



**MILLBRAE CITY COUNCIL
SUCCESSOR AGENCY
MINUTES
June 23, 2015**

CALL TO ORDER MILLBRAE CITY COUNCIL

Mayor Gottschalk called the meeting to order at 7:06 p.m.

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

PLEDGE OF ALLEGIANCE TO THE U.S. FLAG

1. **CEREMONIAL/PRESENTATION**

- Proclamation Proclaiming the Month of July 2015 as Parks and Recreation Month

Mayor Gottschalk presented the proclamation to Parks and Recreation Commissioner Daniel F. Quigg.

2. **AGENDA OVERVIEW/STAFF BRIEFING**

- Report of Bills and Claims

City Manager Raines reviewed the agenda items and requested that Council consider moving New Business item 13 up to be heard prior to the Public Hearing items.

3. **APPROVAL OF MINUTES**

- Regular Meeting of June 9, 2015

Upon a motion/second by Colapietro/Holober the minutes were unanimously approved.

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

- Update Report from the Parks and Recreation Commission

Parks and Recreation Commissioner Daniel F. Quigg updated the Council on the Commission's activities. The Commission is in the process of ordering a banner to promote the City's parks.

PUBLIC COMMUNICATION

NONE

CONSENT CALENDAR

5. Resolution No. 15-25 Authorizing the City Manager to Execute an Agreement with Turbo Data Systems, Inc. for Parking Citation Processing and Adjudication Services
6. Resolution No. 15-26, 15-27, and 15-28 to Order and Call a General Municipal Election to be held on November 3, 2015 to set Certain Policies Applicable to Candidates and to Request the San Mateo County Clerk to Render Specific Election Services
7. Appointments to City Commissions and Committees

8. Resolution No. 15-29 Authorizing the City Manager to Amend the Agreement with Central County Fire Department and the City of Millbrae for Fire and Emergency Services to include Fire Marshal and Fire Protection Services
9. Resolution No. 15-30 Approving Investment Policy for Fiscal Year 2015-2016
10. Ordinance No. 751 Amending the Provisions of Chapter 8.20, Article VII of the Millbrae Municipal Code Related to Sanitary Sewer Rates
 - Waive 2nd Reading
 - Adopt Ordinance

Upon a motion/second by Oliva/Colapietro, Consent Calendar items 5-10 were unanimously approved.

PUBLIC HEARING

11. Appeal of Planning Commission Denial to a Modification for an Approved Design Review Permit; Specifically General Condition #4, to Allow Second Floor Exterior Stairs on a Single-Family Residence at 603 Juanita Avenue

Mayor Gottschalk opened the public hearing.

Councilmember Holober recused himself as he resides within 500 feet of the property in question.

Community Development Director di Iorio presented the report. The Planning Commission unanimously denied the item at their May 18th meeting and staff recommends that the Council uphold the Planning Commission denial and conform to the Planning Commission's recommendations.

Council discussed the item and noted that Mr. Young had not received Planning Commission approval on changes made to his plans. He did not follow the City's process and went ahead and built the stairs without approval. There was discussion on whether or not the stairs could be seen from the street as noted by the Planning Commission and that other homes in the surrounding neighborhoods have similar stairs.

Planning Commission Chair Quigg stated that the stairs can be seen when driving on Park Place. She also noted that the photos attached to the agenda report were not seen by the Planning Commission as staff could not gain access to the property.

Warren Young, property owner, stated that the stair is important to his family for ease of access, and for safety in case of fire. He noted that the Building Official visited the site and inspected the stair. He went on to state that there are other homes in the neighborhood that have a similar type of stair and that he has support from his neighbors. He applied for the permit to build the stair but it was taking too long and he went ahead and built it; the Code can be applied to the stair. He invited Council to come by and look at the stair. He stated that if he is not allowed to have the stair it is discrimination. He went on to say that the stair cannot be seen from the street and there are two separate issues: the opinion of the Planning Commission and the Code.

Council took a brief break at 8:00 p.m. and reconvened at 8:05 p.m.

Council continued the public hearing to the July 28th Council meeting and directed staff to have the Building Inspector inspect the stairs and provide a thorough report to Council.

12. Ordinance to Amend Chapter 10.05 (Zoning) of Title 10 (Planning and Zoning) of the Millbrae Municipal Code to Implement the State Density Bonus Law
 - Waive 1st Reading
 - Introduce Ordinance

Mayor Gottschalk opened the public hearing.

Community Development Director di Iorio introduced Josh Abrams, Baird and Driscoll, who presented the report. He stated that the State requires all cities to have a Density Bonus Law and that Millbrae has been doing this on a case by case basis; adoption of the ordinance will formalize the process. The Density Bonus Law is an incentive program that developers have when they provide for affordable housing. All cities in the County have density bonus programs; some do thing on a case by case basis and other cities are specific on what incentives they give. The Planning Commission recommended the following be included in the City's Density Bonus ordinance: no reduced or waived fees, discouraged reduced open space, and no reduction/defer of impact fees.

Council received the report and discussion ensued regarding Section 10.05.0430. C 6.a and 6.d – local preference for type of incentives and concessions. Council agreed to the following change in language:

6.a to read as: “ A waiver and/or modification to the Floor Area Ratio (FAR) or height requirements are the City's preferred alternatives.”

6.d to read as: “A waiver of or reduction in application fess is not preferred but will be considered on a case by case basis.”

No public comment for this item.

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

Upon a motion/second by Colapietro/Holober, Council unanimously waived the first reading and introduced an ordinance to amend Chapter 10.05 (Zoning) of Title 10 (Planning and Zoning) of the Millbrae Municipal Code to implement the State Density Bonus Law with the above referenced changes.

EXISTING BUSINESS

NONE

NEW BUSINESS

13. Resolution of the Successor Agency to the City of Millbrae Redevelopment Agency Approving the Official Statement and Bond Purchase Agreement Relating to the Issuance and Sale of Tax Allocation Refunding Bonds, Approving Continuing Disclosure Policies and Procedures and Approving Related Matters and Official Actions

Finance Director Spray presented the report. He stated that the bonds were refinanced from 4.6% to 3.6% for a total savings of \$408,000. He also noted that the City's credit rating increased to AA- due to our strong financial recovery.

No public comment for this item.

Upon a motion/second by Colapietro/Oliva, Resolution No 15-02 of the Successor Agency to the City of Millbrae Redevelopment Agency approving the Official Statement and Bond Purchase Agreement relating to the issuance and sale of Tax Allocation Refunding Bonds, approving Continuing Disclosure Policies and Procedures and approving related matters and official actions was unanimously approved.

14. Designation of Voting Delegates and up to Two Alternates for the 2015 League of California Cities Annual Conference

It was the consensus of the Council to continue this item to the July 28th Council meeting to include Councilmember Lee in the discussion.

COUNCIL COMMENTS

Mayor Gottschalk:

- Announced that the Boys and Girls Club made a presentation at the recent Rotary Club meeting;
- Announced the Mayor's Civic Coordinating Council meeting on June 24th at 9:00 a.m. in the Chetcuti Room.

Vice Mayor Oliva:

- Attended the recent Senior Advisory Committee Birthday Lunch and helped to serve.

Councilmember Holober:

- Attended the Commute.org meeting last week;
- Attended the Parks and Recreation Commission meeting; a banner promoting the City's playgrounds is going up next week. They also discussed having the "Imagination Playground" at the Community Center;
- Announced the special joint meeting of the Council and Planning Commission on June 30th at 6:00 p.m. in the Chetcuti Room to discuss the Millbrae Station Area Specific Plan.

Councilmember Colapietro:

- Announced that she and Vice Mayor Oliva met as the Commission/Committee Sub-Committee and their next focus is on the Commission portion and to bring forward a report to Council;
- Announced that the CERT volunteers participated in the San Mateo County Sheriff's Active Shooter day on June 6th;
- Attended the June 19th Lions Club Installation Dinner;
- Attended the June 20th Central County Fire Department pancake breakfast for the Burn Relay;
- Announced the June 27th Millbrae Amateur Radio Day;
- Announced the July 10th Movie in Central Park.

ADJOURN CITY COUNCIL

There being no further business to discuss, the City Council adjourned at 9:11 p.m.

/s/ Angela Louis
City Clerk

/s/ Anne Oliva
Vice Mayor