



**MILLBRAE CITY COUNCIL  
MINUTES  
January 27, 2015**

**CALL TO ORDER MILLBRAE CITY COUNCIL**

Mayor Gottschalk called the meeting to order at 7:00 p.m.

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

**PLEDGE OF ALLEGIANCE TO THE U.S. FLAG**

1. **CEREMONIAL/PRESENTATION**
  - NONE
2. **AGENDA OVERVIEW/STAFF BRIEFING**
  - Report of Bills and Claims

Assistant City Manager/Public Works Director Taylor reviewed the agenda items and noted that the Closed Session item would be pulled off of the agenda and brought back to Council at a future meeting.

- Report out from Closed Session of January 13, 2015

City Attorney Cassman stated that the Council had met in Closed Session to discuss the matter of existing litigation. The purpose of the Closed Session was to discuss a proposed settlement agreed to by all parties; the Council unanimously approved settlement.

3. **APPROVAL OF MINUTES**
  - Regular Meeting of January 13, 2015

Councilmember Holober noted a correction to the Technology Sub-Committee Members: Vice Mayor Oliva and Councilmember **Holober**. Upon a motion/second by Colapietro/Lee the minutes were unanimously approved as corrected.

4. **ORAL REPORT FROM CITY COMMITTEE/COMMISSION CHAIRS**
  - NONE

**PUBLIC COMMUNICATION**

Wynn Greich, Hayward resident, spoke on the detrimental health effects of fluoride and chloramines in the drinking water.

Ryan Loesch, Millbrae resident, stated that he will be coming to all Council meetings to make certain that the people elected to lead us are doing that.

**CONSENT CALENDAR**

Mayor Gottschalk requested that item 6 be pulled from the Consent Calendar for comment. Councilmember Lee requested that item 8 be pulled from the Consent Calendar for discussion.

5. Acceptance of the Quarterly Investment Report for Period Ending December 31, 2014
7. Resolution No. 15-02 Amending 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

Upon a motion/second by Colapietro/Lee Consent Calendar items 5 and 7 were unanimously adopted.

6. Approval of a Special Event Permit for the Lunar New Year Festival on February 28, 2015 including the Closure of Library Avenue

Mayor Gottschalk noted that for the first time this year, the large parking lot across from City Hall will be incorporated as part of the area for the Lunar New Year Celebration.

8. Resolution No. 15-03 Authorizing the Purchase of Replacement Vehicles and Equipment at a Total Cost of \$261,534.65 as Outlined in the Garage Capital Improvement Plan for Fiscal Year 2014-2015

Councilmember Lee inquired if the City was planning to purchase electric vehicles.

Assistant City Manager/Public Works Director Taylor stated that electric vehicles are not well suited for the functions that the trucks will be used for.

Upon a motion/second by Lee/Colapietro Consent Calendar items 6 and 8 were unanimously adopted.

### **PUBLIC HEARING**

9. Ordinance Amending Chapter 10.05 (Zoning) of Title 10 (Planning and Zoning) of the Millbrae Municipal Code to Add a Definition of “Family”, Provisions for Temporary Homeless Shelters, and Provisions for Reasonable Accommodation for Persons with Disabilities
  - Waive 1<sup>st</sup> Reading
  - Introduce Ordinance

City Planner Petrovich presented the report.

Council received the report and there was discussion centered on the definition of “family”.

Mr. Petrovich stated that the current code has no definition of “family” and that the City must have a legally defensible definition of “family” in its code; the definition is not geared towards regulating.

### **Begin public comment.**

Ann Schneider, Millbrae resident, lives on Palm Avenue and next door at 404 Palm Avenue is a home that has a foreign owner, no property manager, and multiple tenants. She has constantly called to complain to Code Enforcement and Police about numerous issues: trash, dog litter, yard waste containers, medical marijuana, speeding, no street sweeping due to cars parked on street, and the conversion of the garage into a living unit with kitchen. She requested that the Council review the definition of “family”, because if it is too broad, we are stuck with what we have, and to delay this for more public discussion.

Jacqueline Schneider, Millbrae resident, stated that there are renters who live in the neighborhood who do not care about the neighborhood. The next door neighbors have their dog off leash and it has lunged at her. She stated that this definition is the wrong way to define “family”.

End of public comment.

Council inquired if anyone had commented on this at the Planning Commission meeting.

Mr. Petrovich stated that no one from the public spoke at the Planning Commission meeting.

City Attorney Cassman stated that what was heard during Public Comment is more of a Code Enforcement issue and regulations regarding boarding houses/rooming houses. Those regulations should be looked at and reviewed, and not the definition of “family”.

Upon a motion/second by Lee/Colapietro the public hearing was closed.

Upon a motion/second by Lee/Holober the Council unanimously waived the first reading and introduced an Ordinance amending Chapter 10.05 (Zoning) of Title 10 (Planning and Zoning) of the Millbrae Municipal Code to add a definition of “Family”, Provisions for Temporary Homeless Shelters, and Provisions for Reasonable Accommodation for Persons with Disabilities.

### **EXISTING BUSINESS**

NONE

### **NEW BUSINESS**

#### 10. Mid-Peninsula Boys and Girls Club Program Update Report

Human Resources Project Manager Daniels presented the report along with Evan Jones and Nate Ortiz of the Mid-Peninsula Boys and Girls Club.

No public comment for this item.

Council received the report.

#### 11. Adoption of a Resolution Approving Participation in the Institute for Local Government’s Beacon Award: Local Leadership towards Solving Climate Change Recognition Program

Assistant City Manager/Public Works Director Taylor presented the report.

Council inquired about what goals should the City strive for, and could we register for the Beacon Award with what the City has already done.

Mr. Taylor stated that the Climate Action Plan would be the next big step and that a smaller project would be the installation of electric vehicle charging stations scheduled for later this year. Regarding the Beacon Award, cities start at the Spotlight level and then move up.

No public comment for this item.

Upon a motion/second by Lee/Colapietro Resolution No 15-04 approving participation in the Institute for Local Government's Beacon Award: Local Leadership towards Solving Climate Change Recognition Program was unanimously adopted.

12. Appointments to be Considered by the City Selection Commission

City Clerk Louis presented the report.

No public comment for this item.

It was the concurrence of the Council to direct the Mayor to vote for the following appointments at the January 30<sup>th</sup> City Selection Committee meeting.

Metropolitan Transportation Commission

Re-appointment of Redwood City Councilmember Alicia Aguirre

Housing Endowment and Regional Trust

Re-appointment of Millbrae Mayor Robert G. Gottschalk

Re-appointment of San Mateo Councilmember Jack Matthews

Re-appointment of San Carlos Mayor Ron Collins

Local Agency Formation Commission

Appointment of Pacifica Councilmember Mike O'Neill

**COUNCIL COMMENTS**

Mayor Gottschalk:

- Attended the recent Airport Land Use Committee meeting where they are reviewing the Housing Elements of all cities;
- Attended the Millbrae Chamber of Commerce Excellence in Business Awards Dinner;
- Will attend the upcoming HEART Board meeting on January 28<sup>th</sup>.

Councilmember Holober:

- Attended the recent Parks and Recreation Commission meeting; they are advertising the City's new parks;
- Attended the Commute.org meeting last week; they approved a contract for shuttle service throughout the County.

Councilmember Colapietro:

- None of the committees she was assigned to have met yet;
- She clarified that the seniors' did not celebrate her birthday earlier this month.

Councilmember Lee:

- Acknowledged two boy Scouts in attendance at the meeting who helped distribute flyers for the January 30<sup>th</sup> Senior Showcase and Health and Wellness Fair;
- Thanked everyone for their support of the January 31<sup>st</sup> Lions Crab Dinner;
- Attended the recent C/CAG CMEQ meeting. The County has funding available for housing and parking issues; the City should look into this;
- The Senior Advisory Committee meeting held their monthly Birthday Luncheon on January 14<sup>th</sup>;

- Announced the Senior Showcase Health and Wellness Fair on January 30<sup>th</sup> from 9:00 a.m. 1:00 p.m. at the Community Center;
- Announced the upcoming Senior Birthday Lunch on February 11<sup>th</sup>;
- Thanked Lions Club for sponsoring the January 14<sup>th</sup> Senior Birthday Lunch; they are also hosting the February 11<sup>th</sup> Birthday Lunch;
- The Millbrae Business Advisory Committee will meet on January 28<sup>th</sup>; they are promoting a pride in Millbrae campaign to keep the City clean.

**CLOSED SESSION**

This item was pulled off of 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 Organization: Teamsters Miscellaneous, Local 856

Employee Group: Unrepresented Management

**ADJOURN CITY COUNCIL**

There being no further business to discuss, the City Council adjourned at 9:00 p.m.

/s/ Angela Louis  
City Clerk

/s/ Robert G. Gottschalk  
Mayor