



**MILLBRAE CITY COUNCIL
MINUTES
June 12, 2012**

CALL TO ORDER MILLBRAE CITY COUNCIL

Mayor Colapietro called the meeting to order at 7:05 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**

- Presentation of Certificates of Appreciation to Community Gatepath Volunteers

Mayor Colapietro presented Steven Williams, Chairman of the Board, and Sheryl Young, Chief Executive Officer with a Commendation. The Mayor presented each Gatepath volunteer with a certificate and a City pin.

2. **AGENDA OVERVIEW/STAFF BRIEFING**

- Informational Report Regarding Bills and Claims

City Manager Marcia Raines reviewed the agenda items and recommended that the New Business item be discussed before the Old Business item.

- Report out from Closed Session of May 22, 2012

City Attorney Joan Cassman stated that the Council had met in Closed Session and discussed the matter of anticipated litigation; Council received the report and no action was taken. An item related to the subject matter of the Closed Session is on tonight's agenda.

3. **APPROVAL OF MINUTES**

- Regular Meeting May 22, 2012

Corrections to the minutes were given to the City Clerk; there were no substantive changes made. Councilmember Holober requested that the comments about the mid-year budget be reviewed and included. Councilmember Gottschalk requested that the comments made by Mr. Muzzi under Citizen Communication be reviewed and include the language regarding the long-term leases for his properties in Site One.

Upon a motion/second by Papan/Lee the minutes were approved with corrections.

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

- NONE

PUBLIC COMMUNICATION

Wynn Greich, Hayward resident, spoke on Agenda 21 – depopulation, and the hazardous effects of fracking to the drinking water.

Michael Francoise, East Palo Alto resident, spoke on the detrimental health effects of fluoride in the drinking water.

Willie Washington, Fremont resident, spoke on the detrimental health effects of fluoride in the drinking water.

CONSENT CALENDAR

5. Investment Report as of March 31, 2012
6. Resolution No.12-18 Amending the Water Pollution Control Plant Renovation Project Budget

Begin public comment.

Wynn Greich, Hayward resident, stated that pollution in the water is from the additives that are put into it, and wastewater treatment plants are the biggest polluters.

End of public comment.

Upon a motion/second by Gottschalk/Colapietro Consent Calendar items 5 and 6 were unanimously adopted.

PUBLIC HEARING

NONE

OLD BUSINESS

7. Fourth Budget Study Session and Resolution Adopting FY 2012-2013 Budget

Finance Director LaRae Brown presented the agenda report. She reviewed items that were brought up at the May 22, 2012 Council meeting.

Mayor Colapietro thanked Ms. Brown for preparing the report with Council questions and providing it to the Council early for review.

Mayor Colapietro requested a review of Attachment D1-A – Expenditures not Included in the Budget. She expressed concern for adding \$19,000 for carpet tile in the Chetcuti Room; the carpet can be cleaned, and the fraying can be addressed. She requested that Council consider removing this item from the list, and a cleaning schedule for the carpet be set up.

There was Council discussion regarding security deposits collected for room rentals and that there should be more accountability on checking a room/facility before and after each rental to note its condition and to retain the deposit money for cleaning. Possibly develop a nonrefundable maintenance fee that would include the cost of quarterly carpet cleaning along with maintenance/upkeep of rooms and City facilities.

Councilmember Lee thanked the Mayor for her comments and agreed that the \$19,000 should not be spent on this item. He requested that an additional \$6,000 be allocated towards Councilmember training.

Mayor Colapietro stated that she would prefer to see the money spent on ADA items instead, as Councilmembers already have a budget for expenses.

Councilmember Lee clarified that the money would be used for training and educational purposes and not for representing the City at various functions.

Mayor Colapietro noted this is the public's money and there are other opportunities for Council to receive training that is free of charge or on-line through various agencies.

Councilmember Gottschalk stated that he supports training for Council and that Council, with staff support, can come up with a set of parameters.

Vice Mayor Papan inquired as to what happens to the current amount of \$1,200, allocated to Council expenses, that is not spent.

Staff replied that any unspent money goes back into the General Fund and then new allocations are given to each Councilmember at the beginning of the next fiscal year.

Mayor Colapietro stated that Council should look at how the current leadership training is progressing and then revisit this item later.

Councilmember Holober stated that there should be some individual choice to attend training and that no one would be forced to take training.

Councilmember Lee reiterated his request to remove the \$19,000 for the carpet tiles and to add \$6,000 for Councilmember training.

Councilmember Gottschalk requested that the playground equipment being removed from Green Hills Park and Lions Park be donated to the Rotary Club, as they have a program that sends old playground equipment to Mexico where it can be reused.

Mayor Colapietro inquired if there could be a release of liability if the playground equipment were donated.

City Attorney Joan Cassman stated that a release of liability could be prepared for this purpose.

Mayor Colapietro thanked staff for their work on the budget.

Councilmember Holober inquired as to when the final numbers for current fiscal year would be available.

Staff noted that this information would be available after the Council recess.

No public comment for this item.

Upon a motion/second by Lee/Holober Resolution No 12-19 Adopting the Budget for Fiscal Year 2012-2012 was unanimously adopted, with the removal of the \$19,000 for carpet tiles and the addition of \$6,000 for Council training/education.

NEW BUSINESS

8. Adoption of an Ordinance Implementing Water Efficient Landscape Program and Amending Water Conservation Regulations in the Millbrae Municipal Code
 - Waive 1st Reading
 - Introduce Ordinance

Environmental Programs Manager Shelly Reider reviewed the report and presented a power point on the Water Efficient Landscape Ordinance. The Ordinance is primarily based on BAWSCA's model. The Ordinance provides two conservation options: 1) grass area may not be more than 25% of the landscape area, and at least 80% of the plants in the non-grass areas need to be native plants, low water using plants, or no-water using plants, and 2) implement and comply with a water budget. Ms. Reider reviewed three revisions that will be included in the final ordinance: 1) Pool and spa covers – "Covers shall be required for all new swimming pools and spas and encouraged to be installed for existing pools and spas", 2) renaming of Exhibit 2 to "Appendix A", and 3) addition of second bullet on Table 1, under "Applicability" – "Rehabilitated landscaped area between 1,000 and 2,500 sq. ft., if permit or new water meter connection or expanded water service required."

Art Jensen, Executive Director of BAWSCA, stated that other cities are adopting water ordinances and that staff had done good job of tailoring the model provided by BAWSCA to fit Millbrae's needs.

Council inquired if other agencies have achieved the goal of 20% savings by 2020?

Mr. Jensen stated that the goal is being achieved through water conservation.

Mayor Colapietro thanked Mr. Jensen and acknowledged that BAWSCA Board Member Daniel F. Quigg was also in attendance.

Council inquired:

- if a phone number could be added to the information to report water wasting;
- if there are any rebate programs for landscaping;
- is there a plant list that will show which plants are ok to plant;
- how will penalties be enforced?

Staff responded:

- there is a phone number to call to report water wasting and that it can be publicized more and could be included on the water bill;
- there are no rebate programs for landscaping, however the City offers free water wise and gardening workshops to the public
- the plant list is being fine tuned; staff can provide the list to Council;
- enforcement will through the current administrative enforcement in the Municipal Code.

No public comment for this item.

Upon a motion/second by Lee/Papan Council waived the first reading and introduced an Ordinance implementing a Water Efficient Landscape Program and amending Water Conservation Regulations in the Millbrae Municipal Code.

COUNCIL COMMENTS

Mayor Colapietro:

- Attended the Rotary Installation and congratulated Councilmember Gottschalk on his appointment to the Rotary Board of Directors;
- Thanked the CERT and Communications Van volunteers who staffed a booth during the Annual Disaster Preparedness Day at the County Fair last weekend;
- Announced the State of the City is on June 21, 2012 at 5:30 p.m. in the Chetcuti Room;
- Announced the Safeway Groundbreaking Ceremony on June 15, 2012 at 10:00 a.m.;
- Announced that the deadline for applications to serve on the Millbrae School Board of Trustees is June 15th; check the Millbrae School District website for more information.

Vice Mayor Papan:

- Received a letter from Skyline Stables announcing their relocation due to construction by the SFPUC;
- Announced that she is working on getting interns to focus on Economic Development and bringing news businesses to Millbrae;
- Requested that the public remember the Armenian genocide, and acknowledge this tragic event;
- Thanked all the voters who came out on June 5th;
- Announced that the Millbrae School Board has 2 vacancies and they will be making appointments to fill them.

Councilmember Holoher:

- Read that there are still one million ballots to count, and that the outcome on some measures are still pending;
- Attended the Earth Day event last month and noted that she would like to see more plantings; this year's event was a clean up event. She requested that next year both clean up and beautification projects can be done;
- Attended last months CMEQ meeting. There is money available for El Camino Real projects and could be used for perpendicular streets such as Millbrae Avenue; she requested that staff look into this.

Councilmember Lee:

- Requested that student interns do a photo contest to show off Millbrae;
- Attended last month's San Mateo County Council of Cities dinner meeting at Facebook headquarters;
- Announced that the Parks and Recreation Commission has narrowed down possible dog park locations to two sites and may be coming forward to the Council soon. The dog park will be funded by donations and no City funds will be used. For more information, visit the website: www.millbraedogpark.org.

Councilmember Gottschalk:

- Stated that he had no comments.

RECESS CITY COUNCIL

There being no further regular business to discuss the City Council recessed at 9:25 p.m.

RECONVENE CITY COUNCIL

9. **CLOSED SESSION**

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

Conference with Legal Counsel – Labor Negotiations
Closed Session held pursuant to Government Code §54957.6
Agency Negotiator: Marcia Raines
Employee Organizations: Firefighters Local 2400
Sanitation Workers Association
Teamsters Local 856

Employee Group: Unrepresented Management

ADJOURN CITY COUNCIL

There being no further business to discuss the City Council adjourned at 10:50 p.m. in memory of Millbrae residents Josephine Berni, Raymond Bianconi, Lesly Moresco, Raymond Chow, Gerald Fisch, Millbrae LEND Volunteer, James Bauman, retired Millbrae Police Sergeant, and Lanty Molloy, Sr, father of Millbrae Fire Captain Lanty Molloy, Jr.

/s/ Angela Louis
City Clerk

/s/ Marge Colapietro
Mayor