



**MILLBRAE CITY COUNCIL
MINUTES
May 13, 2014**

CALL TO ORDER MILLBRAE CITY COUNCIL

Mayor Lee called the meeting to order at 7:04 p.m.

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

PLEDGE OF ALLEGIANCE TO THE U.S. FLAG

1. CEREMONIAL/PRESENTATION

- Recognition of Justin Dunbar, Mayor for a Day

Mayor Lee presented Justin Dunbar with a certificate of recognition in his role as Mayor for a Day.

- Recognition of Youth Heroes

Mayor Lee presented Aaron and Owen with certificates of recognition for their heroic actions.

- Presentation from San Francisco City Impact and Presentation of Commendation

Mayor Lee introduced Christian Huang and Hubert Pun from San Francisco City Impact and presented them with a commendation.

- Update Report by Off the Grid

Ben Himlan, Off the Grid, presented an update report to Council. There have been eight successful events. In the first eight weeks approximately 7,300 people have attended and of those, 65% are from outside of the City.

- Proclamation Proclaiming the Week of May 18-24, 2014 as National Public Works Week

Mayor Lee presented City Engineer Khee Lim with the proclamation.

- Presentation of the Award of Financial Reporting Achievement

Mayor Lee presented the award to Finance Director Stephanie Beauchaine

2. AGENDA OVERVIEW/STAFF BRIEFING

- Report of Bills and Claims

City Manager Marcia Raines reviewed the agenda. She noted that there was a Councilmember request to pull Consent Calendar item 8 off of the agenda for discussion. City Clerk Angela Louis noted that a special Council meeting would be held on Saturday, May 31st at 9:00 a.m. for the first budget study session. The second budget is scheduled for the June 10th Council meeting and a final budget study session, if needed, can be scheduled for June 24th.

3. APPROVAL OF MINUTES

- Regular Meeting of April 8, 2014
- Regular Meeting of April 22, 2014

Minor corrections were submitted to the City Clerk, no substantive changes were made to the minutes. Upon a motion/second by Colapietro/Holober both sets of minutes were unanimously approved by a vote of 4:0.

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

- NONE

PUBLIC COMMUNICATION

Wynn Grich, Hayward resident, spoke on geo-engineering and the detrimental health effects of fluoride and chemical trails.

Lorianne Richardson, President and CEO Millbrae Chamber of Commerce, introduced the Chamber's new Student Ambassadors: Alvin Chan and Marco Lo of Mills High School. Both Youth Ambassadors will be attending Chamber Board meetings and will be tasked with coming up with a volunteer program for the Art and Wine Festival. The Art and Wine Festival will be held on Labor Day weekend and the State of the City Address will be on June 12th at 5:30 p.m. in the Chetcuti Community Room.

Samar Moureddine, Millbrae resident, spoke on a comment made by the Mayor during a television interview: "Millbrae has a problem with successful businesses." She stated that we do not have a problem with successful businesses, we have a problem with a business that takes up valuable City resources and breaks the back of successful City businesses. You have seen first hand the mayhem that this business has caused. The residents of Millbrae need you to act, the City has rules and there are consequences if the rules are not followed; you will be setting a precedent.

Camille Lopez, Millbrae resident, stated that Tai Wu visitors will continue to park in the neighborhood and allowing only one/two hours for parking will not solve the problem. Residents have agreed that they do not want anyone else parking in their neighborhood, and they should not have to pay for the permits. Tai Wu is not utilizing all of their parking and should not be impacting their way of life.

Marty VanDuyn, Project Manager, stated that numerous complaints were received regarding Tai Wu and their lack of meeting the requirements set by the Planning Commission. Tai Wu was instructed to resolve their parking, noise, and odor issues; this matter has been continued to the next Planning Commission meeting. The Commission instructed the applicant to erect a temporary sound wall to resolve some of the sound issues. The wall did get a building permit and has been inspected. The wall is by no means a long term solution to the noise issue; the issue can be revisited. The City did file a cease and desist order to remove the fans, and the applicants have appealed this and that matter is scheduled for appeal on Friday, May 16th at 6:00 p.m. Friday, May 16th is also the deadline to receive the survey information for the parking permits, and something should be posted and in place by the end of May or beginning of June. Public Works has received approval to install the flashing beacons on El Camino Real and this should be completed within a month. The odor vents from the kitchen are at the top of the restaurant and are in compliance with the current building code. The City's ability to restrict this is limited however, this is on the list of Planning Commission items for review.

CONSENT CALENDAR

There was request to pull items 6 and 8 for discussion

Vice Mayor Gottschalk noted that he had a comment on item 9.

5. Acceptance of the Quarterly Investment Report for the First Quarter as of March 31, 2014
7. Acceptance of the Comprehensive Annual Financial Report for Fiscal Year Ending June 30, 2013

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

6. Adoption of Resolution No. 14-23 Declaring Results of Election, Approval of the Final Engineer’s Report and Ordering the Levy and Collection of Assessments

Mayor Lee acknowledged the efforts and hard work of everyone who worked on the Fire Assessment.

8. Resolution No. 14-24 Approving a New Maximum Garbage Rate Schedule per Franchise Agreement with the South San Francisco Scavenger Company

Mayor Lee stated that he would like a presentation to discuss questions that came from an e-mail regarding the rate calculation change.

Environmental Programs Manager Shelly Reider, stated that garbage rates are set by the franchise agreement and are based on CPI.

Paul Formosa, South San Francisco Scavenger Company, stated that the rates are set according to the Franchise Agreement, and the Franchise Agreement is the controlling document.

9. Request from San Mateo County Office of Education, Safe Routes to School, for Council Letter of Support for the San Mateo County Get on the Go Application

Vice Mayor Gottschalk requested that the letter be changed to read: “support of the City Council”.

Upon a motion/second by Colapietro/Gottschalk, Consent Calendar items 6, 8, and 9 were unanimously adopted.

PUBLIC HEARING

NONE

EXISTING BUSINESS

10. Adding Chapter 2.50 to the Millbrae Municipal Code Establishing City Facility Naming and Consideration of City Facility Naming Policy
 - Waive 1st Reading
 - Introduce Ordinance

City Clerk Angela Louis presented the report.

Vice Mayor Gottschalk requested the addition of “if appropriate” to the end of the sentence in Section 4.3.

Councilmember Holober requested clarification on Section 4.2.

City Clerk Louis noted that the Council makes annual appointments to Council Subcommittees at the beginning of the year. The Council could make appointments to the Subcommittee once the ordinance was adopted and the policy was in place, or the Council could wait to appoint a Subcommittee until a naming request was received.

City Attorney Cassman stated that the Council could not yet appoint a Subcommittee because the policy was not yet in place.

It was the consensus of the Council to appoint a Subcommittee after a naming request was received.

No public comment for this item.

Upon a motion/second by Lee/Colapietro, Council waived the first reading and introduced an Ordinance adding Chapter 2.50 to the Millbrae Municipal Code Establishing City Facility Naming and Consideration of City Facility Naming Policy by a vote of 4:0.

NEW BUSINESS

11. Resolution No. 14-25 Authorization to Purchase and Install Playground Equipment at Green Hills Park, Bill Mitchell Lions Park, and Meadows Park

Recreation Superintendent Kevin Sved presented the report.

Council inquired:

- the play equipment at Green Hills Park seems “light”, can it be augmented in the future;
- what are the umbrella structures at Lions Park;
- are the bars and rails on the playground equipment suitable for children of all ages;
- it appears as if some of the equipment is made of stone, clarify;
- do the slides have side rails, unclear on the drawings;
- who will maintain the equipment, staff or Miracle;
- the projected timeline has a month gap between the last stage and the ribbon cutting.

Staff responded:

- additional equipment could be added in the future;
- the umbrella structures are for shade;
- the proposals are up to current code and standards;
- the stone is modified stoned – a hybrid material that incorporates stone and is man made;
- the slides have rails;
- the City is responsible to inspect the equipment and if a repair comes under the warranty period, Miracle will do the repair. After the warranty period, the City will be responsible;
- the month gap is a built in cushion for any unforeseen delay.

There was continued Council discussion and Mayor Lee commented that he would like to see something put in at Green Hills Park for the senior living facility that is nearby, and was hesitant to put playground equipment in Meadows Park as it is being used as an unofficial dog park.

City Manager Raines stated that Council could look at the other parks this evening and refer Meadows Park back to the Parks and Recreation Commission.

There was further Council discussion and Vice Mayor Gottschalk noted that there is a property located on Ludeman Lane that could be used for a dog park. Mayor Lee noted that the property belonged to the San Francisco Public Utilities Commission and that a long term lease would need to be worked out. Councilmember Holober stated that there is signage at Meadows Park indicating that off leash dogs are not permitted. The process should move forward and signage should be increased at Meadows.

City Manager Raines stated that Council could approve the proposal as submitted and ask that staff go back to the Parks and Recreation Commission and have them address the concerns of off leash dogs in the park. If the concerns are resolved then they can move ahead, if not then only Meadows Park would be brought back for discussion.

Councilmember Colapietro stated that they should keep Meadows Park in tonight's discussion and include a caveat that the Parks and Recreation Commission address the concern of dogs in the park.

No public comment for this item.

Upon motion/second by Colapietro/Gottschalk, Resolution No. 14-25 authorization to purchase and install playground equipment at Green Hills Park, Bill Mitchell Lions Park, and Meadows Park was unanimously adopted with the caveat that Meadows Park be brought back to Council if there is no resolution on the issue of off leash dogs.

12. Mid Year Budget Review

Finance Director Stephanie Beauchaine presented the report. She noted that the savings of \$429 thousand from the refinancing of the 2001 General Obligation Library Bonds went back to the community.

Council inquired:

- what is the \$250,000 item under Capital New Construction;
- what are our unfunded needs and are pension liabilities included;
- the number of employees that are eligible for retirement.

Staff responded:

- the \$250,000 was appropriated for the Fire Department;
- there is \$38 million in unfunded needs. This is Citywide and includes items such as infrastructure needs. There is \$14 million in unfunded pension liabilities, only \$2 million is funded and this is not part of the \$38 million quoted earlier. The \$38 million is in capital projects;
- staff will bring back the number of employees eligible for retirement at the budget study session...

No public comment for this item.

Upon a motion/second by Colapietro/Holober, Council received the report.

COUNCIL COMMENTS

Mayor Lee:

- Reminded the public to drop off ballots for the June 3rd primary. There is a ballot box at City Hall;
- Attended the Progress Seminar in April;
- Announced that the City received a C/CAG grant of a half million dollars for planning development;
- Announced the August 16th Millbrae Machines Car Show.

Vice Mayor Gottschalk:

- Announced that the HEART Luncheon on May 7th brought in over \$100,000 in funds to assist with low income housing in San Mateo County;
- Announced the June 1st Millbrae Community Youth Center Open House to thank donors; the public is invited to attend at 3:30 p.m.

Councilmember Colapietro:

- Announced that the Millbrae Community Youth Center Grand Opening is open to public from 3:30 p.m. – 4:30 p.m. on June 1st;
- Announced that the Friends of the Millbrae Library is having their Big Book and Media Sale on May 16th – 18th;
- Announced that the month of May is Asian Pacific American Heritage Month;
- Congratulated Meadows, Spring Valley and Taylor Schools on their recognition as Blue Ribbon Schools;
- Announced that the Spring 2014 City Newsletter is on the City's website;
- Thanked the Fire Assessment Committee Members for their support and thanked property owners for their votes;
- Attended the recent Youth Advisory Committee meeting and announced the newly elected officers for 2014/2015;
- Announced Commission and Committee vacancies;
- Attended a meeting on how to prepare for economically safe and vibrant streets.

Councilmember Holober:

- Attended the Library JPA meeting on May 12th;
- Announced the May 15th workshop to discuss the Millbrae Station Area Specific Plan.

ADJOURN CITY COUNCIL

There being no further business to discuss, the City Council adjourned at 9:23 p.m. in memory of Judy Fabris, mother-in-law of Millbrae Firefighter Joe Perry; Millbrae resident Alma Cozzolino; Steven Lee, uncle of Mayor Wayne Lee; Jason Grogan, brother of former Millbrae Police Officer Mike Grogan, and Anthony Spiteri, grandfather of Millbrae Firefighter Tony Spiteri.

/s/ Angela Louis
City Clerk

/s/ Wayne J. Lee
Mayor