

**MINUTES
CITY COUNCIL MEETING
MONDAY, APRIL 13, 2020**

On March 17, 2020, the Governor issued Executive Order N-29-20 suspending certain provisions of the Ralph M. Brown Act in order to allow for local legislative bodies to conduct their meetings completely telephonically or by other electronic means during the coronavirus (COVID-19) pandemic. Pursuant to the Shelter-in-Place Order issued by the San Mateo County Health Officer on March 16, 2020, and which was updated and extended on March 31, 2020, the statewide Shelter-in-Place Order issued by the Governor in Executive Order N-33-20 on March 19, 2020, and the CDC's social distancing guidelines which discourage large public gatherings, the Council Chambers were not open to the public for the April 13, 2020 Hillsborough City Council meeting. The Town conducted the City Council meeting via Zoom.

Members of the public were able to provide written comments by email to the City Clerk. The length of the emailed comments was to be commensurate with the three minutes allowed for verbal comments, which is approximately 250-300 words. To ensure that the comments were received and read into the record for the appropriate agenda item, emails were to be sent no later than 4:30 p.m. on Monday, April 13, 2020. Any emails received after the 4:30 p.m. deadline which were not read into the record were to be provided to the City Council after the meeting.

CLOSED SESSION:

Mayor Christianson called the meeting to order at 5:07 p.m.

Mayor Christianson stated that today's meeting will be conducted in a virtual setting using Zoom. She reported that Councilmembers and staff are participating from remote locations and everyone is practicing appropriate social distancing. She stated that members of the public may view and listen to the meeting this evening as noted on the agenda.

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 – ANTICIPATED LITIGATION

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

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

ADJOURN CLOSED SESSION

CITY COUNCIL MEETING:

Mayor Christianson called the regular meeting to order at 6:12 p.m.

Mayor Christianson stated that today's meeting will be conducted in a virtual setting using Zoom. She reported that Councilmembers and staff are participating from remote locations and everyone is practicing appropriate social distancing. She stated that members of the public may view and listen to the meeting this evening as noted on the agenda. Mayor Christianson commented that these are extraordinary times and the first meeting of this nature with Zoom. She thanked everyone for sheltering in place.

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 Lauricella claim related to a fall at Chester Way.

MINUTES: The minutes of the March 9, 2020 City Council meeting and March 17, 2020 Special City Council meeting were approved as submitted.

PROCLAMATION:

- Mayor Christianson announced that Mosquito and Vector Awareness Week is April 19-25, 2020, and she read the Town's proclamation for Mosquito and Vector Awareness Week. She thanked Dr. Scott Smith, the Town's trustee to the San Mateo County Mosquito and Vector Control District, for being the Town's wonderful representative and for his fascinating presentations in previous years

CONSENT CALENDAR:

Item 6 was removed for discussion. On motion of Councilmember Chuang, seconded by Councilmember May and unanimous on roll call vote, Consent Calendar items 1 through 5 and 7 were approved.

1. MONTHLY CLAIMS: MARCH 1 THROUGH MARCH 31, 2020

The monthly claims for the month of March 2020 in the amount of \$4,850,977.03 were approved as submitted.

2. QUARTERLY TREASURER'S REPORT FOR THE QUARTER ENDED MARCH 31, 2020

The Treasurer's Report for the quarter ended March 31, 2020, was approved.

3. QUARTERLY INTEREST RATE PRODUCTS (SWAP) REPORT

The Interest Rate Products (SWAP) Report for the quarter ended March 31, 2020, was accepted.

4. RESOLUTION APPROVING AND AUTHORIZING THE CITY MANAGER TO EXECUTE AN AMENDMENT TO THE AGREEMENT WITH TURBO DATA SYSTEMS, INC. FOR A ONE-YEAR EXTENSION FOR PARKING CITATION PROCESSING AND ADJUDICATION SERVICES

The resolution approving and authorizing the City Manager on behalf of the Town to execute an amendment to the agreement with Turbo Data Systems, Inc. for a one-year extension for parking citation processing and adjudication services was adopted.

5. RESOLUTION APPROVING DESIGNATION OF APPLICANT'S AGENT RESOLUTION FOR NON-STATE AGENCIES (CAL OES 130)

The resolution approving the Designation of Applicant's Agent Resolution for Non-State Agencies (Cal OES 130) was adopted.

6. RESOLUTION ADOPTING A LIST OF PROJECTS FOR FISCAL YEAR 2020-2021 FUNDED BY SB 1: THE ROAD REPAIR AND ACCOUNTABILITY ACT OF 2017, AND AUTHORIZING THE SUBMITTAL OF APPLICATIONS FOR SB 1 TRANSPORTATION FUNDING

Vice Mayor Royse asked what the public process is to ensure public input into the Town's list of transportation projects and how many miles of roadway have been resurfaced and rehabilitated so far. Deputy Director of Public Works Daniel Gonzales replied that robust public outreach is typically done one to two months before the start of transportation projects through the Town's e-Announcements and that public notices are sent to residents affected by the projects.

Mr. Gonzales stated that the roadways have not yet been selected for the list of projects for the 2021 Street Resurfacing Project. He explained that the primary factor for choosing the streets for resurfacing or rehabilitation is the Pavement Condition Index (PCI), which is a measure of a street's condition derived through field inspections that utilize scoring criteria developed by the Metropolitan Transportation Commission (MTC) Pavement Management Program. He stated that the roads with the lowest PCI rating are used to determine the roadway design. He reported that 13 to 15 miles have been resurfaced or rehabilitated biennially since 2013 with two-thirds of the Town's roadways already completed in the past 6 years.

Mr. Gonzales stated that prior to compiling the list of projects, Town staff will check the project schedules for utility work to avoid having roads cut and damaged by utility companies after the roads have been newly resurfaced or rehabilitated. Director of Public Works Paul Willis added that Town staff will send notifications to utility companies of the Town's list of projects to ensure that no upcoming utility work will damage the newly resurfaced or rehabilitated roadways.

On motion of Vice Mayor Royse, seconded by Councilmember Chuang and unanimous on roll call vote, the resolution adopting the list of projects for fiscal year 2020-2021 funded by SB 1, authorizing the submittal of applications for SB 1 transportation funding, and authorizing the City Manager on behalf of the Town to execute all funding documents and implement the approved funding programs was adopted.

7. RESOLUTION ACCEPTING AS COMPLETE THE CONTRACT WITH CASEY CONSTRUCTION INC. FOR THE 2019 WATER MAIN REPLACEMENT PROJECT IN THE AMOUNT OF \$2,506,968.42

The resolution accepting as complete the contract with Casey Construction Inc. for the 2019 Water Main Replacement Project in the amount of \$2,506,968.42, and authorizing staff to file a Notice of Completion for the project and release withheld retention in accordance with state prompt payment laws was adopted.

NEW BUSINESS:

8. CONSIDER RECORDING OF VIRTUAL PUBLIC MEETING PROCEEDINGS AND, BY MOTION, DIRECT STAFF AS APPROPRIATE

City Manager Ann Ritzma reported that Governor Gavin Newsom suspended certain provisions of the Brown Act to allow the City Council to conduct its meetings completely telephonically or by other electronic means during the COVID-19 pandemic. She stated that the Hillsborough City Council and the public are participating in this virtual City Council meeting this evening using the Zoom platform. She stated that the Zoom platform allows for the recording of virtual meetings; however, this City Council meeting is not being recorded.

Ms. Ritzma reported that if the City Council authorized the recording of City Council meeting proceedings, the recording would become a public record and the Town would be required to make the recording available to the public, if requested, and would be required to keep the recording for 30 days. She commented that the recording of meetings provides a clear and accurate record of the proceedings, which could be helpful if there were a dispute as to what transpired at the meeting. She stated that the Town has not recorded meetings in the past to encourage in person participation and to protect the personal privacy of residents; however, the City Council now has the opportunity to discuss the option of recording future meetings.

The Councilmembers, Ms. Ritzma and City Attorney Christopher Diaz discussed the recording of virtual public meeting proceedings.

The Councilmembers directed staff to explore the recording of virtual public meeting proceedings and to return at the May 11, 2020 City Council meeting with information on options, transparency, security and privacy.

OLD BUSINESS:

9. 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 as of this morning there were 701 cases of COVID-19 and 21 deaths, and commented that San Mateo County is definitely flattening the curve. She stated that the County Health Department will be posting daily updates on COVID-19 cases on the County's COVID-19 information page with data on items such as the number of cases per day and demographics such as age and gender. She provided a list of County links for resident resources, health data, business resources, and the County's Emergency Operations Center updates, statistics and County operations.

Ms. Ritzma reported that City Managers and public safety officials in San Mateo County are continuing to attend daily briefings on COVID-19 from Dr. Scott Morrow, Health Officer of San Mateo County, and County Manager Mike Callagy. She stated that the Town is continuing to send e-announcements weekdays at 6:00 p.m. and encouraged residents to subscribe to the e-announcements through the Town's website. She reported that police, public works and fire continue to provide essential services every day, and that residents can still contact staff by phone. She stated that Town staff is adhering to the State and County orders to Shelter in Place unless they are an essential worker.

Ms. Ritzma stated that the current County health order is in place through May 3, 2020, and further direction is expected from the County and the State over the next two weeks. She stated that the Governor will be holding a press conference tomorrow at noon on his plan to phase back society after lifting the Shelter in Place order. She reported that there is a likelihood that restrictions on community gatherings and the requirement for social distancing will continue through the summer. She stated that the County has hired a professional disaster recovery firm to help plan recovery in three phases for 30, 60 and 90 days.

Ms. Ritzma stated that upcoming Town meetings include a Central County Fire Department Board of Directors meeting on April 22, 2020, an Architecture and Design Review Board meeting on May 4, 2020, and a City Council Budget Study Session on May 11, 2020, which will all be conducted via Zoom.

The Councilmembers and Ms. Ritzma discussed the update and information provided on COVID-19.

Councilmember Chuang reported that the County is offering transportation to those who have no means to get to COVID-19 testing appointments by calling 779-9375.

The Councilmembers expressed their appreciation for Ms. Ritzma's hard work and for her updates to the City Council during this unusual time.

Councilmember Chuang stated that elected officials from the County's local, state and federal offices have taken action and are standing against racism and xenophobia as the COVID-19 health crisis has fueled an anti-Asian trend in the community.

Mayor Christianson thanked the Town's residents for being cooperative, flexible and patient during the Shelter in Place order. She stated that we are all working towards a successful outcome and that we are all in this together.

PUBLIC COMMENT:

There were no public comments.

CITY COUNCIL ITEMS:

Councilmember May announced that Peninsula Clean Energy (PCE) will be giving a \$100 credit to customers most in need of financial assistance during these difficult times.

Councilmember Chuang announced that the Hillsborough Memorial Day Parade and Hillsborough Concours d'Elegance are cancelled for this year. She thanked the Chairs and committee members for making the very challenging decision for the health of the community.

Councilmember Chuang reported that the Hillsborough Neighborhood Network (HNN) Neighborhood Leads will be reaching out to see if anyone in their senior population needs support during the COVID-19 Shelter in Place order.

Councilmember Benton stated that he attended the South Bayside Waste Management Authority (SBWMA) Board meeting held on Thursday, March 26, 2020. He stated that because construction and demolition (C&D) and organics from restaurants are down, the South Bayside Recycling is considering furloughs. He reported that the bulky item collection has been temporarily suspended due to staff reductions and health concerns for the drivers.

Councilmember Benton stated that the Bay Area Water Supply & Conservation Agency (BAWSCA) reported that because of the substantial amount of rain in March the reservoir levels are good, but conservation must remain a part of life.

Vice Mayor Royse, Boardmember to the SFO Community Roundtable, reported that there have been no recent complaints of airplane noise.

Mayor Christianson reported that the Town and Citizens Communication Advisory Committee decided not to publish a second quarter Town newsletter in response to COVID-19 as the news is rapidly changing daily. She stated that instead the Town will be sending out daily updates through the Town's e-Announcements, which residents can sign up through the Town's website.

Mayor Christianson challenged the Councilmembers and anyone else listening to contribute to the San Mateo County Strong Fund, the County's relief effort that will specifically benefit the County's residents, small businesses and non-profits impacted by COVID-19. She added that the Town will look into making a contribution to the fund.

Mayor Christianson reported that the U.S. 101 Deck Replacement Project at the Alemany Circle north of the U.S. 101 and I-280 interchange in San Francisco that was scheduled to begin in July 2020 has been moved up to begin on April 25, 2020, because of the reduced amount of traffic impact while the Shelter in Place order is in effect.

ADJOURNMENT:

The City Council meeting was adjourned at 7:26 p.m. in honor of the first responders and the medical community across the country for working in intolerable conditions and for what they do for us every day.