MINUTES
CITY COUNCIL MEETING
TUESDAY, NOVEMBER 13, 2012

SPECIAL MEETING

Mayor Kasten called the special meeting to order at 4:16 p.m. at the Hillsborough Town Hall, 1600 Floribunda Avenue, Hillsborough, California.

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

PUBLIC COMMENT:

There were no public comments.

PUBLIC ANNOUNCEMENT OF CLOSED SESSION ITEMS

ADJOURN TO CLOSED SESSION

CLOSED SESSION:

A. CONFERENCE WITH LABOR NEGOTIATOR
Section 54957.6

Agency Negotiator: Kristin Armbruster, Human Resource Specialist

Employee Organization: Police Unit - Teamsters Local 856; Public Works / Clerical Unit - Teamsters Local 856; Public Works Supervisors - Teamsters Local 350; Unrepresented Employees - Police Chief, Police Captains, Police Lieutenant, Executive Assistant, Public Works Director, Public Works Superintendent, City Engineer, Building and Planning Director, Building Official, Associate Planner, Finance Director, Assistant Finance Director, City Manager, Assistant City Manager, City Clerk, Human Resource Specialist

B. PUBLIC EMPLOYEE APPOINTMENT
Title: City Manager

Section 54957

ADJOURN CLOSED SESSION

REGULAR MEETING

Mayor Kasten called the regular meeting to order at 6:05 p.m. at the Hillsborough Town Hall, 1600 Floribunda Avenue, Hillsborough, California.

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

MINUTES: The minutes of the October 8, 2012, October 19, 2012, and October 24, 2012 City Council meetings were approved as submitted.

REPORT FROM CLOSED SESSION:

Mayor Kasten stated that there was nothing to report from the Closed Session.

PRESENTATIONS:

- Mayor Kasten introduced Deputy Fire Chief Mark Ladas for the Central County Fire Department's Fire Safety Poster Contest presentation. Deputy Fire Chief Ladas introduced Fire Inspector Christine Reed who announced the winners and Deputy Fire Chief Ladas presented the winners with certificates and t-shirts.

Mayor Kasten called on Councilmember Krolik to recognize Crocker Middle School Teacher Alec MacKenzie for being awarded a 2012 San Mateo County Mayors' Diversity Celebration Award. Mayor Kasten presented Mr. McKenzie with a Certificate of Recognition. Mr. McKenzie stated that he was honored to represent the Town at the Mayors' Diversity Celebration and thanked Councilmember Krolik for nominating him for the award. He commented that it was great to know that he can touch kids' lives by just being himself. He thanked Mayor Kasten, his partner DJ Dull-MacKenzie, and Crocker Middle School teacher Linda Grady.

CONSENT CALENDAR:

On motion of Vice Mayor Benton, seconded by Councilmember May, and unanimous on voice vote, Consent Calendar items 1 – 4 were approved.

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

   The monthly claims for the month of October 2012 in the amount of $2,826,039.18 were approved as submitted.

2. RESOLUTION ESTABLISHING THE LOCAL APPOINTMENTS LIST FOR CALENDAR YEAR 2013

   The resolution establishing the Local Appointments List for calendar year 2013 was adopted.

3. RESOLUTION ACCEPTING AS COMPLETE THE EL CAMINO REAL SANITARY SEWER PROJECT

   The resolution authorizing additional funds in the amount of $4,587 and accepting as complete the contract with Fermin Sierra Construction, Inc. for the El Camino Real Sanitary Sewer Project for the total amount of $101,072 was adopted.

4. RESOLUTION APPROVING A CSG WORK ORDER FOR THE CRYSTAL SPRINGS / EL CERRITO SEWER IMPROVEMENT PROJECT – PROGRAM MANAGEMENT

   The resolution approving the CSG work order in the amount of $47,800, allocating funds from the Sewer Fund, and authorizing the City Manager to execute the work order on behalf of the Town was adopted.

INFORMATIONAL:

5. GENERAL LEGISLATIVE UPDATE FROM SENATOR LELAND YEE

   Senator Leland Yee reported that the political landscape has changed dramatically in the last couple of months and provided a general legislative update on the State's budget and what is going on in Sacramento.

   Mayor Kasten thanked Senator Yee for the update.

PUBLIC HEARING:

6. FUNDRAISING EVENT PERMIT APPLICATION 12-09 FOR THE NUEVA SCHOOL BENEFIT AUCTION

   City Clerk Miyuki Yokoyama stated that Nueva School submitted a fundraising application for their benefit auction to be held on Saturday, March 23, 2013, from 5:00 p.m. to 11:00 p.m. at Nueva School located at 6565 Skyline Boulevard.

   Ms. Yokoyama stated that public notices have been sent to homeowners located within a 500-foot radius of the property and 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 stated that Marjorie Brumm of the Nueva School was available to answer questions about the event.

Ms. Brumm thanked the City Council for supporting the fundraising event and stated that the money raised goes towards professional development for the teachers and for the financial aid fund.

Mayor Kasten wished Ms. Brumm success with the Nueva School benefit auction.

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, Fundraising Event Permit Application 12-09 for the Nueva School Benefit Auction on Saturday, March 23, 2013, subject to the conditions recommended by staff was approved.

7. FUNDRAISING EVENT PERMIT APPLICATION 12-10 FOR CRYSTAL SPRINGS UPLANDS SCHOOL'S MADCAP 2013 ANNUAL FUNDRAISING AUCTION

City Clerk Miyuki Yokoyama stated that Crystal Springs Uplands School submitted a fundraising application for their Madcap 2013 Annual Fundraising Auction to be held on Saturday, March 16, 2013, from 6:00 p.m. to 11:00 p.m. in the Crystal Springs Uplands School’s gymnasium and theater 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 stated that Karen Sparks, the applicant for Crystal Springs Uplands School who was available to answer questions about the event.

Ms. Sparks stated that she was a Crystal Springs Uplands School parent volunteer and appreciated the Town’s support. She reported that the financial objective for the event is to raise funds for education and for teachers growth opportunities.

Mayor Kasten wished Ms. Sparks and her colleagues much success with the Madcap 2013 Auction.

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

On motion of Councilmember May, seconded by Vice Mayor Benton, and unanimous on voice vote, Fundraising Event Permit Application 12-10 for Crystal Springs Uplands School’s Madcap 2013 Annual Fundraising Auction on Saturday, March 16, 2013, subject to the conditions recommended by staff was approved.

NEW BUSINESS:

8. RESOLUTION AUTHORIZING THE CITY MANAGER TO APPOINT AN INTERIM FINANCE DIRECTOR

Human Resource Specialist Kristin Armbruster stated that current Finance Director Edna Masbad has announced her intention to retire effective December 30, 2012. She explained that as the Town will not have sufficient time to conduct a recruitment for a replacement prior to that time. She stated that the City Manager is requesting authorization to appoint Ms. Masbad as Interim Finance Director, effective December 31, 2012. She reported that Government Code Section 21224 states that a retired

person may serve without reinstatement from retirement upon temporary appointment by a public agency because the retired person has specialized skills needed in performing work of limited duration.

Ms. Armbruster stated that Government Code Section 21224 also states that the appointment will not exceed 960 hours in a fiscal year, and that the rate of pay for the employment shall not exceed the posted salary for the position. She added that the Town will comply with all requirements of the Government Code.

Ms. Armbruster reported that pension reform legislation effective January 1, 2013, provides that there must be a 180 day waiting period before appointing a retired employee, unless the appointment is necessary to fill a critically needed position before that period has passed, and that the appointment must be approved by the governing body of the employer in a public meeting. She stated that although this provision is not yet effective, the duties of a Finance Director qualify as critically necessary for the ongoing function of the Town.

Mayor Kasten stated that when he read the title of this agenda item he was shocked to hear that Ms. Masbad was retiring, but glad to hear that she was going to continue as Interim Finance Director through part of 2013.

Councilmember Krolik stated that she had the same reaction and that the Town has been very fortunate to have Ms. Masbad as its Finance Director. She inquired whether Ms. Masbad would work regular office hours with the extended contract. Ms. Armbruster replied that Ms. Masbad can work 960 hours during the next fiscal year through June 30, 2013, which equals a little less than a 40-hour work week.

Vice Mayor Benton stated that he spoke to Ms. Masbad and that she desires to do what is best for the Town and that she has several projects that she wishes to complete before she leaves.

On motion of Vice Mayor Benton, seconded by Councilmember Chuang, and unanimous on voice vote, the resolution authorizing the City Manager to appoint Edna Masbad as Interim Finance Director effective December 31, 2012, was adopted.

DISCUSSION:

9. GOVERNANCE BOARD – SOUTH BAYSIDE WASTE MANAGEMENT AUTHORITY

Finance Director Edna Masbad stated that this discussion is about governance of the South Bayside Waste Management Authority (SBWMA) of which the Town is one of twelve member agencies that formed the joint powers authority (JPA) to provide recycling, compost and garbage collection services. She reported that currently the member agencies are represented on the SBWMA with a variety of senior management and staff positions including City Managers, Assistant City Managers, Finance Directors and Public Works Directors. She added that the current roster for board members was included in the City Council agenda packet.

Ms. Masbad stated that recently there has been an active discussion among the member agencies to consider changes to the SBWMA governance to change representation to elected officials instead of staff. She further stated that a preliminary discussion with the SBWMA Executive Director indicates that he would consider looking at the issue if a majority of member agencies expressed an interest in such an examination. She reported that the City of Redwood City has assumed the lead by formally writing to the Chair of the Board, and that a copy of the letter was included in the City Council agenda packet.

Ms. Masbad stated that she also included in the City Council agenda packet an official memo from SBWMA's counsel regarding the membership to wit that the JPA currently has express language that elected officials are not to serve as board members and that it will require a 2/3 vote to change the composition of board members. She added

that a 2/3 vote requires an affirmative vote from eight member agencies to change the JPA.

Ms. Masbad stated that this agenda item is a discussion item, but if the City Council so desires, the City Council can direct staff to send SBWMA a letter of interest.

The Councilmembers, Ms. Masbad and City Manager Anthony Constantouros further discussed the governance structure and board composition of the South Bayside Waste Management Authority and staff was directed to send a letter of interest to the SBWMA regarding restructuring the board. Staff was also directed to lobby other City Managers to take action to restructure the board to include either qualified staff and/or elected officials and to report back to the City Council in a few months.

PUBLIC COMMENT:

There were no public comments.

CITY COUNCIL ITEMS:

Councilmember Krolik announced that the Hillsborough Concours Committee is suggesting Sunday, June 9, 2013, for their next event.

Councilmember Krolik announced that at the Monday, November 5, 2012, Hillsborough Neighborhood Network (HNN) town-wide meeting HNN encouraged residents to connect to their Hillsborough neighbors through Nextdoor, an online neighborhood networking platform that Burlingame, San Mateo, Belmont and other cities already use.

Councilmember Krolik announced that the Belmont City Council denied the application from Crystal Springs Uplands School to build a middle school campus in Belmont. She stated that the terms of use of Crystal Springs Uplands School should be changed so that the Town can also use their Hillsborough campus.

Councilmember May stated that both Crystal Springs Uplands School and the Nueva School need additional space and recommended that at the next study session land use trends should be discussed.

Councilmember Krolik stated that Crystal Springs Uplands School offered the City of Belmont a one-time payment of $1 million and $250,000 per year to offset the loss of property taxes. She stated that staff should look at the fees the Town collects from the Hillsborough private schools.

Councilmember May stated that Crystal Springs Uplands School has acquired properties next to their campus which creates a loss in property tax revenue for the Town.

Vice Mayor Benton reported that the unaudited quarterly report for the period ending June 30, 2012, was included in the October 2012 Monthly Finance Department Report. He pointed out that on page 2 of the report the property tax revenue appears to have gone down, but he stated that Finance Director Edna Masbad explained the reason is because of San Mateo County's property tax credit of over $200,000 to Genentech to settle a legal dispute. He reported that there was a 21% increase in total water revenues compared to fiscal year 2010-2011.

Vice Mayor Benton asked why there was a significant increase in the City of San Mateo's sewer disposal fees from $294,073 to $507,234. Interim Public Works Director Matt O'Connor replied that the San Francisco Public Utilities Commission disposed of a great amount of water into the Town's sanitary sewer system from construction activities. Vice Mayor Benton asked if the Town could get reimbursed from the SFPUC. Mr. O'Connor replied that he will do research into the increase in sewer disposal fees and provide more information to the City Council.

Councilmember May reported that the Hoover School traffic issue continues and that the Town has been well represented at the public hearings.

Mayor Kasten announced that the Council of Cities Dinner/Meeting will be held on Friday, November 16, 2012, in the City of Pacifica. Vice Mayor Benton and Councilmembers Krolik and Chuang announced that they would be attending.

ADJOURNMENT:

Mayor Kasten adjourned the meeting at 7:59 p.m.