding financial assistance.

Mayor Krolik thanked Ms. Cullinan.

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

On motion of Vice Mayor Kasten, seconded by Councilmember Fannon, and unanimous on voice vote, the ordinance amending Hillsborough Municipal Code Chapters 17.16, 17.52 and 17.60, regarding density bonuses, second dwelling units, transitional and supportive housing, and emergency shelters for purposes of implementing the 2009 Hillsborough Housing Element, was adopted with clarification to Section 17.60.030.C regarding financial assistance.

10. ORDINANCE AMENDING HILLSBOROUGH MUNICIPAL CODE SECTION 13.16.030 AND ADDING SECTION 13.16.035 OF CHAPTER 13.04, ADDING CHAPTER 15.29 ESTABLISHING WATER CONSERVATION IN LANDSCAPE REQUIREMENTS AND AMENDING SECTION 17.56.040 – ADOPTION

City Engineer Cyrus Kianpour reported that an update on the State and regional model conservation landscaping ordinance was given at the April 12, 2010 City Council meeting and the ordinance was introduced at the May 10, 2010 City Council meeting. He explained that the State and BAWSCA model conservation landscaping ordinances

were utilized to develop the Town of Hillsborough's set of standards for the water conservation ordinance.

Mayor Krolik thanked Mr. Kianpour.

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

On motion of Councilmember Fannon, seconded by Councilmember Benton, and unanimous on voice vote, the ordinance amending Hillsborough Municipal Code Section 13.16.030 and adding Section 13.16.035 of Chapter 13.04, adding Chapter 15.29 establishing water conservation in landscape requirements and amending Section 17.56.040, was adopted.

### **OLD BUSINESS:**

#### **11. WALNUT AVENUE PARKING LOT IMPROVEMENTS**

City Engineer Cyrus Kianpour stated that at the February 9, 2009 City Council meeting, the City Council provided direction to staff to arrange for the installation of lighting at the Walnut Avenue parking lot at an approximate cost of \$10,000. He explained that staff evaluated commercially available solar lighting options and that staff was unable to find a system that was affordable and provided adequate light, but that staff has identified a light standard that can illuminate most of the parking structure and uses an underground electrical service. He stated that the preparation of a PG&E application for electrical service was started. He added that neighbors immediately adjoining the property have been advised of the proposed light installation and have not raised any objections. He stated that Assistant City Manager Kathy Leroux was in contact with the Association of Bay Area Governments (ABAG) regarding receiving a grant for the lighting at the Walnut Avenue parking lot.

Mr. Kianpour stated that staff is requesting direction from the City Council to implement one of three options. He stated that the first option is to move forward with asphalt improvements at the Walnut Avenue parking lot in the amount of \$150,000, the second option is to delay the improvements and install one light pole for approximately \$10,000 and to have PG&E provide electrical supply to the Walnut Avenue parking lot, and the third option is to defer any improvements to the Walnut Avenue parking lot. Mr. Kianpour recommended Option 2 to only install lighting at the Walnut Avenue parking lot.

Councilmember Fannon announced that he received a copy of the email that was sent to Director of Building and Planning Liz Cullinan from a resident who stated that he was pleased with the recent upgrade to the Walnut Avenue parking lot.

Councilmember Fannon asked what improvements have been made to the parking lot so far. Mr. Kianpour replied that the parking lot was surfaced with gravel, which cleaned up the bumps and potholes and has improved the drivability.

Councilmember Regan asked about the location of the light pole. Mr. Kianpour described the light pole location as the back side of the parking lot near the trees and pointed out on a schematic the location of the light pole at the Walnut Avenue parking lot.

Councilmember Benton stated that he preferred gravel rather than pavement in the parking lot.

Mayor Krolik stated that she was leaning towards Option 2 and not to spend more money for asphalt.

Councilmember Benton asked if there were any Americans with Disabilities Act (ADA) issues with the Walnut Avenue parking lot. Mr. Kianpour replied that there are several ADA parking spaces near the Town Hall building to meet ADA requirements.

Mayor Krolik thanked Mr. Kianpour.

On motion of Councilmember Benton, seconded by Councilmember Fannon, and unanimous on voice vote, staff was directed to install lighting only and no paving at the Walnut Avenue parking lot in fiscal year 2010-2011.

**PUBLIC COMMENT:**

There were no public comments.

**CITY COUNCIL ITEMS:**

Vice Mayor Kasten stated that at the June 10, 2010 City/County Association of Governments of San Mateo County (C/CAG) Board of Directors meeting, boardmembers were determining the feasibility of placing a ballot measure on the November 2010 ballot to impose a \$10 fee increase on motor vehicles registered in San Mateo County for transportation-related projects and programs through Senate Bill 83 (SB 83).

Councilmember Regan announced that Bridge School Executive Director Dr. Vicki Casella was chosen by the Town of Hillsborough and Hillsborough Police Lieutenant Caroline Serrato by the City of Burlingame to be honored by the San Mateo County Hispanic Chamber of Commerce at the Mayors' Diversity Celebration Awards held on Thursday, May 20, 2010.

Councilmember Benton announced that at the Central County Fire Department (CCFD) Board Meeting held on June 8, 2010, the CCFD 2010-2011 budget was approved. City Manager Anthony Constantouros announced that Councilmember Benton will take over as Chair of the Central County Fire Department Board of Directors for the 2010-2011 fiscal year and that Burlingame City Councilmember Jerry Deal will be Vice Chair. City Attorney Norm Book announced that authorization of the amendment to the Central County Fire Department Joint Powers Agreement will be on the July 12, 2010 City Council agenda.

Police Captain Mark O'Connor provided an update on the traffic safety review at Ridgeway Road at Buckeye Court. He reported that a traffic safety complaint was received from Buckeye Court neighbors. He stated that he and City Engineer Cyrus Kianpour, as well as Assistant City Engineer Dave Bishop, did a site visit to the Buckeye Court and Ridgeway Road intersection and noted heavy vegetation, which could contribute to right-of-way violations at the intersection. He noted that the intersection was evaluated for vehicle placement, sight distance, roadway markings, signage, elevation, roadway radius and lane configuration. He reported that after reviewing collision data, staff decided that traffic calming measures should be taken, such as the reduction of the vegetation near the apex, the installation of "Curve Ahead" and "Not a Through Street" roadway signage, the replacement of Botts dots, and the application of a fog line. He added that within the next couple of weeks, staff will meet with the Buckeye neighbors to follow up with their traffic safety concerns. Mayor Krolik thanked Captain O'Connor for the update.

Vice Mayor Kasten thanked Finance Director Edna Masbad and Councilmember Regan for assisting the City/County Association of Governments of San Mateo County (C/CAG) Board of Directors with the revised C/CAG Investment Policy.

Vice Mayor Kasten announced that at a recent meeting, Assemblymember Jerry Hill discussed the conditions of the State's budget and the State's budget deficit. Mayor Krolik added that Assemblymember Hill has been seeking support from the Town for the Assembly plan to balance the State's budget.

Mayor Krolik announced that at the July 12, 2010 City Council meeting, an update will be provided to the City Council on the Centennial Celebration funding and expenses,

but she added that at this time she can state that all Centennial events were fully funded by private contributions.

Mayor Krolik announced that the Council of Cities Dinner/Meeting will be held on Friday, June 25, 2010, in the City of San Mateo, and that the Association of Bay Area Governments (ABAG) President Mark Green will be the guest speaker. Mayor Krolik announced that she will be attending.

Mayor Krolik announced that Police Captain Mark O'Connor, City Manager Anthony Constantouros and she were invited to the Gentry Magazine photo shoot with Concours Committee Co-Chairs Rob Fisher and Ted Dobos. She stated that it will be a great Concours d'Elegance this year and that many volunteers will be needed for the event.

Mayor Krolik announced that *Wild America* will be shown at Family Movie Night this Friday, June 18, 2010, at 7:00 p.m. in the Council Chambers.

Mayor Krolik announced that the volunteer appreciation event will be held outdoors on September 23, 2010, at a spectacular venue.

Mayor Krolik announced that the employee appreciation event will be held on December 16, 2010, at the Hillsborough Racquet Club.

**ADJOURN:**

Mayor Krolik adjourned the meeting at 7:52 p.m. in honor of the Town's Centennial Celebration.