



**MILLBRAE CITY COUNCIL  
MINUTES  
April 10, 2012**

**CALL TO ORDER MILLBRAE CITY COUNCIL**

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

**ROLL CALL:** Mayor Marge Colapietro, Vice Mayor Gina Papan, Councilmembers Nadia V. Holober, Wayne J. Lee, and Robert G. Gottschalk

PLEDGE OF ALLEGIANCE TO THE U.S. FLAG

**1. CEREMONIAL/PRESENTATION**

- Introduction of Sheriff's Office staff

Chief Ed Barberini introduced deputies working the evening shift at the Millbrae Police Bureau: Sergeant Tony Torres, Deputy Schemerhorn, and Deputy Penne.

- Presentation on the Upcoming Americas' Cup Race by Barry Ongerth, Chairman of the San Mateo County/Silicon Valley Convention and Visitors' Bureau

Mayor Colapietro stated that this presentation has been rescheduled to the May 8, 2012 Council meeting.

- Presentation on Realignment from Stuart J. Forrest, Chief Probation Officer for San Mateo County

Chief Probation Officer Stuart J. Forrest gave a presentation on Realignment, which began in the County on September 1, 2011. Realignment refers to two specific populations, 1) people who are released from prison and returned to the counties for the purpose of lowering the prison population and 2) newly convicted felons that will be incarcerated and/or supervised in counties rather than state prison. They must meet the criteria that they are non-serious, non-violent, and non-sexual offenders. The Probation Department is working closely with local law enforcement to provide up to date information on the realignment population in the City.

Council inquired about:

- Current probation office staffing level;
- Does the non-serious, non-violent, and non-sexual offenders apply to juvenile offenders;
- What services are available to those who are released to the County;
- Will the County track the needs of the realigned offenders?

Chief Probation Officer Stuart responded:

- There are 151 probation officers and the current caseload is approximately 5,500 and 100 are being monitored electronically;
- This criterion does not apply to the juvenile offenders. The state is currently considering the closure of Department of Juvenile Justice Facilities which would return high risk juveniles to the

County for supervision. There is opposition to this because the County is unprepared and underfunded to provide the specialized treatment and level of security for this population;

- Support services in place for the realignment offenders include: educational training, vocational training, and housing needs;
- The County will track those programs which are most successful in assisting the needs of the realignment offenders.

- Update on Caltrans Construction at El Camino Real and Millbrae Avenue

Public Works Director Ron Popp stated that this project is being managed by Caltrans. The two pork chop islands at this intersection have been removed and the pedestrian walkways have been realigned. Staff is in communication with Caltrans on a weekly basis and more when there is a high volume of complaints. Construction at this site is scheduled for completion at the end of April due to the rain. Additionally the City’s project of installing a signal at Victoria Avenue is due to begin in May and staff will make certain that the work at Millbrae Avenue is completed before beginning this project.

Council inquired about:

- The timing of the green light for pedestrians crossing at El Camino Real;
- Installation of two right turn lanes from Millbrae Avenue onto northbound El Camino Real;
- The intersection may be highly impacted due to BART and there is no mitigation for this traffic;
- Will all signals on El Camino Real in Millbrae be timed?

Mr. Popp stated that he will pass these concerns on to Caltrans. Regarding the installation of two right turn lanes from Millbrae Avenue onto El Camino Real, Caltrans will evaluate this after the project is completed. It was also noted that the construction site may be causing issues as the barriers are forcing some drivers to swerve out of the lane when making a right turn onto El Camino Real. Staff will also bring this to the attention of Caltrans.

**2. AGENDA OVERVIEW/STAFF BRIEFING**

- Informational Report Regarding Bills, Claims, and Payroll

City Manager Marcia Raines reviewed the agenda items.

- Report out from Closed Session of March 27, 2012

City Attorney Joan Cassman stated that the Council had met in Closed Session and discussed the matter of existing litigation; the City Attorney received instruction and authority for settlement.

**3. APPROVAL OF MINUTES**

- Regular Meeting March 27, 2012

Upon a motion/second by Lee/Papan, the minutes were unanimously approved.

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

- NONE

**CITIZEN COMMUNICATION**

NONE

**CONSENT CALENDAR**

NONE

**PUBLIC HEARING**

NONE

**OLD BUSINESS**

NONE

**NEW BUSINESS**

5. Council Consideration in Support SB 1339 (Yee), Commute Benefit Policies

Public Works Director Ron Popp presented the informational report on SB 1339 (Yee), a four year pilot program to enable the Bay Area Air Quality Management District and the Metropolitan Transportation Commission to jointly adopt a regional commuter benefit requirement. SB 1339 would require employers with 50 or more full-time employees to offer their employees one of the following options: 1) the option to pay for their transit utilizing pre-tax dollars, 2) a transit or vanpool subsidy up to \$75 per month, or 3) a free shuttle or van pool. Most employers in the Bay Area with commuter benefit programs have chosen the first option. Additionally C/CAG, at its recent Board meeting in March 2012, adopted a motion approving a countywide ordinance regarding a Commuter Benefit Program. The difference between the two is that SB 1339 is a pilot program. Staff recommends that both SB 1339 and C/CAG's ordinance can be supported.

Council received the report. Councilmember Gottschalk stated that he could not support this legislation as it would mandate participation. Councilmember Holober stated that most employers choose the option to allow employees to use pre-tax dollars for transit at no expense to the employer and she could support this legislation.

Upon a motion/second by Holober/Lee Council moved to support SB 1339 (Yee) Regional Commuter Benefit, by a vote of 4:1. Councilmember Gottschalk dissented.

**COUNCIL COMMENTS**

Mayor Colapietro:

- Congratulated the Drama Students at Taylor Middle School on their successful production of Beauty and the Beast;
- Attended the reception for former Chamber of Commerce President John Ford;
- Attended the 47<sup>th</sup> Annual Lions Club Police and Firefighters Recognition dinner. Firefighter Tim Wetteland and Police Officer Steve O'Malley were honored;
- Attended the Community Preservation Commission meeting and presented service pins to Gale Grinsell and Myrna Warto;
- Attended the Downtown Process Committee meeting;
- Attended the Youth in Government preparation meeting with Stevan Luzaich of the Lions Club;

- Attend the Man and Woman of the Year preparation meeting;
- Attended meetings of the Oversight Board.

Vice Mayor Papan:

- Requested that the meeting be adjourned in memory of San Mateo Harbor Commissioner Sally Campbell;
- Announced that two bald eagles have nested in the Crystal Springs Reservoir area;
- Attended the Silicon Valley Regional Forum;
- Requested that the City write letters to protect the interests of Hetch Hetchy;
- Attended the San Mateo County Cities Appreciation Breakfast Meeting and listened to a program for employing people with disabilities;
- Requested that the City place a link on the website to the Commute.org pledge to ride.

Councilmember Holober:

- Wished everyone a Happy Easter season, Passover, and Spring;
- Thanked the City Manager and staff on the responsiveness to her request for the report on the Caltrans construction and the introduction of Sheriff's Office deputies.

Councilmember Lee:

- Announced that he and Vice Mayor Papan are testing out some of the new equipment that will be used by the Council and the Planning Commission.

Councilmember Gottschalk:

- Received a letter from the new Mayor of Kai Ping, China inviting the Sister Cities Commissioners to visit;
- Thanked those who worked on the installation of the new doors and windows in the Millbrae Community Youth Center.

**ADJOURN CITY COUNCIL**

There being no further business to discuss the City Council adjourned at 8:50 p.m. in memory of Millbrae residents: Ann Cresci, Greyson Kuehnert, Russell Nott, Frances Onyon, Marion Pontacq; Lucielle Lang, mother of retired Millbrae employee Pat Crilly, and San Mateo County Harbor Commissioner Sally Campbell.

/s/ Angela Louis  
City Clerk

/s/ Marge Colapietro  
Mayor