

**APPROVED MINUTES  
REGULAR CITY COUNCIL MEETING  
MONDAY, DECEMBER 13, 2010**

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

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

**MINUTES:** The minutes of the November 8, 2010 City Council meeting were approved as submitted.

**PRESENTATIONS:**

Mayor Krolik recognized the Hillsborough residents who are members of the San Francisco Giants owners group for their role in the San Francisco Giants winning the 2010 World Series Championship.

Mayor Krolik announced that Police Chief Matt O'Connor would be updating the City Council on the break up of a burglary ring. Chief O'Connor provided a Power Point presentation on the update of the Ascot burglary investigation, highlighting the detection and capture of suspects and the recovery of stolen property taken from 172 victims from San Mateo, Alameda, San Francisco, Marin, Santa Clara, Contra Costa and Yolo Counties. Chief O'Connor recognized Inspectors Peter Gould and Nicholas Chinca for their diligent and painstaking investigation.

Vice Mayor Kasten stated that he serves as the Police Commissioner. He thanked Chief O'Connor for sharing the information on the Ascot burglary investigation as it is not often that we get to see the process unfold. He stated that the teamwork and collaboration within the department and among the other police agencies resulted in a thoroughness in gathering evidence and following proper procedures. Vice Mayor Kasten thanked the Hillsborough Police Department for being thorough, persevering to solve crime, and prosecuting and putting criminals away. He also thanked the Police Department for the work they do as it is often dangerous and involves a lot of risk.

Mayor Krolik stated that she was glad to have members of the Police Department at the City Council meeting to be recognized for their excellent work.

Consent Calendar Item 2 was removed for discussion. On motion of Councilmember Fannon, seconded by Councilmember Regan, and unanimous on voice vote, Consent Calendar Items 1 and 3-7 were approved.

**CONSENT CALENDAR:**

1. MONTHLY CLAIMS: NOVEMBER 1 THROUGH NOVEMBER 30, 2010

The monthly claims for the month of November 2010, in the amount of \$2,736,065.37 were approved as submitted.

2. ACCEPTANCE OF THE COMPREHENSIVE ANNUAL FINANCIAL REPORT (CAFR) TOGETHER WITH THE INDEPENDENT PUBLIC ACCOUNTANT'S (IPA) REPORT ON THE INTERNAL CONTROL FOR FISCAL YEAR ENDED JUNE 30, 2010

Councilmember Regan pointed out that the first page of the letter from the auditors, Vavrinek, Trine, Day & Company, LLP, stated that there were no material weaknesses in internal control over financial reporting. He thanked Finance Director Edna Masbad for her and her staff's great performance. He also pointed out that the auditor indicated that the Town's financial statements were fairly presented, which is very important. Councilmember Regan added that the Town is run financially very well with no deficiencies under Government Auditing Standards.

On motion of Councilmember Regan, seconded by Councilmember Fannon, and unanimous on voice vote, the Comprehensive Annual Financial Report (CAFR) for fiscal year ended June 30, 2010, was accepted.

3. RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE THE MEMORANDUM OF UNDERSTANDING BETWEEN THE TOWN OF HILLSBOROUGH AND THE TEAMSTERS UNION LOCAL 856 (POLICE UNIT)

The resolution authorizing the City Manager to execute the Memorandum of Understanding between the Teamsters Union Local 856 (Police Unit) and the Town of Hillsborough was adopted.

4. RESOLUTION APPROVING AN AMENDMENT TO THE CONTRACT WITH BROWN AND CALDWELL FOR ADDITIONAL FLOW MONITORING DURING THE WINTER OF FISCAL YEAR 2010/2011

The resolution amending the contract with Brown and Caldwell for additional flow monitoring during the winter of 2011 in an amount not-to-exceed \$75,178, and allocating the same from the Sewer Fund was adopted.

5. RESOLUTION APPROVING A CSG WORK ORDER FOR ENGINEERING SERVICES RELATED TO THE 2011 PREMIUM EFFICIENCY PUMP AND MOTOR REPLACEMENT PROJECT

The resolution approving the CSG work order for engineering services related to the 2011 Premium Efficiency Pump and Motor Replacement Project in the amount of \$16,620 and allocating the same from the Water Enterprise Fund was adopted.

6. RESOLUTION APPROVING THE MEMORANDUM OF AGREEMENT BETWEEN THE CITY AND COUNTY OF SAN FRANCISCO AND THE TOWN OF HILLSBOROUGH REGARDING THE CRYSTAL SPRINGS PIPELINE #2 PROJECT (WATER) AND MAKING CEQA FINDINGS

The resolution approving the Memorandum of Agreement between the City and County of San Francisco and the Town of Hillsborough regarding the Crystal Springs Pipeline #2 Project and making CEQA findings was adopted.

7. RESOLUTION AUTHORIZING THE TRANSFER OF WATER SERVICES SERVING TEN RESIDENCES ON NEWHALL ROAD TO THE CITY OF BURLINGAME

The resolution approving the transfer of water services serving ten residences on Newhall Road to the City of Burlingame was adopted.

Mayor Krolik stated that agenda item #9 would be moved up on the agenda and would be discussed next.

**DISCUSSION:**

9. SAN MATEO COUNTY CITY SELECTION COMMITTEE ELECTION

Vice Mayor Kasten explained that Councilmembers from the twenty San Mateo County cities can offer to serve on various committees and that the Mayor of each city is the voting member for the City Selection Committee election.

The City Council discussed the regional seats up for election at the December 17, 2010 San Mateo County Council of Cities meeting, and indicated support for South San Francisco Councilmember Karyl Matsumoto for reappointment to the San Mateo County Transit District (SamTrans) and Woodside Councilmember Dave Tanner for appointment as an alternate on the Local Agency Formation Commission (LAFCo).

Mayor Krolik thanked the Councilmembers for their input.

### **APPRECIATION OF FORMER COUNCILMEMBERS:**

Mayor Krolik introduced former Mayors Catherine Mullooly and Charles Adams, former Citizens Communication Advisory Committee (CCAC) Chair Inta Hasenkamp, Hillsborough City School District (HCSD) Boardmember Mary Ellen Benninger and Superintendent Anthony Ranii, former HCSD Boardmember Shawn Christianson, Burlingame Mayor Terry Nagel and Burlingame City Manager Jim Nantell, former HCSD Boardmember and current CCAC Vice Chair Suzanne Boutin, and current CCAC Chair Julie Borden.

Mayor Krolik paid tribute to Councilmember John J. Fannon and Councilmember D. Paul Regan for serving on the Hillsborough City Council since 1998. Mayor Krolik read both Councilmembers' biographies and thanked them for their superior service and remarked that they both would be greatly missed. Mayor Krolik presented Councilmembers Fannon and Regan with Resolutions of Appreciation from the Town of Hillsborough.

Mayor Krolik introduced Assemblymember Jerry Hill. Assemblymember Hill thanked Mayor Krolik. He remarked that Councilmembers Fannon's and Regan's legacy to the Town is their background and what they brought to the table with their years of experience and financial genius, and he added that that is why Hillsborough is doing well financially. He thanked Councilmembers Fannon and Regan for their great gift and stated that it was wonderful to work with them and wished them well in the future. Assemblymember Hill presented Councilmembers Fannon and Regan with resolutions for their accomplishments.

Mayor Krolik introduced Congresswoman Jackie Speier. Congresswoman Speier thanked Mayor Krolik. She thanked Councilmembers Fannon and Regan for their combined public service of 40 years to the community. She described them as the silver-haired sages and stated that they represent the ultimate in public service. She added that it was a thrill to work with them. Congresswoman Speier presented Councilmembers Fannon and Regan with resolutions for their accomplishments.

Councilmember Fannon remarked that he was very fortunate to have worked with former Councilmembers Jean Auer, Charles Adams and Paul Regan. He stated that a lot was accomplished while he was on the City Council, including updating the Hillsborough Municipal Code, instituting environmental and technical design guidelines for homeowners and architects, celebrating the Town's 100<sup>th</sup> Anniversary (with full credit to Mayor Krolik), and serving on the Bay Area Water Supply and Conservation Agency as a Boardmember and ensuring a reliable supply of quality water at a fair price with the San Francisco Public Utilities Commission. He stated that it has been a great twelve years and a privilege to serve on the City Council. He thanked the City Manager and staff and thanked everyone for coming.

Mayor Krolik introduced Fire Chief Don Dornell. Chief Dornell stated in recognition of Councilmember Regan's successful effort to merge the Hillsborough and Burlingame Fire Departments on April 20, 2001, Councilmember Regan was now an honorary member of the Central County Fire Department. Chief Dornell presented Councilmember Regan with a Central County Fire Department badge.

Councilmember Regan thanked Chief Dornell. Councilmember Regan also thanked his wife Barby for her encouragement and support for the past twelve years. He stated that it was a great honor and privilege to work with the citizens and employees of the remarkable Town of Hillsborough. He remarked that the successes of the Town are due in part to the great employees who care about the Town. He recognized former Mayors Catherine Mullooly, Charles Adams, Andrew Berwick and Jean Auer for bringing their separate set of skills to the City Council. He added that his colleagues were united on a common purpose and that they understood the issues and knew what was best for the Town. He stated that he developed a bond and a trust for his fellow Councilmembers and a unique respect for them, which he would never forget. He quoted a statement made by the character Sergeant Phil Esterhaus of the television show Hill Street Blues, who said "Hey, let's be careful out there." He explained that his single piece of advice is that because people and things are fragile, if you make a decision, do it right.

Mayor Krolik sang to Councilmembers Fannon and Regan as they stepped down from the dais.

### **ADMINISTRATION OF OATH OF OFFICE:**

Mayor Krolik introduced Judge Beth Freeman and Marie and Mike Chuang.

The oath was administered to Councilmember Elect Marie Chuang by the Honorable Beth Freeman.

Councilmember Chuang introduced her guests in attendance.

Mayor Krolik introduced Laurence and Laurie May.

The oath was administered to Councilmember Elect Laurence May by the Honorable Beth Freeman.

Councilmember May introduced his guests in attendance.

Mayor Krolik presented Councilmembers Chuang and May with Town pins.

Councilmembers Chuang and May took seats at the dais.

Mayor Krolik stated that it has been an honor to be the Mayor of Hillsborough these past two years. She thanked the Centennial Chairs Letty Callinan, Vicky Lowden and Lilli Rey and their Committee, Diana Witzel, Barbara Backer, the San Mateo County Historical Society, the Hillsborough Beautification Foundation, and the Community Service League for all that they did for the Town and community to celebrate Hillsborough's Centennial. She thanked the Hillsborough Neighborhood Network committee, including Diane Kounalakis, Steven Gans, Sue Johnston, Lia Turk and Police Lieutenant Caroline Serrato for all their work. Mayor Krolik thanked Concours Chair Rob Fisher, Sue Fisher and Vice Chair Ted Dobos for all their efforts to organize the 2010 Hillsborough Concours d'Elegance which benefitted charities and the Hillsborough City School District (HCSD). Mayor Krolik thanked Terre Baldwin, Lori Bard, Heather Weir and Nancy Kux of the Hillsborough Activities Committee for the yoga and bridge classes and the movie matinees. Mayor Krolik thanked HCSD Superintendent Anthony Ranii and the principals for their participation in the Centennial celebration.

Mayor Krolik stated that it has been an honor to serve on the City Council. She thanked the Financial Advisory Committee, Architecture and Design Review Board, Citizens Communication Advisory Committee and the Code Enforcement Hearing Panel. She stated that it has been an honor to work with the Director of Building and Planning Elizabeth Cullinan and her staff, Public Works Director Martha DeBry and her staff, Police Chief Matt O'Connor and his staff, Finance Director Edna Masbad and her staff, Fire Chief Don Dornell and his staff, City Manager Anthony Constantouros and his staff, City Clerk Miyuki Yokoyama and the Town's attorneys, Norm Book and Mark Hudak.

Mayor Krolik remarked that it has been a pleasure to serve on the City Council with Councilmembers Fannon, Regan, Benton and Kasten and that she looked forward to continuing to serve on the City Council with Councilmembers Benton and Kasten. She welcomed whole-heartedly Councilmembers May and Chuang to the City Council. She thanked her husband Jeff and sons, John and Billy. She stated that it has been an honor to be Mayor and represent the Town. She thanked everyone for letting her serve as Mayor.

### **ELECTION OF MAYOR:**

By nomination of Councilmember Benton, seconded by Councilmember May, and unanimous on voice vote, Thomas M. Kasten was elected Mayor.

Mayor Kasten introduced his wife Kendra and his sister Monica Schefski.

### **ADMINISTRATION OF OATH OF OFFICE:** Mayor

The oath was administered to Thomas M. Kasten by the Honorable Beth Freeman.

Mayor Kasten conducted the remainder of the meeting.

**ELECTION OF VICE MAYOR:**

By nomination of Councilmember Krolik, seconded by Councilmember Chuang, and unanimous on voice vote, Jess E. Benton was elected Vice Mayor.

Vice Mayor Benton introduced his wife Ann.

**ADMINISTRATION OF OATH OF OFFICE:** Vice Mayor

The oath was administered to Jess E. Benton by the Honorable Beth Freeman.

Mayor Kasten made a few remarks to recognize and thank former Mayor Krolik. He stated that former Mayor Krolik accomplished so much in her tenure, including creating an inclusive environment through community involvement and engagement, preserving the Hillsborough Concours d'Elegance, scheduling activities such as bridge, yoga and movies at Town Hall, organizing the Hillsborough Neighborhood Network, leading the Centennial celebration with the celebration at Town Hall, Historic Homes Tour, and Memorial Day parade. He praised her leadership, energy and passion that resulted in a very successful Centennial celebration. He stated that during her term as Mayor, the new garbage and recycling contract was approved, the Town's infrastructure was improved, the Regional Water Quality Control Board issues were dealt with, the Harvest Garden was completed, and that much was accomplished during the difficult economic environment. Mayor Kasten thanked former Mayor Krolik for her magnificent leadership, enthusiasm, energy and contribution to the Town.

Mayor Kasten presented former Mayor Krolik with a Town of Hillsborough gavel for serving the Town for the last two years as Mayor.

Mayor Kasten excused Vice Mayor Benton from the remainder of the meeting so that he could celebrate his birthday. Mayor Kasten announced that Monday, December 13, 2010, was declared Jess E. Benton Day in honor of his 70<sup>th</sup> birthday and for his service to the community.

**PUBLIC HEARING:**

8. ORDINANCE AMENDING TITLE 15, BUILDINGS AND CONSTRUCTION OF THE HILLSBOROUGH MUNICIPAL CODE AND ADOPTING THE 2010 CALIFORNIA CODE OF REGULATIONS, TITLE 24, PARTS 1-6 AND 8-12, INCLUDING THE ADOPTION OF THE 2009 INTERNATIONAL FIRE CODE AND THE 2009 INTERNATIONAL WILDLAND URBAN INTERFACE CODE - ADOPTION

Fire Chief Don Dornell reported that at the November 8, 2010 City Council meeting, staff introduced a proposed ordinance updating the current Hillsborough Municipal Code to be consistent with the 2010 California Building Codes. He stated that the proposed ordinance amends Title 15, Buildings and Construction, of the Hillsborough Municipal Code and adopts the 2010 California Code of Regulations, Title 24, Parts 1-6 and 8-12, including the adoption of the 2009 International Fire Code and the 2009 International Wildland Urban Interface Code.

Chief Dornell stated that the adoption of the State code is primarily a procedural process. He explained that the proposed added and amended sections are not a substantial change to the Town's past practice and are based on climatic, geological, topographical, or environmental conditions specific to the Town of Hillsborough. He added that the Building and Fire Departments have worked with other jurisdictions throughout the State of California to establish consistent standards to minimize the impact that varying standards might have on development and redevelopment of residential, institutional, and commercial buildings.

Chief Dornell recommended opening the public hearing and accepting comments, closing the public hearing, and adopting the ordinance amending Title 15, Buildings and Construction, of the Hillsborough Municipal Code and adopting the 2010 California

Code of Regulations, Title 24, Parts 1-6 and 8-12, including the adoption of the 2009 International Fire Code and the 2009 International Wildland Urban Interface Code.

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

On motion of Councilmember Krolik, seconded by Councilmember May, and unanimous on voice vote, the ordinance amending Title 15, Buildings and Construction, of the Hillsborough Municipal Code and adopting the 2010 California Code of Regulations, Title 24, Parts 1-6 and 8-12, including the adoption of the 2009 International Fire Code and the 2009 International Wildland Urban Interface Code was adopted.

**PUBLIC COMMENT:**

There were no comments.

**CITY COUNCIL ITEMS:**

Councilmember Krolik announced that the Council of Cities Dinner/Meeting will be held on Friday, December 17, 2010, in the City of Colma.

Mayor Kasten announced that City/County Association of Governments (C/CAG) has requested that every city in San Mateo County write a letter opposing the City of San Francisco's proposed \$3 toll in and out of San Francisco during peak commute hours. He advised his colleagues that he will be writing a letter from the Town against the proposed toll.

Mayor Kasten invited everyone to the City Council reception to welcome the new City Councilmembers and to thank former Mayors Fannon, Regan and Krolik.

**ADJOURN:**

Mayor Kasten adjourned the meeting at 7:40 p.m.