



## Position Paper on Quality of Life

### Introduction

Hillsborough has historically been a community notable for its “quality of life” – in terms of housing stock, schools, transportation, public safety and more.

In recent years, there has been a perceived or actual decline in one or more of these attributes.

We have a tremendous pool of talented individuals and families as we have grown from an aristocratic summer home destination 100+ years ago to a vibrant bedroom community for San Francisco and Silicon Valley.

Along with that growth have come changes in demographics, governmental budgets, public safety and in general “quality of life” expectations and realities.

Many of our neighbors are well-minded folks simply asking for the attention to such “quality of life” issues that the recurring Hillsborough city council has not acted on for the past 10 years.

This position paper will briefly discuss: gas-powered leaf blowers ban; aesthetic cell tower placement; and abatement of SFO runway noise.

One of the stated goals of Aaron Zornes as city council candidate is to convene working groups of both Hillsborough residents/experts as well as the pertinent city and county departments to define the problems, the solutions available to us, and action plans to accelerate their implementation in the next two years or sooner. Certain of the problem areas cited in this series of position papers can no longer be dangerously “kicked down the path” by our city government.

## PROBLEM #1 – Gas-Powered Leaf Blowers

Recently, the community-based NO-MO-GAS-BLO activist group polled 3,800+ Hillsborough residents via an online survey made available via email sent to town residents as well as public postings in both NextDoor Hillsborough and Hillsborough Together. As a member of that group, Zornes developed the survey based on input from discussions with neighbors, gardener services and city personnel including Hillsborough police. Suffice to state, our position is based upon several years of research, conversations and frustration with the “Hillsborough establishment” regarding a topic that most other affluent Bay Area communities have already successfully tackled.

### FINDINGS

- Electric leaf blowers can perform the same tasks as gas-powered leaf blowers \*without\* the use of fossil fuel – and without the well-documented attendant noise and air pollution.
- According to the California Air Resources Board, operating the best-selling commercial leaf blower for one hour emits smog-forming pollution comparable to driving a 2016 Toyota Camry about 1,100 miles, or approximately the distance from Los Angeles to Denver.
- Similar Bay Area communities such as Belvedere, Berkeley, Carmel, Los Altos, Los Gatos, Mill Valley, Palo Alto, Piedmont, Portola Valley, Saratoga and Tiburon have successfully banned these "infernal combustion machines".
- Sister city Burlingame has restricted their use to certain neighborhoods on certain days ... and their gardeners have \*not\* gone out of business (one of the anti-leaf blower ban crowd’s persistent objections to such a ban).
- Per [Hillsborough ordinance 8.32.030](#), gas-powered leaf blowers are ONLY permitted [Monday-Friday 8am-5pm](#). Week-ends and holidays these are PROHIBITED.
- Current town ordinance restriction on operation of such devices outside of Monday-Friday 9am-5pm is \*not\* satisfactorily enforced. Many residents complain of the leaf blower noise that takes place on week-ends (event at 7am) and during the week before 8am and persistently \*after\* 5pm until 7pm or later. Calls to the police to ask enforcement are hit or miss in their effectiveness. Not once has a homeowner or gardener service been ticketed/cited for repeatedly violating the existing ordinance. These are facts that are experience-based and documented in the survey results.
- Our NO-MO-GAS-BLO community survey found that the many common “household activities” are greatly affected by the non-stop daily use of such gas-powered devices by gardener services: conversation; fresh air - daytime (unable to go outside peacefully to enjoy yard or back deck); hearing; meal times; outdoor activities; quality of life; reading; radio; sleep; study; television/video viewing; thinking/concentration; and work at home.
- **With work-at-home and study-at-home having become the norm due to the COVID-19 pandemic, the community as a whole has become even more concerned about the inability of our government to enforce existing regulations and to make progress on banning such public nuisances as our sister communities have.**
- Several years ago, the Hillsborough city council declined to consider the banning of gas-powered leaf blowers due to a minority of vocal homeowners. And a minority of voices persists in protesting that "it will increase the cost of our gardening services" and "we don't need more government laws". **We think not. We will act accordingly.**

**BOTTOM LINE:** Our position is that at a minimum, the Town of Hillsborough should pass (and enforce, unlike other ordinances not enforced by the city or police) **an ordinance to either restrict or ban the use of gas-powered leaf blowers and potentially other landscaping equipment due to their high pollutant nature - air pollution \*and\* noise pollution.** The city should determine and execute a solution during the “winter lull” with such an ordinance being a “best practice” successfully implemented at similar affluent Bay Area communities.

## Gas-Powered Leaf Blowers REFERENCES *(click on links below to read other relevant articles/research)*

- [Link to the NO-MO-GAS-BLO survey \(still open for input as of fall 2020\)](#)
- [Washington Post article](#) - In leaf blowers, two-stroke engines have been shown to emit carcinogenic contaminants comparable to large automobiles/trucks (~Ford F150 Raptor)
- Burlingame enforces code of gas-powered leaf blowers ONLY permitted two specific days per each of 4 Burlingame districts (large apartment buildings are given permission any day)
  - [Review of 2011 Burlingame efforts](#)
  - [Review of 2012 Burlingame final ordinance](#) re: leaf blowers (in effect since then)
  - [Full text of Burlingame leaf blower ordinance](#)
- [Atherton March 2019 efforts](#)
- [Los Altos 1991 ban](#) - Los Altos was one of the first cities to prohibit gas-powered leaf blowers in 1991. Two decades later, the city reconsidered the ban, citing the adverse impact on the parks department, which needed extra battery packs to work on large properties without electric outlets. Ultimately the effort to repeal the ban fell short.
- [Los Gatos 2015 ban](#) - Los Gatos banned gas-powered leaf blowers in 2015
- [Palo Alto ordinance](#) - In 2005, Palo Alto passed an ordinance prohibiting the use of gas-powered leaf blowers in residential zones of the city.
- [Portola January 2021 ban](#) - Portola Valley will ban gas-powered leaf blowers starting January 2021. They currently offer a "buy back" program that refunds 40% of cost of an electric leaf blower (up to \$120) to any resident
- [Saratoga February 2020 ordinance](#) - Saratoga instituted their new noise ordinance for leaf blowers effectively stopping all gas-powered leaf blowers
- [Review of state-wide California efforts](#)
- [Full list of California cities banning gas-powered leaf blowers](#) (select CA in pop-up box ... FYI = HD Supply is supply chain back-end to Home Depot)

## PROBLEM #2 – Aesthetic Cell Tower Placement

In 2H2020, it is expected that the community-based Hillsborough Citizens Alliance activist group will poll 3,800+ Hillsborough residents via an online survey made available via email sent to town residents as well as public postings in both Nextdoor Hillsborough and Hillsborough Together. As a member of that group, candidate Zornes will help develop the survey based on input from discussions with neighbors, telecommunication carrier professionals, Internet Service Provider experts and city personnel.

Suffice to say, the city council candidate position below is based upon several years of research, conversations and frustration with the “Hillsborough establishment” regarding a topic that increasingly affects everyone in Hillsborough – regardless of whether they are heavy mobile phone users traversing our community or homeowners whose fundamental home infrastructure is increasingly reliant upon dependable, high speed Internet connectivity via cellular data services of the major carriers (home security, home automation, work- and study-at-home video, etc.)

### FINDINGS

- The city needs to assist homeowners to determine if their “poor cellphone coverage” is due to lack of in-house WIFI or lack of adequate neighborhood cellular data capability. It is unclear based on the wide-ranging public hearings/debates hosted by our city council as to whether the problem of “poor cell phone reception” is a problem WITHIN the homeowner’s building or IN THE AREA of the homeowner’s house. The city government and activist groups should survey the town residents to determine WHERE the problem exists – in-house or around-neighborhood and then WHICH neighborhoods are suffering.
- In all cases, it is vital and proper that the city and activist groups jointly educate the community about the ease-of-use in setting up their WIFI CELLULAR capabilities. This capability has been available to the majority of cellphones sold in the US for the past 7+ years. That is, by turning on “Wi-Fi calling” on Android or IOS (Apple) mobile devices, both phone calls and SMS texts are sent and received using the WIFI capabilities of the homeowner. This provides reliable, clear connections for both cellphone calling and texting and is FREE. Neighbors should help their neighbors explore this solution, especially their less tech-savvy neighbors.
- Note that the US Federal government mandated during the Obama administration that 5G capability be fast-tracked within both rural and urban America. We are in the situation where federal law mandates that states and municipalities cannot prohibit cellular data infrastructure. But the US 9<sup>th</sup> District Court recently re-confirmed that municipalities \*can\* dictate reasonable aesthetics of such infrastructure. This should dictate our commonsense approach to an agreed-upon infrastructure that is vital to public safety, economic vitality and general quality of life that our affluent community expects and deserves – without sacrificing your property value or safety.
- Note that much of the heated public discussion around improving cellphone coverage has been mistakenly predicated around “5G WCFs are necessary to provide ultra high-speed Internet capability). Wireless Communication Facilities (WCFs) are the antennas, support structures and other equipment necessary for providing personal wireless services and information services. The discussion of 5<sup>th</sup> generation (5G) capabilities promised by a proliferation of tall WCFs is off base. The WCFs that are being proposed by the carrier provides will not necessarily fixing the dead spots for cellular data coverage (per consulted industry experts). The 5G capability as marketed by the carriers as “essential to the modern lifestyle” is \*not\* a solution to the poor cellphone experience our residents currently experience.
- The city must make every possible effort to incent and manage WCFs providers to provide capabilities for co-location of competitive services within the same WCF location. This is similar to Joint Pole Association (JPA) agreements wherein telecommunication carriers share physical poles. Otherwise, our bucolic neighborhoods run the risk of becoming “cell tower farms” with the current crop of cellphone/celldata providers (AT&T, Sprint, T-Mobile, Verizon) setting up competing systems similar to the physical chaos of competing telephone wire systems of the early 1900s. And that is not factoring in *future* 5G carriers expected such as Amazon, Comcast, FaceBook, Google, Microsoft, Yahoo, etc.

- The current recommendation from Hillsborough’s well-intentioned Wireless Communications Advisory Committee (WCAC) fails to address key issues and was thrust upon the community with minimal legal notice of hearings as well as conflicts of interest (known and yet-to-be-determined) by our sitting city council members in their dealings with Crown Castle specifically (the major WCF provider).
  - Fire safety precautions must be defined and adhered to. For example, nothing was stated by the town’s recent WCAC committee on making WCF providers work to abate wildfire risk of the 200 gallon diesel fuel reservoirs for the back-up generators. There is no provision for the remediation of potential fire hazards similar to the current telephone pole infrastructure with their electronics that spark wildfires.
  - Other California communities similar to ours such as Malibu and Rancho Palos Verdes have made major progress with the carriers in promoting “undergrounding” to the maximum extent possible. Where possible undergrounding and micro-trenching is essential to maintain our legally-guaranteed “aesthetics (~5” trenches in city streets, rather than sewer system-style earth removal). This was not covered by WCAC.
  - Story poles are a common sense part of the process which the city has declined to undertake on behalf of a proposed WCF’s neighborhood. Why? The \$2,500 or so cost is negligible and should be passed on to the carrier that is proposing to place a WCF at specific locations (i.e. West School, Marlborough water tank, etc.,)
- Who would want to buy/resell a house if a tall and possibly supremely unattractive WCF was plopped in that home’s front or backyards, or the neighbors’?
- We recommend that city of Hillsborough pay for formal “cell signal test” engineering survey to identify “cellular data dead spots” by neighborhood/major street to assist WCF providers with guidance as to where such dead spots exists; this is a cost of doing business in Hillsborough, which should be passed on to the carriers wishing to market their services in our community.
- Furthermore, town of Hillsborough should work with Hillsborough City School District (HCSD) to provide free, viable WIFI access at all HCSD schools including parking areas and playgrounds. This would allow similar “Wifi calling for parents and caregivers who must daily spend hours at these schools transporting children and helping with classes, extra-curricular activities and school lunch without being “off grid” for those special hours.
- Near term actions for the city council should include:
  - Rescinding the current Crown Castle settlement agreement due to inadequacies in the changes plus conflict-of-interest legal issues
  - Appointing a cell tower planning committee with balanced-representation of cellular technology experts from different advocacy groups to define a more comprehensive cell tower plan that includes many if not all of the considerations identified in this position paper
  - Enlisting an independent consulting firm to evaluate different cellular deployment needs and options for different cellular reception gap areas – instead of relying on carriers’ own proposals that aim to maximize their own interests rather than Hillsborough residents’ needs

**BOTTOM LINE: This is not a “no tech Luddite”, NIMBY (not in my back yard) vs. “bleeding-edge cell data capability at any cost” argument. We residents all mostly agree that cellphone coverage is problematic around different Hillsborough neighborhoods. However, it is not ethical to unilaterally drop 50-100’ ugly cell towers into our yards. Consumer education will go a long way towards providing reliable, fast cellular data for calls and texting within the home when the homeowner/consumer properly uses “Wi-Fi Calling” built into the current generation of mobile devices. Moreover, the 5G capability as marketed by the carriers as “essential to the modern lifestyle” is \*not\* a solution to the poor cellphone experience our residents currently experience. This candidate’s position is that the Town of Hillsborough should provide legal aesthetic guidance to the cellphone service providers desiring to install wireless cellular facilities (WCFs) in our town such that all residents have equal reliable access to this key infrastructure capability. The process to determine such WCF guidance should follow “open government” regulations such as California’s Brown Act with open meetings and due notice of such meetings. Not via closed meetings with lack of expert WCF advice. Furthermore, we believe it is reasonable and legal to restrict such WCF installations to no closer than 150 feet of residences and no taller than 40’ height. Lastly, every effort must be made to incent co-**

**localization of equipment by different companies or equipment that can be used by multiple companies. As well as compel such carrier equipment to meet our fire safety requirements and aesthetic codes.**

## Aesthetic Cell Tower Placement REFERENCES *(click on links below to read other relevant articles/research)*

- [Good FAQ \(frequently asked questions\) by a similar affluent California city](#) including Joint Pole Association and other community aesthetic-supportive terms
- [Article with solid overview of 5G](#) by Brookings Institution – “5G in five (not so) easy pieces” – July 2019
- [Website for local Hillsborough Citizens Alliance \(HCA\)](#) – 800+ residents organizing to “Improve Cell Coverage and Maintain Safety, Aesthetics & Property Values”
- [Wireless Update in most recent Hillsborough town newsletter](#) (1Q2020)
- [July 2020 city council meeting agenda/minutes including several hundred pages of resident feedback on WCAC’s most recent proposal](#) – 226 pages
- [WCAC \(Wireless Communications Advisory Committee\) presentation to city council & residents](#) – “WCAC Review - Proposed Modifications to WCF Design Standards” – 15 pages
- [WCF \(Wireless Communications Facility\) community feedback to Hillsborough City Council](#) November 2019
- [Compendium of WCAC-specific Hillsborough City Council meeting minutes, email blasts, etc.](#) – hosted by town of Hillsborough’s website so that you can immediately browse the WCAC topic via this link
- [Compendium of Crown Castle lawsuit/settlement documents](#) – hosted by our town’s website
- [Overview of Crown Castle](#) – the firm that sued Hillsborough to allow their WCFs to be allowed in Hillsborough
- [Overview of 5G technology](#)
- [Ralph M. Brown Act](#) – State of California’s “open government” omnibus effort

## PROBLEM #3 – Abatement of SFO Runway Noise

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- SFO airport authority continues to inadequately measure the amount and frequency range of noise that has afflicted Hillsborough residents over the past five years
- SFO spend hundreds of thousands on legal fees fighting SFORUNWAYNOISE.com and other groups rather than actually measuring the problem
- Our city council representatives have been passive representatives in the official regional forums and simply report back what the SFO Authority tells the community. The communication should be two way and assertive on the part of our neighborhoods that are suffering from this major noise pollution.
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[IN DEVELOPMENT] Sjdakd ;ask;lkd ;lsad sa ;klsadk sak ;ldsa dsa;lksa k;lksa sakl;sad ksd ;lksadk ;lsa ;sadm ;lsad ;kdsa; sas ;klsa ;lksa ;sa ;sa;lksa ;lksa ;lsak;l d

### **BOTTOM LINE:** [IN DEVELOPMENT]

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- [IN DEVELOPMENT] Sjdakd ;ask;lkd ;lsad sa ;klsadk sak ;ldsa dsa;lksa k;lksa sakl;sad ksd ;lksadk ;lsa ;sadm ;lsad ;kdsa; sas ;klsa ;lksa ;sa ;sa;lksa ;lksa ;lsak;l d
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### REFERENCES [IN DEVELOPMENT]

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- Ssd ;kdsa; sas ;klsa ;lksa ;sa ;sa;lksa ;lksa ;lsak;l d
- SEE ALSO XXXLINK TO CAMPAIGN WEB SITE