

**MINUTES
CITY COUNCIL MEETING
MONDAY, FEBRUARY 11, 2019**

STUDY SESSION:

- Review of the Wildland Urban Interface Ordinance

CLOSED SESSION:

Mayor Christianson called the meeting to order at 4:08 p.m. 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 LEGAL COUNSEL - EXISTING LITIGATION

Government Code Section 54956.9(d)(1)

Name of Case: Crown Castle NG West LLC v. Town of Hillsborough, City Council of the Town of Hillsborough, and Does 1-10, United States District Court for the Northern District of California, Civil Action No. C 18-2473 JSC

B. PUBLIC EMPLOYMENT

Government Code Section 54957

Title: City Manager

C. CONFERENCE WITH LABOR NEGOTIATORS

Government Code Section 54957.6

Agency Designated Representative: Mayor Shawn Christianson

Unrepresented Employee: City Manager

ADJOURN CLOSED SESSION

CITY COUNCIL MEETING:

Mayor Christianson called the regular meeting to order at 6:06 p.m. 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: Mayor Christianson stated that there was nothing to report from the Closed Session.

MINUTES: The minutes of the January 7, 2019, January 14, 2019, January 31, 2019, and February 1, 2019 City Council meetings were approved as submitted.

CONSENT CALENDAR:

Mayor Christianson noted that the ordinance for Agenda Item 2 is the non-urgency ordinance that mirrors the urgency ordinance that was discussed and adopted at the January 14, 2019 City Council meeting. On motion of Councilmember Benton, seconded by Councilmember May, and unanimous on voice vote, Consent Calendar items 1 and 2 were approved.

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

The monthly claims for the month of January 2019 in the amount of \$4,639,235.78 were approved as submitted.

2. ORDINANCE AMENDING CHAPTERS 12.12 AND 15.32 OF THE HILLSBOROUGH MUNICIPAL CODE RELATING TO WIRELESS COMMUNICATIONS FACILITIES AND UTILITY INFRASTRUCTURE - ADOPTION

After waiving the second reading, the ordinance titled “Ordinance of the City Council of the Town of Hillsborough Amending Chapters 12.12 and 15.32 of the Hillsborough Municipal Code Relating to Wireless Communications Facilities and Utility Infrastructure” was adopted.

DISCUSSION:

3. DISCUSSION OF THE DRAFT ENVIRONMENTAL IMPACT REPORT (DEIR) FOR THE MEADOWOOD ESTATES SUBDIVISION (ALSO KNOWN AS THE CALLAN SUBDIVISION)

Director of Building and Planning Liz Cullinan provided a PowerPoint presentation and introduced Brian Desler of Callan Realty Co., Environmental Consultant John Baas of MIG, Visualization Specialist Chase Mullen of MIG, and Special Counsel Heather Lee of BB&K.

Ms. Cullinan provided slides showing the project location and site plan for the current proposed project. She stated that the proposed project includes an eight unit subdivision on 20 acres of undeveloped land; involves tree removal, site grading and construction of retaining walls; and includes utility and storm drain features, roads and construction pads for the single family residences. She added that specific design details of each single family house will be evaluated separately during design review.

Ms. Cullinan reviewed the community outreach for the proposed project which included public noticing and community meetings for the conceptual review and Environmental Impact Report. She stated that two meetings were held specifically for scoping environmental issues and soliciting public comment on the Draft Environmental Impact Report (EIR).

Ms. Cullinan stated that the purpose of this meeting is to report out on the Draft EIR and public comments received, gather any additional information, address clarifying questions to enhance thoroughness and adequacy of the Final EIR, and present a visual assessment of the project.

Environmental Consultant John Baas stated that the Town received an application to construct eight single family residences and that the subject parcels are located at the intersection of Tartan Trail Road and Crystal Springs Road. He added that the subject parcels were evaluated in an EIR for construction of 11 single family residences in 1990.

Mr. Baas stated that for community outreach the Town prepared a Draft EIR to evaluate potentially significant impacts of the proposed project. He stated that the EIR considered ways to reduce or avoid environmental impacts and evaluated three alternatives to the proposed project. He reviewed the steps in the EIR process which included development of the project description, publication of a Notice of Preparation (30-day review), preparation of an Administrative Draft EIR (internal review by Town), and a 45-day public review period for the Draft EIR, which ended November 15, 2018. He stated that the Town is currently responding to public comments received, and that the City Council is projected to consider the certification of the Final EIR in spring 2019.

Mr. Baas reported that the project objectives are to support the Town’s goal to increase housing opportunities including use of Accessory Dwelling Units; ensure that the project is consistent with Town’s existing character, General Plan housing goals, and development standards; ensure that the project is as compliant as possible with the Town’s Municipal Code; cluster housing to ensure continued preservation, protection

and restoration of natural features and resources of the Town; minimize impacts to the environment from grading and tree removal; minimize retaining wall lengths and potential impacts to aesthetic resources; and preserve the visual character of the community. He reviewed the current proposed project and provided a slide showing the site plan for the project.

Mr. Baas also provided a slide showing a list of topics evaluated in the Environmental Impact Report, and photos of the existing conditions and proposed project views from Crystal Springs Road and Parrot Drive. He reviewed the impact summary which included a significant and unavoidable impact for hydrology/water quality (dam failure/flooding); potentially significant impact/mitigation required for air quality, biological resources, cultural resources, geology/soils, hazardous materials, and noise; less than significant impact for aesthetic resources, greenhouse gases, land use/planning, public services and recreation, traffic/transportation, and utilities/service systems; and no impact for agricultural and forestry resources, minerals, and population and housing.

Mr. Baas reported that the Town received comments from the San Francisco Public Utilities Commission and the Department of Fish and Wildlife on mitigation measures for biological resources. He stated that he is working with the Town and the applicant on enhanced mitigation measures to address the comments and satisfy the California Environmental Quality Act. He explained that these measures may include conservation easements to protect large intact populations of rare plants and oak woodlands, and minor design adjustments to further avoid potential impacts to sensitive resources such as lot lines, building envelopes, et cetera.

The Councilmembers and Mr. Baas discussed the draft EIR.

Visualization Specialist Chase Mullen provided an overview of the project by using a virtual reality simulation of the eight proposed units.

The Councilmembers, Mr. Mullen, Ms. Cullinan, Director of Public Works Paul Willis and Brian Desler discussed the subdivision and the eight proposed units.

Mayor Christianson opened the meeting for public comments.

Hillsborough resident Kit Sakamoto stated that he looked at the 26 pages of the plans to develop the lots. He stated that he was interested in how the retaining walls will be built and what the soil is like as he does not think the soil is stable and is not spelled out in the plans. He expressed his concern that the virtual reality graphics are not very accurate as the oak trees will be replaced with only 24 inch by 24 inch box trees and the graphics showed 50 foot trees, which he felt was very deceptive.

Hillsborough resident Sophie Cole Foster stated that she was concerned about fire trucks accessing the area as it has not been addressed and the risk of fire has increased the past few years. She commented that a hiking trail in the subdivision would benefit the residents.

Ms. Cullinan stated that the next steps will be the development of feasible mitigation measures for biological resources, preparation of the Final EIR and City Council consideration of the certification of the EIR in the spring of 2019.

No formal action from the City Council was required.

PUBLIC HEARING:

4. RESOLUTION APPROVING A GRADING PERMIT PURSUANT TO AN ADDENDUM TO AN ADOPTED MITIGATED NEGATIVE DECLARATION FOR THE NUEVA SCHOOL 2012 MASTER PLAN UPDATE PROJECT PHASE 1

Associate Engineer Natalie Asai provided a PowerPoint presentation and introduced Jerry Griffin of Griffin Consulting, April Miller of BKF Engineers and Jasen Bohlander of LMS Architects.

Ms. Asai provided a vicinity map showing the Nueva School located at 6565 Skyline Boulevard. She reported that on July 14, 2014, the City Council approved the Nueva School 2012 Master Plan Update, and the City Council adopted the Initial Study/Mitigated Negative Declaration (IS/MND) prepared for the Nueva School 2012 Master Plan Update Project. She reported Phase 0 of the project occurred during July 2015 through March 2016 and included 3,380 cubic yards of off-haul, vehicular drop off area improvements, parking lot improvements and accessible pedestrian pathways.

Ms. Asai reported that in 2015-2016, revisions were proposed to Phase 1 of the project, including changes to the square footage of individual buildings, however the total floor area square footage remained unchanged, the total number of buildings affected remained unchanged, the grading quantities were increased, and Phase 1 and Phase 2 were combined. She stated that the new Phase 1 will include a Middle School building, a student center, an environmental center, a multi-purpose building, interior renovation to the J-Building, and a sports field.

Ms. Asai reported that for California Environmental Quality Act compliance, an Addendum to the IS/MND was prepared because minor technical changes or additions to the original IS/MND were necessary. She stated that on December 4, 2017, the Architecture and Design Review Board (ADRB) adopted the Addendum and IS/MND and approved the Formal Design Review of Phase 1. Ms. Asai stated that the City Council should consider the IS/MND and Addendum this evening prior to taking action on the grading permit.

Ms. Asai stated that per Hillsborough Municipal Code Chapter 15.24, a Category 3 Grading, which is more than 1,500 cubic yards of soil import or export, requires City Council approval. She reported that the total export will be 3,075 cubic yards of earth material, and noted that the amount of 3,705 cubic yards in the agenda staff report and resolution was incorrect. She stated that the export would result in approximately 308 round trips to complete the off-haul from the site using a ten-yard dump truck. She stated that the off-haul route would be south on Skyline Boulevard to Hayne Road to Highway 280. She reported that there will be eight to ten weeks of major grading with a start date of May 2019 and continuous construction throughout the school year.

The Councilmembers, Ms. Asai and Consulting Planning Neal Martin discussed the grading project and the Nueva School 2012 Master Plan Update Project Phase 1.

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

On motion of Councilmember May, seconded by Vice Mayor Royse, and unanimous on voice vote, the resolution approving the grading permit application, subject to Section 15.24 of the Hillsborough Municipal Code, and incorporating the mitigation measures of the Initial Study/Mitigated Negative Declaration and Addendum, and authorizing staff to issue a grading permit upon completion of the plans for the Nueva School 2012 Master Plan Update Project Phase 1 was adopted as amended to provide a total export of 3,075 cubic yards of earth material to be hauled off-site.

5. RESOLUTION SUMMARILY VACATING AN UNUSED PORTION OF SUMMIT DRIVE - A PUBLIC RIGHT OF WAY

Associate Engineer Natalie Asai provided a PowerPoint presentation and introduced Gino Addiego, the homeowner of 2550 Summit Drive.

Ms. Asai provided a vicinity map showing the location of 2550 Summit Drive, which is on the border of San Mateo County, and provided background information on the public right of way which was accepted by the Town sometime between 1913 and 1945. She stated that the total area proposed for abandonment is 2,682 square feet. She reported that Mr. Addiego requested that the Town vacate the unused portion of right of way to allow frontage improvements that are compatible and consistent with neighboring

homes. Ms. Asai provided slides showing the current public right of way and area to be vacated.

Ms. Asai reported that per the Street Vacation Act, California Streets and Highway Code, Section 8334(a), the City Council may summarily vacate an excess right of way of a street not required for street or highway purposes. She stated that the City Engineer and Public Works Superintendent have determined that this portion of right of way is unnecessary for public road purposes, and that no public facilities or infrastructure remain within the proposed area. She stated that vacating this unused portion of right of way would release the Town's liability for future maintenance, and the property line along the frontage of 2550 Summit Drive will be consistent with the neighboring parcels and curvature of the roadway.

The Councilmembers and Ms. Asai discussed the vacation of the public right of way.

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

On motion of Councilmember Benton, seconded by Councilmember Chuang, and unanimous on voice vote, the resolution summarily vacating the unused portion of Summit Drive, a public right of way, was adopted.

NEW BUSINESS:

6. RESOLUTION AUTHORIZING AMENDMENT OF THE "WATER SUPPLY AGREEMENT BETWEEN THE CITY AND COUNTY OF SAN FRANCISCO AND WHOLESALE CUSTOMERS IN ALAMEDA COUNTY, SAN MATEO COUNTY AND SANTA CLARA COUNTY"

Director of Public Works Paul Willis introduced Nicole Sandkulla, Chief Executive Officer/General Manager of the Bay Area Water Supply and Conservation Agency (BAWSCA).

Ms. Sandkulla stated that BAWSCA is a special district representing 26 wholesale customers, 1.8 million residential customers and over 40,000 businesses. She stated that BAWSCA's goals are to provide a reliable supply of high quality water at a fair price. She reported that on August 13, 2018, the City Council authorized BAWSCA to negotiate with San Francisco to amend the 2009 Water Supply Agreement (WSA). She stated that the amendments are necessary to address substantive, important, and discrete issues that have arisen during contract implementation, do not diverge from the existing policies and spirit of the WSA, and do not address changes to the basic contract structure or "fundamental rights" (i.e. Supply Assurance). She reported that the negotiations on the seven amendments are complete.

Ms. Sandkulla stated that the first amendment regarding the oversight of the San Francisco Public Utilities Commission's (SFPUC's) Capital Improvement Program (CIP) obligates the SFPUC to formally engage with BAWSCA on ten-year CIP development, and provides the opportunity for BAWSCA and Wholesale Customers to oversee and scrutinize SFPUC's capital program. She stated that the second amendment regarding the Tier 1 Drought Plan allocates available supplies between SFPUC retail and wholesale customers for system-wide shortages up to 20% as factors have changed that affect the Tier 1 Drought Plan formula, ensures during a drought that SFPUC retail customers reduce consumption by at least 5% and provides a more equitable allocation of water. She stated that the third amendment regarding 2018 decisions extends the SFPUC's decisions by ten years to 2028 as it is premature for the SFPUC to make these decisions because no new viable supply projects were identified and the system usage is projected to be below contract levels through 2040. She stated that for the fourth amendment regarding asset classification, Regional Water System costs are divided between wholesale and SFPUC retail customers based on proportional annual use of water and asset classification, which is important for cost allocation. She stated that this amendment fixes the classifications of over 500 assets to prevent future accounting errors or future unilateral changes by SFPUC, mitigates the financial risk for

two very high risk and potentially expensive projects, eliminates the need for an expensive new pipeline, and ensures power customers pay toward critically needed projects that maintain and enhance system reliability. She stated that the fifth amendment regarding the wholesale capital fund provides for an annual instead of five-year reconciliation of costs. She stated that the sixth amendment regarding the Water System Improvement Program (WSIP) completion date updates the WSIP completion date from December 31, 2015, to December 31, 2021. She stated that the seventh amendment regarding regional groundwater storage updates the WSA to reflect how the Regional Groundwater Storage and Recovery Project (RGSRP) will be operated and to outline the cost-allocation responsibilities shared by the RGSRP's partner agencies.

Ms. Sandkulla reported that the SFPUC approved the Amended and Restated WSA, as negotiated by BAWSCA, pending approval by the requisite number of Wholesale Customers, and that BAWSCA is recommending adoption by all member agencies by March 31, 2019.

The Councilmembers and Ms. Sandkulla discussed the amendments to the WSA.

On motion of Councilmember Benton, seconded by Vice Mayor Royse, and unanimous on voice vote, the resolution authorizing the amendment of the Water Supply Agreement between the City and County of San Francisco and Wholesale Customers in Alameda County, San Mateo County and Santa Clara County was adopted.

PUBLIC COMMENT:

There were no public comments.

CITY COUNCIL ITEMS:

Councilmember May provided an update on the Peninsula Clean Energy board meeting held on Thursday, January 24, 2019.

Councilmember Benton provided an update on the South Bayside Waste Management Authority (SBWMA) board meeting held on Thursday, January 24, 2019.

Councilmember Benton provided an update on the Bay Area Water Supply and Conservation Agency board meeting held on Thursday, January 17, 2019.

Councilmember Chuang announced that the Hillsborough Neighborhood Network Info Session will be held on Tuesday, February 26, 2019, beginning at 6:30 p.m. at Town Hall.

Mayor Christianson provided an update on the SFO Community Roundtable meeting held on Thursday, February 7, 2019.

ADJOURNMENT:

Mayor Christianson adjourned the meeting at 8:03 p.m.