

**MINUTES
CITY COUNCIL MEETING
MONDAY, JANUARY 14, 2013**

SPECIAL MEETING:

Mayor Benton called the special meeting to order at 4:33 p.m. at the Hillsborough Town Hall, 1600 Floribunda Avenue, Hillsborough, California.

ROLL CALL: Present: Benton, May, Chuang, Christianson, Royse

PUBLIC COMMENT:

There were no public comments.

PUBLIC ANNOUNCEMENT OF CLOSED SESSION ITEMS

ADJOURN TO CLOSED SESSION

CLOSED SESSION:

- **CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION**
(Subdivision (a) of Section 54956.9)

Name of case: Town of Hillsborough v. California Public Utilities Commission, et al.,
San Francisco Superior Court Action No. 512661

Name of case: Newpath Networks, LLC; Crown Castle NG West Inc. v. Town of
Hillsborough, San Mateo Superior Court Action. No. CIV518695

ADJOURN CLOSED SESSION

REGULAR MEETING:

Mayor Benton called the regular meeting to order at 6:06 p.m. at the Hillsborough Town Hall, 1600 Floribunda Avenue, Hillsborough, California.

Mayor Benton introduced the Town of Hillsborough's new City Manager Randy Schwartz and new City Councilmembers Shawn Christianson and Alvin L. Royse.

ROLL CALL: Present: Benton, May, Chuang, Christianson, Royse

PLEDGE OF ALLEGIANCE

REPORT FROM CLOSED SESSION: Mayor Benton reported out that there was nothing to report from the Closed Session.

MINUTES: The minutes of the December 10, 2012 City Council meeting were approved as submitted.

CONSENT CALENDAR:

Mayor Benton announced that revisions were made for the consulting agreement for agenda item 4, the resolution for item 5, and the ordinance for item 7. On motion of Councilmember Christianson, seconded by Councilmember Chuang, and unanimous on voice vote, Consent Calendar items 1-7 were approved with revisions.

1. **MONTHLY CLAIMS: DECEMBER 1 THROUGH DECEMBER 31, 2012**

The monthly claims for the month of December 2012, in the amount of \$3,649,549.84 were approved as submitted.

2. TREASURER'S REPORT FOR THE QUARTER ENDING DECEMBER 31, 2012

The Treasurer's Report for the quarter ending December 31, 2012, was approved.

3. QUARTERLY INTEREST RATE PRODUCTS (SWAP) REPORT

The Interest Rate Products Report for the quarter ending December 31, 2012, was accepted.

4. RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH COMMUNICATIONS SALES DYNAMICS (CSD), INC. TO ASSIST IN THE SELECTION OF A REPLACEMENT TELEPHONE AND VOICEMAIL SYSTEM

The resolution authorizing the City Manager to execute the revised agreement with Communications Sales Dynamics, Inc. to assist in the selection of a replacement telephone and voicemail system in an amount not to exceed \$12,500, allocated from the Capital Projects Fund, was adopted.

5. RESOLUTION AWARDED THE TRAFFIC CONTROL DEVICE INVENTORY AND SIGN RETROREFLECTIVITY ANALYSIS TO TJKM TRANSPORTATION CONSULTANTS

The revised resolution awarding the contract for the Traffic Control Device Inventory and Sign Retroreflectivity Analysis to TJKM Transportation Consultants in the amount of \$74,000 was adopted.

6. RESOLUTION ACCEPTING AS COMPLETE THE CONTRACT WITH BOND BLACKTOP, INC. FOR THE 2009 PAVEMENT MAINTENANCE AND REHABILITATION PROJECT

The resolution accepting as complete the contract with Bond Blacktop, Inc. for the 2009 Pavement Maintenance and Rehabilitation Project in the amount of \$762,452 and authorizing staff to file a notice of completion for the project was adopted.

7. ORDINANCE AMENDING CHAPTER 12.04 OF THE HILLSBOROUGH MUNICIPAL CODE REGARDING STREET PRESERVATION - INTRODUCTION

The revised ordinance amending Chapter 12.04 of the Hillsborough Municipal Code regarding street preservation was introduced and the first reading of the ordinance was waived. February 11, 2013, was set as the public hearing date to consider adoption of the ordinance.

NEW BUSINESS:

8. UPDATE ON HIP HOUSING

Mayor Benton introduced Kate Comfort Harr, HIP Housing's Executive Director, to present HIP Housing's 2013 calendar and to provide a brief update on the organization and its housing programs. Ms. Harr provided a Power Point presentation and stated that HIP Housing's mission is to invest in human potential by improving the housing and lives of people in our community. She provided a copy of the 2013 HIP Housing calendar to the Councilmembers. Ms. Harr reported that there is an unprecedented crisis in affordable housing and that San Mateo County is the second most expensive place to live in the United States. She stated that one in five families cannot afford their current housing, there are 1,800 homeless each night, and the average rental cost for a one bedroom apartment has increased 14 percent to \$1,900 per month.

Ms. Harr reported that major funding losses in recent years are attributed to the demise of redevelopment agencies with one billion dollars in cuts statewide, federal Housing and Urban Development (HUD) program cuts of up to 51 percent between 2009 and 2012 with HUD programs subject to an additional 8.2 percent in cuts, and the Palmer decision which puts City/County inclusionary housing ordinances on hold.

Ms. Harr reported that the job growth misconception is that there are sustainable jobs, but that the jobs are not high paying high-tech positions and pay \$50,000 or less. She reviewed typical salaries versus what is needed to afford a \$1,900 apartment in San Mateo County. She stated that of the 170,000 commuting into San Mateo County to work, up to 70 percent of their income is spent on housing and transportation. She further stated that the hardest hit are low income families, seniors and those with disabilities.

Ms. Harr reviewed the creative, affordable housing solutions HIP Housing has provided since 1972 which include the Home Sharing Program, Self-Sufficiency Program and property development. She reported that HIP Housing has placed over 17,000 people since 1972, and that 1,400 are placed or maintained in housing annually. Ms. Harr explained that the Home Sharing Program matches those with space in their homes with people needing housing. She stated that HIP Housing makes it safe with extensive interviews, screening and a home sharing agreement process. She reported that the Home Sharing Program is supported by private and foundation donors, the County Department of Housing, 18 of the cities in San Mateo County, and the Fair Share Campaign. She added that the majority of home providers are seniors, and that home sharing is good for everyone as it prevents homelessness, promotes independence, maximizes existing housing stock, reduces new land development, is more timely and cost effective than building new, helps people of all walks of life, builds a sense of community and helps seniors to age in place. She reported that every shelter, nonprofit and municipality in San Mateo County refers clients to HIP Housing. Ms. Harr stated that HIP Housing is desperately looking for home sharing and requested referrals be sent to HIP Housing.

Ms. Harr reported that HIP Housing's Self-Sufficiency Program is recognized as one of the top seven Welfare to Work programs by the State of California. She explained that the Self-Sufficiency Program is for families with minor children committed to completing job training and educational programs, promotes financial independence and breaks the cycle of poverty. She stated that self-sufficiency participants are provided with housing scholarships, long-term case management, life skills workshops and housing placement opportunities. Ms. Harr reported that 100 percent of self-sufficiency graduates report a better housing situation due to the program and their average increase in income is 81 percent.

Ms. Harr reported that HIP Housing's property development includes 14 properties from Daly City to Menlo Park for use by HIP Housing's programs and to provide housing for low to moderate income persons and families.

The Councilmembers and Ms. Harr further discussed HIP Housing's programs.

Councilmember Christianson thanked Ms. Harr for the HIP Housing calendar.

Mayor Benton thanked Ms. Harr for the presentation.

9. SCHEDULING OF CITY COUNCIL WORKSHOP

City Manager Randy Schwartz recommended that the City Council hold a half-day workshop in late February 2013 or early March 2013 to discuss topics that require a policy discussion, are a new concept, refine current direction or have community impact. He stated that staff finds the workshop very helpful before budget preparation. Mr. Schwartz and the Councilmembers discussed various dates for the workshop and the City Council workshop was scheduled for Friday, March 8, 2013, from 8:30 a.m.-12:00 p.m.

DISCUSSION:

10. PROPOSED TRAFFIC ISLAND INSTALLATION AT THE GERI LANE, EUCALYPTUS AVENUE AND FOREST VIEW AVENUE INTERSECTION IN CONJUNCTION WITH A HILLSBOROUGH BEAUTIFICATION FOUNDATION PROJECT

Public Works Superintendent John Mullins provided a Power Point presentation on the proposed traffic island installation at the Geri Lane, Eucalyptus Avenue and Forest View Avenue intersection in conjunction with a Hillsborough Beautification Foundation (HBF) Project. He reported that the Public Works Department is studying an idea to install a traffic island at that intersection to improve traffic flow. He explained that the study was initiated from concerns from residents in early 2010 that the intersection should be reconfigured and/or improved for traffic safety. He stated that Public Works is proposing to do an outreach program with the nearby residents over the next few months to discuss options and ideas for the proposed traffic improvements.

Mr. Mullins provided a diagram of the original 2008 proposed intersection reconfiguration with a roundabout and reported that the estimated cost then was \$90,000 to \$110,000. He also provided a diagram of the original proposed landscape design for the Geri Lane gates. Mr. Mullins reported that HBF is currently developing a project to restore the historic gates and columns at the entrance of Geri Lane and rehabilitate the landscaping around the gate and column structures.

Mr. Mullins stated that Public Works is looking at improving the intersection in conjunction with the HBF project currently being designed. He stated that HBF has expressed interest in partnering and coordinating their gate improvement project with the Town's proposed traffic island project and has offered to include the landscaping of the traffic island into the HBF project. Mr. Mullins provided a diagram of the proposed new island configuration with a smaller roundabout and HBF's proposed Geri Lane Gate Project. He reported that the Town's estimated cost would be approximately \$15,000 with HBF handling the landscaping costs and the Town covering demolition and installation of the new curb and asphalt replacement.

Mr. Mullins provided a diagram of the property line survey and exterior views of the gates from Forest View Avenue. He pointed out various concerns regarding the gates including trees growing too close to the brick walls and spalling causing the brick wall to fail. Mr. Mullins stated that homeowners within 800 to 1,000 feet of the Geri Lane, Eucalyptus Avenue and Forest View Avenue intersection will be notified of the project.

The Councilmembers, Mr. Mullins, Director of Public Works Paul Willis and City Attorney Norm Book discussed the proposed traffic island installation at the Geri Lane, Eucalyptus Avenue and Forest View Avenue intersection in conjunction with HBF's proposed Geri Lane Gate Project.

Mayor Benton thanked Mr. Mullins.

PUBLIC COMMENT:

Hillsborough resident Kellie Meyers reported that she has lived in Hillsborough for eight years and that she purchased another home in Hillsborough for her mother, who was living in West Virginia and needed to live closer to her family. She explained that she bought the home for her mother because it looked like a country home. She stated that her mother moved into the home with her two dogs and was getting used to the area. Ms. Meyers reported that on November 12, 2012, while meeting with contractors to do work at her mother's home, a pit bull came running at her at a high speed. She stated that she freaked out and jumped into her car. She expressed that it was very scary because the dog was pouncing and pacing at the door. She stated that she eventually got into her mother's house and called 911. She further stated that after a while the dog got bored and left, but then she heard a cat scream. She stated that it was her neighbor's 15-year old cat. Ms. Meyers reported that the pit bull was taken away by an animal control officer and was deemed vicious. She stated that per a Government Code, any animal that kills is deemed vicious, but that the pit bull owner objected that his dog was deemed vicious and he requested that a hearing be held. She stated that 20 neighbors showed up at the hearing on December 18, 2012. Ms. Meyers reported that the San Mateo County hearing officer was supposed to be a third party, but that was not what she felt because the hearing officer determined that the dog was not a vicious animal. Ms. Meyers explained that the common goal is to keep the

neighborhood safe for children, pets, and everyone else. She stated that the Government Code should have been abided by. She stated that she believes there was a false veterinarian report that stated that the cat was struck by a car, but she stated that she felt there was no question that the dog killed the cat. She further stated that the animal control officer gave the dog back to the owner because of the “shaky” veterinarian report and that was the rationale for returning the dog to the owner. Ms. Meyers reported that things have changed at her mother’s home as they do not garden anymore and that she now has to take the garbage out for her mother because she knows what an 80-pound dog can do “like crush her neighbor’s cat’s pelvis”. She expressed that she does not want it to happen to anyone else in Hillsborough. She stated that she feels the dog is a murderer and has changed their way of life. She further stated that everyone tells them that they can appeal the hearing officer’s determination and that they should get an attorney, but she stated that she believed that the Town of Hillsborough can find a way and that time is of the essence to take some action. She added that she wanted the City Council to know what she experienced and what is happening in her mother’s neighborhood.

Hillsborough resident Dylan Meyers stated that she was speaking on behalf of Annie Ogasawara who could not stay for the meeting, but wanted to express that she felt that the dog killed a beloved pet and that she could not predict what the dog would do if it had a second chance. She further stated that she worried about the safety of children in the neighborhood. She added that San Francisco has a mandate specifically for pit bulls because they are vicious dogs.

Hillsborough resident John Wesendunk stated that he was the owner of the cat killed by the pit bull. He reported that his cat was elderly and slow moving and never entered into the street, but was an easy prey. He stated that he has a daughter in a wheelchair and that she has a care dog. He reported that one day he heard a scream and saw that the pit bull had chased the care dog and his daughter and that the owner had to retrieve the pit bull. He stated that he is concerned because the pit bull got out at least twice. He further stated that there are several children that live in the neighborhood and that he has four grandchildren living in his house. He added that his daughter is afraid to leave the house.

Hillsborough resident Diana Betanzo stated that she has four children ranging in age from three to twelve years and that she was very upset by the incident. She reported that her family is now very cautious when they go outside. She expressed that she feels that it is unfair that neighbors have to fence their homes and be fearful of the dog. She stated that her sister in the wheelchair is sitting prey. Ms. Betanzo further stated that her children cannot go outside without adult supervision.

City Manager Randy Schwartz stated that he has spoken to Kellie Meyers, met with Town staff, met with the County’s Director of Environmental Health, and that he received a copy of the hearing report. He was told that the Wesendunk’s would be appealing the decision and that he was working through the details and will provide an update to the City Council when available. He informed the audience that since this item was not on the agenda, the City Council cannot take any action or discuss the matter.

Hillsborough resident Sonya Knudsen stated that regarding the Geri Lane, Eucalyptus Avenue and Forest View Avenue intersection in conjunction with a Hillsborough Beautification Foundation (HBF) project that the Geri Lane stop line should be extended further out for better visibility. She also recommended that the public outreach for the project should be expanded beyond a 1,000 feet public notice to get more insight from residents. She thanked HBF, Public Works Superintendent John Mullins and the City Council.

CITY COUNCIL ITEMS:

Mayor Benton announced that the Council of Cities Dinner/Meeting will be held on Friday, January 25, 2013, in the City of Redwood City and that he will be attending. Vice Mayor May and Councilmember Chuang announced that they will also be attending. Mayor Benton reported that election of the board member on the

Metropolitan Transportation Commission (MTC) will again be back on the agenda as no decision was made at the San Mateo County City Selection Committee election at the Friday, December 14, 2012 Council of Cities Dinner/Meeting.

Mayor Benton announced that the League of California Peninsula Division will be holding their Newly Elected and Re-elected Local Government Officials Annual Reception on Thursday, January 24, 2013, at the San Mateo County History Museum in Redwood City at 6:00 p.m., and that a Secretary/Treasurer will be elected then.

Councilmember Chuang announced that approximately 27 guests attended a Hillsborough Reads Book Club event on Wednesday, January 9, 2013, from 11:00 a.m. to 12:00 p.m. at Town Hall with guest speaker Meg Waite Clayton, author of *The Four Ms. Bradwells*. She announced that the next Hillsborough Reads event will be held on Wednesday, April 17, 2013, from 6:00 p.m. to 7:00 p.m. at Town Hall.

ADJOURNMENT:

Mayor Benton adjourned the meeting at 7:15 p.m.