

**MINUTES**  
**REGULAR CITY COUNCIL MEETING**  
**MONDAY, NOVEMBER 14, 2011**

Mayor For A Day Conor Burns called the regular meeting to order at 6:00 p.m. at the Hillsborough Town Hall, 1600 Floribunda Avenue, Hillsborough, California.

**ROLL CALL:** Present: Kasten, Benton, Krolik, Chuang, May, Burns (Mayor For A Day)

**MINUTES:** The minutes of the October 10, 2011 City Council meeting were approved as submitted with one change by Councilmember Krolik to the fourth paragraph under City Council Items on page 9.

**RECOGNITION:**

- Mayor Kasten explained that the Mayor For A Day is a fundraiser for the Hillsborough Schools Foundation. He recognized Mayor For A Day Conor Burns and stated that Conor is nine years old and a third grade student at North School where he serves as a student council representative for his class. He added that Conor's favorite subjects are math and science and that he enjoys soccer, basketball, baseball and golfing with his family. Mayor Kasten presented certificates of recognition to Conor Burns and his mother Jill Burns. Conor Burns thanked his parents for the opportunity to be the Town of Hillsborough's Mayor For A Day. Ms. Burns thanked the City Council.
- Mayor Kasten recognized Police Department Executive Assistant LeAnn Thornton for chairing the Law Enforcement Day for the past eight years for the San Mateo, Foster City, Burlingame and Hillsborough Leadership Program. He explained that the Leadership Program is sponsored by the Chamber of Commerce of the Cities of San Mateo, Foster City and Burlingame and the Town of Hillsborough and that the program identifies and nurtures existing and potential community leaders. Mayor Kasten introduced Leadership Program Director Lory Lawson and San Mateo City Manager Susan Loftus. Ms. Loftus stated that Ms. Thornton has been instrumental in organizing the Leadership Program's Law Enforcement Day for the past eight years. Ms. Loftus thanked Ms. Thornton on behalf of the Leadership Program for her excellence in helping to develop the curriculum for Law Enforcement Day and for helping to develop our future leaders. Mayor Kasten stated that he was extremely proud of Ms. Thornton for her work in the community.

**PRESENTATIONS:**

- Mayor Kasten introduced Fire Chief Don Dornell for the Central County Fire Department's Eighth Annual Fire Safety Poster Contest presentation. Chief Dornell introduced Fire Inspector Julie Parenti who announced the winners and Chief Dornell presented the winners with a certificate.

**CONSENT CALENDAR:**

Items 1, 5, 7 and 10 of the Consent Calendar were removed for discussion. On motion of Councilmember Krolik, seconded by Councilmember Chuang, and unanimous on voice vote, Consent Calendar items 2 - 4, 6, 8, 9, and 11 - 13 were approved.

1. MONTHLY CLAIMS: OCTOBER 1 THROUGH OCTOBER 31, 2011

Mayor Kasten stated that he noticed that on the report of purchases made during October 2011, the amount paid to the City of Burlingame included the cost for both library and sewer services and he asked if it was possible to separate the costs in future payments. Finance Director Edna Masbad replied that she will have the library and sewer services payments processed separately.

On motion of Mayor Kasten, seconded by Councilmember Krolik, and unanimous on voice vote, the monthly claims for the month of October 2011, in the amount of \$2,717,438.52 were approved as submitted.

2. RESOLUTION AMENDING AN AGREEMENT FOR ENGINEERING CONSULTING SERVICES WITH DIEMER ENGINEERING, INC.

The resolution authorizing the City Manager to enter into an amendment to the agreement with Diemer Engineering, Inc. for engineering consulting services was adopted.

3. RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH A PROFESSIONAL RECRUITER FOR THE CITY ENGINEER POSITION

The resolution authorizing the City Manager to enter into an agreement with Gary Rogers for recruiting services for the City Engineer position in an amount not-to-exceed \$17,000 allocated from the General Fund was adopted.

4. RESOLUTION ESTABLISHING THE LOCAL APPOINTMENTS LIST FOR CALENDAR YEAR 2012

The resolution establishing the Local Appointments List for calendar year 2012 was adopted.

5. RESOLUTION APPROVING THE PURCHASE OF TWO REPLACEMENT POLICE VEHICLES

Mayor Kasten stated that Ford has indicated that the Crown Victoria model will be discontinued and that Towne Ford's bid was quite advantageous since the equipment in the old vehicles will fit in the new vehicles. He further stated that this resolution approves the purchase of two replacement police vehicles, and he asked if staff considered purchasing more than two vehicles to take advantage of the price and compatibility of the vehicle equipment. Police Chief Matt O'Connor replied that the Police Vehicle Replacement Fund does have \$98,000 reserved. He reported that staff received a call from Ford about the huge overrun of the Crown Victoria model and that the price of \$23,500 per vehicle is less than the 2007 cost. He added that the Crown Victoria is a very durable car and has an excellent warranty.

The Councilmembers, Chief O'Connor, City Attorney Norm Book and City Manager Anthony Constantouros further discussed replacement vehicles and equipment for the Police Department.

On motion of Councilmember Krolik, seconded by Vice Mayor Benton, and unanimous on voice vote, the resolution authorizing the purchase of two replacement Police Interceptor 2011 Crown Victoria vehicles from Towne Ford for the bid amount of \$47,019.66 allocated from the Police Vehicle Replacement Fund, and authorizing the City Manager to explore the purchase of a third police vehicle was adopted.

6. RESOLUTION ADOPTING AN UPDATED INTEGRATED PEST MANAGEMENT POLICY (IPM)

The resolution adopting the updated Integrated Pest Management Policy was adopted.

7. RESOLUTION AWARDED THE CEC FUNDED TOWN HALL, FINANCE AND POLICE DEPARTMENT ENERGY EFFICIENCY LIGHTING RETROFIT TO ABI, INC.

Councilmember Krolik asked if staff investigated the use of solar energy for the Town's facilities. Interim Public Works Director John Mullins replied that staff is currently exploring the option of using solar energy for the Town's facilities.

On motion of Councilmember Krolik, seconded by Councilmember May, and unanimous on voice vote, the resolution awarding the contract for the energy efficient lighting retrofit in Town Hall, the Finance building, the Police Department and the Annex to the Energy Partnership Program and its designated contractor, ABI, Inc. in

the amount of \$27,560.05 with a 10% contingency of \$2,756.00 for a total construction budget of \$30,316.05, and allocating an amount not-to-exceed \$3,950.58 from the General Fund was adopted.

8. RESOLUTION ALLOCATING FUNDS FOR THE MAINTENANCE OF THE SPENCER LAKE INLET STRUCTURE

The resolution allocating an amount not-to-exceed \$25,000 from the Sewer Fund for the maintenance of the Spencer Lake inlet structure for storm water management purposes was adopted.

9. RESOLUTION ACCEPTING AS COMPLETE THE 2011 WEED ABATEMENT PROJECT COMPLETED BY PESTMASTER SERVICES, INC.

The resolution accepting as complete the contract with Pestmaster Services, Inc. for the 2011 Weed Abatement Project in the amount of \$10,485 was adopted.

10. RESOLUTION AWARDDING THE REPLACEMENT OF COUNTRY CLUB PUMP UNITS #1 AND #2 TO PUMP REPAIR, INC.

Councilmember May asked if the California Energy Commission (CEC) loan was for a long or short term. City Engineer Cyrus Kianpour replied that the CEC loan in the amount of \$24,655 is for a term of ten years. He added that the replacement of the pump units will provide energy savings with the more energy efficient system which will eventually pay for the cost of the loan.

Interim Public Works Director John Mullins explained that it was determined that due to a reduction in the San Francisco Public Utilities Commission's head pressure, the Town will save energy at the Country Club Pump Station by replacing the 75 horsepower units with 40 horsepower units.

On motion of Councilmember May, seconded by Councilmember Krolik, and unanimous on voice vote, the resolution awarding the contract for the replacement of the pump assembly on Country Club Unit #1 and the motor and pump assembly on Unit #2 to Pump Repair, Inc. in the amount of \$48,322 with a 15% contingency in the amount of \$7,248 for a total construction budget of \$55,570, allocating \$30,915 from the Water Fund, and authorizing the City Manager to sign the contract on behalf of the Town was adopted.

11. RESOLUTION DEDICATING A SOURCE OF REVENUE FOR THE TOWN'S CLEAN WATER STATE REVOLVING FUND LOAN AGREEMENT WITH THE STATE WATER RESOURCES CONTROL BOARD

The resolution dedicating the Town's sewer rate fees as the source of revenue for repayment for the Clean Water State Revolving Fund Program financing for the Town's Crystal Springs/El Cerrito Phase II Sewer Improvement Program was adopted.

12. RESOLUTION ACCEPTING AS COMPLETE THE 720 CHATEAU DRIVE ROAD REPAIR PROJECT BY FARALLON COMPANY

The resolution accepting as complete the contract with Farallon Company for the 720 Chateau Drive Road Repair Project in the amount of \$35,161 was adopted.

13. RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE THE MEMORANDUM OF UNDERSTANDING BETWEEN THE TOWN OF HILLSBOROUGH AND TEAMSTERS UNION LOCAL 350 (PUBLIC WORKS SUPERVISORS)

The resolution allowing the City Manager to execute the Memorandum of Understanding between the Town of Hillsborough and the Teamsters Union Local 350 (Public Works Supervisors Unit) was adopted.

**PUBLIC HEARING:**

14. FUNDRAISING EVENT PERMIT APPLICATION 11-08 FOR CRYSTAL SPRINGS UPLANDS SCHOOL'S MADCAP 2012 ANNUAL FUNDRAISING AUCTION

City Clerk Miyuki Yokoyama stated that Crystal Springs Uplands School submitted a fundraising application for their Madcap 2012 Annual Fundraising Auction to be held on Saturday, March 10, 2012, from 6:00 p.m. to 11:00 p.m. in the Crystal Springs Uplands School's gymnasium located at 400 Uplands Drive.

Ms. Yokoyama stated that public notices have been sent to homeowners located within a 500-foot radius of the property and that no comments have been received. She added that staff recommends approval of the application subject to the restrictions and conditions of the Police, Fire and Building Departments.

Ms. Yokoyama introduced Karen Sparks and Gabriela Rojas who were available to answer any questions about the event. Councilmember Krolik wished them good luck with the Madcap 2012 Auction. Ms. Sparks thanked Mayor Kasten and the Councilmembers for supporting Crystal Springs Uplands School.

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

On motion of Councilmember Krolik, seconded by Councilmember Chuang, and unanimous on voice vote, Fundraising Event Permit Application 11-08 for Crystal Springs Uplands School's Madcap 2012 Annual Fundraising Auction on Saturday, March 10, 2012, subject to the conditions recommended by staff, was approved.

**DISCUSSION:**

15. KEY PROVISIONS OF THE DRAFT PRIVATE SEWER LATERAL INSPECTION AND REPAIR PROGRAM

Public Works Engineering Consultant Dennis Diemer provided a Power Point presentation on the proposed Private Sewer Lateral (PSL) Inspection and Repair Ordinance for the Capital Improvement Plan Sewer Program. He stated that at the September 12, 2011 Study Session, he reviewed issues related to Sanitary Sewer Overflows (SSOs) caused by Infiltration and Inflow (I/I) during wet weather, which included a regulatory mandate and agreement provisions, projects required to attain compliance, long-term efforts needed to keep the sewer system in good condition and program costs. He further stated that at the October 10, 2011 City Council meeting, he reviewed the private sewer lateral repair and funding options and preliminary staff recommendations. He added that at this evening's meeting, he would provide a brief review of the financial impacts and costs, recommended responsibilities for the Town and homeowner, key provisions, and proposed schedule for implementation of the Draft Private Sewer Lateral Inspection and Repair Ordinance.

Mr. Diemer provided a map of the Floribunda/Oak Grove drainage area. The Councilmembers, Interim Public Works Director John Mullins and Mr. Diemer discussed the location of the Floribunda/Oak Grove drainage area which included Barbara Way, Chateau Drive, Pinehill Road, Hayne Road, Ralston Avenue, and Hillsborough Boulevard.

Councilmember May recommended including only priority basins needing rehabilitation in the ordinance and adding additional basins as needed to avoid major amendments to the ordinance. Mr. Diemer replied that this approach of prioritizing the basins needing rehabilitation and adding additional basins as needed could be included in the PSL Ordinance.

Mr. Diemer reported that comprehensive rehabilitation of the sewer mains and laterals is needed in priority basins within the Floribunda/Oak Grove drainage of the Burlingame Sewershed since additional capacity improvements to the Oak Grove sewer are not feasible and a 40% overall I/I reduction is required by the cease and desist order. Mr. Diemer noted that it was previously reported that the complete rehabilitation of three basins would be required; however, further analysis has determined that it may be possible to achieve compliance with the complete rehabilitation of one or two basins. He explained that limited capacity improvements are also likely to be necessary along Pepper Avenue and Ralston Avenue between Hillsborough Boulevard and Floribunda Avenue and that the extent of improvements depends on actual I/I removals achieved in priority basins.

Mr. Diemer stated that the cost to replace both an upper and lower lateral, including permit fees, is approximately \$6,000 to \$8,000, and \$3,000 to \$5,000 for the upper lateral only. He further stated that if the contractor is already mobilized for the Town's sewer main repair and/or replacement and permit fees are waived, the cost for the upper lateral replacement can be reduced by 25%-50%.

Mr. Diemer recommended moving forward with the Town's sewer lateral policy that has the Town taking responsibility for repair and/or replacement of the lower lateral when the Town is rehabilitating the sewer for I/I removal, and the homeowner maintaining responsibility for the upper lateral.

Mr. Diemer explained that the ordinance is in addition to existing requirements for lateral inspection and repair and/or replacement upon the sale of a property or major remodel. He stated that the purpose of the ordinance was to establish responsibilities and requirements of the Town and individual homeowners for the inspection and repair and/or replacement of private sewer laterals contributing to SSOs. He reported that over time, all sewer laterals will be inspected throughout the entire Town and that the ordinance will be in effect when the Town is performing sewer rehabilitation work in a priority basin, or when the Town is performing I/I rehabilitation on any sewer.

Mr. Diemer reviewed other key provisions of the ordinance which included responsibilities of the homeowner to allow the Town access to the property for smoke/dye testing and initial pressure testing, and video inspection of the upper lateral to ensure that appurtenances (e.g. cleanout at the house) are installed per the Town's standards. He explained that under the proposed ordinance, if the upper lateral fails the pressure test, the homeowner would need to pay for the repair and/or replacement of the upper lateral. Mr. Diemer further explained that the homeowner would have the option to use a contractor of their choosing or to use the Town's contractor performing work on the public sewer. He stated that if the homeowner chose to have the Town's contractor perform the work, the Town would inspect the work and witness the final test at no cost to homeowner, but if the homeowner's contractor performs the work, the homeowner would be required to pay for the Town to inspect and witness the final test.

The Councilmembers and Mr. Diemer discussed the responsibilities of the homeowner and the possible use of the Town's contractor for the repair and/or replacement of the upper lateral.

Mr. Diemer reviewed the responsibilities of the Town to conduct and pay for the cost of the smoke/dye testing and initial pressure testing and video inspection of the upper lateral, but he stated that the homeowner may choose to use their own contractor at their cost and that they also must pay for the Town's inspector to witness the test. He explained that the Town would repair and/or replace the lower lateral and install a two-way cleanout at property line. He stated that the repair and/or replacement of the lower lateral would be performed at the same time that the Town is performing I/I rehabilitation of the public sewer main.

Mr. Diemer reviewed the compliance certification, administration and enforcement, and fees and penalties. He explained that an additional 90 days for compliance to the

ordinance may be granted by the City Engineer for extenuating circumstances with a \$10,000 cash deposit requirement.

Vice Mayor Benton recommended removing the requirement of a \$10,000 cash deposit for the 90 day extension as it seemed rather harsh. Mr. Diemer replied that he would work to soften this provision of the ordinance.

The Councilmembers, Interim Public Works Director John Mullins and Mr. Diemer further discussed the homeowner's responsibilities for the repair and/or replacement of the upper sewer lateral.

Mr. Diemer asked the City Council for their input on hardship provisions regarding eligibility, amount of assistance, and source of funding for assistance.

Councilmember Krolik asked if there was any money available from the state for loans to homeowners. Mr. Diemer replied that the state would not provide loans to homeowners for their sewer lateral repair and/or replacement.

Vice Mayor Benton asked if the Town could receive a state loan to loan to the homeowners. Mr. Diemer replied that the state would not allow the Town to get money to loan to the homeowners.

Mayor Kasten stated that the Town has a bit of cash earning a low interest and that he was willing to provide a reasonable, low interest loan to homeowners.

The Councilmembers, City Manager Anthony Constantouros, City Attorney Norm Book, City Engineer Cyrus Kianpour and Mr. Diemer further discussed the key provisions of the proposed Private Sewer Lateral Ordinance and compliance with the regulatory mandate and agreement provisions.

Mayor Kasten recommended informing the residents of the Town's long-term plan for the rehabilitation and/or replacement of the upper and lower sewer lateral system.

City Manager Constantouros recommended holding a meeting with last year's sewer lateral ordinance focus group to get their feedback on the newly proposed ordinance and then holding a public outreach meeting in a couple of months to inform residents of the Town's long-term plan for the rehabilitation and/or replacement of the upper and lower sewer lateral system.

Mr. Diemer reviewed the proposed schedule for implementation of the Private Sewer Lateral Ordinance which would be effective April 2012.

Mayor Kasten thanked Mr. Diemer.

## 16. CENTRAL COUNTY FIRE DEPARTMENT UPDATE

Fire Chief Don Dornell provided a Power Point presentation on the Central County Fire Department (CCFD) update. He provided a list of accomplishments for 2011 which included radio replacement, a shared training program, the urban search and rescue (US&R) fire truck typed as "heavy rescue" by the California Emergency Management Agency (Cal EMA), administrative support reorganization, administrative consolidation with the Millbrae Fire Department and San Bruno Fire Department, and emergency preparedness through Burlingame Neighborhood Network (BNN) and Hillsborough Neighborhood Network (HNN).

Chief Dornell reported that two grants were received for radio replacement: a \$70,000 grant for the radios and a \$5,000 grant for a thermal imaging camera.

Chief Dornell stated that through the commitment and dedication of staff, the shared training program has been strengthened and improved, offices have been consolidated due to the closure of Station 36 on Rollins Road in Burlingame, and

several specialized training exercises have been conducted. He reported that the Fire Departments from Foster City and Belmont have been added to the shared training program.

Chief Dornell reviewed the specialized training exercises which included Pediatric Advanced Life Support at Lucile Packard Children's Hospital, Live Fire Training at a South San Francisco site, Mass Casualty Incident Training, a "Big Box" drill at the old Century Theatres in Redwood City, and Water Rescue Training at the Joinville Pool in San Mateo. He added that Target Safety Training was also offered as pre-course work for line personnel.

Chief Dornell reported that the US&R fire truck was originally typed as a "Medium Type" in 2007, but in October 2011, it was re-typed as a "Heavy Type 1" US&R, and is only one of three Type 1 US&Rs in San Mateo County, and the only one typed by the state as a "Heavy Type 1" US&R. He added that the fire truck was acquired through grant funds which covered approximately 80% of the cost of the vehicle and the equipment that it carries.

Vice Mayor Benton asked how often the US&R fire truck is called out. Chief Dornell replied that the US&R fire truck is called out about once a month and has also been used to respond to calls in Woodside, Pacifica and Daly City. He added that CCFD is reimbursed by the other fire departments for use of this fire truck.

Chief Dornell listed projects for 2011/2012 including the administration consolidation, the temporary fire station, fire prevention, and the budget. He reported that the administrative merge with the Millbrae and San Bruno Fire Departments was effective October 1, 2011, and has resulted in bi-weekly Chief Officer meetings, daily conference calls, committees for policy review and projects, standardization of operations and administration where possible, and a shop services agreement with the San Bruno Fire Department.

Chief Dornell reported that another current project is the design, site-prep and installation of a temporary fire station. He stated that a draft plan was submitted to City Managers, and that a cost agreement with the City of Millbrae and a shared staffing agreement are being worked on.

Chief Dornell reported that the Fire Prevention Project requires standardization of fire prevention codes, reporting and record-keeping. He stated that CCFD has been working with the Hillsborough Beautification Foundation and Town staff for support of the Open Space Fire Hazard Mitigation Project.

Chief Dornell reported that potential budget issues for 2012 include funding for the temporary fire station, apparatus replacement, the shared fire station, and other shared opportunities.

Chief Dornell concluded his presentation by stating that CCFD is committed to our communities and thanked the City Council.

Mayor Kasten thanked Chief Dornell for his very interesting presentation and thanked him for all he does every day.

Councilmember Krolik asked if HNN and BNN activities could be included in the CCFD monthly report. Chief Dornell replied that he could add the HNN and BNN activities to the monthly report.

**PUBLIC COMMENT:**

There were no public comments.

**CITY COUNCIL ITEMS:**

Councilmember Krolik thanked Police Officer Dave Young for volunteering his time to assist with the PARCA event that was held at Town Hall on Sunday, November 6, 2011.

Councilmember Krolik reported that Hillsborough Neighborhood Network (HNN) held the Great Shakeout Drill on October 20, 2011.

Councilmember Krolik announced that mah jong classes at Town Hall have been added to the Hillsborough Recreation Department's schedule.

Councilmember Krolik announced that a "Get Ready!" emergency preparedness class is scheduled for Thursday, November 17, 2011, at South School.

Councilmember Chuang thanked Fire Chief Don Dornell for inviting her to attend the Pediatric Advanced Life Support training exercise that was held at Lucile Packard Children's Hospital. She stated that it was a very interesting experience to observe Central County Fire Department personnel participate in the training.

Mayor Kasten announced that the Council of Cities Dinner/Meeting will be held on Friday, November 18, 2011, in the City of Redwood City. Vice Mayor Benton and Councilmembers Krolik and May stated that they would be attending the Council of Cities Dinner/Meeting.

Mayor Kasten reported that the City/County Association of Governments of San Mateo County (C/CAG) is currently working with PG&E to help improve PG&E's communication with the public.

Councilmember Krolik thanked Councilmember Chuang for attending the Mayor's Diversity Awards in Redwood City on Thursday, October 27, 2011. She also thanked Assistant City Manager Katharine Leroux for nominating Bill Kwong of Crystal Springs Uplands School.

Mayor Kasten announced that Vice Mayor Benton will be attending the Caltrain and SamTrans Funding meeting on Tuesday, November 29, 2011.

Mayor Kasten announced that a Town Hall meeting will be held on Thursday, November 17, 2011, to provide additional information and answer questions on the proposed in solid waste rates.

**ADJOURN:**

Mayor Kasten adjourned the meeting at 8:43 p.m.