

**MINUTES
REGULAR CITY COUNCIL MEETING
MONDAY, JANUARY 13, 2020**

CLOSED SESSION:

Mayor Christianson called the meeting to order at 3:01 pm at the Hillsborough Town Hall, 1600 Floribunda Avenue, Hillsborough, California.

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

PUBLIC COMMENT:

There were no public comments.

PUBLIC ANNOUNCEMENT OF CLOSED SESSION ITEMS

A. CONFERENCE WITH LABOR NEGOTIATOR

Section 54957.6

Agency Negotiator: Kristin Armbruster, Human Resources Manager

Employee Organization: Unrepresented Employees: Assistant City Manager, City Clerk, Human Resources Manager, Management Analyst, Finance Director, Assistant Finance Director, Budget Analyst, Building and Planning Director, Building Official, Associate Planner, Police Chief, Police Captain, Police Lieutenant, Public Works Director, Deputy Public Works Director, Associate Engineer, Assistant Engineer, Public Works Superintendent, GIS Coordinator, GIS Technician

B. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to Section 54956.9(d)(2) of the California Government Code: Two potential cases

C. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Government Code Section 54956.9(d)(1)

Crown Castle NG West LLC v. Town of Hillsborough, et al.

United States District Court for the Northern District of California

Case No. C 18-22473 JSC

ADJOURN CLOSED SESSION

CITY COUNCIL MEETING:

Mayor Christianson called the regular meeting to order at 6:10 pm at the Hillsborough Town Hall, 1600 Floribunda Avenue, Hillsborough, California.

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

PLEDGE OF ALLEGIANCE

REPORT FROM CLOSED SESSION: City Attorney Christopher Diaz reported out that for the two potential cases, the City Council voted unanimously to reject the Phyllis Turpen and Gisela Scigliano claims.

MINUTES: The minutes of the December 9, 2019 City Council meeting were approved with revisions made by Mayor Christianson. The first sentence of the Mayor's Comments on page 2 was revised to read "Mayor Christianson reported that *it had been a year of transition since* Police Chief Mark O'Connor, Police Captain Caroline Serrato and City Manager Kathy Leroux retired *over the past year or so* and their roles were filled by Police Chief Doug Davis, Police Captain Nelson Corteway, *Lieutenant Rob Chinca* and City Manager Ann Ritzma, who *all* had to hit the ground running and *have* done an admirable job.

CONSENT CALENDAR:

City Attorney Christopher Diaz announced that Vice Mayor Royse and Councilmember May, who were not allowed to participate in the decision as to whether to adopt a new Wildland-Urban Interface (WUI) map at the previous City Council meetings due to a conflict of interest, may now proceed with voting on agenda item 13 regarding the adoption of the WUI ordinance as the conflict only resulted from the decision on the map which was already adopted at the December 2019 City Council meeting.

Items 2 and 10 were removed for discussion. On motion of Councilmember May, seconded by Councilmember Chuang and unanimous on voice vote, Consent Calendar items 1, 3 through 9, and 11 through 13 were approved.

1. MONTHLY CLAIMS: DECEMBER 1 THROUGH DECEMBER 31, 2019

The monthly claims for the month of December 2019 in the amount of \$6,366,950.60 were approved as submitted.

2. QUARTERLY TREASURER'S REPORT FOR THE QUARTER ENDED DECEMBER 31, 2019

Councilmember Benton stated that he was curious about the Town's treasury balances for the past five years and the reasons for the large balances. Finance Director Jan Cooke stated that December typically has the highest treasury balance for the fiscal year from the tax roll distribution, and fiscal year 2018-2019 and 2019-2020 had lower expenses from capital improvement projects, more accrued interest due to a higher rate and portfolio balance, an increase in property tax revenue, the distribution of Educational Revenue Augmentation Fund (ERAF) and State Revolving Fund loan proceeds. She added that there were also one-time PG&E tree reimbursement and building penalty monies. She stated that she will provide a report on the treasury balances for the last five fiscal years for the City Council.

On motion of Councilmember Benton, seconded by Councilmember May and unanimous on voice vote, the Treasurer's Report for the quarter ended December 31, 2019, was approved.

3. QUARTERLY INTEREST RATE PRODUCTS (SWAP) REPORT

The Interest Rate Products Report for the quarter ended December 31, 2019, was accepted.

4. ORDINANCE AMENDING CHAPTER 13.20 OF THE HILLSBOROUGH MUNICIPAL CODE RELATING TO UNPAID WATER CHARGES - ADOPTION

The ordinance entitled "Ordinance of the City Council of the Town of Hillsborough Amending Chapter 13.20 of the Hillsborough Municipal Code Relating to Unpaid Water Charges" was adopted.

5. APPROVAL OF FUNDRAISING EVENT PERMIT APPLICATION 19-10 FOR THE PARCA AUXILIARY LUNCHEON AND FASHION SHOW

Fundraising Event Permit Application 19-10 for the Parca Auxiliary Luncheon and Fashion Show subject to the conditions recommended by staff was approved.

6. APPROVAL OF THE APPLICATION FOR A NEW SIGN FOR THE HILLSBOROUGH SCHOOLS FOUNDATION'S THE BALLERS GALA FUNDRAISING EVENT

The application for the Hillsborough Schools Foundation's Ballers Gala fundraising sign was approved.

7. RESOLUTION AUTHORIZING COMPENSATION ADJUSTMENTS FOR THE TEAMSTERS LOCAL 350 PUBLIC WORKS SUPERVISORS UNIT AND THE TEAMSTERS LOCAL 856 PUBLIC WORKS AND CLERICAL UNIT

The resolution authorizing the compensation adjustments for the Teamsters Local 350 Public Works Supervisors Unit and the Teamsters Local 856 Public Works and Clerical Unit was adopted.

8. RESOLUTION APPROVING AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE MEMORANDUM OF UNDERSTANDING BETWEEN THE TOWN OF HILLSBOROUGH AND THE HILLSBOROUGH POLICE OFFICER ASSOCIATION

The resolution authorizing the City Manager to execute the Memorandum of Understanding between the Town of Hillsborough and the Hillsborough Police Officer Association was adopted.

9. RESOLUTION ADOPTING THE NEW AND REVISED CLASSIFICATION SPECIFICATIONS

The resolution adopting the new and revised classification specifications was adopted.

10. ORDINANCE AMENDING HILLSBOROUGH MUNICIPAL CODE CHAPTERS 2, 15 AND 17 REGARDING THE DESIGN REVIEW PROCESS, CONSTRUCTION AND DEMOLITION, SINGLE FAMILY RESIDENTIAL LAND USES, RETAINING WALLS, HARDSCAPE COVERAGE, LANDSCAPING REQUIREMENTS, AND OTHER AMENDMENTS FOR INTERNAL CODE CONSISTENCY - ADOPTION

Vice Mayor Royse asked if there was a way to spell out in this ordinance that short-term rentals are not permitted in Hillsborough. Director of Building and Planning Sarah Fleming replied that the prohibition of short-term rentals is not expressly spelled out in this ordinance; however, the definition of a long-term rental is woven into the ordinance. She stated that a municipal code amendment can be brought back at a future City Council meeting to clean up and clarify the wording related to the prohibition of short-term rentals.

On motion of Vice Mayor Royse, seconded by Councilmember May and unanimous on voice vote, the ordinance entitled "Ordinance of the City Council of the Town of Hillsborough Amending Hillsborough Municipal Code Chapters 2, 15 and 17 regarding the Design Review Process, Construction and Demolition, Single Family Residential Land Uses, Retaining Walls, Hardscape Coverage, Landscaping Requirements, and Other Amendments for Internal Code Consistency" was adopted.

11. RESOLUTION APPROVING AND AUTHORIZING THE CITY MANAGER TO EXECUTE AN AMENDMENT TO THE AGREEMENT WITH G&E ENGINEERING SYSTEMS, INC. FOR CONSULTING SERVICES FOR THE HIGH WATER LINE PROJECT IN THE AMOUNT OF \$15,000

The resolution approving and authorizing the City Manager on behalf of the Town to execute the amendment to the agreement with G&E Engineering Systems, Inc. for consulting services for the High Water Line Project in an amount not to exceed \$15,000 was adopted.

12. UPDATE ON THE DECLARED EMERGENCY CONDITION AT 165, 215 AND 255 PINEHILL ROAD AND THE CHANGE ORDER TO THE CONTRACT WITH BAY PACIFIC PIPELINES, INC. FOR THE SANITARY SEWER REHABILITATION AND REPLACEMENT PROJECT

The emergency condition at 165, 215 and 255 Pinehill Road was accepted as resolved and the emergency action was terminated.

13. ORDINANCE AMENDING SECTION 15.21.020 OF THE HILLSBOROUGH MUNICIPAL CODE REGARDING THE WILDLAND-URBAN INTERFACE ORDINANCE – ADOPTION

The ordinance entitled "Ordinance of the City Council of the Town of Hillsborough Amending Section 15.21.020 of the Hillsborough Municipal Code Regarding the Wildland-Urban Interface Ordinance" was adopted.

PUBLIC HEARING:

14. RESOLUTION MODIFYING THE FISCAL YEAR 2019-2020 SCHEDULE OF FEES AND CHARGES TO ADJUST WATER TURN ON FEES AND TO ADD WATER SERVICE RECONNECTION FEES FOR LOW INCOME CUSTOMERS

Finance Director Jan Cooke stated that the proposed modification is to the existing Water Turn On Fees for the adopted fiscal year 2019-2020 Schedule of Fees and Charges, which have been adjusted to \$134 during operating hours and \$504 for after hours to reflect updated labor and operational costs.

Ms. Cooke stated that in order to comply with Senate Bill 998 (SB 998) the proposed additions to the fee schedule are a Water Service Reconnection Fee During Operating Hours of \$50 and After Hours of \$150 for the low income customer. Ms. Cooke defined the state's qualification of a low income customer.

The Councilmembers, Ms. Cooke and City Attorney Christopher Diaz discussed the new fees for low income customers.

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

On motion of Councilmember Chuang, seconded by Councilmember May and unanimous on voice vote, the resolution modifying the fiscal year 2019-2020 Schedule of Fees and Charges to adjust water turn on fees and to add water service reconnection fees for low-income customers was adopted.

15. RESOLUTION CERTIFYING THE MEADOWOOD ESTATES SUBDIVISION PROJECT FINAL ENVIRONMENTAL IMPACT REPORT (FEIR) FOR PURPOSES OF AN 8-LOT SUBDIVISION FOR THE FUTURE CONSTRUCTION OF INDIVIDUAL HOMES ON A 20-ACRE PROJECT SITE AT THE NORTHEAST CORNER OF CRYSTAL SPRINGS ROAD AND TARTAN TRAIL ROAD

Director of Building and Planning Sarah Fleming provided a PowerPoint presentation and introduced environmental consultants Laura Moran of MIG and Scott Gregory of Lamphier-Gregory and the applicant Brian Desler. Ms. Fleming stated that the purpose of this item is for the City Council to consider certification of the Meadowood Estates Subdivision Project (Project) Environmental Impact Report (EIR) only and that no project approvals will be considered tonight. She stated that the City Council will be provided with a summary of the Project background and California Environmental Quality Act (CEQA) process, an overview of important conclusions of the EIR, and recommendation to certify the EIR.

Mr. Gregory provided a map showing the Project site and reported that in 2016 the Town received an application to construct eight single family residences located at the intersection of Tartan Trail Road and Crystal Springs Road. He noted that the subject parcels were evaluated in an EIR for construction of 11 single family residences in 1990. He reported that the eight unit subdivision is located on 20 acres of undeveloped land with four units in two distinct but separate areas adjacent to the San Mateo Creek. He stated that the Project would involve tree removals, site grading and construction of retaining walls, and utility features such as a storm drainage system, roads and construction pads for the single family residences. He stated that specific design details of each single family house will be evaluated separately during design review.

Mr. Gregory stated that the City Council should consider whether the EIR has been completed in compliance with the CEQA process and whether the EIR reflects the City Council's independent judgment and analysis, and that the EIR is sufficient as an

informative document, is complete and makes a good faith effort at full disclosure. He reviewed the key steps in the CEQA process from 2016 through January 13, 2020.

Ms. Moran stated that the EIR includes the Draft EIR and appendices, plus the Final EIR/Responses to Comments. She stated that the comments have been addressed and no further comments have been received. She reported that the EIR document evaluates potentially significant impacts of the proposed Project, identifies ways to reduce or avoid environmental impacts through mitigation measures, and evaluates three alternatives to the proposed Project. She stated that the Final EIR responds to all comments in the Draft EIR. She reported on the area of impacts for road and utility construction during Phase 1 of the Project. She stated that for the conceptual lot development, trees to be removed include dead or diseased trees required for defensible space/Wildland-Urban Interface (WUI) compliance, about 1,000 cubic yards of fill would be imported to the Project site, and about 4,800 lineal feet of retaining wall would be constructed in roughly equal amounts on each cul de sac for the roads, driveways and new home building pads.

Ms. Moran provided a list of topics that were included in the impact evaluation derived from the state's CEQA Guidelines. She stated that topics are categorized as significant and unavoidable, potentially significant, less than significant with mitigation incorporated, less than significant, and no impact. She provided a chart showing the impact of the Project from the list of topics with none categorized as significant and unavoidable.

Mr. Gregory reviewed the comments received on the Draft EIR and stated that responses have been provided.

Mr. Gregory stated that staff recommends that the City Council certify the EIR by resolution determining that the EIR is complete and adequate, contains a range of reasonable alternatives, and reflects the lead agency's independent judgment and analysis. He stated that at a later date the City Council can accept for review the draft CEQA Finding and draft Mitigation Monitoring and Reporting Program (MMRP), and return at a separate hearing to consider merits of the Project. He stated that the City Council may also decide not to certify the EIR tonight and instead may provide staff with direction and concerns, or the City Council may continue the hearing on the EIR certification until consideration of Project approvals.

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

The Councilmembers, Mr. Gregory, Ms. Moran, Ms. Fleming and City Attorney Christopher Diaz discussed the Project. The City Council agreed to defer certifying the EIR and recommended that staff continue the public hearing on the EIR certification at a future meeting when the tentative subdivision map is ready to be approved.

On motion of Councilmember Chuang, seconded by Councilmember Benton and unanimous on voice vote, the resolution certifying the Meadowood Estates Subdivision Project FEIR as complete and adequate was deferred for consideration of adoption at a future meeting together with the approval of the tentative subdivision map.

OLD BUSINESS:

16. REVISIONS TO THE DESIGN STANDARDS FOR WIRELESS COMMUNICATION FACILITIES (WCFS) AND OTHER INFRASTRUCTURE DEPLOYMENTS

City Manager Ann Ritzma provided a PowerPoint presentation on the Wireless Communications Advisory Committee's (WCAC) review of the proposed modifications to the Town's wireless communication facilities (WCF) design standards. She stated that at the December 9, 2019 City Council meeting, staff recommended that the City Council continue the item to the January 13, 2020 meeting to allow the WCAC additional time for review and to provide comments regarding the proposed revisions. She provided a list of the WCAC members and WCAC meeting dates that were held with technical and legal counsel, and she thanked the WCAC members for working on the key topics of the

proposed modifications. Ms. Ritzma introduced Special Counsel Gail Karish of BB&K LLP and Public Works Director Paul Willis. She stated that copies of the executive summary for the proposed modifications to the WCF design standards are available in the back of the Council Chamber.

Ms. Ritzma reviewed the key WCAC topics including new integrated poles and base designs, undergrounding and vaults, tree replacement, shrouds, equipment volume, pole heights, setbacks from intersections and other pathways, setbacks from residential dwellings, power and metering, concept designs, and exceptions.

The Councilmembers, Ms. Ritzma, Ms. Karish and Mr. Willis discussed the key topics of the proposed modifications to the Town's WCF design standards.

Mayor Christianson opened the meeting for public comments.

Hillsborough resident Richard Gold commented that he has never had any reception problem with cell service and stated that there is no need to enrich wireless communications facilities in Hillsborough. He stated that cell towers will degrade property values and the aesthetics of the Town and should be placed somewhere else.

Hillsborough resident Paul Friedman stated that he is a WCAC member. He reported that when his young son went into anaphylactic shock at school last year he experienced dropped calls due to poor cell coverage in Hillsborough. He commented that it was the longest ten minutes of his life during that emergency and stated that the Town needs adequate and complete wireless coverage throughout the Town. He stated that he hopes the City Council approves the amendments to the design standards.

Hillsborough resident Tal Simon stated that he is a WCAC member. He stated that during the recent power outage he did not have any cell service. He commented that he strongly supports the installation of WCFs because of the lack of coverage in certain areas of Hillsborough and the need for cell service in emergencies and for safety and security. He stated that it is not true that the wireless carriers will deface the Town or that property values will decrease. He stated that there are vocal people in opposition of WCFs and those that are in favor of WCFs have not been vocal.

Hillsborough resident Ketki Dharni commented that she fully empathizes with those desiring stronger cellular coverage because of the need especially during emergencies. She stated that she was concerned about the setbacks from homes and asked about the proposed setback standard for WCFs in front of homes. She stated that 5G is not going to address the concern for better coverage and that other alternatives should be considered for improved cellular coverage in Hillsborough.

Hillsborough resident Angelina Chan Laubsch commented that radiation from WCFs can damage DNA and cause Alzheimer's, sterility, deformed fetuses, cancer and other diseases. She stated that cell towers are known to cause fires including the 2007 Malibu Canyon fire and 2018 fires. She stated that having cell service is a small convenience and that it is a gift to protect the public's health.

Hillsborough resident Ross Berman asked why the Town is looking at the deployment of 5G as 4G provides a broader coverage and less equipment would be required by using integrated poles. He stated that power generators should be installed on cell towers as criminals can figure out that during a power outage a neighborhood that has no cell service has no protection from its security alarm service.

Hillsborough resident Larry Friedberg asked if the 5G wireless technology is going to solve the poor cell coverage in homes as this is Hillsborough and not Flatsborough. He stated that the answer is most likely "no" and that 5G is not going to solve problems with reception in Hillsborough. He commented that a higher level of facts is needed before amendments should be made to the wireless design standards.

Hillsborough resident David Tennenhouse stated that he would like to see better wireless coverage happen in Hillsborough, but the City Council should wait for best

practices before changing the wireless design standards as other cities are going through the same process. He stated that he is a member of the Federal Communications Commission's (FCC) Technology Advisory Council and recommended that the City Council look at the FCC's report and his video on wireless communications. He stated that he is one of the pioneers in the wireless communications industry and stated that 5G is a mix of many technologies and works in dense urban areas, but would not apply for an area like Hillsborough. He stated that he had real doubts of the wireless carriers' technological reports for wireless coverage. He stated that for wireless service in a wide area cellular antennas would either need to be spaced wide apart with taller poles or a dense deployment with lower poles.

Hillsborough resident Orna Resnekov stated that she is in favor of better cell service in Hillsborough in ways that preserve the Town's aesthetics and in ways that do not have an effect on property values. She stated that it is useful to review the priorities listed in the staff report dated January 14, 2019, which states that WCFs should maximize undergrounding, not be placed near homes or schools and include co-location of equipment; and the community should continue to be engaged in the process. She stated that the Town should not do anything until the Ninth Circuit Court hearing or to wait even longer as the tide is turning. She quoted from a text from Lowell McAdam, Verizon CEO and Chairman, and Crown Castle's client that "we tested for well over a year...and we have busted the myth that it has to be a line of sight...we're now designing the network for over 2,000 feet from transmitter to receiver..." She stated that Crown Castle's own website states that Crown Castle is working with Palo Alto planning staff to underground equipment. She urged the Councilmembers to follow the leads shown by Palo Alto and Los Altos Hills.

Hillsborough resident John Lavrich stated that one year ago the wireless design standards were ratified by the City Council. He commented that the proposed amendments to the design standards are not amendments but rather concessions. He stated that the changes to the design standards for setbacks from residential dwellings are a high risk maneuver as the site line restriction does not cover the needs of the Town. He stated that the cell tower placement should be limited to the corner of lots, not in front of homes and not within 75 feet of a residential dwelling.

Hillsborough resident Patrick Shannon stated that he was a WCAC member but was speaking on a personal capacity. He commented that the Town has a regime in place with standards that allow for wireless coverage. He stated that the design standards have a safety valve for approval of non-conforming standards. He stated that there is no purpose in adopting amendments to the design standards to reduce litigation risk as there is already that safety valve. He stated that if the Town revises the design standards other carriers will ask for more one-sided amendments. He stated that the City Council should wait for the Ninth Circuit Court ruling before adopting amendments to the design standards.

Hillsborough resident Gus Benz stated that he was a WCAC member. He commented that he has poor coverage at his home and that on some days he needs to go into the street for better coverage. He stated that the Town's design guidelines are silent on coverage and that the carriers should be required to submit an analysis of the coverage the proposed WCF will provide. He stated that the Town should have a requirement that any installation of a WCF should improve coverage. He also stated that the Town is approving the carrier's equipment for a ten-year period and does not require any upgrade with the installation of additional equipment. He recommended that the Town look more carefully at the ten-year period.

Hillsborough resident Paul Rochester asked how the carriers will share cell towers when they all want to install equipment in the same area. He also asked about the proliferation of cell towers as he did not hear any discussion about that.

WCAC Chair and former Mayor Paul Regan stated that in response to public comments, the Town is not promoting 5G; the Town must work with the FCC's shot clock and either accept, reject or modify the carriers' applications within a limited amount of time; and cannot use health reasons for denial of an application. He stated that if the Ninth Circuit

Court rules against the wireless carriers, the wireless carriers can appeal the ruling which can take another nine months and maybe another two years before it is settled in court. He stated that as Chair of the WCAC he was looking at the design standards to make it better for the Town's perspective. He stated that the WCAC members provide diverse ideas and thoughts for improved modifications that have a minimal adverse impact on properties. He reported that the WCAC needs to continue to work with Ms. Ritzma on the revisions to the design standards.

The Councilmembers, Mr. Regan and Ms. Ritzma further discussed the proposed modifications to the Town's wireless design standards.

The Councilmembers recommended that the WCAC continue to review the proposed revisions to the design standards and to provide a report to the City Manager of only the proposed revisions that are beneficial for the Town, and for the City Manager to provide an update at a future City Council meeting.

17. ORDINANCE AMENDING CHAPTER 17.52 OF THE HILLSBOROUGH MUNICIPAL CODE REGARDING ACCESSORY DWELLING UNITS (ADUs) AND JUNIOR ACCESSORY DWELLING UNITS (JADUs) - ADOPTION

Director of Building and Planning Sarah Fleming stated that at the December 9, 2019 City Council meeting, an urgency ordinance regarding Accessory Dwelling Units (ADUs) and Junior Accessory Dwelling Units (JADUs) was adopted and this standard ordinance was introduced and the first reading was waived. She reported that in 2019 the Governor signed into law a number of bills that imposed new limits on the local authority to regulate ADUs and JADUs. She stated that if a jurisdiction's ADU ordinance does not comply with the new ADU laws as of January 1, 2020, that ordinance becomes null and void as a matter of law. She stated that the requisite ADU code amendments are being adopted by both an urgency ordinance and by the standard ordinance to ensure that the Town's existing ordinance immediately incorporates the state law changes to preserve the validity of the ordinance.

The Councilmembers, Ms. Fleming and City Manager Ann Ritzma discussed the changes to the ADU regulations.

On motion of Councilmember May, seconded by Councilmember Chuang and unanimous on voice vote, the ordinance entitled "Ordinance of the City Council of the Town of Hillsborough Amending Chapter 17.52 of the Hillsborough Municipal Code Relating to Accessory Dwelling Units and Junior Accessory Dwelling Units and Determining the Ordinance to be Exempt from CEQA" was adopted.

NEW BUSINESS:

18. RESOLUTION ADOPTING THE 2020 SALARY SCHEDULE FOR THE TOWN OF HILLSBOROUGH

HR Manager Kristin Armbruster stated that this resolution memorializes changes to the salary schedule due to changes in contractual obligations for the Public Works Supervisors Unit and Public Works and Clerical Unit. She further stated that the California Public Employees Retirement System requires the pay schedule to be adopted at a public meeting of the governing body.

On motion of Councilmember Benton, seconded by Councilmember May and unanimous on voice vote, the resolution adopting the 2020 Salary Schedule for the Town of Hillsborough was adopted.

19. RESOLUTION ADOPTING THE EMPLOYEE RENTAL ASSISTANCE PROGRAM AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE LOAN AGREEMENTS

HR Manager Kristin Armbruster stated that because the current high cost of housing is a factor in recruiting and retaining highly qualified employees for positions in Hillsborough, the Town wishes to add an Employee Rental Assistance Program to the benefits it offers

to employees. She stated that the program will be open to any full-time Town employee that moves from outside San Mateo County to a rental property located within San Mateo County. She stated that the program provides a loan of up to \$10,000 to assist with the first month's rent or deposits. She further stated that the loan will be forgiven over three years, and the program provides repayment steps if the employee leaves prior to three full years of employment with the Town. She added that the loan agreement and application forms have been reviewed by the City Attorney.

The Councilmembers, Ms. Armbruster and City Manager Ann Ritzma discussed the Employee Rental Assistance Program.

On motion of Councilmember May, seconded by Councilmember Benton and unanimous on voice vote, the resolution adopting the Employee Rental Assistance Program and authorizing the City Manager to execute the loan agreements was adopted.

DISCUSSION:

20. UPDATE ON SENATE BILL 50 REGARDING PLANNING AND ZONING AND HOUSING DEVELOPMENT

City Attorney Christopher Diaz provided a PowerPoint presentation on the Senate Bill 50 (SB 50) update regarding planning, zoning and housing development. He stated that SB 50 was originally introduced in December 2018 by Senator Scott Wiener, failed to pass out of Appropriations in June 2019, and is now back with amendments and must be acted upon by the end of January 2020 in order to stay alive. He reported that SB 50 would allow duplexes to fourplexes by right on all residentially zoned parcels subject to certain exceptions, and would take away local zoning for job rich or transit rich projects subject to certain exceptions, and would not apply when the Town adopts a local flexibility plan. Mr. Diaz reviewed the proposed fourplex provisions, transit rich/job rich projects, the equitable community incentive, and local flexibility plan.

The Councilmembers, Mr. Diaz and City Manager Ann Ritzma discussed SB 50.

Staff was directed to draft a letter to send to Senator Wiener, Senator Jerry Hill and the League of California Cities opposing Senator Wiener's SB 50 and expressing the Town's specific concerns regarding local zoning restrictions and housing development.

21. CITY COUNCIL COMMITTEE AND COMMISSION ASSIGNMENTS

Mayor Christianson stated that she will be the new Alternate to the Peninsula Clean Energy (PCE) Board with the retirement of Director of Building and Planning Liz Cullinan, who was the previous PCE Alternate. There were no other changes to the City Council committee and commission assignments.

PUBLIC COMMENT:

Hillsborough resident Christina Ip-Toma stated that she is joined by Alli Murdoff and Jen Yamagishi. She stated that they have lived in Hillsborough for 15 plus years and they each have a child that was diagnosed with osteosarcoma, a rare bone cancer that primarily affects kids. She stated that fighting cancer has made them much more aware of the many chemicals residents are exposed to every day. She stated that there is a growing body of evidence showing that pesticide, herbicide and insecticide exposure can adversely affect humans even at very low levels. She stated that to ensure the safest environment for the community, they are here to urge the Town to adopt a non-toxic pest management policy to eliminate the use of toxic chemical products because it is a public health hazard and a legal liability for the Town. She added that the Hillsborough City School District has pledged to eliminate pesticides and adopt a 100 percent organic pest management program.

Hillsborough resident Alli Murdoff stated that they have been researching the toxic effects of glyphosate for the past few months and have met with Town staff regarding

their concerns for the health of residents, pets and maintenance workers. She stated that they learned that the Town has a current Integrated Pest Management Policy (IPMP) that states that pesticides will only be used as a last resort, the least toxic chemicals that are effective shall be used, pesticides may not be applied in rainy weather and only applied to areas where manual weed control is not feasible. She reported that she witnessed glyphosate being sprayed next to her residence in November 2019 and was concerned that the Town's policy was not being adhered to. She stated that they met again with Town staff to discuss adopting a non-toxic pest management policy which would include an enforcement or penalty process for violations by third party contractors, a specific list of preferred non-toxic substances and a list of no toxic substances, and expanding education efforts. She stated that since the Town only employs a few landscape contractors, the Town should be able to commit to a date within the next 60 days to complete the effort.

CITY COUNCIL ITEMS:

Mayor Christianson reported that she attended the City Selection Committee Meeting held at the San Mateo County Council of Cities Dinner/Meeting on Friday, December 20, 2019, and that San Bruno Mayor Rico Medina was reappointed to serve on the San Mateo County Transportation Authority

Mayor Christianson reported that she attended the Central County Fire Department Badge Pinning Ceremony on Thursday, December 12, 2019.

ADJOURNMENT:

The City Council meeting was adjourned at 10:27 pm in memory of Hillsborough resident Lee Mendelson.