



**MILLBRAE CITY COUNCIL  
MINUTES  
July 26, 2016**

**CALL TO ORDER MILLBRAE CITY COUNCIL**

Mayor Oliva called the meeting to order at 7:09 p.m.

ROLL CALL: Mayor Anne Oliva, Vice Mayor Reuben D. Holoher, Councilmembers Gina Papan and Ann Schneider. Councilmember Wayne J. Lee was excused.

PLEDGE OF ALLEGIANCE TO THE U.S. FLAG

**1. CEREMONIAL/PRESENTATION**

- Presentation on REV Sustainability Circles®

Justin Bradley, REV Sustainability Circles®, presented a report to the Council regarding this program and benefits to businesses. More information can be found on their website: [www.revsustainability.com](http://www.revsustainability.com).

- Presentation on the San Mateo County China Trade Association

Baron Suen San Mateo County China Trade Association, updated the Council on the activities of the Association.

**2. AGENDA OVERVIEW/STAFF BRIEFING**

City Manager Raines reviewed the agenda items.

City Attorney Cassman stated that the Council had met in Closed Session on July 12, 2016 and discussed the Baykeeper matter. There is an item on tonight's agenda that represents the outcome of the Closed Session.

**3. APPROVAL OF MINUTES**

- NONE

**4. ORAL REPORT FROM CITY COMMITTEE/COMMISSION CHAIRS**

- NONE

**PUBLIC COMMUNICATION**

Louis Wong, Millbrae resident, expressed concern regarding the recent burglaries and requested additional funds to be allocated to the Sheriffs.

Wynn Greich, Hayward resident, spoke on the detrimental health effects of chloramine.

Ivan Lum, Millbrae resident, expressed concern regarding the recent burglary of his property.

Marge Colapietro, Millbrae resident, spoke in regards to the Council Protocols regarding liaisons to commissions and committees, Council liaisons during board meetings, and the Senior Advisory Committee donation account.

Madeline Miranda, Millbrae resident, spoke about streets and poor lighting.

Jeanette Rudden, Millbrae resident, raised concern regarding the lack of an ordinance regulating mobile homes.

Police Chief Copeland responded to resident concerns regarding recent the burglaries and announced that a Community meeting would be held on July 28<sup>th</sup> at 6:00 p.m. in the Chetcuti Community Room. He invited the public to attend the meeting.

### **CONSENT CALENDAR**

Council moved New Business items 7-11, 13, and 14 to the Consent Calendar; they were numbered as items 5-11.

5. Approval of a Special Event Permit for the Annual Japanese Culture Festival in Civic Center Plaza on October 2, 2016
6. Resolution No. 16-28 Authorizing the Collection of Fiscal Year 2016-2017 Stormwater Fees on the San Mateo County Tax Roll
7. Resolution No. 16-29 Vacating an Existing Public Utilities Easement at the 900 Block of Larkspur Drive and Accepting Dedication of a New Public Utilities Easement at the Same Block
8. Rejection of Sole bid for the Recreation Center Tennis Court Resurfacing Project
9. Resolution No. 16-30 Approving the Amended Consent Decree with San Francisco Baykeeper
10. Resolution No. 16-32 Establishing the Appropriations Limit for Fiscal Year 2016-2017
11. Cancellation of the November 8, 2016 Council Meeting (Election Day) and holding a Special Council Meeting on November 15, 2016 as per the Council Protocols

Upon a motion/second by Papan/Holober, Consent Calendar items 5 – 11 were unanimously approved.

### **PUBLIC HEARING**

12. Public Hearing 30 Hermosa Design Review to Allow the Construction of a New Four-Story Building Containing Nine Residential Units, Including Parking; a Tentative Subdivision Map and Conditional Use Permit to Allow Multi-Family Dwellings and Condominiums Located in the (C) Commercial Zoning District

Contract Planner Meunier presented the report.

Applicant Moshe Dinar presented the design.

Mayor Oliva opened the public hearing.

Begin Public Comment.

Jerry Cornolo, Millbrae resident, expressed concern regarding parking, sewage, and water supply.

Mahesh Bhatia, Millbrae resident, spoke in support of the project.

Siham Khoury, Millbrae resident, spoke in support of the project.

Jackie Kalil, member of Our Lady of Lebanon Church, expressed concern regarding youth safety, noise, and parking.

Janet Creech, Millbrae resident, spoke in support of the project. She raised concern regarding fees pending approval or increase, below market rate housing policies, and water conservation efforts.

Miguel A. Herrera, Millbrae resident, spoke in oppose of the project; the design clashes with neighborhood.

Marilyn Mota, Millbrae resident, expressed concern regarding the lack of a traffic study, the proposed building height, parking, and affordable housing.

Denny Wong, Millbrae resident, expressed concern regarding parking.

Junie Ngai, Millbrae resident, expressed concern regarding construction time and safety.

Nikie Cruz, Millbrae resident, favored the proposed design but clashes with the neighborhood. Expressed concern regarding parking and opposed the proposed height.

Sargon Warda, Millbrae resident, spoke in support of the project.

You You Xue, Millbrae resident, expressed concerns regarding parking and building height; requested that the Council prioritize convenience of residents over others.

#### End of Public Comment.

Upon a motion/second by Papan/Holober, the public hearing was closed.

#### Council commented:

- Conduct a parking study and enforce current parking restrictions in the neighborhood;
- Explore possibility of parking permit program for the area;
- Is 1.5 parking spaces per unit adequate;
- Include parking as part of the CC&R's;
- Color/design does not fit in with existing neighborhood, would like to see revised design;
- Appreciate "green" building and modern design;
- No below market rate housing (BMR) as part of project;
- Include construction management plan as part of approval.

#### Staff responded:

- Parking is an existing problem and can explore parking permit program and/or including parking as part of the CC&R's;
- The low parking requirement is due to the project's proximity to public transportation;
- The construction management plan could be incorporated in to the Conditions of Approval;
- The City does not currently have a below market rate ordinance and cannot mandate a developer to include BMR units;
- The applicant will submit a revised design to the Council for review and approval at a future meeting.

Upon a motion/second by Papan/Holober, 30 Hermosa Design Review to allow the construction of a new four-story building containing nine residential units, upon approval of a revised design including parking; a tentative subdivision map and Conditional Use Permit to allow multi-family dwellings and condominiums located in the (C) Commercial Zoning District was approved by a vote of 3:1; Councilmember Schneider dissented.

Upon a motion/second by Papan/Holober, staff was unanimously directed to investigate potential parking solutions in the project vicinity.

Council took a recess at 10:05 p.m. and reconvened at 10:15 p.m.

### **EXISTING BUSINESS**

#### 13. Downtown Enhancements Update

Project Manager Nelson presented the report and concept imaging board.

Council commented:

- Requested smoking limitation and implementation of signage to enforce smoking restrictions;
- Liked the different design elements, including corrals for newspaper racks, new street lighting, and the new color design intersection pavement;
- Favored reduced newspaper racks;
- Would like designated smoking areas with cigarette butt receptacles far away from benches;
- Requested that business be asked to post signs regarding no smoking and to maintain the sidewalks in an effort to keep the City clean.
- Does not support any image of smoking in Millbrae.

Council received the report and moved to enhance the area at the intersection of Broadway and Hillcrest with new design features.

### **NEW BUSINESS**

#### 14. Resolution Approving a Professional Services Agreement with West Yost Associates for the Storm Drain System Master Plan and Amend the Budget to Transfer the Project Funds from FY 2015/2016 to FY 2016/2017

Public Works Director Chan presented the report.

Upon a motion/second by Papan/Holober, Resolution No. 16-31, approving a professional services agreement with West Yost Associates for the Storm Drain System Master Plan and amend the budget to transfer the project funds from FY 2015/2016 to FY 2016/2017, was unanimously approved.

#### 15. Ordinance Amending Section 2.35.010 Municipal Elections of the Millbrae Municipal Code

- Waive 1<sup>st</sup> Reading
- Introduce Ordinance

City Clerk Louis presented the report.

Upon a motion/second by Papan/Holober, the Council unanimously waived the 1<sup>st</sup> reading and introduced an Ordinance amending section 2.35.010 Municipal Elections of the Millbrae Municipal Code.

16. Resolution Enacting the City's Water Shortage Contingency Plan and State Drought Emergency Regulations

Public Works Director Chan presented the report.

Upon a motion/second by Papan/Schneider, Resolution No. 16-33, enacting the City's Water Shortage Contingency Plan and State Drought Emergency Regulations, was unanimously approved.

### COUNCIL COMMENTS

Mayor Oliva:

- Requested adjourning tonight's meeting in remembrance of the Millbrae Community Center. She express was thankful that there are no casualties or injuries, and thanked staff.

Vice Mayor Holober:

- Expressed appreciation towards staff, volunteers, and the neighboring communities. The Community Center fire is a tragedy;
- Commended staff for rescheduling the Relay for Life event in 2 days.

Councilmember Papan:

- Proud of the entire community in response to the Community Center fire tragedy.

Councilmember Schneider:

- Agreed with the other Councilmembers' comments, and thanked staff. She stated that the smoke smell resulting from the fire is still strong;
- Announced that Peninsula Clean Energy enrollment has been opened; there is possibility to sign up as early adopters.

### ADJOURN CITY COUNCIL

There being no further business to discuss, the City Council adjourned at 10:58 p.m. in remembrance of the Millbrae Community Center.

/s/ Angela Louis  
City Clerk

/s/ Anne Oliva  
Mayor