

MINUTES
REGULAR CITY COUNCIL MEETING
MONDAY, AUGUST 13, 2012

Mayor Kasten called the regular meeting to order at 6:08 p.m. at the Hillsborough Town Hall, 1600 Floribunda Avenue, Hillsborough, California.

ROLL CALL: Present: Kasten, Benton, Krolik, Chuang, May

Mayor Kasten reported that in the Closed Session the City Council authorized the settlement agreement and authorized the City Manager to sign the agreement on behalf of the Town.

MINUTES: The minutes of the July 9, 2012 City Council meeting were approved as submitted with revisions from Councilmember Krolik to agenda item 6 on pages 2 and 3 regarding the Hillsborough Neighborhood Network (HNN) Update.

CONSENT CALENDAR:

Items 2, 3, 4, 5, 7 and 9 of the Consent Calendar were removed for discussion. On motion of Mayor Kasten, seconded by Councilmember Krolik, and unanimous on voice vote, Consent Calendar items 1, 6 and 8 were approved.

1. MONTHLY CLAIMS: JULY 1 THROUGH JULY 31, 2012

The monthly claims for the month of July 2012 in the amount of \$3,386,639.38 were approved as submitted.

2. ORDINANCE AMENDING CHAPTER 3.10 OF THE HILLSBOROUGH MUNICIPAL CODE REGARDING ALTERNATIVE BIDDING PROCEDURES - INTRODUCTION

Councilmember Krolik asked if this ordinance would amend the budgeting process by raising the amount spent by the Public Works Director and City Manager and she asked whether the City Council would still get quarterly budget reports. Finance Director Edna Masbad replied that the ordinance would not amend the budgeting process but would amend the procurement policy and process by authorizing a higher contract amount that the Public Works Director and City Manager, together with the Commissioner, can award. She stated that the City Council would still get quarterly budget reports.

Councilmember Krolik stated that projects in excess of \$100,000 should require the Mayor's approval as it is a lot of money that could be spent in a short period of time. She added that as Public Works Commissioner there is a lot of responsibility to ensure that the amount spent by the Public Works Department is within the budget.

Mayor Kasten stated that 1) it has been a long time since the amounts have increased, 2) Department Commissioners are members of the City Council and he has no problem delegating the authority to Councilmember Krolik as Public Works Commissioner, and 3) more coordination is required with more people involved in the approval process.

The Councilmembers, City Engineer Paul Willis, City Manager Anthony Constantouros and Finance Director Edna Masbad further discussed the alternate bidding procedures.

On motion of Vice Mayor Benton, seconded by Councilmember Chuang, and unanimous on voice vote, the ordinance amending Chapter 3.10 of the Hillsborough Municipal Code regarding alternative bidding procedures was introduced and the first reading of the ordinance was waived. September 10, 2012, was set as the public hearing date to consider adoption of the ordinance.

3. RESOLUTION AUTHORIZING THE FILING OF AN APPLICATION FOR STATE LOCAL PARTNERSHIP PROGRAM (SLPP) IN LIEU OF FEDERAL SURFACE TRANSPORTATION PROGRAM (STP) GRANT FUNDING

Councilmember Krolik asked if the Town could match a greater amount for the grant to repair more of the Town's roads. City Engineer Paul Willis replied that the grant funding

was limited to \$456,321 and that staff did request as much as the Metropolitan Transportation Commission (MTC) would allow.

On motion of Councilmember Krolik, and seconded by Vice Mayor Benton, and unanimous on voice vote, the resolution of local support for State Local Partnership Program (SLPP) funding and authorizing the filing of an application for SLPP in lieu of federal Surface Transportation Program (STP) and committing the necessary Measure A fund match was adopted.

4. RESOLUTION AWARDING THE CONTRACT FOR THE MISCELLANEOUS STORM DRAIN REPAIRS PROJECT TO CASEY CONSTRUCTION

Vice Mayor Benton stated that he thought that the spread between the high bids and low bids sends a message that the specifications were not written very clearly, and asked City Engineer Paul Willis if he experienced a wide range in bids when he worked for the City of Redwood City. Mr. Willis replied that the RFP for this project was posted on the Town's website and that more bids were received than the Town typically receives. He explained that two bids were below the engineer's estimate possibly because the mobilization will cost less than estimated. He stated that oftentimes contractors who submit too low of a bid will withdraw due to arithmetic errors within three days, but this contractor did not and their bid is responsive. He further stated that the high bidder, J. Howard Engineering, submitted a bid out of courtesy and may possibly have thought that no one else was bidding on the project.

On motion of Vice Mayor Benton, seconded by Councilmember Krolik, and unanimous on voice vote, the resolution awarding the contract for the Miscellaneous Storm Drain Repairs Project to Casey Construction in the amount of \$38,439 and authorizing the City Manager to sign the contract on behalf of the Town was adopted.

5. RESOLUTION APPROVING AN AGREEMENT FOR A COMPUTERIZED MAINTENANCE AND MANAGEMENT SYSTEM TO LUCITY, INC.

Councilmember Chuang asked if there were extensive evaluations and interviews of the Computerized Maintenance and Management System (CMMS) vendors to ensure that the Town purchased the best product to meet the Town's needs. Interim Public Works Director Matt O'Connor replied that during this CMMS evaluation process, staff created detailed evaluation sheets which graded the potential vendor's ability to address, respond to, and deliver solution options which focused on the specific requirements of all divisional duties of Public Works. He added that most supervisory and support personnel were involved in the evaluation process and the ranking of the vendors.

On motion of Councilmember Chuang, and seconded by Vice Mayor Benton, and unanimous on voice vote, the resolution approving a Professional Service Agreement for the implementation of the CMMS software and a three-year Software License Agreement with Lucity, Inc. for support and maintenance of the software in the total amount of \$115,275, with a 15% contingency in the amount of \$17,500 for a total not to exceed \$132,775, authorizing the City Manager to sign the agreements on behalf of the Town and to amend the Software License Agreement as needed to add additional software modules, not to exceed 15% each year of the total Software License Agreement fees, was adopted.

6. RESOLUTION AUTHORIZING THE CITY MANAGER TO SUBMIT A FINANCIAL ASSISTANCE APPLICATION AND NEGOTIATE A FINANCIAL ASSISTANCE AGREEMENT WITH THE STATE WATER RESOURCES CONTROL BOARD

The resolution authorizing the City Manager to submit a Financial Assistance Application, negotiate a Financial Assistance Agreement with the State Water Resources Control Board, and make recommendations to the City Council for final approval of the Financial Assistance Agreement at a future date was adopted.

7. RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH KRAMER TELECOM LAW FIRM, P.C. FOR LEGAL AND CONSULTING SERVICES AND TO APPROPRIATE \$20,000 FROM THE GENERAL FUND RESERVES

Councilmember May asked how long the Attorney-Client Fee Agreement would be for, when the agreement would start, and if fees charged prior to the agreement would be covered in this agreement. Interim Public Works Director Matt O'Connor replied that the agreement was created for the anticipated workload of Jonathan Kramer's update of the Town's Wireless Communications Facilities ordinance. He added that this would not be a recurring annual fee, but the agreement would cover Mr. Kramer's work on an as needed basis through the end of the year.

Councilmember May asked if the agreement would cover the time Mr. Kramer spent working for the Town prior to adoption of the agreement. Mr. Kramer replied that the agreement is specific to agenda item 10 regarding the Town's Wireless Communications Facilities ordinance and that he would serve as the Town's Special Counsel for telecommunications matters. He stated that the agreement will not cover fees incurred prior to this agreement.

Councilmember May asked if the Town has worked with Mr. Kramer before. City Attorney Norm Book replied that the Town has worked with Mr. Kramer off and on for several years.

On motion of Councilmember May, seconded by Councilmember Krolik, and unanimous on voice vote, the resolution authorizing the City Manager to enter into an agreement with Kramer Telecom Law Firm, P.C. and authorizing the appropriation of \$20,000 from the General Fund Reserves was adopted.

8. RESOLUTION APPROVING THE CSG WORK ORDER FOR THE ROBINWOOD / DENISE STORM DRAIN AND SLOPE REPAIR PROJECT DESIGN

The resolution approving the CSG work order for the Robinwood/Denise Storm Drain and Slope Repair Project Design in the amount of \$7,030 from the General Fund/Gas Tax and authorizing the City Manager to execute the work order was adopted.

9. RESOLUTION AWARDDING THE 2012 SMOKE TESTING PROJECT TO BROWN AND CALDWELL

Councilmember Chuang stated that the contract amount exceeds the budget by approximately \$100,000 and asked how staff anticipates that there will be additional savings on other projects. Interim Public Works Director Matt O'Connor replied that the cost for the 2012 Smoke Testing Project is part of the Capital Improvement Plan (CIP) budget, and that some savings will be captured by keeping other CIP projects at the budgeted amount or less to keep expenditures within the overall sewer CIP budget.

Vice Mayor Benton asked why the project was over budget by \$100,000. Mr. O'Connor replied that the Town has never done this type of project before and therefore had no hard numbers when estimating the cost of the project, and staff did not realize that the amount budgeted was underestimated until the bids were opened. Engineering Consultant Dennis Diemer added that the original estimate was a guess and not until staff actually went out to the laterals did they realize that there was more work involved in getting into the residents' backyards. He stated that as the estimate was refined, he is confident that the numbers are conservative and that savings of \$100,000 will be found in other CIP projects.

On motion of Councilmember Krolik, seconded by Councilmember Chuang, and unanimous on voice vote, the resolution awarding the contract for the 2012 Smoke Testing Project to Brown and Caldwell in the amount of \$283,845, with a 10% allowance for unforeseen conditions for a total of \$312,230, allocating the same from the Priority

Basins Inflow & Infiltration Rehabilitation Program, CIP #602.47, and authorizing the City Manager to execute the contract and amendments on behalf of the Town was adopted.

PUBLIC HEARING:

10. URGENCY ORDINANCE DECLARING A MORATORIUM ON THE ISSUANCE OF PERMITS FOR WIRELESS COMMUNICATIONS FACILITIES - ADOPTION

Interim Public Works Director Matt O'Connor reported that the urgency ordinance declares a moratorium on the issuance of permits for wireless communications facilities. He explained that when wireless communications companies submit applications to the Town, those applications are processed in accordance with the Hillsborough Wireless Communications Facilities (WCF) ordinance, which was adopted in 2006. He stated that in addition to the Hillsborough Municipal Code, applications for all wireless facilities are subject to both federal and state laws, which contain specific requirements regarding the acceptance, progress, approval, or denial of wireless applications.

Mr. O'Connor reported that the Town currently has the following wireless applications pending from three vendors: 1) an AT&T application for the Summit tank site deemed complete and approved pending building permit review, 2) a Sprint/Nextel application for the Darrell tank site deemed complete and currently in review process, and 3) a Crown Castle application, on behalf of Verizon Wireless, proposing to install wireless equipment at 13 locations in Town, and of those 13, four of the wireless applications have been received and have been deemed incomplete by the Town's Engineering Department.

Mr. O'Connor reported that significant court rulings since 2006 regarding the installation and orientation of wireless facilities have reshaped how wireless ordinances are to be applied. He stated that the Federal Communications Commission (FCC) has issued a significant order regarding wireless applications and how they are to be processed. He added that in February 2012 Congress made significant changes to national wireless siting laws. He further stated that Congress removed a local government's discretion in denying certain types of changes to existing wireless facilities, and that this change in federal law has created a significant conflict with the Town's existing wireless facilities ordinance.

Mr. O'Connor reported that in light of these events, it is recommended that staff and the Town's attorney's further review the Town's ordinance and procedures and submit to the City Council recommendations for changes to the Hillsborough Wireless Communications Facility ordinance. He stated that because of the industry and legal changes that have occurred over the past several years, staff and the Town's attorneys believe that the changes necessary to update the Hillsborough ordinance are substantial and will require time to properly develop and adopt.

Mr. O'Connor requested that the City Council consider the enactment of a temporary moratorium on an urgency basis for a period of 45 days to enable staff to develop, and for the Town to adopt updated wireless facility regulations. He explained that the moratorium is not intended to and does not affect the acceptance and/or processing of permit applications deemed complete as of its effective date. He stated that Town staff will continue to accept applications for wireless facility installation work after the effective date of the ordinance; however, any new standards and permitting requirements for wireless facilities, which are adopted during the moratorium and are effective at the expiration of the moratorium, would apply to those post ordinance applications.

Mr. O'Connor reported that the urgency ordinance does not intend to prohibit or have the effect of prohibiting telecommunications service in Town, rather, it is a short-term suspension on new facilities until appropriate regulations can be adopted so that the installation, alteration, collocation and or relocation of wireless facilities in the Town occur so as to respect the rights of applicants while fully addressing the health, safety and land use concerns of all stakeholders involved.

Mr. O'Connor stated that Special Counsel Jonathan Kramer was present and available to answer questions.

Councilmember Krolik stated that the urgency ordinance declaring a moratorium on the issuance of permits for wireless communications facilities for 45 days seemed the way to go.

There were no questions from the Councilmembers to staff or the Town's attorneys.

Vice Mayor Benton waived the reading of the ordinance.

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

On motion of Vice Mayor Benton, seconded by Councilmember Krolik, and with a roll call vote of 5-0, the urgency ordinance declaring a moratorium on the issuance of permits for wireless communications facilities for a period of 45 days was adopted.

Mayor Kasten directed staff to begin developing the revisions to the WCF ordinance, and to take such steps as required by law to request the City Council to extend the moratorium if staff anticipates that more than 45 days will be required to complete the development of a new WCF ordinance.

11. RESOLUTION CERTIFYING THE FINAL SUBSEQUENT ENVIRONMENTAL IMPACT REPORT FOR THE CRYSTAL SPRINGS / EL CERRITO PHASE II PROJECT, ADOPTING THE MITIGATION MONITORING AND REPORTING PLAN, AND APPROVING THE PROJECT

Engineering Consultant Dennis Diemer provided a Power Point presentation on the Subsequent Environmental Impact Report (SEIR) for the Crystal Springs/El Cerrito Phase II Project. He reported that the Crystal Springs/ El Cerrito Phase II Project upsizes public sewers in the San Mateo sewer shed as required by the 2009 cease and desist order (CDO) to eliminate sanitary sewer overflows during wet weather events. He stated that the Phase II Project will upsize 10,700 feet of existing sewer between El Cerrito Avenue at Gramercy Drive and Crystal Springs Road at Woodridge Road. Mr. Diemer provided a map showing the alignment of Phase I and Phase II of the project along Crystal Springs Road and El Cerrito Avenue.

Mr. Diemer reported that the Mitigated Negative Declaration (MND) was completed in 2002, the Crystal Springs/El Cerrito Phase I Project was completed in 2004, and the Crystal Springs/El Cerrito Phase II Project final design is in progress. He stated that the Town is pursuing \$6 million from a State Revolving Fund (SRF) low interest loan to fund the Phase II Project. He further stated that the SRF loan requires an update of the 2002 MND and additional "CEQA-Plus" analysis. He reported that the Draft Subsequent EIR documents the MND updates and additional analysis that were completed. He stated that the Final Subsequent EIR consists of the Draft Subsequent EIR plus responses to comments.

Mr. Diemer reported that Subsequent EIR findings found significant and unavoidable impacts with "Archaeological Resources" and "Cumulative Impacts on Archaeological Resources", which require the Town to adopt a "Statement of Overriding Consideration". He stated that also in the document were significant impacts reduced to less than significant levels by mitigation measures related to "Paleontological Resources – Fossils" and "Biological Resources".

Mr. Diemer provided a chart showing the Mitigation Monitoring and Reporting Plan which listed the resource area, impacts and mitigation requirements. He reported that the more significant impacts involved biological resources such as plant and animal, and the waters of the state which would require wetland delineation.

Mr. Diemer reviewed the public outreach for the project. He reported that the Notice of Preparation for SEIR was issued in January 2012, the Notice of Availability of Draft SEIR was made available with individual notices to residents along the Phase II Project alignment in June 2012, and a second notice was sent to residents along Phase II Project alignment in July 2012. He stated that during the 45-day public review period only two comments were received. He stated that one comment was received from the State Water Resources Control Board (SWRCB) outlining the environmental documentation requirements needed for SRF funding, which is a standard letter. He stated that the second comment was from a private citizen who wanted to know if it was possible to reuse native material for backfill to avoid spreading the Sudden Oak Death parasite.

Mr. Diemer reviewed the schedule for the project with completion of the final design in October 2012, the issuance of the project for public bidding in December 2012, and completion of construction in October 2014. He added that the schedule assumes that the cost sharing agreement with the County of San Mateo, City of San Mateo, and Crystal Springs County Sanitation District will be completed and the SRF low interest loan funding will be approved.

Mr. Diemer stated that his recommendation is to open the public hearing and receive comments, close the public hearing, and adopt the resolution certifying the Final Subsequent Environmental Impact Report, adopt the Mitigation Monitoring and Reporting Plan, and approve the Phase II Project.

Vice Mayor Benton stated that on page 3-36 of the Draft SEIR in order to reduce impacts to the red-legged frog, the mitigation measure is that fences shall be inspected daily during construction by a biologist. He asked if it is really necessary that a biologist is paid to inspect the fence on a daily basis. He also asked what options the Town has when consultants make recommendations in the draft SEIR. Mr. Diemer replied that the Town has the opportunity to discuss the recommended mitigation measures to eliminate impacts. Mr. Diemer introduced Katie Baker, the Deputy Project Manager for Environmental Science Associates (ESA).

Ms. Baker stated that when looking at the mitigation measure costs it may seem exorbitant at face value, but the California red-legged frog and San Francisco garter snake are sensitive resources and the mitigation requirements are pretty stringent, and that the Department of Fish and Game does drive by inspections. Vice Mayor Benton stated that daily inspections by a biologist seem excessive. Ms. Baker replied that ESA's mitigation measures are strictly guidelines for the Town to consider and that there was some level of negotiating to come to a common ground.

Councilmember Krolik asked if much progress has been made with the Crystal Springs County Sanitation District in their funding of the project. Mr. Diemer replied that the Crystal Springs County Sanitation District does not currently have funds for a loan for their share of the project and that he is continuing to work with them. He further stated that he has reemphasized to the Crystal Springs County Sanitation District the importance of the project as completion of the Phase II project is required by the 2009 Cease and Desist Order issued by the San Francisco Regional Water Quality Control Board.

Councilmember Krolik recommended that staff work directly with the San Mateo County Supervisors' office. Mr. Diemer replied that he was working with San Mateo County Department of Public Works Director James Porter and the Crystal Springs County Sanitation District. He reported that staff has had meetings with the Regional Water Quality Control Board to update them with progress reports on the project so that the Regional Water Quality Control Board would be in a position to help the Town resolve the issues with the Crystal Springs County Sanitation District. He stated that the Town's share of the cost is 51%, Crystal Springs County Sanitation District's share is 37%, and the County's share is 12%.

Mayor Kasten stated that everything within the Town's power should be done to work with all the other parties involved and to make sure that the Regional Water Quality Control Board is aware of the Town's situation with the Crystal Springs County Sanitation District. He also stated that staff should follow Councilmember Krolik's recommendation to contact the County Board of Supervisors because the Highlands area of San Mateo is an unincorporated area. Mr. Diemer replied that he will follow up with contacting the County Board of Supervisors and to do everything within the Town's power to ensure that the project is completed in time.

The Councilmembers, Mr. Diemer, and City Attorney Norm Book further discussed the Crystal Springs/EI Cerrito Phase II Project.

Mayor Kasten opened the public hearing.

Hillsborough resident Joshua Cooperman stated that he was not here for the Environmental Impact Report (EIR), but for the topic of discussion from the past regarding the integrity of Crystal Springs Dam which is part of the whole process. He further stated that former City Engineer Cyrus Kianpour had said that he was making progress with the San Francisco Public Utilities Commission on the enhanced monitoring and communication systems for the dam. He added that it has been several years since Mayor Kasten coined the phrase "darned dam". Mr. Cooperman stated that if the dam were to fail, it would wipe out his home and his neighbors' homes. He further stated that he would continue to ask the City Council the question about the integrity of the dam. Mr. Cooperman reiterated that he was here to remind the City Council about the integrity of the dam rather than provide comment on the EIR. In regards to the periodic fence inspections, he commented that the fence inspections should be conducted only if and when required.

Mayor Kasten closed the public hearing.

On motion of Councilmember May, seconded by Councilmember Krolik, and unanimous on voice vote, the resolution certifying the Final Subsequent Environmental Impact Report, adopting the Mitigation Monitoring and Reporting Plan, and approving the Crystal Springs/EI Cerrito Phase II Trunk Sewer Improvement Project was adopted.

NEW BUSINESS:

12. DESIGNATION OF VOTING DELEGATE AND ALTERNATES TO THE LEAGUE OF CALIFORNIA CITIES ANNUAL CONFERENCE

Mayor Kasten announced that Councilmember Chuang will be attending the League of California Cities Annual Conference in San Diego on September 5-7, 2012. He explained that in order to vote at the Annual Business Meeting, the City Council must designate a voting delegate and up to two alternate voting delegates, one of whom may vote in the event that the designated voting delegate is unable to serve in that capacity. Councilmember May stated that he will also be able to attend the conference.

On motion of Councilmember Krolik, seconded by Vice Mayor Benton, and unanimous on voice vote, Councilmember Chuang was designated the voting delegate and Councilmember May was designated the alternate for the League of California Cities 2012 Annual Conference's Business Meeting scheduled for Friday, September 7, 2012.

13. POSSIBLE CITY COUNCIL SPECIAL MEETING FOR THE APPOINTMENT OF CANDIDATES TO THE CITY COUNCIL

City Clerk Miyuki Yokoyama reported that Shawn Christianson, Alvin L. Royse and Jess E. Benton are the only persons who have filed nomination papers for the three City Council seats for the November 6, 2012 General Municipal Election. She stated that the San Mateo County Elections Office has verified sufficient signatures on the candidates' nomination papers. She further stated that if there are only three candidates at the end of the extended filing period, 5:30 p.m. on Wednesday, August 15, 2012, pursuant to

Section 10229 of the California Elections Code, the City Council may then appoint the nominees to the City Council at a Special City Council Meeting on or before Thursday, August 23, 2012, or may hold the regular municipal election. She added that the Certificate of Facts under Section 10229 must be published in a newspaper of general circulation at least five days prior to the Special City Council Meeting.

Ms. Yokoyama recommended that in the event only three persons file nomination papers, the City Council set the Special Meeting for 1:00 p.m. on Thursday, August 23, 2012, to appoint the three candidates to the City Council.

Mayor Kasten and Councilmembers Chuang, Krolik and May announced that they would be available for the Special City Council meeting. Mayor Kasten set the Special Meeting for 1:00 p.m. on Thursday, August 23, 2012, to appoint the three candidates to the City Council, if only three persons file nomination papers by the end of the extended filing period.

Councilmember Krolik stated that the Town is lucky to have such qualified candidates run for City Council.

Mayor Kasten announced that a Closed Session will also be held on Thursday, August 23, 2012, at 12:30 p.m.

PUBLIC COMMENT:

Hillsborough resident Joshua Cooperman stated that he wanted to alert the City Council about the misunderstandings in the extended discussion on Hillsborough Together regarding residents' water bill. He also stated that he really wanted to bring to the City Council's attention the integrity of the Crystal Springs Dam and that the City Council should put pressure on the San Francisco Public Utilities Commission (SFPUC). He added that he warned the City Council about the dam a couple of years ago.

Mr. Cooperman stated that there is a South Bayside Waste Management Authority (SBWMA) investigation regarding the agency's executive director awarding contracts to those he had a direct or indirect relationship with. Mr. Cooperman commented that based on SBWMA meetings that he attended to discuss funding concepts for the Joint Powers Authority (JPA), he is concerned about the management style and integrity of the SBWMA's Executive Director Kevin McCarthy. He stated that he wanted to raise the point with the City Council about this. He asked the City Council to pass a resolution stating their loss of confidence in the SBWMA's executive director and to support a motion of no competence. Mr. Cooperman stated that with the history of the SBWMA, he urged the City Council to conduct an independent investigation into the agency.

Mr. Cooperman stated that all the cities in the SBWMA JPA pay a franchise fee to the City of San Carlos because the transfer station and materials recycling facility is located in San Carlos. He reported that the franchise fee was \$1.2 million for fiscal year 2009/2010, \$1.4 million for fiscal year 2010/2011 and \$1.38 million for fiscal year 2011/2012. He stated that the reason that the City of San Carlos receives the franchise fee is because the land could be used for office buildings or a hotel. He commented that the cities in the JPA should not have to subsidize the City of San Carlos. He added that with the increase in garbage rates, it should behoove the City Council to pay closer attention to these issues. He stated that the Hillsborough City Council does their best to look out for the Town's best interests, irrespective that other cities are tone deaf.

Mayor Kasten asked Mr. Cooperman if an underwater inspection was done on the Crystal Springs Dam a few years ago. Mr. Cooperman replied that coring was done in 1978 and stated that he does not want to wait 20 to 25 years for the next inspection. Mr. Cooperman reported that he has raised his concern about the integrity of Crystal Springs Dam every four to five months with the Town's former City Engineer Cyrus Kianpour and he stated that Mr. Kianpour would reply that it is being taken care of, but Mr. Cooperman stated that so far he has not heard or seen anything about monitoring of the dam.

Mr. Cooperman restated that he hopes that the SBWMA issue is agendaized. He added that the City Council should monitor the current SBWMA investigation and the SBWMA's executive director's style of leadership.

Vice Mayor Benton stated that he thought that the SFPUC came to a City Council meeting with a presentation on the Crystal Springs Dam. Mr. Cooperman replied that at that meeting the SFPUC provided a letter agreeing to do a detailed dam inspection, but when he spoke to someone with the state agency, he was told there are not enough people available to conduct such an inspection.

Vice Mayor Benton stated that Finance Director Edna Masbad is the Town's representative for the SBWMA. Mr. Cooperman commented that he hoped that it gets agendaized for a vote of no confidence for the SBWMA's executive director.

CITY COUNCIL ITEMS:

Councilmember Krolik announced that the Hillsborough Concours d'Elegance will be held on Sunday, August 26, 2012, from 10:00 a.m. to 4:00 p.m. at the Crystal Springs Golf Course.

Councilmember Krolik announced that Hillsborough Recreation's Outdoor Movie Night will be held at Town Hall on Friday, August 31, 2012, with the Geoffrey Stich Band performing at 7:00 p.m., special guest Katharine Sarafian, producer of Pixar's movie *Brave* at 7:45 p.m., and the movie *Chicken Run* playing at 8:00 p.m.

Councilmember Krolik announced that the first day of school is Tuesday, August 28, 2012, and that she will not be available to visit the schools as she has done in previous years. Councilmember Chuang replied that she is available to attend the first day of school visits.

The Councilmembers and staff discussed the emails that were sent through Hillsborough Together regarding the subject "Water Bill Mitigation". Mayor Kasten reported that Finance Director Edna Masbad did some research on the recent water bills and found that the increase was due to the shift in the weather, as the weather has gotten hotter sooner than in previous years and therefore water consumption is way up for increased irrigation needs. City Manager Anthony Constantouros stated that there was some misinformation in some of the comments made regarding the increase in the water bills, and that in the future an official comment from the Town may be needed to respond to residents' comments on Hillsborough Together.

Councilmember Chuang announced that Hillsborough Neighborhood Network (HNN) will be hosting a Taco Truck Thank You event at either North School or Town Hall and invited the Councilmembers to attend. She stated that she would provide the date, time and location of the event.

Mayor Kasten announced that the Council of Cities Dinner/Meeting will be held on Friday, August 24, 2012, in the City of Half Moon Bay. Mayor Kasten and Councilmembers Krolik and May announced that they would be attending.

ADJOURN:

Mayor Kasten adjourned the meeting at 8:08 p.m.