

**MINUTES
REGULAR CITY COUNCIL MEETING
MONDAY, MARCH 9, 2020**

CLOSED SESSION:

Mayor Christianson called the meeting to order at 4:30 pm at the Hillsborough Town Hall, 1600 Floribunda Avenue, Hillsborough, California.

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

PUBLIC COMMENT:

There were no public comments.

PUBLIC ANNOUNCEMENT OF CLOSED SESSION ITEMS

A. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

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

B. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

Government Code Section 54956.9(d)(1)

Name of Case: Brad Baruh, Kathy Baruh, Charles Bolton, Eldridge Gray, John Lockton, David Marquardt, Paul Rochester, Arthur Stromberg, Charles Syers, individually and on behalf of all others similarly situated v. Town of Hillsborough and Does 1-100, inclusive, San Mateo County Superior Court Case No. 16CIV02284

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

D. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Pursuant to Government Code Section 54956.9

Crown Castle NG West LLC v. Town of Hillsborough, San Mateo County Superior Court, Case No. 18CIV05650

Councilmember Benton arrived at 4:33 p.m. and was present as the meeting adjourned to Closed Session.

ADJOURN CLOSED SESSION

CITY COUNCIL MEETING:

Mayor Christianson called the regular meeting to order at 6:03 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 the City Council voted unanimously to reject the Mellor claim related to impound and towing charges, voted unanimously to reject the Brilando claim related to costs for repair of a damaged gate which will be repaired by the contractor, and voted 4 to 0 with Mayor Christianson recusing herself out of an abundance of caution as she knows the claimant, to approve the Nichols claim in the amount of \$13,316.18 for damage to property from a storm drain issue.

Mayor Christianson announced that to minimize the potential transmission of the novel coronavirus (COVID-19) the chairs in the Council Chambers have been spaced six feet apart. She thanked those in attendance for coming to the meeting.

MINUTES: The minutes of the February 10, 2020 City Council meeting were approved as submitted.

CONSENT CALENDAR:

Item 5 was removed for discussion. On motion of Councilmember Benton, seconded by Vice Mayor Royse and unanimous on voice vote, Consent Calendar items 1 through 4 were approved.

1. MONTHLY CLAIMS: FEBRUARY 1 THROUGH FEBRUARY 29, 2020

The monthly claims for the month of February 2020 in the amount of \$4,561,064.47 were approved as submitted.

2. APPROVAL OF FUNDRAISING EVENT PERMIT APPLICATION 20-02 FOR THE HILLSBOROUGH BEAUTIFICATION FOUNDATION'S CELEBRATE MAY! EVENT

Fundraising Event Permit Application 20-02 for the Hillsborough Beautification Foundation's Celebrate May! event was approved subject to the conditions recommended by staff.

3. APPROVAL OF FUNDRAISING EVENT PERMIT APPLICATION 20-03 AND APPLICATION FOR A NEW SIGN FOR THE SOLMATEO 40TH SIGNATURE KITCHEN TOUR

Fundraising Event Permit Application 20-03 for the SolMateo 40th Signature Kitchen Tour was approved subject to the conditions recommended by staff, and the application for the SolMateo Kitchen Tour yard signs was approved.

4. APPROVAL OF THE APPLICATION FOR A NEW BANNER FOR THE HILLSBOROUGH CONCOURS D'ELEGANCE TEXAS HOLD'EM & VINTAGE CARS FUNDRAISING EVENT

The application for the Hillsborough Concours d'Elegance Texas Hold'Em & Vintage Cars fundraising event banner was approved.

5. RESOLUTION APPROVING AND AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH VALLEY OIL COMPANY FOR GASOLINE AND DIESEL FUEL DELIVERY TO THE TOWN OF HILLSBOROUGH

Mayor Christianson asked for an explanation of how the lowest bidder was determined and how fuel usage is audited. Deputy Director of Public Works Daniel Gonzales explained that the lowest bidder was determined by how many pennies per gallon the supplier charges related to the average daily price charged as set forth in the Oil Price Information Service (OPIS) Pad 4/5 Report at the time the fuel is delivered, which fluctuates daily. Mr. Gonzales reported that when filling Town vehicles, staff members use a fuel card on the fuel pump dispenser and enter a PIN number and the vehicle number. He stated that fuel usage can be tracked by the vehicle number.

On motion of Vice Mayor Royse, seconded by Councilmember Chuang and unanimous on voice vote, the resolution approving and authorizing the City Manager to execute on behalf of the Town the agreement with Valley Oil Company for fuel delivery to the Public Works Corporation Yard and the Police Station in an amount not to exceed \$145,000 for one year with an option of two one-year extensions upon agreement of both parties was adopted.

INFORMATIONAL:

6. BAWSCA UPDATE ON THE REGIONAL WATER SUPPLY

Councilmember Benton, who serves on the Bay Area Water Supply and Conservation Agency (BAWSCA) Board, introduced Nicole Sandkulla, Chief Executive Officer/General Manager of BAWSCA. Ms. Sandkulla provided a presentation and stated that the three topics to discuss were the results of BAWSCA's annual validation of regional water system costs, an update on the Bay Delta Plan, and a water supply update.

Ms. Sandkulla reported that BAWSCA is a Special District formed in 2003 to represent the interests of 26 water suppliers in San Mateo, Santa Clara and Alameda Counties and serves 1.8 million residents and over 40,000 businesses and community organizations, who rely on the San Francisco (Hetch Hetchy) Regional Water System.

Ms. Sandkulla stated that in accordance with the 2009 Water Supply Agreement with the San Francisco Public Utilities Commission (SFPUC), BAWSCA conducts an annual review of SFPUC's calculation of the annual Wholesale Revenue Requirement (WRR), which is the total amount of money the BAWSCA member agencies owe the SFPUC each year for their share of system costs. She stated that the fiscal year 2019-2020 estimate is \$259.3 million. She stated that BAWSCA recently completed the fiscal year 2015-2016 WRR review, and that resulted in a total savings of \$7,079,780 to the member agencies and additional future savings of approximately \$1.4 million plus interest through fiscal year 2039-2040. She stated that since fiscal year 2001-2002, BAWSCA has saved its member agencies and their water customers \$44.4 million through this review task.

Ms. Sandkulla stated that the State Water Resources Control Board (SWRCB) establishes water quality objectives to protect beneficial uses of water through its Water Quality Control Plan for the San Francisco Bay/Sacramento-San Joaquin Delta Estuary (Bay Delta Plan) to improve habitat for salmonids and control South Delta salinity. She reported that in September 2016, the SWRCB released the Draft Bay Delta Plan, which proposed a 40% unimpaired flow requirement from February through June even during droughts. She stated that BAWSCA and its agencies submitted comments identifying potential significant impacts of the proposed plan; however, the SWRCB adopted the Bay Delta Plan in December 2018, which resulted in the SFPUC and others filing a lawsuit. She stated that the SWRCB's California Environmental Quality Act (CEQA) analysis is deficient in several areas as there are serious doubts about the Tuolumne River ecosystem benefits of the SWRCB's proposal. She reported that there is a better proposal that will promote expansion and maintenance of fisheries on the Tuolumne River without the significant impacts to San Francisco. She stated that BAWSCA cannot support Delta inflow increases based on flow from the San Joaquin River that result in decreases in water supply and increased exports from the Delta by others.

Ms. Sandkulla reported that potential impacts of the SWRCB's adopted Bay Delta Plan on the San Francisco Regional Water System would include a 20% to 30% rationing even at current "drought" water demand, a 40% to 50% rationing at normal or contract level water demands, and the doubling or tripling of the number of dry year shortages.

Ms. Sandkulla stated that Governor Newsom is providing critical leadership in voluntary agreement negotiations, and that BAWSCA is supporting the Governor's call for voluntary settlement agreements and is committed to working with stakeholders and others to develop a shared solution to resolve this critical issue as unproductive litigation will prolong the situation. She stated that progress has stalled on the Bay Delta Plan Voluntary Agreement (VA) process. She reported that in February 2020, President Trump visited the San Joaquin Valley and signed the Record of the Decision on the biological opinions which govern the operations of the federal water projects and the State of California filed a lawsuit the next day. She stated that the conflict puts the voluntary agreement process into question, but the SFPUC continues its efforts to engage the State.

Ms. Sandkulla reported that the San Francisco Regional Water System storage levels are at 84% of maximum storage which is high due to last year's significant snow and rainfall. She provided a chart showing the Hetch Hetchy precipitation for the years 1977, 1983, 2019 and 2020, and stated that so far 2020 is nearly as dry as 1977, which was the lowest year on record. She provided a chart showing the upcountry snowpack for the same years with 2020 possibly already peaking for the snow season and far below the April 1 median. She also provided a chart for the Bay Area 7-Station Precipitation Index showing no measurable rain in February. She reported that the national precipitation forecast indicates potential rain and snow in parts of California for the month of March. She stated that it is unclear at this time what additional precipitation might occur in next few months; therefore, it is important for all water customers to use water wisely in case this is the start of another drought period.

The Councilmembers and Ms. Sandkulla discussed water usage and conservation, the water supply and the Bay Delta Plan.

Councilmember Benton thanked Ms. Sandkulla for the update.

7. SAN MATEO COUNTY HEALTH DEPARTMENT'S UPDATE ON THE NOVEL CORONAVIRUS (COVID-19)

City Manager Ann Ritzma provided information on the San Mateo County Health Department's latest update on the novel coronavirus (COVID-19). She reported that the Centers for Disease Control (CDC) confirmed that in San Mateo County there are four cases of COVID-19, five cases are awaiting confirmation and 24 cases are under review. She stated that the San Mateo County Call Center has been fully operational since Friday, March 6, 2020, and that anyone can call 211 24/7 for non-medical COVID-19 questions in any language. She reported that the County activated its Emergency Operations Center (EOC) to coordinate countywide response and communications in response to COVID-19, and has its Continuity of Operations Plan (COOP) in place. She stated that the County is coordinating housing for those quarantined with COVID-19.

Ms. Ritzma reported that City Managers and public safety officials in San Mateo County are getting daily updates and directives from Dr. Scott Morrow, Health Officer of San Mateo County, and County Manager Mike Callagy, and Management Analyst William Li is also getting daily updates as the Town's Public Information Officer on COVID-19.

Ms. Ritzma reported that Central County Fire Department (CCFD) has its Incident Plan in place and is following County and department protocols for health and safety reporting. She stated that CCFD has cancelled tours and ride-alongs to eliminate risks to fire staff. She further stated that all 911 calls are being screened for the appropriate Emergency Medical Services (EMS) response.

Ms. Ritzma reported that currently the Hillsborough City School District (HCSD) is open with a limited number of adults volunteering. She stated that school events have been cancelled through the end of spring break on April 14, 2020, non-essential events are being teleconferenced, and a plan is in place for online instruction, if necessary.

Ms. Ritzma reported that the Town has a Continuity of Operations Plan (COOP) to provide essential services in case 20%, 40% or 60% of Town staff is out. She stated that the Hillsborough Recreation's yoga and mah jong classes have been cancelled. She reported that emails have been sent to employees on the Town's Pandemic Influenza Policy and Guidelines for COVID-19, and that she will meet with the Public Works Department later this month. For public notification, she stated that an e-Announcement will soon be sent and information will be posted on the Town's website. She stated that notices will be posted on the doors to Town buildings reminding visitors to practice social distancing, and to sanitize or wash their hands to keep the community, staff and service providers healthy. She reported that the janitor will deep clean the restrooms and Public Works staff will install hand sanitizer dispensers this week. She stated that the Town has a Zoom business account for contingency meetings and remote work, and the Finance Department is prepared to process payroll and provide other essential services remotely. She reported that if the County declares a local

emergency, the City Council may also proclaim a local emergency due to COVID-19 in order for the Town to recoup costs for financial impacts caused by COVID-19.

The Councilmembers, Ms. Ritzma, City Attorney Christopher Diaz and CCFD Fire Chief Bruce Barron discussed the update and information provided on COVID-19.

NEW BUSINESS:

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

Human Resources Manager Kristin Armbruster reported that at the February 10, 2020 City Council meeting a resolution was adopted to adopt the Salary Schedule which included the Cost-of-Living Adjustment (COLA) for the Unrepresented employees and equity increases for four positions; however, the adopted Salary Schedule did not include the equity increase for the Associate Civil Engineer position.

Mayor Christianson stated that copies of the amended Salary Schedule with the changes highlighted have been provided for the Councilmembers on the dais.

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.

PUBLIC COMMENT:

Hillsborough resident Lily Chen stated that she has been in contact with the Public Works Department regarding the storm drain project near her property, which has been postponed for the past year due to federal and state permitting processes. She urged the City Council to help expedite the permitting process as the storm drain is deteriorating and there is a gaping 20 foot sinkhole on her property. She stated that if the storm drain is not replaced soon, water runoff could cause a fissure in the land to the existing sinkhole. She implored the City Council to increase the budget of \$1.7 million for the project that was based on 2018 pricing so that adequate funds are available, and to allow for 25% in contingencies and not the 10% that was budgeted in 2018, which will not be enough.

CITY COUNCIL ITEMS:

Councilmember Benton stated that he attended the South Bayside Waste Management Authority (SBWMA) Board meeting held on Thursday, February 27, 2020. He stated that batteries continue to be a problem, and reported that a couple of weeks ago the Shoreway Recycling Center had a fire caused by a lithium battery, which was quickly put out. He stated that it is getting increasingly difficult to get insurance for the facility because of the fires.

Councilmember Chuang reported that she attended the San Mateo County Council of Cities Dinner/Meeting in Belmont on Friday, February 28, 2020, and that the program was on the San Mateo County Standardized Evacuation Project.

Mayor Christianson thanked Fire Chief Bruce Barron, Fire Prevention Specialist Christy Adonis and Fire Marshal Christine Reed of Central County Fire Department for the Wildfire Safety Town Hall held on Wednesday, February 26, 2020, at Crocker Middle School.

Mayor Christianson stated that she attended the Commute.org Board meeting on Thursday, February 20, 2020, and reported on the U.S. 101 Deck Replacement Project at the Alemany Circle north of the U.S. 101 and I-280 interchange in San Francisco. She stated that the project to demolish and replace the deck is scheduled to begin on July 10, 2020, and should be completed in three weeks. She stated that traffic will be detoured from that portion of freeway to surface roads and back onto U.S. 101 with major delays anticipated during peak commute hours and significant traffic impacts 24/7.

ADJOURNMENT:

The City Council meeting was adjourned at 7:18 p.m. in honor of International Women’s Day.