



**MILLBRAE CITY COUNCIL  
MINUTES  
April 22, 2014**

**CALL TO ORDER MILLBRAE CITY COUNCIL**

Mayor Lee called the meeting to order at 7:03 p.m.

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

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

**1. CEREMONIAL/PRESENTATION**

- Local Business Presentation and Presentation of Commendation to Paper Culture

Mayor Lee presented the commendation to Chris Wu, CEO, Paper Culture.

- Presentation of Commendation to Millbrae AYSO

Mayor Lee presented commendations to Millbrae AYSO, Region 145 Commissioners Sam Habash, Steven Chinn, and Meredith Dioro.

- Proclamation Proclaiming April 26, 2014 as Arbor and Earth Day

Mayor Lee presented the proclamation to Shelly Reider, Environmental Programs Manager.

- Proclamation Proclaiming the Month of May 2014 as Older Americans Month

Mayor Lee presented the commendation to Dorothy Lauser, Senior Advisory Committee Vice Chair and Committee Members Mary Somers and Glade Beresford.

**2. AGENDA OVERVIEW/STAFF BRIEFING**

- NONE

City Manager Marcia Raines reviewed the agenda items and suggested removing item 6 from the Consent Calendar for discussion.

**3. APPROVAL OF MINUTES**

- NONE

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

- Update Report by the Senior Advisory Committee

Committee Member Mary Somers updated the Council on the activities of the Senior Advisory Committee. She announced that the Committee reviewed their Mission Statement and it is appropriate. The Mission of the Senior Advisory Committee is to advocate for and assist the City Council in providing creative and meaningful activities and services for older individuals and groups. She announced the May 2<sup>nd</sup> May Day Celebration and the May 30<sup>th</sup> Honoring our Veterans Luncheon, both will be held at the Community Center.

**PUBLIC COMMUNICATION**

Wynn Grcich, Hayward resident, spoke on the detrimental health effects of fluoride, cell phones, microwaves, and chemical trails.

Kevin Reyes and Parvin Sheung, Mills Green Youth Alliance, announced the club's e-waste event on Saturday, April 26<sup>th</sup> at Mills High School from 10:00 a.m. to 2:00 p.m.

### **CONSENT CALENDAR**

Council pulled item 6 from the agenda for discussion.

5. Resolution No. 14-21 Approving Contract Change Order No. 1 with ABC Services for the 2013 Sanitary Sewer Mains Cleaning and Inspection Project No. 902
7. Approval of Temporary Special Event Permit for the American Cancer Relay for Life in Central Park
8. Approval of Temporary Special Event Permit for the Millbrae Machines Car Show
9. First Amendment to the Density Bonus Housing, Rent Restriction and Option to Purchase Agreement for Below Market Rate Property at 120 S. El Camino Real

No public comment for these items.

Upon a motion/second by Colapietro/Holober, Consent Calendar items 5,7,8,9 were unanimously adopted.

6. Resolution No. 14-22 Approving Expanding Preferential Parking Permit Program to Include Hemlock and Bayside Manor Neighborhoods

Public Works Director Nick Nguyen discussed the expansion of the current preferential parking permit program to include Hemlock and Bayside Manor Neighborhoods.

Project Manager Marty VanDuyn addressed the Council and stated that a community meeting regarding Tai Wu restaurant on El Camino Real was held to discuss steps taken to work through issues and complaints that have been filed. In response to the neighborhood meeting, the expansion of the preferential parking permit was strongly suggested by the residents. Staff has had meetings with the restaurant owners and other business owners in the area to address their concerns. The Planning Commission has strongly stated to the applicant that complaints need to be addressed and rectified and they need to see results by their next meeting on May 5<sup>th</sup>.

Mayor Lee thanked staff and apologized to those affected by this situation. The City is being responsive to this issue and is working on rectifying it. He noted that once an area is permitted, other areas will be impacted. He stated that he would like to see a more concise parking plan for the City.

Council inquired about the following:

- Lighting at the intersection at La Cruz;
- What is the PG&E issue;
- What is the timeframe from the circulation of a petition for the permit program to implementation;

- What percentage is needed to establish a parking permit program;
- Possible Subcommittee of Councilmembers and Planning Commission Members to oversee the process and resolve issues.

Staff responded:

- The streetlights at the intersection at La Cruz were upgraded to LED lights. Message boards have been placed along El Camino Real to bring awareness to this intersection. Staff is in contact with Caltrans regarding the installation of a flashing beacon within 4-6 weeks. Caltrans has promised to work expeditiously with the City to get it installed;
- The issue with PG&E is the noise that is heard going through the system. There is nothing abnormal with the gas delivery system. There is a multiple meter system at this location and the gas delivery to the location maintains a constant level of noise and staff is working with PG&E to resolve this;
- If the expansion of the parking permit program is approved, staff will begin working with the residents to circulate and receive the petitions. It will be at least two weeks before seeing results;
- 75% of a group of residents on a street can petition to have their area in a permit program;
- Staff is already working with the residents in the effected area. Additionally, there may be a potential conflict of interest as Council and Planning Commission Members may vote on this issue in the future.

Begin public comment.

Leila Van Dyke, Millbrae resident, inquired as to why the permit was approved without having parking or looking at potential issues. The City should be more careful in the future when approving new restaurants; new restaurants must have proper parking.

Samar, Millbrae resident, stated that the restaurant fell through with the parking; they have occupancy for over 200 patrons and should have had at least 100 parking spaces with leases throughout the City. The Planning Commission did not think this through and the restaurant owners were not forthcoming with the number of parking spots or leases that they had.

Gino Caccia, Millbrae resident, stated that there needs to be a public workshop to discuss these items in an open forum and to come up with a solution. He inquired as to why the City is spending money on pedestrian crosswalk remediation; the restaurant owner should be paying for this.

Camille Lopez, Millbrae resident, noted the negligence of Tai Wu to comply with the City. There is a fee associated with parking permits, why should we pay; they have disrupted our way of life. There are only four permits per household; this may not be enough if family members are visiting. They should not be allowed to operate until all of the issues have been fixed.

Donna Eghbal, Millbrae resident, concurs that Tai Wu should pay for pedestrian/crosswalk remediation and not the City. This is a black eye on the City Council and the Planning Commission. The residents should not have to pay for any parking permits.

Shue Huo, Millbrae resident, appreciates that Council is expanding the permit area, but this will not solve the problem, drivers are driving too fast and this is dangerous. The parking issue is not being resolved, it just gets pushed around.

End of public comment.

Mayor Lee stated that this is not just a neighborhood problem but a City problem and tonight's action is just one part of a continuous process.

Upon a motion/second by Holoher/Colapietro Consent Calendar item 6 Resolution No. 14-22 approving expanding the Preferential Parking Permit Program to include Hemlock and Bayside Manor Neighborhoods was unanimously adopted.

Council took a recess at 8:27 p.m. and reconvened at 8:34 p.m.

## **PUBLIC HEARING**

### 10. Fire Suppression Assessment Public Hearing

City Attorney Joan Cassman stated that tonight is the night of the official public hearing that has been put before the voters of the City. The Fire Assessment has been part of the City's financial landscape for the past 10 years. The Engineers Report came before the Council on February 11<sup>th</sup>. There has been a 45 day period in which the ballots have been in the hands of the property owners, the public hearing will be opened for public comment, comments will be received and then the public hearing will be closed. The ballots will be tabulated on April 23<sup>rd</sup> at 8:30 a.m. in the Council Chamber; the process will be open to the public.

#### Begin public comment.

Sylvia Yeh-Kataoka, Millbrae resident, stated that she is here in support of the Fire Assessment, she owned a restaurant and experienced a fire and had to call 911; it made a difference. She also has an elderly mother and needed to call for assistance. To pay \$175 a year is worth it.

David Lohman, Millbrae resident, stated that he submitted a positive vote for the measure. This money would be used for Millbrae and only Millbrae, if we consolidate, would we need to vote again. He is concerned with the wording on the ballot.

City Manager Raines stated that Millbrae dollars stay in Millbrae. Consolidation with Central County, money paid for the percentage of personnel stays in Millbrae. She also stated that San Mateo County operates on a boundary drop which means that the closet unit to an emergency responds, it does not matter where that unit is stationed at.

Bob Garrison, Millbrae resident, inquired if postmarked ballots would be accepted. He stated that the money collected for the Fire Assessment for the last 10 years, goes into the General Fund and is then allotted to fire suppression services. He stated that there is no separate account that it goes into, this is money that goes into the City and pays for the Fire department; there is no accounting of funds. He inquired into the current status of the closure of the Fire Station on Crestview and the building of a new station; does the public have input, if the assessment passes is this a guarantee that the station will remain open.

City Manager Raines stated that postmarked ballots would not be accepted. She stated that the money goes into the General Fund, and has generated approximately \$1.2 to \$1.4 million; the Fire Department operated at a \$5.6 million budget and the money from the assessment is 22% of their budget. The funds go into Fire services and these funds are audited annually. There are no guarantees, our costs to operate continue to escalate, the City is trying to find ways to consolidate training and concentrate costs only on

fire suppression. She stated that the public has input on all items relating to the City, not just the Fire Department. She also noted that the letters that weresent out were to look at a possible closing of the station.

Brian Martin, Millbrae resident, quoted a Sacramento Bee article regarding the highest pensions are Police and Firefighters. He also quoted a January 14<sup>th</sup> article regarding the high payout to a retired Millbrae Fire Chief of over \$400,000. According to the State Controllers Office, 17 of the top 25 Millbrae employees are firefighters. He stated that the City continues to come back to taxpayers to fix its problems; how will the City continue to pay for its current firefighters. The system is broken and needs to be fixed.

End of public comment.

City Attorney Cassman announced that anyone with a ballot should come forward and place it in the ballot box as no more ballots would be accepted after the close of the hearing

Upon a motion second by Colapietro/Gottschalk the public hearing was closed and the public was reminded that they can view the tabulation of the ballots on April 23<sup>rd</sup> at 8:30 a.m. in the Council Chamber.

### **EXISTING BUSINESS**

#### 11. Quarterly Update on Council Retreat

City Clerk Angela Louis presented the report and summarized some of the items that staff is working on that tie in with the goals set by the Council at their Retreat.

Council discussion focused on whether to keep with the three goals that were set or to add another goal to the list. It was noted that any new or replacement goal would warrant good discussion and preplanning.

It was the consensus of the Council to review their original list of ten items that were developed at their February 1<sup>st</sup> Retreat and to place this item on a future Council agenda for discussion.

No public comment for this item.

### **NEW BUSINESS**

#### 12. LAFCo Appointment to be Considered by the City Selection Committee

The Council discussed the three candidates and it was the consensus of the Council to have the Mayor hear the presentations of all three candidates at the meeting and make a determination on the best candidate.

No public comment for this item.

### **COUNCIL COMMENTS**

Mayor Lee:

- Reminded everyone that the Fire Assessment ballots will be tabulated on April 23<sup>rd</sup> at 8:30 a.m. in Council Chamber;
- The Millbrae Business Advisory Committee is working on a BID process to bring more vitality to the downtown area;
- Thanked Councilmember Colapietro and Millbrae Lions Club Stevan Luzaich for a successful Youth in Government Week program;
- Announced that the Parks and Recreation Commission is looking into a community garden;
- Announced the upcoming AYSO sign ups will occur in the month of May.

Vice Mayor Gottschalk:

- Announced a transition in the air traffic control process called Next Gen. It is a GPS and satellite guidance system and the comment period on the EIR is ongoing at this time;
- Announced the HEART Fundraising Luncheon on May 7<sup>th</sup>;
- Announced the June 1<sup>st</sup> revealing of the Donor Wall and Open House at the Millbrae Community Youth Center.

Councilmember Colapietro:

- Thanked Millbrae Lions Club for their 54<sup>th</sup> Annual Youth in Government Week program;
- Attended the recent C/CAG Retreat;
- Thanked the Friends of the Millbrae Library for a successful book sale;
- Attended the Rotary Club Spring Festival at Central Park;
- Participated in the 8<sup>th</sup> Annual Silver Dragon Drill for emergency preparedness;
- Attended the recent San Mateo Office of Emergency Services JPA meeting;
- Requested that the Mayor add an item to May 13<sup>th</sup> meeting for the Council to sign a letter of support that is being presented by the County to benefit seniors and youth in the County.

Councilmember Oliva:

- Announced that the Technology Subcommittee met last week;
- Announced that she and Councilmember Holober met regarding the new Mission Statement and this will be forthcoming soon;
- Attended the Peninsula Traffic Congestion Relief Alliance meeting and announced that May 8<sup>th</sup> is Bike to Work Day, there will be an energizer station at the Bart/Caltrain Station.

Councilmember Holober:

- Attended the recent Chamber of Commerce Board of Directors meeting;
- Attended the Parks and Recreation Commission meeting last week;
- Attended the Progress Seminar last weekend in Monterey;
- Announced that the Technology Subcommittee met last week.

### **ADJOURN CITY COUNCIL**

There being no further business to discuss, the City Council adjourned at 9:55p.m.

/s/ Angela Louis  
City Clerk

/s/ Wayne J. Lee  
Mayor