



**MILLBRAE CITY COUNCIL
MILLBRAE REDEVELOPMENT AGENCY
MINUTES
January 24, 2012**

CALL TO ORDER MILLBRAE CITY COUNCIL AND REDEVELOPMENT AGENCY

Mayor Colapietro called the meeting to order at 7:00 p.m.

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

PLEDGE OF ALLEGIANCE TO THE U.S. FLAG

CEREMONIAL/PRESENTATION

- NONE

1. **AGENDA OVERVIEW/STAFF BRIEFING**

- Informational Report Regarding Bills, Claims, and Payroll

City Manager Marcia Raines reviewed the agenda items, noting that the Single Use Bag reports are two separate items.

- Report out from Closed Session of January 10, 2012

City Attorney Joan Cassman stated that one item was discussed. No action was taken on the matter of labor negotiations.

2. **APPROVAL OF MINUTES**

- NONE

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

- Update Report from the Senior Advisory Committee

Senior Advisory Committee Chairwoman Patricia Realini and Vice Chairwoman Mary Somers reported on the activities of the Senior Advisory Committee:

- Lunar New Year Luncheon will take place on February 2, 2012 and will be catered by local restaurant Lai Lai. The cost is \$15.00;
- Health and Wellness Faire will take place on January 28, 2012 at the Community Center, 477 Lincoln Circle from 10:00 a.m. to 2:00 p.m.
- thanked the local businesses for their donations and all volunteers who donated their time to make the Faire possible.

- Update Report from the Sister Cities Commission

Sister Cities Commission Chairwoman Doris Morse, outgoing president of the Peninsula Chinese Business Association (PCBA) Baron Suen and newly elected Vice President of the PCBA Joe Chen reported on the 2012 Lunar New Year Event:

- the event is planned for Sunday January 29, 2012;
- a banquet will be held on Thursday January 26, 2012 at Zen Peninsula Restaurant;
- there will be new events this year such as a table tennis tournament;
- there will be 35 booths this year compared to 10 last year;
- there will not be a parade this year, however a lion dancer will perform in certain areas;
- thanked the major supporters of the event including the Sister Cities Commission, Chamber of Commerce and the Millbrae Recreation Department;

CITIZEN COMMUNICATION

Wynne Greich, Hayward resident, spoke on the detrimental health effects of chloramines in the drinking water.

Anne Schneider, Millbrae resident, spoke on traffic issues on Palm Ave.

John Ford, Chamber of Commerce president announced that effective February 3, 2012 after 9 years of service, he will be leaving to pursue an opportunity as the Executive Director of Peninsula Congestion Traffic Relief Alliance. He thanked the Council for their support and added that he is sure that the Chamber Board will appoint someone to replace him. Mayor Colapietro thanked Mr. Ford and wished him well.

CONSENT CALENDAR

Councilmember Papan requested that this item be pulled for discussion at a future meeting.

4. Acceptance of the Comprehensive Annual Financial Report

Upon a motion/second by Papan/Holober, continuation of this item to a future meeting for discussion was unanimously approved.

PUBLIC HEARING

Both Public Hearing items were discussed together.

5. Adoption of a Negative Declaration on Prohibiting Single Use Carryout Bags
6. Adoption of a Single Use Carryout Bag Ban Ordinance
 - Waive 1st Reading
 - Introduce Ordinance

Shelly Reider, Environmental Program Manager, presented the reports stating they addressed the issues that Council requested at a prior meeting, presented a power point, and reviewed the components of the ordinance and explained the difference between the ordinance effective date and the target start date.

Council inquired about:

- possibly making reusable carry out bags available for residents
- estimated fees in conjunction with the ordinance
- comments made by businesses that staff has contacted
- communication with residents in different languages
- if staff will be required to bring this back to Council if the .10 cent fee is not sufficient

Staff responded:

- staff has distributed 5,500 reusable bags in the last 6 years and will be ordering additional bags;
- estimated fees could be up to \$10,000;
- most of the comments from businesses have been positive and the implementation delay until September is appreciated;
- will do the same outreach that was done with non Styrofoam packaging;
- 10 cents is the minimum fee and there is language that states the ordinance can be reviewed after one year. City Attorney Joan Cassman added that Council can delegate staff to review and make a decision, but feels staff should be more transparent and have this come back to the Council.

Begin public comment

Valerie Yermakova, Mills High School senior and President of Green Youth Alliance, stated that the organization fully endorses this ordinance.

Robert Fairbank, Millbrae resident and Sierra Club member, urged Council to pass this ordinance.

Anne Schneider, Millbrae resident and Chair of Sierra Club Zero Waste stated she strongly supports the ordinance and feels this is a good way to educate all citizens; however she disagreed with some exemptions.

John Ford, Millbrae Chamber of Commerce, stated that the organization does support the ban of single use bags, and appreciates outreach from staff. The Ordinance has been expanded to include all retailers and the Chamber cannot back it fully because it will impact disadvantaged business. He added that the Chamber would prefer a voluntary option especially for smaller businesses and he asked staff to enforce the ordinance equally.

Tim James, California Grocers' Association, stated that because the ordinance regulates all bag types it encourages a no cost option for both retailers and customers. The Association appreciates the changes that have been made since the last meeting and feels comfortable with the ordinance as presented.

End of public comment

Council inquired about:

- which businesses would be adversely effected by the ordinance;
- removal of staff authority for undue hardship exemptions;
- penalties as provided for in Chapter 105 of the Millbrae Municipal Code;
- the process for accounting of bags used.

Staff responded:

- adversely affected businesses would include those that use only plastic bags and would have to reconfigure their check stands such as 7-11 or Walgreens;
- there was no recommendation from staff regarding this issue; however Mayor Colapietro stated that the Council sets policies and it is up to the City Manager to carry out those policies and part of managing the City in carrying out this Ordinance. No change should be made;
- penalties are for infractions and are uniform throughout the code;
- businesses can use inventory as a way to account for the number of bags used.

Per Council discussion changes/edits will be made to the Ordinance and brought back to Council at the second reading on February 14, 2012. There were no substantial changes to the language of the Ordinance.

Upon motion/second by Papan/Lee, the Negative Declaration was unanimously adopted.

Upon motion/second by Papan/Lee, unanimously voted to waive the 1st reading and introduce the Ordinance adopting a Single Use Carryout Bag Ban.

OLD BUSINESS

NONE

NEW BUSINESS

7. Approval of Relocation Plan for a Previously Approved 27-Unit Affordable Rental Housing Project at 1275 El Camino Real known as Dolores Lia

Armando Sanchez, Housing Project Manager, presented the report, stating that state law requires that displaced tenants are taken care of and introduced Suzanne Gautier of Laurin Associates as the relocation specialist hired by Pacific West Communities.

Begin public comment.

Thomas Barry, resident at 1275 El Camino Real, stated that he has been a member of the community for 18 years and loves the community; however the family is low income but not low enough to qualify for these units. He attended meetings but has not gotten any real answers. Has provided a lot of information but feels like his privacy is being invaded.

End of public comment.

Mayor Colapietro requested that Mr. Sanchez and/or Ms. Gautier make arrangements to contact and meet with this individual.

Upon motion/second by Holober/Lee the Relocation Plan was unanimously approved.

8. Redevelopment Agency Resolution Adopting an Amended Adopted Enforceable Obligations Payment Schedule for the Millbrae Redevelopment Agency Pursuant to Assembly Bill 1x 26

Leslie Parks, Redevelopment Project Manager presented the report.

Council discussion ensued.

No public comment for this item.

Upon motion/second by Holober/Gottschalk the RDA Resolution No. 12-01 adopting the Amended Adopted Enforceable Obligations Payment Schedule was unanimously adopted.

9. City Council Electing to Serve as the Successor Housing Entity to the Redevelopment Agency

Leslie Parks, Redevelopment Project Manager, presented the report stating if the City Council elects to serve as the Successor Housing Entity to the Redevelopment Agency it would enable the city to continue providing affordable housing in the community. If council does not elect to serve all authority would go to county.

Council discussion ensued.

No public comment for this item.

Upon motion/second by Papan/Lee, Resolution No. 12-05 affirming its election to have the City of Millbrae serve the Successor Agency to the Redevelopment Agency was unanimously adopted.

COUNCIL COMMENTS

Mayor Colapietro:

- Will attend the Mayor's Civic Coordinating Council meeting on Friday at 8:30 a.m.;
- January is Millbrae's 64th anniversary of incorporation;
- Wished everyone a Happy Lunar New Year, good luck, health, prosperity and happiness;
- Congratulated Barry Ongerth, of the Dylan at SFO (previously the Travelodge) who has been selected Chairman of the Board of the San Mateo County/Silicon Valley Visitor's Bureau.

Vice Mayor Papan:

- Congratulated the 49ers for getting as far as they did in the play offs;
- Announced that Chairman Van Ark of High Speed Rail has resigned;
- Met with Sam Trans today regarding the electrification of CalTrain & Wi-Fi;
- Sent her personal condolences to the family of retired Millbrae firefighter Hart.

Councilmember Holober:

- Congratulated the new Chamber of Commerce Board of Directors;
- Sent condolences to the family of Vladimir Debabov a former Mills High School Student.

Councilmember Lee:

- Recreation Department has established a \$750 sports scholarship fund;
- Staff is evaluating city parks for an appropriate location for a Dog Park.

Councilmember Gottschalk:

- Looking forward to all Lunar New Year celebrations.

There being no further regular business to discuss the City Council recessed and the Redevelopment Agency adjourned at 9:48 p.m.

RECESS CITY COUNCIL AND ADJOURN REDEVELOPMENT AGENCY

RECONVENE CITY COUNCIL

10. **CLOSED SESSION**

Closed Session held pursuant to Government Code §54956.9(b) and (c)
Conference with Legal Counsel – Anticipated Litigation - Two matters

11. Conference with Legal Counsel – Labor Negotiations

Closed Session held pursuant to Government Code §54957.6

Agency Negotiator: Marcia Raines

Employee Organization: Millbrae Police Officers Association

ADJOURN CITY COUNCIL

There being no further business to discuss the City Council adjourned at 10:45 p.m. in memory of Vladimir Debabov, Marjory Wilson, and Charles Hart.

/s/ Angela Louis
City Clerk

/s/ Marge Colapietro
Mayor