

MINUTES
REGULAR CITY COUNCIL MEETING
MONDAY, AUGUST 12, 2013

Mayor Benton called the regular meeting to order at 6:07 p.m. at the Hillsborough Town Hall, 1600 Floribunda Avenue, Hillsborough, California.

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

Mayor Benton introduced Hillsborough Concours d'Elegance Chair Rob Fisher to lead the Pledge of Allegiance.

PLEDGE OF ALLEGIANCE

MINUTES: The minutes of the July 8, 2013 City Council meeting were approved as submitted.

PRESENTATIONS:

- Mayor Benton stated that on Sunday, July 21, 2013, the 57th Hillsborough Concours d'Elegance was held and that Concours Chair Rob Fisher would provide a brief update on the spectacular event. Mr. Fisher thanked Mayor Benton for inviting him to the City Council meeting and he commented that this year's event was the best show ever with the fabulous weather and 200 cars on display. He reported that the Concours Committee has over twenty members who make the event better each year. He stated that this year's event went without a hitch. He added that the event could not have been done without the volunteers, the Town and San Mateo County.

Mr. Fisher reported that this year's show featured the Aston Martin, the weird and wonderful, the iconic designs of 1957 and vintage motorcycles. He stated that the event kicked off on Saturday, July 20, 2013, with a sell-out Tour d'Elegance with 70 cars and 150 people driving 90 miles with a stop at the Mozart Foundation Automobile Museum in Mountain View and finished with a picnic. He further stated that later that day an Honorary Judge's Reception was held at the Candy Store in Burlingame with 130 attendees.

Mr. Fisher reported that approximately 2,200 to 2,500 tickets were sold for the Concours d'Elegance held on Sunday, July 21, 2013, on the 18th fairway of the extraordinary venue, the Crystal Springs Golf Course in San Mateo. He stated that sponsorship increased 25 percent this year and sponsors included Kerns, Netsuite, Franklin Templeton Investments, and seven premier sponsors including Fidelity, New York Stock Exchange and Sony. He added that there was a 20 percent increase in revenues this year. He announced that there will be a fundraising event in October 2013 at the Candy Store.

Mr. Fisher reported that the Palo Alto Concours d'Elegance and Marin Sonoma Concours d'Elegance are struggling with their annual events. He stated that he is extremely thankful for his team, the community, Councilmembers and Town staff for their phenomenal support. He announced that next year's Concours will be held on Sunday, July 20, 2014, and invited everyone to come out for the event.

On behalf of the Town and residents, Mayor Benton thanked Mr. Fisher and his crew for the wonderful event. Mayor Benton stated that about four years ago, the Town almost lost the car show, but Mr. Fisher stepped forward to re-establish the Hillsborough Concours d'Elegance as a world-class event and the event is now very viable.

Vice Mayor May congratulated Mr. Fisher for another terrific event. He stated that the event went off without a glitch because of Mr. Fisher's hard work, leadership and understanding of the car show. He commented that Mr. Fisher's enthusiasm for the event carries through and everyone just had a great time.

Mr. Fisher stated that the Hillsborough Concours d'Elegance is the longest running car show in the world. He reported that the net proceeds of the event benefit Autism Speaks, the 49ers Foundation and the Hillsborough Schools Foundation.

Councilmember Chuang congratulated Mr. Fisher on the great event.

CONSENT CALENDAR:

Items 3 and 5 were removed for discussion. On motion of Vice Mayor May, seconded by Councilmember Christianson, and unanimous on voice vote, Consent Calendar items 1, 2 and 4 were approved.

1. MONTHLY CLAIMS: JULY 1 THROUGH JULY 31, 2013

The monthly claims for the month of July 2013, in the amount of \$3,482,082.38 were approved as submitted.

2. RESPONSE TO THE SAN MATEO COUNTY GRAND JURY REPORT "SOUTH BAYSIDE WASTE MANAGEMENT AUTHORITY (SBWMA) BOARD - ELECTED OFFICIALS OR SENIOR MANAGEMENT STAFF"

The Town's response to the San Mateo County Grand Jury Report "South Bayside Waste Management Authority Board – Elected Officials or Senior Management Staff" was approved and the Mayor was authorized to sign and send the response letter.

3. RESOLUTION APPROVING ADMINISTRATIVE CHANGES TO THE COLLECTION SERVICES FRANCHISE AGREEMENT WITH RECOLOGY SAN MATEO COUNTY (RECOLOGY)

Mayor Benton asked Finance Director Edna Masbad to explain whether the administrative changes to the Collection Services Franchise Agreement with Recology San Mateo County would have an impact on cost or savings, or increased or diminished services. Ms. Masbad explained that the administrative changes to the Collection Services Franchise Agreement with Recology would result in an estimated \$325,000 savings by eliminating three positions that are currently performing redundant tasks for both South Bayside Waste Management Authority and Recology, and also by reducing contamination monitoring. She stated that the cost savings would be shared by the twelve member agencies. She added that there are other changes to the Collection Services Franchise Agreement which would not result in any adverse effect on either cost or service level.

Mayor Benton thanked Ms. Masbad.

On motion of Mayor Benton, seconded by Councilmember Royse, and unanimous on voice vote, the resolution approving administrative changes to the Town of Hillsborough Collection Services Franchise Agreement with Recology San Mateo County was adopted.

4. RESOLUTION AWARDDING THE DESIGN CONTRACT FOR THE 2013 ANNUAL SEWER MAIN REPLACEMENT PROJECT TO MARK THOMAS & COMPANY

The resolution awarding the design contract for the 2013 Annual Sewer Main Replacement Project to Mark Thomas & Company in the amount of \$69,359, allocating funds from the Sewer System Repairs – Pipe Bursting Project, CIP# 617.47, and Miscellaneous Sewer System Repairs, CIP# 615.47, and authorizing the City Manager to execute the contract on behalf of the Town was adopted.

5. RESOLUTION AWARDDING A CONTRACT WITH CALIFORNIA GENERATOR SERVICE, INC. FOR GENERATOR MAINTENANCE SERVICES

Councilmember Christianson asked Director of Public Works Paul Willis if the annual contract amount of \$48,284 for the two-year contract with the Town's option to renew for

one year would stay frozen at that annual cost when renewed. Mr. Willis replied that the annual cost would remain at \$48,284 per year.

On motion of Councilmember Christianson, seconded by Vice Mayor May, and unanimous on voice vote, the resolution awarding the two-year contract with the Town's option to renew for one year with California Generator Service, Inc. in the amount of \$48,284 for scheduled maintenance service and for unscheduled repair services, and authorizing the City Manager to execute the contract on behalf of the Town was adopted.

PUBLIC HEARING:

6. ORDINANCE AMENDING CHAPTER 8.40 OF THE HILLSBOROUGH MUNICIPAL CODE TO INCLUDE A PROHIBITION OF SMOKING DURING TOWN-SPONSORED EVENTS AND WITHIN TOWN RECREATIONAL AREAS – ADOPTION

City Manager Randy Schwartz reported that on July 8, 2013, the City Council introduced this ordinance and that it is set for adoption at this meeting. He introduced Shaunda Scruggs, Project Director of the San Mateo County Health Department. He stated that the ordinance would prohibit smoking during Town-sponsored events and within Town recreational areas. He asked Councilmember Royse if he would like to comment on the ordinance.

Councilmember Royse reported that in January 2013, the American Lung Association released a report grading cities on the state of tobacco control and protection of residents from second-hand smoke, and that the Town received an "F" grade. He stated that the proposed ordinance would help improve the Town's grade by protecting residents at Town-sponsored events and in public areas from health risks associated with second-hand smoke. He reported that there is a great cost to the economy and the taxpayers for healthcare costs and medical premiums from second-hand smoke related diseases. He stated that 50,000 annual deaths are related to second-hand smoke. He added that the proposed ordinance follows the ban on smoking that other cities have adopted and the Town's ordinance would restrict smoking in public parks and at Town-sponsored events.

Mayor Benton opened the public hearing.

Ms. Scruggs reported that many cities in San Mateo County are protecting their citizens by amending their ordinances on smoking in public areas. She stated that Foster City is looking at strengthening their ordinance by banning smoking at outdoor areas of restaurants, and that Belmont and Daly City have banned smoking in multi-family housing units with shared walls.

The public hearing was closed.

On motion of Councilmember Royse, seconded by Councilmember Chuang, and unanimous on voice vote, the ordinance amending Chapter 8.40 of the Hillsborough Municipal Code regarding a prohibition of smoking during Town-sponsored events and within Town recreational areas and Town public spaces was adopted.

7. RESOLUTION APPROVING A REVOCABLE ENCROACHMENT PERMIT APPLICATION FOR 765 BOWHILL ROAD

Councilmember Christianson announced that she knows the applicants, Alexander and Kaarin Hardy, and socializes with them, and recused herself from the City Council meeting for this agenda item.

Director of Public Works Paul Willis stated that staff received a revocable encroachment permit application from the owners of 765 Bowhill Road. He provided a Power Point presentation and stated that the owners propose to install a six foot high wood fence in the public right of way. Mr. Willis provided photos of the existing conditions. He also provided a topographical map showing the outdoor fixtures in the right of way and

pointed out the location of the existing roadway, the front property line and the proposed six foot wood fence. He stated that the owners desire to improve the appearance of the steep slope along the frontage of their property. He further stated that the proposed location of the wood fence along the slope does not conflict with public utilities which are instead installed under the street portion of the public right of way. He provided a diagram of the street elevation showing the improvements. He stated that the improvements will enhance security to the property and improve privacy and screening. Mr. Willis recommended approval of the revocable encroachment permit application.

Mayor Benton opened the public hearing.

Landscape Architect Ken Coverdell of Blue Sky Designs, Inc. stated that he has worked in Hillsborough for over 30 years. He gave a brief description of the landscape plan which will include California native plants to interrupt and break the view of the fence. He reported that after two years of drip irrigation, the irrigation system would be turned off. He stated that it is understood that the encroachment permit is revocable.

Applicant Kaarin Hardy thanked the City Council for their time. She stated that the proposed improvements would enhance the neighborhood by screening her messy garage.

The public hearing was closed.

On motion of Vice Mayor May, seconded by Councilmember Chuang, and unanimous on voice vote, the resolution approving the revocable encroachment permit application for 765 Bowhill Road was adopted.

OLD BUSINESS:

8. REVIEW AND DISCUSSION OF THE ORDINANCE AMENDING CHAPTER 15.32 OF THE HILLSBOROUGH MUNICIPAL CODE REGARDING WIRELESS COMMUNICATIONS FACILITIES

Assistant City Manager Kathy Leroux reported that the first draft of the Wireless Communications Facilities ordinance was discussed at the July 8, 2013 City Council meeting. She stated that staff has continued to work with its attorneys, and that the second draft ordinance is presented this evening. She further stated that feedback has been received from the City Council subcommittee, Town staff and industry representatives, and that some comments were received as recently as last Friday, August 9, 2013. She announced that Jonathan Kramer, the Town's special counsel for wireless matters, was there to answer technical questions.

On behalf of staff, Ms. Leroux thanked the residents that spoke at the previous meetings, as well as the wireless industry for all their comments and input during this process. She stated that taking those comments into consideration, she would cover some of the main changes in the updated ordinance. She reported that equipment will be placed underground wherever possible and in areas where there are currently no overhead wires. She stated that exceptions to undergrounding equipment would include where the geology makes it not feasible, such as running into bedrock or water.

Mr. Kramer explained that the goal is to underground the wireless communications utilities to the maximum extent possible to minimize the impact to the view.

Ms. Leroux stated that the public had several comments regarding the aesthetics of new installations. She reported that staff has worked with the wireless industry about design options and has learned that there are many different design options, such as camouflaging a facility as a stop sign. She stated that site priority order for placement of wireless facilities will be more in-line with what the public has asked for.

Ms. Leroux stated that earlier today, staff met with the Wireless Communications subcommittee, which includes Vice Mayor May and Councilmember Christianson, for

their comments on the draft ordinance and for their assistance with the discussion of five main points for City Council discussion and feedback.

Councilmember Christianson stated that the current draft ordinance is difficult to get through and should be clarified for staff's ability to enforce. She suggested that the ordinance should be made shorter and clearer. She stated that the ordinance should be as transparent as possible for residents, staff and wireless carriers, and that it reflects the concerns of all constituents. She added that the ordinance is certainly not there yet.

Vice Mayor May stated that the ordinance reflects the residents' values as it was important that residents understand that they were heard and did participate in the drafting of the ordinance during the past Council meetings. He reported that all Councilmembers had an opportunity to submit their comments for the draft ordinance. He commented that he would like to look at the ordinance and be able to understand it, not only as an attorney, but also as a resident, and that staff should be able to understand it and enforce it.

Mayor Benton also commented that the ordinance should be more understandable for residents, staff and wireless carriers.

Mr. Kramer stated that he will produce a redlined copy of the ordinance and that revising the ordinance is an evolutionary process. He reported that the Wireless Communications Facilities ordinance was adopted in 2006 and that the legacy language was left alone for the draft ordinance, but he sees the density of the language. He stated that the next draft will simplify the language and not be so technical.

City Manager Randy Schwartz stated that per Councilmember Christianson's request, an executive summary of the draft ordinance will be prepared.

Ms. Leroux provided a slide for the City Council's input on wireless ordinance considerations including height restrictions, site priority order, the sites' ability to predominantly serve Hillsborough residents, proof of gap requirement, and design standards and the design review process.

Councilmember Christianson reported that there are still a lot of issues in critical areas that need to be discussed to come up with a workable ordinance. She stated that it was important to hear how the City Council feels about these issues. She stated that there is a tradeoff for fewer higher poles as opposed to more shorter poles, but there is a general sense for more shorter poles integrated into a design theme (like stop signs) as that would be more consistent with what residents are saying.

Councilmember Royse asked if the wireless industry prefers twenty shorter or three larger poles. Vice Mayor May replied that it depends on what carrier you talk to, as some carriers prefer three tall poles. He stated that Crown Castle and AT&T have more alternatives for the equipment. He added that as technology continues to change there are more variations for the equipment.

Councilmember Royse asked if the poles could be camouflaged. Vice Mayor May replied that the poles could be camouflaged, but still need to meet the design concept.

Mr. Kramer reported that because of Hillsborough's topography and lack of straight streets, there are shadowed streets that need more coverage. He stated that there needs to be a balance for the number of sites as no two parts of Hillsborough are the same. He further stated that the current ordinance does not have a height limit for the poles, but the revised ordinance will have provisions for a 35 foot height limit. He explained that the goal of the revised ordinance is to protect the community's aesthetics and also provide the community with wireless communications coverage. He stated that the Town needs to regulate the pole height, as the right height is needed for each location, but the height limit would not be absolute because the Town needs to respect federal laws.

Councilmember Chuang commended staff for listening to the residents' concerns and reaching out to the carriers as it is important to protect the values of the Town and also have better wireless coverage.

The Councilmembers, Mr. Kramer, Ms. Leroux and City Manager Randy Schwartz further discussed the height restrictions for the wireless poles.

Councilmember Royse stated that he preferred shorter and more poles, and that camouflaged poles would be less intrusive. He commented that tall poles would stand out more. He added that the ordinance should have a height range and not a set height limit to allow some flexibility.

Mayor Benton stated that he would probably prefer shorter and more poles as the tall poles could not be camouflaged that well.

Councilmember Chuang stated that there is a tradeoff with higher and fewer poles and shorter and more poles. She asked what the ratio would be for height versus number of poles. Mr. Kramer replied that he could ask the carriers for a generalized estimate of the number of poles needed in Hillsborough.

Mr. Schwartz reported that at the carriers' meeting held last month, he first heard of the possibility of installing equipment on stop signs. He stated that equipment could be installed on four existing utility poles and three on street lights or stop lights, and that there may be more of these opportunities to reduce the number of new poles.

Mayor Benton asked the subcommittee for their thoughts.

Vice Mayor May stated that there are many ways to reduce the impact of the wireless communications facilities on the community. He stated that sometimes it is going to be more poles, but that will not be known until information about the wireless project is known. He reported that the revised ordinance will assist staff members with processing the application, as once an application is received there is a shot clock. He stated that he feels fewer poles would be better.

Councilmember Christianson stated that a perfect ordinance mandates cooperation on both sides, and that is the challenge as it is not easy to find a middle ground. She added that parameters for cooperation are needed. She reported that a wireless carrier was in the audience and was extremely cooperative working with the City of Palos Verdes on their ordinance.

Ms. Leroux reported that the second consideration is the site priority order. She stated that on page 2 of the draft ordinance, the priority order is as follows, 1) Existing co-location structure or site (other than a utility pole or tower); 2) Nonresidential structures excluding new or existing poles not otherwise described in this list; 3) New camouflaged structure (such as a faux tree or other natural-appearing structure intended to fully camouflage the wireless communications facilities) on private or public property; 4) New unipole (i.e., with no external antenna elements other than the pole itself) on private or public property; and 5) Existing utility pole that services other utilities.

Mr. Kramer explained each location as follows, 1) Co-location on wood poles, water tank sites or other existing sites; 2) Town-owned properties or park areas; 3) Stand-alone monotree on private property or golf course; 4) Unipole camouflaged on private property or in a right of way; and 5) Existing traditional wood pole.

The Councilmembers, Mr. Kramer and Mr. Schwartz discussed the site priority order.

Mr. Kramer explained that the priority list is not a mandate list, but will assist staff in making logical decisions. He stated that whenever possible, the equipment would be undergrounded and Americans with Disabilities Act (ADA) compliant.

Vice Mayor May stated that there will be a glossary of terms in the ordinance in case there is any dispute, but that the glossary would need to use terms that would not have full definition to allow flexibility for future technological changes.

Councilmember Royse stated that he preferred the wireless communications facilities be located on existing sites rather than on new poles. Mr. Kramer stated that Priority 4 and 5 can be reversed.

Mayor Benton also stated that existing utility poles should be a priority.

Councilmember Chuang stated that it would be important for the carriers to coexist on the same pole.

Councilmember Christianson stated that because Hillsborough has a lot of walkers, bikers and joggers, safety for people to recreate in Town would be a concern with the proliferation of poles.

Ms. Leroux reported that the third consideration is the sites' ability to predominantly serve Hillsborough residents and asked the City Council how strict the Councilmembers would like the ordinance to be regarding this consideration.

The Councilmembers, Mr. Kramer and Mr. Schwartz discussed the sites' ability to predominantly serve Hillsborough residents.

Councilmember Royse stated that he liked this principle because the sites in Hillsborough should predominantly benefit Hillsborough citizens and not serve other communities.

Mayor Benton stated that this consideration would protect Hillsborough, but that the Town should work fairly and equitably with neighboring communities.

Mr. Kramer reported that this clause has been deployed in other cities and is referred to as an "anti-dumping" clause.

Ms. Leroux reported that the fourth consideration is the proof of gap requirement.

Mr. Kramer stated that the Town cannot prohibit wireless communications facilities if the carrier proves that there is a significant gap.

The Councilmembers, Mr. Kramer and Mr. Schwartz discussed proof of significant gap requirement.

Councilmember Royse asked what the carrier would need to prove and is the proof of gap ongoing as technology changes. Mr. Kramer replied that the Town's engineers can come up with what would be needed for the proof of a significant gap as there are no industry standards or Federal Communications Commission (FCC) standards that are applicable, and the carriers also have different standards for proof of gap even within the same wireless firm.

Mayor Benton asked how staff would determine if a gap exists. Mr. Schwartz replied that in all practicality, the carrier would need to provide a map of the Town showing where the gap is claimed and coverage is needed, and staff would determine if a gap actually exists.

Vice Mayor May stated that he was in favor of a proof of gap requirement.

Ms. Leroux reported that the fifth consideration is the design standards and design review process. She explained that the applications could be reviewed administratively by staff or by a third party depending on how much time is available.

Vice Mayor May asked how long it would take to process an application. Mr. Kramer replied that the FCC determined that an application should be processed with a final

decision within 150 days, and changes to existing sites should be processed within 90 days. He added that the process does not allow for a multi-month review. He stated that the ultimate issue is when the clock starts. He recommended that the carriers be able to make an appointment with staff within five days or so for staff to review the application.

The Councilmembers, Mr. Kramer, City Attorney Norm Book and Mr. Schwartz discussed the design review process.

Councilmember Christianson reported that Assembly Bill 162 (AB 162) has not disappeared and could create tighter constraints for processing applications.

Mayor Benton stated that having a third party review the applications would not be a good idea with the time constraints.

Vice Mayor May stated that staff should review the applications to meet the 150-day deadline.

Mr. Schwartz agreed that the shot clock may not always allow for review by the Architecture and Design Review Board (ADRB), but suggested that a committee of two ADRB members could meet informally with staff. Vice Mayor May agreed with that approach.

Councilmember Chuang asked what would happen if the application was incomplete. Mr. Kramer stated that if an application was incomplete, the clock would stop. Councilmember Chuang recommended having a checklist for staff to determine whether an application was complete.

Mayor Benton asked if residents would receive notification that a pole was going to be installed in the neighborhood. Councilmember Christianson stated that public notices would probably default to the noticing requirements in the Hillsborough Municipal Code. Mr. Schwartz stated that if an application called for the installation of multiple poles, staff would notice all residents within a minimum of 500 feet of each pole.

The Councilmembers, Mr. Kramer, Mr. Schwartz, Mr. Book and Director of Building and Planning Liz Cullinan discussed noticing requirements.

Mr. Book and Ms. Cullinan stated that they would look into the noticing requirements.

Mayor Benton asked what rights residents have if they oppose the location of a pole. Mr. Kramer replied that residents can provide comments, review files and offer suggestions, as public comment is important.

Vice Mayor May asked if residents can appeal the location of a pole. Mr. Kramer replied that residents can appeal the location of a pole.

Councilmember Christianson stated that residents will need to know what they can do to appeal the location of a pole.

The Councilmembers, Mr. Kramer, Mr. Schwartz, Mr. Book and Ms. Cullinan further discussed the appeal process.

Mayor Benton thanked everyone for their comments on the draft wireless ordinance.

Mr. Schwartz thanked Crown Castle, Verizon and T-Mobile for their willingness to meet with staff and the City Council subcommittee. He also thanked Ms. Leroux, Ms. Cullinan, Mr. Book and Mr. Kramer for their assistance.

Kelly Miller-Bailey thanked everyone involved in the process. She stated that she worked with residents earlier and wanted to come back to say that no one wants the poles in front of their property and would rather have them installed in public spaces.

She further stated that higher poles would be better because the lower poles radiate more stuff at their levels. Ms. Miller-Bailey thanked the City Council.

NEW BUSINESS:

9. CONSIDERATION OF AN AMENDMENT TO CHAPTER 17.48 OF THE HILLSBOROUGH MUNICIPAL CODE REGARDING SIGNS

City Manager Randy Schwartz introduced Summer Intern Ryan Lundquist to present the potential amendments to the Town's sign ordinance. Mr. Lundquist provided a Power Point presentation and stated that he will be presenting information regarding potential amendments to the sign ordinance. He explained that Town staff is not asking for the City Council to take action at this time, but rather is asking for City Council discussion and feedback. He added that staff will be bringing amendments to the sign ordinance back to the City Council at a future meeting.

Mr. Lundquist reported that three recent items have come to staff's attention with regards to the Municipal Code, which include the posting of signs and banners on private school property, yard signs for fundraising events, and signs for garage and estate sales.

Regarding private schools, Mr. Lundquist stated that currently private schools are not specifically mentioned in the Municipal Code; therefore, they fall under the same laws as private residences. He explained that private residences are allowed political signs, garage and estate sale signs, signs for real estate or contractors, and various safety signs. He provided photographs of current signs shown on private schools in Town that violate the Municipal Code based on them currently being treated as residential property and photos of similar signs on public school property that do not violate the Municipal Code.

Mr. Lundquist stated that staff has developed several options for City Council consideration and is asking for the City Council's feedback. He reviewed the first option to leave the Municipal Code status quo by not allowing signage on private school property other than what is currently allowed. He stated that the second option would allow signs and banners not visible from the street, which would allow them to post school events, sports teams, fundraisers and other signs on campus that would not cause a disturbance if visible from the street. He further stated that the third option would allow private schools to post banners and signs visible from the street for fundraisers and school events only. He reviewed the fourth option which would allow signs visible from the street if a proper permit is filled out and approved by the City Council. He stated that this would allow signs visible from the street such as the Galileo Summer Camp that may be a private business but also benefits the school. He reviewed the fifth option which would treat private schools the same as public schools with regulations based on their own internal standards.

Mr. Lundquist stated that he would be happy to answer any questions regarding these options and welcomed any City Council feedback.

Councilmember Royse asked if staff is being proactive or if staff has received complaints about private schools posting signs visible from the street. Mr. Lundquist replied that the Town has received complaints. Mr. Schwartz added that private schools are posting signs on their fences which raised the question if that was permissible. He stated that in the past, signs were posted on the campus, but not visible from the street.

Councilmember Christianson stated that she would not move towards Option 5 to treat private schools the same as public schools with regulations based on their own internal standards.

Vice Mayor May agreed with Councilmember Christianson. He added that a number of the signs posted at private schools and visible from the street are for profit activities. He stated that Option 3 looks like a reasonable solution as it would allow private schools to

post signage visible from the street only for fundraisers or school events, while prohibiting advertisements for non-school businesses.

Councilmember Chuang stated that she would go for Option 2 to allow private schools to post signs and banners on their own property as long as the signage is not directly visible from the street.

Councilmember Royse stated that he would go with Option 2 also.

Mayor Benton stated that he would go for a merging of Option 3 and 4 to allow private schools to post visible signage only for fundraisers or school events, while prohibiting advertisements for non-school businesses, and to allow signs visible from the street if a proper permit is filled out and the signage approved by staff and not by the City Council.

The Councilmembers and Mr. Schwartz further discussed private school signs.

Regarding yard signs, Mr. Lundquist stated that as mentioned earlier, residences are allowed political signs, contractor and real estate signs, safety signs, and garage and estate sale signs on their property. He reported that there is no specific language in the Municipal Code that mentions fundraising event signs that residents post in their yards like the Hillsborough Schools Foundation's Fun Run. He stated that staff has developed several options for City Council consideration and is asking for feedback. He listed the options which include leaving the Municipal Code status quo by not allowing signs besides what is currently allowed, allowing yard signs promoting only Town events and/or Hillsborough City School District fundraising events that have approved banner signage, or allowing yard signs to be placed in yards promoting all Town permitted fundraising events that have approved banner signage with similar restrictions that apply to other signs.

Mr. Lundquist stated that he would be happy to answer any questions regarding these options and welcomed any City Council feedback.

Vice Mayor May asked if the Town regulates contractor signs as they are haphazardly placed at many construction sites.

Councilmember Christianson agreed that there seems to be a proliferation of signs at construction sites.

Mr. Schwartz stated that each real estate company and each contractor is allowed to post one sign per property, which sign shall be no larger than twelve inches by fifteen inches.

The Councilmembers, Mr. Schwartz and City Attorney Norm Book further discussed real estate and contractor signs.

Mr. Schwartz stated that going back to the issue of lawn signs, the Town currently has no provisions for lawn signs.

Vice Mayor May stated that he would go for Option 3 to allow yard signs to be placed in yards promoting all Town permitted fundraising events that have approved banner signage.

Councilmember Royse stated that he would also go with Option 3.

Councilmember Chuang stated that she would go with Option 3 with a time limit. Mr. Schwartz stated that the yard signs could go up three weeks before the event and taken down one week after the event.

Mayor Benton stated that he was not interested in lawn signs.

Councilmember Christianson stated that she agreed with Mayor Benton because a proliferation of lawn signs can be annoying if a resident does not support the cause,

although the Town's residents are very altruistic. She suggested that the lawn signs be allowed to go up two weeks before the event and taken down one day after the event.

Mayor Benton stated that he would be inclined to go with Option 1 to not allow signs besides what is currently allowed in the Municipal Code.

Councilmember Christianson stated that she would go with Option 2 to allow yard signs to be placed in front yards, promoting only Town events and/or Hillsborough City School District fundraising events that have approved banner signage.

Regarding garage and estate sales, Mr. Lundquist reported that residents are currently only allowed to post signs advertising garage and estate sales on their own property, but not in the public right of way. He stated that this may make it difficult for people to know about or find these sales. He further stated that staff options for City Council consideration on this issue are to leave the Municipal Code status quo and that no signs can be located off the property of the sale, allow three signs consistent with other Town sign parameters in the public right of way within 1,000 feet of the property, or create sign boards in Town for the display of signs that are approved by the Town and would be posted by Town staff.

Mr. Lundquist stated that he would be happy to answer any questions regarding these options and welcomed any City Council feedback.

Vice Mayor May stated that he would go with Option 1 to keep garage and estate sales signs status quo and allow no signs off the property of the sale as there is a proliferation of signs.

Councilmember Chuang stated that she would also go with Option 1 as garage and estate sales can be posted on Hillsborough Together, Nextdoor or in newspapers. She added that residents care about the Town's views.

Councilmember Royse stated that he had no problem with Option 1.

Mr. Schwartz stated that he would fine tune the amendment to the Municipal Code regarding signs and bring it back at a future City Council meeting.

10. RESOLUTION SUMMARILY VACATING AN UNUSED PORTION OF A TEN FOOT PUBLIC UTILITY EASEMENT LOCATED AT 20 LEMON COURT

Director of Public Works Paul Willis reported that the current owners of 20 Lemon Court have requested that the Town summarily vacate a portion of a ten foot public utility easement located at 20 Lemon Court. He stated that the ten-foot public utility easement was dedicated for public utility use on the original subdivision map before the actual home was constructed. He explained that the easement purpose was primarily for the installation of a Town maintained sanitary sewer main. He reported that due to the elevations in the area, the easement has not been used for the sewer main. He stated that the homeowners would like to install a sports court over the easement. He added that there are no utilities in the easement and supported the request to vacate the public utilities easement. He explained that the City Council may summarily vacate a public service easement that has not been used for the purpose for which it was dedicated.

Mr. Willis provided a Power Point presentation showing an overlay overview of the area near Skyline Boulevard and Highway 280. He also provided a slide showing the subdivision map overlaid over a Google earth map and reported that approximately 878 square feet will be vacated.

Vice Mayor May asked if there was any chance that the public utility easement would be needed in the future. Mr. Willis replied that there is a five foot public utility easement in the area that provides access to the utilities and to Town personnel.

Vice Mayor May asked why the easement was created. Mr. Willis replied that the easement was created to allow access to maintain a sewer main or for the Fire Department to access the open space.

The Councilmembers, Mr. Willis and City Attorney Norm Book further discussed the summary vacation of the unused portion of the public utility easement.

Mayor Benton asked if Lot 51 would be impacted by the vacation of the PUE. Mr. Willis replied that approval of the resolution summarily vacating the unused portion of the public utility easement could be subject to the condition of the dedication of a private sewer lateral easement to the manhole for Lot 51. He added that prior to recordation of the abandonment of the portion of the public utility easement, the homeowners at Lot 51 would be notified.

On motion of Councilmember Royse, seconded by Vice Mayor May, and unanimous on voice vote, the resolution as amended summarily vacating an unused portion of a ten foot public utility easement located at 20 Lemon Court was adopted.

PUBLIC COMMENT:

There were no public comments.

CITY COUNCIL ITEMS:

Vice Mayor May announced that he attended the Hillsborough Recreation Commission Subcommittee meeting to discuss the need to replace the field at North and Crocker Schools and various alternatives were reviewed.

Vice Mayor May announced that he attended the City/County Association of Governments (C/CAG) of San Mateo County meeting on Thursday, August 8, 2013, where an Assembly Bill regarding storm water was discussed. He added that funding for a pedestrian and bicycle program was also discussed

Mayor Benton announced that after approval by the requisite cities, the South Bayside Waste Management Authority's Joint Powers Agreement will be amended to change the composition of the Board to elected officials. He stated that the first meeting of the newly comprised board will be held on Thursday, August 22, 2013.

Mayor Benton announced that Hillsborough resident Catherine Lee was appointed to the Code Enforcement Hearing Panel and stated that she will be a great addition to the panel.

Mayor Benton announced that the Hillsborough City School District Back to School Breakfast will be held on Wednesday, August 21, 2013, at 8:30 a.m. at Crocker Middle School.

Councilmember Christianson announced that she would be attending this month's Council of Cities Dinner/Meeting on Friday, August 23, 2013, in the Town of Woodside. Councilmember Chuang announced that she would also be attending.

ADJOURNMENT:

Mayor Benton adjourned the meeting at 10:00 p.m.