



MILLBRAE CITY COUNCIL MINUTES

April 23, 2013

CALL TO ORDER MILLBRAE CITY COUNCIL

Vice Mayor Nadia V. Holober called the meeting to order at 7:07 pm.

ROLL CALL: Vice Mayor Nadia V. Holober, Council Members Wayne J. Lee, Marge Colapietro and Robert G. Gottschalk. Mayor Gina Papan was excused.

PLEDGE OF ALLEGIANCE TO THE U.S. FLAG

1. CEREMONIAL/PRESENTATION

Vice Mayor Holober announced that the Youth in Government students were in attendance and congratulated them. The students were introduced by their staff counterparts.

- Business Presentation – Aloft Hotel

Ryan Laskey, General Manager of the Aloft Hotel presented a Power Point on the history of the hotel, construction of the new hotel, and how the hotel looks today.

- Proclamation Proclaiming the Week of April 7 – 14, 2013 as Holocaust Remembrance Week (Day of Remembrance)

There being no one present to accept the proclamation, Vice Mayor Holober stated that the Holocaust Memorial Days of Remembrance were earlier this month, and that people should remember and be vigilant against hatred, persecution, and tyranny.

- Proclamation Proclaiming April 24, 2013 as Armenian Remembrance Day

There being no one present to accept the proclamation, Vice Mayor Holober stated that April 24th is Armenian Remembrance Day. It is a day that honors Armenian notables deported in 1915 most of whom were executed. One and a half million people were massacred or marched to their death.

- Commendation Recognizing Millbrae Lions Club Youth in Government Coordinator and Lions Club President

Vice Mayor Holober presented the commendation to the Millbrae Lions Club Youth in Government Program Chairman Stevan Luzaich, President of Record Ron Frediani, and President Al Morando. Mr. Luzaich stated that this is the 53rd year of the Youth in Government partnership between the City and the Millbrae Lions Club.

- Commendation in Recognition of St. Dunstan School's Re-Dedication Ceremony, 60th Anniversary

Vice Mayor Holober presented the commendation to St. Dunstan's Principal Dr. Bruce Colville and School Board President Mr. Gabe Maldonado. Dr. Colville stated that there will be a mass on Sunday April 28th at 10:00 a.m. with a reception afterwards to celebrate the re-dedication. On September 28th there will be a dinner dance at Green Hills Country Club. Dr. Colville thanked the Council and the City for tonight's recognition. Mr. Maldonado thanked the City for its support and for installing a crosswalk across Magnolia Avenue.

- Proclamation Proclaiming the Week of April 21 – 27, 2013 as West Nile Virus and Mosquito and Vector Control Awareness Week

Vice Mayor Holober presented the proclamation to Leon Nickolas, the City's representative on the Board of the San Mateo County Mosquito and Vector Control District.

- Proclamation Proclaiming April 27, 2013 as Arbor and Earth Day

Vice Mayor Holober presented the proclamation to Shelly Reider, City of Millbrae Environmental Programs Manager. Ms. Reider stated that Arbor and Earth Day is a wonderful opportunity to help take care of our local environment and invited everyone to come to Central Park on Saturday, April 27th, from 10:00 a.m. to noon to plant trees and flowers, do park improvements, and do citywide litter clean-up.

- Proclamation Proclaiming the Month of May 2013 as Older Americans Month

Vice Mayor Holober stated that she would like to postpone presenting this proclamation until later in the meeting when the Senior Advisory Committee presents their oral report.

1. **AGENDA OVERVIEW/STAFF BRIEFING**

- Report on Bills and Claims
- Report out from closed session of April 9, 2013

City Manager Marcia Raines reviewed the agenda items and stated that the agenda typically includes an item for a report out from Closed Session. There was a Closed Session at the April 9th meeting and requested, with consent from the City Attorney, to inform that the Council met and discussed the matter of a public employee evaluation; no action was taken.

Ms. Raines added that due to typographical errors, a corrected resolution for Item 6 is on the dais and letters of support for Item 9 are also on the dais.

Ms. Raines also stated that staff has received numerous questions regarding the traffic signal at Victoria Avenue and reported that it should be operational on or about May 1st.

3. **APPROVAL OF MINUTES**

- Regular Meeting of April 9, 2013

Councilmember Gottschalk requested the following correction to his comments on page 3, Item 7, paragraph 3 "...the committee **write** up their mission statement..."

Vice Mayor Holober stated that Item 6 under New Business slightly overstates what the Council did which says that a resolution was passed establishing Hanyu, Japan as a sister city; however she does not think that the City has gone quite that far yet; there are still a few steps. The resolution which was adopted uses the word “establishing”

Upon a motion/second by Colapietro/Lee, the minutes were unanimously approved with corrections.

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

- Update Report from the Senior Advisory Committee

Vice Mayor Holober presented the proclamation to Senior Advisory Committee Members Dorothy Lauser and Mary Somers.

Ms. Somers updated the Council on the activities of the Senior Advisory Committee:

- The January Health and Wellness Fair was successful;
- May 1st is the annual May Day celebration and lunch;
- May 22nd trip to Carmel;
- May 28th is the annual Honoring our Veterans Luncheon;
- May 29th trip to Thunder Valley;
- July 21st and 22nd is the annual Relay for Life
- Sept. 25th annual Fashion Show.

PUBLIC COMMUNICATION

Wynn Greich, Hayward resident, spoke on the dangers of fluoride.

CONSENT CALENDAR

Vice Mayor Holober requested that Item 9 be pulled for discussion.

Councilmember Colapietro requested that Item 5 be pulled for discussion.

6. Resolution No. 13-12 Approving a Professional Services Contract for the 2013-2014 Street Repair Project and Awarding a Professional Services Contract to Bellecci and Associates and Allocating \$64,500
7. Resolution No. 13-13 Accepting as Complete and Authorizing Filing Notice of Completion for the 2012 Water Main Replacement Project, Bid No. 605
8. Resolution No. 13-14 Approving a New Maximum Garbage Rate Schedule per Franchise Agreement with South San Francisco Scavenger Company

Upon a motion/second by Lee/Colapietro Items 6, 7 and 8 were unanimously adopted.

5. Investment Report as of March 31, 2013

Councilmember Colapietro stated that there are several items paying over 1% interest and there are several in the 3, 4 and 5% interest bracket that are not maturing as quickly. She thanked the Finance Director and City Manager for doing a good job.

9. Approval of Special Event Permit for the Millbrae Machines Car Show August 17, 2013 Including Street Closure of Broadway between Taylor Boulevard and Victoria Avenue and Hillcrest Avenue between El Camino Real and Magnolia Avenue

Mike Wride, Recreation Superintendent, presented the report and stated that staff did not include a fee waiver in the recommendation as staff is neutral on this issue. In previous years, the City has waived the fees however, last year the Lions Club paid the permit fees. This year is different because the City is not an event sponsor. Staff is requesting a street permit and street closure.

Anthony Caccia, Millbrae Lions Club, stated that the Lions paid the fees last year and the event was held at St. Dunstan; this year they are relocating to downtown. The event will draw people into Millbrae and the downtown area and this is why they are asking that the fees be waived. All the money raised will go back into the community. There will not be any food vendors at the event and this will increase foot traffic to the local restaurants.

Councilmember Colapietro noted that the Lions Club:

- Is requesting City assistance with the posting of signs, traffic control, and clean up after the event and inquired if they asked the Boy Scouts to assist;
- Inquired about the minimum and maximum liability limits on their insurance policy;
- Requested that two weeks prior to the event the Lions go downtown and remind businesses about the event so that they can pass this information along to their clients.

Mr. Caccia responded:

- 40 Lions and the Leos will be asked to help with clean up. They will do everything they can to keep downtown Broadway clean, but they would like the City's assistance;
- The Lions Club will comply with the City's requirements regarding insurance;
- Last Friday the Lions walked the downtown area and offered ideas to businesses on how to lure visitors into their businesses during the event. Goody bags will be given out during the Car Show and informational flyers from businesses will be included in the bags.

Councilmember Lee asked Mr. Caccia to provide the City with a contact name and e-mail address so anyone wanting information can contact them. Mr. Caccia responded that he is the contact and the telephone number is (415) 559-0919 and the e-mail address is lions.millbraemachines@gmail.com.

Upon a motion/second by Lee/Colapietro, Items 5 and 9 were unanimously adopted including waiving the fees for the special event.

Vice Mayor Holober excused the Youth in Government participants. There was a short recess and the Council reconvened at 8:11 p.m.

PUBLIC HEARING

10. Review the Housing Element Update Approved by the California Department of Housing and Community Development

Josh Abrams, Housing Element Consultant, presented the report and noted the changes requested by the Council in November during the review process:

- Updated demographics and housing data;
- Clarification of the confusion regarding the difference between Redevelopment Agencies which were eliminated and redevelopment which continues;
- Updated information about some of the expiring affordability credits;
- Stronger language supporting density bonuses;
- A policy allowing houses of worship to operate small part-year, part-time shelters for the homeless.

Mr. Abrams added that these changes were made and submitted to the Department of Housing and Community Development (HCD) in December; they had two months to give comments.

The HCD had the following comments:

- Clarification of the result of the City's public outreach process;
- More information about the development process;
- Adding the general plan designations along with the zoning designations to the list of available inventory.

Mr. Abrams added that in February, HCD sent a letter to the City stating that the Housing Element is consistent with state law and if adopted as they reviewed it, they would certify it.

Vice Mayor Holober requested the following changes:

- Addition of a second sentence on page 25 under HIP 15 that reads "Housing is encouraged on Sites 1, 11 and 12;"
- Inquired of the City Attorney if the following sentence could be removed. On page 29, HIP 33 regarding lot consolidations, "that the City will consider using eminent domain to facilitate lot consolidation".

Assistant City Attorney Mike Conneran responded that the law is not entirely clear that the City has the ability at this point to utilize eminent domain for that purpose and that it could be removed.

Mr. Abrams stated that he is concerned that the HCD would not be favorable with this change. He asked if it could be change to "if permissible" or "to the maximum extent allowed by the law". Mr. Conneran responded that it could be changed to read as "if permissible under applicable law".

Councilmember Colapietro inquired about the Regional Housing Needs Allocation figures that were recently passed as there was no reference to those numbers.

Mr. Abrams stated that the recently passed numbers were for the next cycle which begins in 2014.

No public comment for this item.

Upon a motion/second by Gottschalk/Lee the Housing Element Update that was approved by the California Department of Housing and Community Development was unanimously approved with the requested changes.

EXISTING BUSINESS

NONE

NEW BUSINESS

11. Resolution Approving a Cooperative Agreement with the California Department of Transportation for the Installation of a Traffic Signal at the Millwood and El Camino Real Intersection and Amending Fiscal Year 2012-2013 Budget to Include an Appropriation of \$203,000 to Fund the Project

Public Works Director Cyrus Kianpour, presented the report. Staff is requesting three actions:

- Approval of an agreement to install a traffic signal at Millwood and El Camino Real;
- Amend the budget to include \$203,000;
- Authorize the City Manager to sign the agreement.

Mr. Kianpour added that the project cost is \$833,700 with 1/3 of the cost being paid by the City and 2/3 by Caltrans. Caltrans will be the lead agency for the project and will take all the necessary steps to prepare, design and advertise. Of the \$833,700 there are certain costs that will not be shared by the City. The source of funds will be from Proposition 42 and it is anticipated that construction will begin in the summer of 2014 with completion in December 2014.

The Council asked the following questions:

- Why is the Fiscal Year 2012-2013 budget being amended when the project does not get underway until 2014;
- Will the Council receive a presentation about what could make El Camino Real safer such as better lighting and narrower lanes.

Staff responded:

- When the Capital Improvement Plan is presented, Council will re-approve the budget for this project which will be for FY 2013-2014;
- Staff will put out a request for proposals and receive input from consultants on making El Camino Real safer. Staff will also be talking to the Transportation Authority as they have received funds to study segments of El Camino Real, focusing on issues that are being discussed this evening.

No public comment for this item.

Upon a motion/second by Lee/Colapietro Resolution No. 13-15 approving a Cooperative Agreement with the California Department of Transportation for the installation of a traffic signal at the Millwood and El Camino Real Intersection, amending Fiscal Year 2012-2013 Budget to include an appropriation of \$203,000 to fund the project and authorizing the City Manager to execute the cooperative agreement was unanimously adopted.

COUNCIL COMMENTS

Vice Mayor Holober:

- Attended, as the alternate to Councilmember Lee, the Peninsula Traffic Congestion Relief Alliance Board Meeting. They discussed the ferry service recently opened between South San Francisco and Oakland. This is a unique service because it is the only ferry service not central to San Francisco;
- Attended the recent Sister City Commission meeting where they discussed the Mosta Grove planting and upkeep and announced that there will be no meeting in May due to the holiday.

Councilmember Lee:

- Attended the recent Parks and Recreation Commission meeting. There was discussion about reminding people to leash their dogs in the parks as per the City's Municipal Code;
- Announced that the City of San Mateo recently banned the use of single use bags;
- Announced that Meadows Elementary School is having their auction dinner on Friday;
- Attended the Association of Bay Area Governments (ABAG) meeting which conflicted with the Peninsula Traffic Congestion Relief meeting and thanked Vice Mayor Holober for attending in his place. One of the ABAG guest speakers was Robert Reich, former Labor Secretary for the Clinton Administration, who spoke on how the middle class is shrinking due to the global economy, how the wage gap has grown, and that the recovery is anemic due to adjustment of the global economy. Another speaker, Alan Jacobs from UC Berkeley spoke on "Place Making" as the new catch phrase for re-designing communities replacing Redevelopment;
- Announced the Downtown Process Committee meeting tomorrow at 8:00 a.m. in the Library.

Councilmember Colapietro:

- Attended the City and County Association of Governments (C/CAG) Sub-Regional Housing Needs Allocation Policy Advisory Committee special meeting. All cities in the San Mateo County sub-region approved final allotments for their very low, low, moderate and above moderate affordability level. The City of Millbrae total is 663 units for 2014 – 2022 housing needs;
- Announced that the Youth in Government program participants toured the Millbrae Community Youth Center and invited everyone to attend the Mock Council meeting at 5:00 p.m. on April 25th;
- Attended the C/CAG Annual Retreat. The Bay Area plan was presented and \$14 billion is being allocated to help cities develop and execute their plans in Project Development Areas (PDAs). C/CAG will be the agency that will be working to set up a process with the Metropolitan Transportation Commission (MTC) and there is an allotment of \$1.6 million for the cities in San Mateo county. She noted that staff discussed the grant matter in a recent meeting with C/CAG staff and she encouraged staff to apply for grant monies;
- Announced that the Silver Dragon 7 exercise was held last Thursday; 47 community volunteers participated in the exercise and 10 county agencies visited during the exercise;
- Announced the Streets Alive Parks Alive community event on Sunday, May 5th from 1:30 p.m. to 5:00 p.m. downtown on Broadway between Meadow Glen and Taylor Blvd.;
- Congratulated Taylor Middle School for being named a California Distinguished School;
- Announced the job fair on Wednesday, May 1st, at Skyline College in San Bruno.

Councilmember Gottschalk

- Announced the Annual HEART Fundraising Luncheon on Monday, May 6th. As a member of the HEART Board he stated that they are near their goal and encouraged fellow Councilmembers to attend;

- Announced that there is a committee working on planning for the utilization of the Millbrae Community Youth Center and they hope to offer youth programs in a few weeks.

ADJOURN CITY COUNCIL

There being no further business to discuss the City Council adjourned at 8:52 pm.

/s/ Angela Louis
City Clerk

/s/ Gina Papan
Mayor