



**MILLBRAE CITY COUNCIL
MINUTES
January 13, 2015**

CALL TO ORDER MILLBRAE CITY COUNCIL

Mayor Gottschalk called the meeting to order at 7:01 p.m.

ROLL CALL: Mayor Robert G. Gottschalk, Vice Mayor Anne Oliva, Councilmembers Reuben D. Holober, Marge Colapietro, and Wayne J. Lee.

PLEDGE OF ALLEGIANCE TO THE U.S. FLAG

1. CEREMONIAL/PRESENTATION

- Presentation of Check Donation from the Millbrae Rotary Club for the Millbrae Community Youth Center Laptops

Rotary Club President Carrie Chinn presented the City with a check for \$1,600 for the purchase of laptops for use in the Millbrae Community Youth Center.

2. AGENDA OVERVIEW/STAFF BRIEFING

- Report of Bills and Claims

City Manager Raines reviewed the agenda items. She noted that agenda item 5 and the Closed Session item on labor negotiations were being pulled off the agenda and will be brought back to Council at a future meeting.

- Report out from Closed Session of November 25, 2014

City Attorney Cassman stated that the Council had met in Closed Session and discussed the matter of labor negotiations and pending litigation; no actions were taken.

3. APPROVAL OF MINUTES

- Regular Meeting of November 25, 2014

Upon a motion/second by Lee/Colapietro, the minutes of the November 25, 2014 meeting were unanimously approved.

- Regular Meeting of December 9, 2014

Mayor Gottschalk noted a minor correction to page 1 of the minutes, no substantive change was made. Upon a motion/second by Colapietro/Holober the minutes were approved by a vote of 4:0:1; Councilmember Lee abstained.

4. ORAL REPORT FROM CITY COMMITTEE/COMMISSION CHAIRS

- NONE

PUBLIC COMMUNICATION

NONE

CONSENT CALENDAR

Agenda item 5 was pulled from the agenda and will be brought back at future meeting.

5. Resolution Amending the Classification and Compensation Plan Increasing the Compensation for Fire Management Classifications and Establishing Salary Ranges for Part-time, Temporary and Seasonal Classifications in Compliance with State Minimum Wage Law

Councilmember Lee requested that agenda item 6 be pulled off of the Consent Calendar for discussion.

6. Resolution Approving and Authorizing the City Manager to Execute a Grant Agreement to Support Millbrae Community Television and Execute an Agreement for the Provision of Cablecasting Services by Millbrae Community Television for Fiscal Years 2014-2015 and 2015-2016

There was Council discussion regarding the MCTV Grant Agreement; the agreement does not spell out the purpose of the grant, its requirements, or an accounting of where the grant money is being spent. Councilmember Lee introduced a motion that would incrementally release the grant funds to MCTV once they provided an accounting of where the money was being spent. Councilmember Lee argued the point of accountability to the public and the need to be transparent with City money. Councilmember Colapietro stated that the Grant Agreement spelled out how the funds would be used and it also stated what requirements MCTV would need to meet with regards to their financial statements. She also stated that MCTV has already submitted information as requested by Council and staff.

Joe Teresi, MCTV Board President, stated that MCTV has provided information to Council as requested in the past. He objected to the characterization of MCTV as always asking for money, and stated that when the agreements came about, the City had a desire to provide a PEG Channel to the community and that this was a mutual partnership between the City and MCTV. MCTV is providing the service they are being asked to provide.

City Attorney Cassman noted the following changes to the agreements:

Grant Agreement

- Change the word “citizens” to “residents”;
- Add the following sentence to Section 3 (C): “City will not pay for or reimburse MCTV for any tenant improvements.”
- Last sentence of Section 18 of the Grant Agreement would be changed to read as follows: “At its sole cost, MCTV shall furnish to the City by the end of the first quarter of the calendar year 2016 a copy of its Annual Financial Statements, accompanied for the year ending June 30, 2015, by an Independent Accountants’ Review Report, in accordance with Statements on Standards for Accounting Review and Services.”

Cablecasting Services Agreement

- Add “volunteers” to Section 6.

Councilmember Lee retracted his motion.

Upon a motion/second by Lee/Colapietro Resolution No. 15-01, approving and authorizing the City Manager to execute a Grant Agreement to support Millbrae Community Television and execute an Agreement for the Provision of Cablecasting Services by Millbrae Community Television for fiscal years 2014-2015 and 2015-2016 was unanimously adopted.

PUBLIC HEARING

NONE

EXISTING BUSINESS

NONE

NEW BUSINESS

7. Review of Update to Housing Element of the Millbrae General Plan

Mr. Jeffrey Baird of Baird & Driskell made a presentation to the Council. He described the sections of the Housing Element update, the requirements, and the schedule for adoption.

Council had the following comments/questions:

- Have an incentive program to encourage homeownership such as first-time homebuyers, etc.;
- What is “commercial linkage fee”;
- Review height limitations in the Millbrae Station Area Specific Plan to affect that FAA will allow;
- Is the City required to have a certain number of affordable units;
- When does the Housing Element become effective

Staff responded:

- A “commercial linkage fee” is a study to investigate a fee on new commercial development;
- There is no set requirement for the number of affordable units in the City. The City is required to identify adequate sites for affordable units;
- The Housing Element goes into effect once it is adopted.

Upon a motion/second by Lee/Holober Council directed staff to forward a public draft of the Housing Element to State Department of Housing and Community Development for review and comment.

8. Council Discussion and Appointments to Council Sub-Committees for 2015

City Clerk Louis made a brief presentation to the Council

There was brief Council discussion regarding the Sub-Committee appointments to the Millbrae Community Youth Center.

Upon a motion/second by Colapietro/Lee the Council unanimously approved the following appointments:

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| 1) Budget/Finance Sub-Committee | Mayor Gottschalk/Vice Mayor Oliva |
| 2) Millbrae Community Youth Center Sub-Committee | Mayor Gottschalk/Councilmember Colapietro |
| 3) Commission/Committee Interview Sub-Committee | Councilmembers Holober/Lee |
| 4) Technology Sub-Committee | Vice Mayor Oliva/Councilmember Holober |

COUNCIL COMMENTS

Mayor Gottschalk:

- Announced that the City will observe its 67th Anniversary on January 15, 2015.

Vice Mayor Oliva:

- No comments.

Councilmember Holober:

- No. comments.

Councilmember Colapietro:

- No comments.

Councilmember Lee:

- Invited everyone to attend the January 31, 2015 Lions Club Crab Cioppino Dinner at the St. Dunstan Parish Center.

CLOSED SESSION

Conference with Legal Counsel – Existing Litigation

Closed Session held pursuant to Government Code §54956.9(a)

Buitrago v. City of Millbrae, San Mateo County Superior Court, Case No. CIV523838

The Closed Session item regarding labor negotiations was pulled from the agenda and will be brought back to Council at a future meeting.

Conference with Labor Negotiators

Closed Session held pursuant to Government Code §945957.6

Agency Negotiator: Marcia Raines

Employee Group: Unrepresented Management

ADJOURN CITY COUNCIL

There being no further business to discuss the City Council adjourned at 9:30 p.m.

/s/ Angela Louis
City Clerk

/s/ Robert G. Gottschalk
Mayor