

TOWN OF HILLSBOROUGH

San Mateo County

Thomas M. Kasten, Mayor
Jess E. Benton, Vice Mayor
Christine M. Krolik, Councilmember
Marie Chuang, Councilmember
Laurence M. May, Councilmember

1600 Floribunda Avenue
Hillsborough, CA 94010

A G E N D A

MONDAY, MARCH 14, 2011

5:30 pm CLOSED SESSION

6:00 pm CITY COUNCIL MEETING

Hillsborough Town Hall

CLOSED SESSION (5:30 pm)

A. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9 of the California Government Code: One potential case

REGULAR CITY COUNCIL MEETING (6:00 pm)

I. PLEDGE OF ALLEGIANCE

II. ROLL CALL

III. MINUTES: February 14, 2011

IV. RECOGNITION:

- Farro Essalat, a Hillsborough resident and architect, was recently interviewed and selected for publication in the newest edition of "Perspectives on Design California", a publication which includes information about and photographs of the State's finest architects, homebuilders, landscape architects, interior designers, artisans, craftsmen, and other industry specialists

V. PROCLAMATION:

- March 2011 American Red Cross Month

VI. PRESENTATIONS:

- Architecture and Design Review Board, Certificate of Appreciation - Dr. Lin Ho, who served as a Committee Member from May 2008 through January 2011.

VII. 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: FEBRUARY 1 THROUGH FEBRUARY 28, 2011
2. RESOLUTION AUTHORIZING AN AGREEMENT FOR ENGINEERING CONSULTING SERVICES WITH DIEMER AND ASSOCIATES, INC.
3. RESOLUTION ACCEPTING A GRANT AWARDED TO THE TOWN OF HILLSBOROUGH IN THE AMOUNT OF \$19,992 TO DEVELOP AND IMPLEMENT A MULTI-FACETED OUTREACH PROGRAM TO ENCOURAGE TOWN RESIDENTS TO INCREASE THE ENERGY EFFICIENCY OF THEIR HOMES
4. RESOLUTION APPROVING THE CSG WORK ORDER FOR ENGINEERING SERVICES RELATED TO THE 2011 SANITARY SEWER MAIN REHABILITATION PROJECT
5. RESOLUTION ALLOCATING ADDITIONAL FUNDS FOR THE 2009-2010 SANITARY SEWER CLEANING AND VIDEO INSPECTION PROJECT – PHASE VII (A)
6. RESOLUTION ALLOCATING UP TO \$32,000 FOR THE EMERGENCY REPAIR OF THE FAILED SEWER MAIN CREEK CROSSING ADJACENT TO 739 EL CERRITO AVENUE

VIII. PUBLIC HEARING:

7. FUNDRAISING EVENT PERMIT APPLICATION 11-01 FOR THE PARCA AUXILIARY LUNCHEON AND FASHION SHOW
8. FUNDRAISING EVENT PERMIT APPLICATION 11-02 FOR THE COMMUNITY SERVICE LEAGUE KITCHEN TOUR
9. RESOLUTION APPROVING THE PROPOSED RATE INCREASES FOR REFUSE AND RECYCLING SERVICES AND SETTING FEES FOR UNSCHEDULED SERVICES
10. ORDINANCE AUTHORIZING AN AMENDMENT TO THE CONTRACT BETWEEN THE CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM (CALPERS) AND THE CITY COUNCIL OF THE TOWN OF HILLSBOROUGH - ADOPTION

IX. DISCUSSION:

11. DIRECTOR OF RECREATION: DISCUSSION OF LEADERSHIP MATRIX AND JOB DESCRIPTION

X. 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.

XI. 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.

XII. 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.



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1

CONSENT CALENDAR
CITY COUNCIL MEETING
MARCH 14, 2011

AGENDA STAFF REPORT

ITEM SUBJECT: MONTHLY CLAIMS: FEBRUARY 1 THROUGH FEBRUARY 28, 2011

SUMMARY: The monthly claims for the month of February 2011, in the amount of \$2,271,652.66 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 February 2011, as submitted.



TOWN OF HILLSBOROUGH

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Hillsborough, CA 94010

2

CONSENT CALENDAR
CITY COUNCIL MEETING
MARCH 14, 2011

AGENDA STAFF REPORT

ITEM SUBJECT: RESOLUTION AUTHORIZING AN AGREEMENT FOR ENGINEERING CONSULTING SERVICES WITH DIEMER AND ASSOCIATES, INC.

SUMMARY: This proposed agreement will provide services to the Town related to water, wastewater, capital improvements, and engineering services. The Town has an extensive capital improvement plan over a number of years that addresses legal requirements and obligations. This contract will provide a detailed review of these plans and explore areas of cost-savings and efficiency improvements. In addition, there will be oversight on existing projects and a review of priorities and compliance strategies.

FISCAL IMPACT: There are no additional fiscal costs related to this item. This proposed contract will be financed by salary savings from vacant positions.

ENVIRONMENTAL ISSUES: There are no environmental issues related to this agenda item. Specific capital projects will be reviewed on an individual basis as they are approved and scheduled.

ATTACHMENTS: Resolution and Agreement for Engineering Consulting Services

PREPARED BY: Anthony Constantouros, City Manager

RECOMMENDATION: Approve the contract with Diemer and Associates.



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San Mateo County
1600 Floribunda Avenue
Hillsborough, CA 94010

3

CONSENT CALENDAR
CITY COUNCIL MEETING
MARCH 14, 2011

AGENDA STAFF REPORT

ITEM SUBJECT: RESOLUTION ACCEPTING A GRANT AWARDED TO THE TOWN OF HILLSBOROUGH IN THE AMOUNT OF \$19,992 TO DEVELOP AND IMPLEMENT A MULTI-FACETED OUTREACH PROGRAM TO ENCOURAGE TOWN RESIDENTS TO INCREASE THE ENERGY EFFICIENCY OF THEIR HOMES

SUMMARY: With the Energy Upgrade California grant funds, staff will be able to develop an energy efficiency outreach program to educate and motivate Town residents to participate in the program and improve the energy efficiencies of their homes. The grant funds will be utilized to cover costs associated with resident outreach, educational programs and staff training associated with the ongoing climate action plan program. As a part of the grant contract, half of the grant in the amount of \$9,996 will be provided to the Town at the beginning of the program. The second half of the grant will be provided to the Town at the midpoint check-in. No additional fund allocations are requested.

The grant funds will also allow the Building and Planning Department to train staff in completing building performance inspections. Once staff has completed the required training, they will be able to perform basic home performance inspections, which will include evaluations of insulation, water heating, irrigation, lights, pool pumps, HVAC (heating, venting and air conditioning) systems, doors and windows, weather stripping, mechanical filters, appliances, and mechanical systems. Once the home performance inspection has been completed, the resident will receive an inspection report. The inspector will then discuss the benefits of pursuing energy efficiency improvements with the resident. This program will also offer ten free thorough home audits conducted by an outside third party Home Energy Rating System (HERS) certified inspector.

In addition to providing home performance inspections and consultations with the residents, the Town of Hillsborough plans to host an Energy Upgrade California and Environmental Fair in May or June of 2011. The fair will provide an opportunity for homeowners to interact with approved Energy Upgrade California home performance contractors, learn about the Energy Upgrade Program through roundtable discussions and workshops, participate in a raffle, and sign up for a low cost (\$25) basic home performance inspection conducted by staff.

The Town of Hillsborough will explore outreach opportunities to residents about the Energy Upgrade California Program, the Energy Upgrade California Fair and the home performance inspections through some of the following channels in the community:

- Town newsletter, featuring a prominent article about the Energy Upgrade California Program
- Town of Hillsborough's E-notify program for residents about community events
- Posting of Energy Upgrade banners at three prominent intersections

- Water bill inserts about the Energy Upgrade Program
- Direct mail postcards to every resident about the Energy Upgrade California Fair
- Explore the opportunity for interactive classroom training in the local schools
- Community group presentations to recruit community leaders and residents to participate in the Energy Upgrade California Program and share their experiences with the community.

The Town will also make modifications to its community development tracking system to track the number of upgrade projects and the type of upgrades performed. This tracking system will allow us to measure the program's success and to be consistent with the goals of the Climate Action Plan, which includes development of energy efficiency programs and measurement of our reduction in greenhouse gas emissions.

FISCAL IMPACT: There is no fiscal impact associated with this agenda item, as the grant funds will be utilized to cover costs associated with resident outreach, educational programs and staff training associated with the ongoing Climate Action Plan program.

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

ATTACHMENTS:

Attachment A - Project summary

Attachment B - County contract documents and program outline

Attachment C - Resolution accepting the County Energy Upgrade California grant

PREPARED BY: John Mullins, Chief Building Official

RECOMMENDATION: Adopt the resolution accepting the Energy Upgrade California grant and direct staff to implement the program as outlined in the project summary.



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Hillsborough, CA 94010

4

CONSENT CALENDAR
CITY COUNCIL MEETING
MARCH 14, 2011

AGENDA STAFF REPORT

ITEM SUBJECT: RESOLUTION APPROVING THE CSG WORK ORDER FOR ENGINEERING SERVICES RELATED TO THE 2011 SANITARY SEWER MAIN REHABILITATION PROJECT

SUMMARY: CSG has submitted a proposal for the following project:

2011 SANITARY SEWER MAIN REHABILITATION PROJECT – Design Services: The scope of this work order includes the preparation of plans and specifications for the rehabilitation of approximately 6,500 linear feet of structurally damaged sewer mains throughout the Town by pipe bursting methods. This work order also includes assessment of the manholes contiguous to the project pipelines and design of the replacement or rehabilitation of these manholes. The condition assessment survey of the sewer mains is a requirement of the Cease and Desist Order (CDO) and the settlement agreement with SF Baykeeper which requires the Town to initiate repairs for structurally deficient mains.

FISCAL IMPACT: The work order also includes \$10,000 for staff augmentation to assist in the scoping, design and bidding of the project. The construction of the project is estimated at \$1.5 million. This work order will be funded by the Sewer Fund in the amount of \$102,600.

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 and Work Order

PREPARED BY: Mark O'Connor, Public Works Co-Director

RECOMMENDATION: Adopt the resolution approving the attached CSG work order for engineering services related to the 2011 Sanitary Sewer Main Rehabilitation Project in the amount of \$102,600 and allocate funds from the Sewer Fund.



TOWN OF HILLSBOROUGH

San Mateo County
1600 Floribunda Avenue
Hillsborough, CA 94010

5

CONSENT CALENDAR
CITY COUNCIL MEETING
MARCH 14, 2011

AGENDA STAFF REPORT

ITEM SUBJECT: RESOLUTION ALLOCATING ADDITIONAL FUNDS FOR THE 2009-2010 SANITARY SEWER CLEANING AND VIDEO INSPECTION PROJECT – PHASE VII (A)

SUMMARY: The contractor, Roto-Rooter, has been working diligently on completion of this project. At this time, staff has analyzed the video submitted to date and has found that additional point repairs beyond what has been allocated are necessary. In addition, staff has identified one segment of sewer main that is approximately 22 feet deep that is in need of immediate replacement. This sewer main is located in an easement below Denise Drive which has many severe defects and the cost to complete point repairs would exceed the replacement costs due to the depth of the main and the number of point repairs required. Staff has also identified a manhole along this sewer main that is buried approximately 14 feet below the existing grade which must be raised to grade before the main can be replaced. The contractor has provided a quote for raising the manhole and bursting the existing pipe, which is very cost-effective.

Staff is requesting additional funding for this project to cover the cost to raise the buried manhole, replace the existing main from Denise Drive to Darrell Road with pipe bursting and completion of additional point repairs in an amount not-to-exceed \$58,000.

FISCAL IMPACT: An additional allocation for the project would be needed in the amount of \$58,000 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

PREPARED BY: Cyrus Kianpour, City Engineer

RECOMMENDATION: Adopt the resolution allocating additional funds to the 2009-2010 Sanitary Sewer Cleaning and Video Inspection Project – Phase VII (A) in the amount of \$58,000 and allocating the same from the Sewer Fund.



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San Mateo County
1600 Floribunda Avenue
Hillsborough, CA 94010

6

CONSENT CALENDAR
CITY COUNCIL MEETING
MARCH 14, 2011

AGENDA STAFF REPORT

ITEM SUBJECT: RESOLUTION ALLOCATING UP TO \$32,000 FOR THE EMERGENCY REPAIR OF THE FAILED SEWER MAIN CREEK CROSSING ADJACENT TO 739 EL CERRITO AVENUE

SUMMARY: On the morning of Thursday, February 10, 2010, the Public Works Department identified a sewer main that is in need of immediate replacement. As part of our Sewer Cleaning and Video Inspection Phase VII (B) Project, this line was cleaned and inspected. When cleaning the interior of the pipe, the Town inspector noticed that water was exiting the pipe along the trestle portion of the sewer crossing. When the contractor inspected the pipe with the video equipment, he noticed that the pipe was severely corroded and had developed holes in the top and sides of the pipe. Due to the fact that this line crosses the San Mateo Creek, staff mobilized immediately to temporarily patch the pipe and ensure that there was no discharge to the creek.

Due to the high potential for failure of this sewer main crossing, staff contacted Farallon Company the same day to replace the pipe on a time and material basis. On Monday, February 14, 2011, the contractor started preparing the site for immediate replacement of the main. The sewer main was replaced and back in service the following day. The pipe is now protected with a steel casing over the creek and the support structure was strengthened. The final cleanup and site restoration efforts were completed on Wednesday, February 23, 2011.

The Public Works Department retained Farallon Company on a time and material basis to remove and replace the pipe. Because of the exigent circumstances, no competitive bidding process was conducted for the repair project, which will likely cost less than \$32,000.

FISCAL IMPACT: Public Works is requesting that the City Council allocate up to \$32,000 for the emergency repair of the sewer main crossing adjacent to 739 El Cerrito Avenue.

ENVIRONMENTAL ISSUES: This project is exempt from the California Environmental Quality Act (CEQA) per section 15269 (b) of the State Public Resources Code.

ATTACHMENTS: Resolution and Project Photos

PREPARED BY: Cyrus Kianpour, City Engineer

RECOMMENDATION: Adopt the resolution allocating up to \$32,000 from the Sewer Fund for the emergency repair of the failed sanitary sewer main creek crossing adjacent to 739 El Cerrito Avenue.



TOWN OF HILLSBOROUGH

San Mateo County
1600 Floribunda Avenue
Hillsborough, CA 94010

7

PUBLIC HEARING
CITY COUNCIL MEETING
MARCH 14, 2011

AGENDA STAFF REPORT

ITEM SUBJECT: FUNDRAISING EVENT PERMIT APPLICATION 11-01 FOR THE PARCA AUXILIARY LUNCHEON AND FASHION SHOW

SUMMARY: Parca submitted an application to conduct the Parca Auxiliary Luncheon and Fashion Show at 3250 Ralston Avenue in Hillsborough. This event is proposed to take place on Wednesday, May 25, 2011.

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 Application 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 the Fundraising Event Permit Application 11-01 for the Parca Auxiliary Luncheon and Fashion Show on Wednesday, May 25, 2011, subject to the conditions recommended by staff.



TOWN OF HILLSBOROUGH

San Mateo County
1600 Floribunda Avenue
Hillsborough, CA 94010

8

PUBLIC HEARING
CITY COUNCIL MEETING
MARCH 14, 2011

AGENDA STAFF REPORT

ITEM SUBJECT: FUNDRAISING EVENT PERMIT APPLICATION 11-02 FOR THE COMMUNITY SERVICE LEAGUE KITCHEN TOUR

SUMMARY: The Community Service League submitted an application to conduct its Kitchen Tour on Friday, May 13, 2011, at the following addresses:

- 621 Woodstock Road
- 2125 Geri Lane
- 324 Barbara Way
- 714 Jacaranda Drive
- 115 Rockridge Drive

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.

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 Application 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 11-02 for the Community Service League Kitchen Tour on Friday, May 13, 2011, subject to the conditions recommended by staff.



TOWN OF HILLSBOROUGH

San Mateo County
1600 Floribunda Avenue
Hillsborough, CA 94010

9

PUBLIC HEARING
CITY COUNCIL MEETING
MARCH 14, 2011

AGENDA STAFF REPORT

ITEM SUBJECT: RESOLUTION APPROVING THE PROPOSED RATE INCREASES FOR REFUSE AND RECYCLING SERVICES AND SETTING FEES FOR UNSCHEDULED SERVICES

SUMMARY: At its meeting on January 10, 2011, the City Council reviewed proposed refuse rate options. Staff was authorized to distribute a notice of intent to increase rates and impose fees to the residents proposing a maximum rate increase of 25% and other unscheduled service fees as proposed in the Recology franchise agreement. The new rates, should they be approved, will be effective April 1, 2011.

On January 3, 2011, the Town's new franchise with Recology started and residents are now using weekly organics, recyclables and trash collection services. The new franchise was approved in November 2009, and will be effective through 2020. When the franchise was adopted, the Town agreed to set rates to cover the cost of refuse collection and set fees for special unscheduled services (explained in Exhibit A included in the City Council's agenda packet).

Refuse rates are subject to Proposition 218 protest procedures and a notice was mailed to all residences in advance of the March 14, 2011 City Council meeting advising them of their right to protest the rate increase. To date, 47 protest letters have been received. Should a majority of rate payers object to the increase it cannot be implemented. A public hearing is required to allow protests in person.

Cliff Feldman, Recycling Programs Manager of South Bayside Waste Management Authority (SBWMA), will be attending the City Council meeting and will be available to answer questions.

FISCAL IMPACT: Adoption of the rates has no direct fiscal impact on the Town as the fees are paid directly to Recology.

ENVIRONMENTAL ISSUES: Implementation of the organics program should result in a substantial reduction of carbon emissions as noted in the Town's Climate Action Plan. Increases in recyclables collection will also conserve resources, which reduce the long-term cost of trash disposal and extend the life of the current landfill.

ATTACHMENTS: Resolution, Exhibit A and Proposition 218 Notice

PREPARED BY: Katharine Leroux, Assistant City Manager

RECOMMENDATION:

1. Open the public hearing and receive comments;
2. Close the public hearing;
3. Acknowledge information on protests received and presented by the City Clerk at the conclusion of the public hearing; and
4. Adopt the resolution approving a maximum rate increase of 25% and rates for the unscheduled service fees listed in Exhibit A effective April 1, 2011.



TOWN OF HILLSBOROUGH

San Mateo County
1600 Floribunda Avenue
Hillsborough, CA 94010

10

PUBLIC HEARING
CITY COUNCIL MEETING
MARCH 14, 2011

AGENDA STAFF REPORT

ITEM SUBJECT: ORDINANCE AUTHORIZING AN AMENDMENT TO THE CONTRACT BETWEEN THE CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM (CALPERS) AND THE CITY COUNCIL OF THE TOWN OF HILLSBOROUGH - ADOPTION

SUMMARY: The Police Unit voted to increase the employees' contribution to their retirement to 10%. To amend the Safety contract increasing the employee's contribution, CalPERS requires the Town to adopt an ordinance authorizing the amendment.

FISCAL IMPACT: By increasing the employees' contribution to their retirement to 10%, the Town will save \$28,800 per year.

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

ATTACHMENTS: Ordinance and CalPERS Safety contract amendment

PREPARED BY: Kristin Armbruster, Human Resources Specialist

RECOMMENDATION:

1. Open the public hearing and receive comments;
2. Close the public hearing; and
3. Adopt the ordinance authorizing the amendment to the contract between CalPERS and the City Council of the Town of Hillsborough.



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San Mateo County
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11

DISCUSSION
CITY COUNCIL MEETING
MARCH 14, 2011

AGENDA STAFF REPORT

ITEM SUBJECT: DIRECTOR OF RECREATION: DISCUSSION OF LEADERSHIP MATRIX AND JOB DESCRIPTION

SUMMARY: Mr. Michael Pera, the current Director of Recreation, has announced his retirement effective December 31, 2011. He has served in this capacity since 1992. At the Recreation Commission Meeting held on February 28, 2011, information on the hiring process and job description were distributed. The timeframe indicated that the Recreation Commission will meet to discuss this position on March 28, 2011. The Town of Hillsborough representatives on the Recreation Commission are Councilmembers Christine Krolik and Laurence May.

The purpose of this discussion item is to allow an opportunity for the City Council to have input into this process prior to the Recreation Commission meeting.

FISCAL IMPACT: There are no additional fiscal costs related to this agenda item.

ENVIRONMENTAL ISSUES: There are no environmental issues related to this agenda item.

ATTACHMENTS: Retirement Letter, Cost Summary, Hiring Process, and Job Description

PREPARED BY: Anthony Constantouros, City Manager

RECOMMENDATION: For discussion only; no action required.