



**MILLBRAE CITY COUNCIL
MINUTES
June 26, 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 the Community Preservation Commission Residential Beautification Award to the Murphy Family

Community Preservation Commission Chair Christina Stevens presented the Murphy Family with the Residential Beautification Award.

- Presentation of the Community Preservation Residential Beautification Award to the Corvi Family

Community Preservation Commission Chair Christina Stevens presented the Corvi Family with the Water Wise Garden Award.

- Proclamation Proclaiming the Month of July 2012 as Parks and Recreation Month

Mayor Colapietro presented Parks and Recreation Commission Chair Andrew Trapani with the Proclamation.

Mr. Trapani thanked the Council and invited the Council and Millbrae residents to attend two upcoming movie nights in Central Park that are being hosted by the Sheriffs Activity League.

- Presentation of Certificates to Youth Community Service Volunteers: Leos Club, Interact Club, St. Dunstan, and Youth Advisory Committee

Mayor Colapietro presented each of the youth community service volunteer groups with a commendation and thanked them for their hard work and commitment to Millbrae.

2. AGENDA OVERVIEW/STAFF BRIEFING

- Informational Report Regarding Bills and Claims

City Manager Marcia Raines reviewed the agenda items.

- Report out from Closed Session of June 12, 2012

City Attorney Joan Cassman stated that the Council had met in Closed Session and discussed two matters. Regarding the matter of anticipated litigation, no reportable action was taken. Regarding the matter of labor negotiations; that subject will continue tonight in Closed Session.

APPROVAL OF MINUTES

- NONE

3. ORAL REPORT FROM CITY COMMITTEE/COMMISSION CHAIRS

- Parks and Recreation Commission

Parks and Recreation Commission Chair Andrew Trapani presented an update report to the Council. The Commission:

- approved some funding for the program;
- provided funding for a park bench at Central Park;
- acknowledged receipt of the Mayors letter regarding a dog park and the Commission will proceed with the project;
- is looking into collaborative efforts for a community garden project;
- has current vacancies; contact the City Clerk for an application.

PUBLIC COMMUNICATION

Wynn Greich, Hayward resident, spoke on the health hazards of fluoride and chlorine in the drinking water.

Gale Grinsell, Millbrae resident, stated that she has an issue with too much technology at Council meetings. Councilmembers are not looking at the audience, and are distracted with their technology devices.

Peter Finn, Teamsters Local 856, stated that he represents some of the employees working at City Hall, and his purpose this evening is to communicate to the Council information on where the Teamsters unit stands. The Teamsters are asking that the Council reconsider the demand for an additional 5% reduction in total compensation from the unit. He provided copies of a letter signed by members of the Teamsters Unit to the Council.

CONSENT CALENDAR

Councilmember Holoher requested that item 6 be pulled for discussion.

4. Resolution No. 12-20 Establishing the Appropriations Limit for Fiscal Year 2012-2013
5. Motion to Recess the Regular Council Meetings for the Month of August 2012

Upon a motion/second by Holoher/Lee Consent Calendar items 4 and 5 were unanimously adopted.

6. Adoption of an Ordinance Implementing Water Efficient Landscape Program and Amending Water Conservation Regulation in the Millbrae Municipal Code
 - Waive 2nd Reading
 - Adopt Ordinance

Public Works Director Ron Popp stated that the purpose of the Ordinance is to conserve water and be consistent with current water conservation laws. Millbrae opted to join with the other agencies in Bay Area Water Supply and Conservation Agency (BAWSCA) to develop a preferred regional landscape ordinance. Millbrae's ordinance is based on BAWSCA's ordinance. Currently Brisbane, Burlingame, Daly City, Foster City, Half Moon Bay, Mountain View, Portola, Sunnyvale, and the Westborough Water District have adopted the BAWSCA ordinance. The City of Belmont, Redwood City, and Woodside have defaulted to the state ordinance and the Town of Hillsborough and the City of Menlo Park are adopting a hybrid of the BAWSCA and State ordinances.

Mayor Colapietro stated that the ordinance does not raise water rates and is applicable to new construction of 1,000 square feet or greater, and will also allow the City to stay within its water allocation.

Council requested the following:

- Regarding Laundry Facilities;
 - ✓ include a definition for "high efficiency"
 - ✓ include a list of approved washing machines
 - ✓ add effective date
- Regarding Plumbing;
 - ✓ include definition for "positive shut-off valves:
- Regarding Washing of Vehicle, Equipment, Machinery and Surfaces;
 - ✓ difficult to enforce
 - ✓ will there be outreach
 - ✓ how will non-profits (high school car washes) comply with this
 - ✓ change language to make more clear
- Possibly increase the square footage from 1,000 to 1,500, but not up to the 2,500 as allowed by the State ordinance;
- Will the ordinance cause more hardscaping because it is difficult to comply with;
- Can part of the property be left without landscaping;
- Regarding Cleaning of Surfaces, this discourages the use of a hose to wash down the side of a home;
 - ✓ what outreach has been done for residents
- Some provisions are difficult to enforce and/or inconsistent;
 - ✓ upkeep of three inches of mulch – how enforced
 - ✓ inconsistency of soil amendments – B5 on page 19 and F on page 20
- Who is the enforcement office for this ordinance;
- Plant list – are these the only plants allowable;
- Would like to see the addition of a provision for gray water usage on large facilities and/or projects;
- Make some provisions voluntary rather than mandatory;
- Have a period of time before ordinance goes into effect to do public outreach; similar to what was done with the single-use bag ban.

Staff responded that they would review the above mentioned comments and requests, and incorporate these into a revision of the ordinance and bring it back to Council for consideration. It was noted that the current Zoning Ordinance limits hardscapes to 40% and that the Planning Commission requires a landscape plan review on projects. The plant list is a suggested list and is not mandatory, and it would be posted on-line along with the checklist. Extensive public outreach would be conducted, similar to the outreach done with the adoption of the single-use bag ban ordinance.

Staff also noted that this ordinance is for new landscaping and the City would not be going after current landscaping. If the City were to go along with the State ordinance, it may not have an affect on many properties and may not reach the conservation goal of 25% water reduction which went into effect on January 1, 2010.

City Attorney Joan Cassman noted that the changes requested are substantive and the ordinance should be amended and brought back to Council for consideration.

No public comment for this item.

It was the consensus of Council to bring the item back at a future meeting for consideration.

PUBLIC HEARING

Consideration of an Appeal of Planning Commission Approval of a Conditional Use Permit to Allow an Academic Tutoring Business, "Harvard Square 2 Academy", in the Commercial Ground Floor of a Mixed-Use Development, "Belamor"

(This item will not be heard; it has been referred back to the Planning Commission for action.)

OLD BUSINESS

NONE

NEW BUSINESS

NONE

COUNCIL COMMENTS

Mayor Colapietro:

- Thanked the Chamber of Commerce for hosting the State of the City Address;
- Congratulated Denis Fama and Lynn Ferrario on their recent appointment to the Millbrae School District Board of Trustees;
- Announced the upcoming vacancy on the Planning Commission and encouraged Millbrae residents to apply;
- Requested that drivers along Broadway adhere to the new signs prohibiting the entrance to the Starbucks parking lot;
- Requested that motorists adhere to traffic signs and pedestrians on Millbrae Avenue;
- Attended a tourism event in Burlingame for Gansu Province, China. She was presented with a gift of artwork that she donated to the City;
- Reminded everyone that the deadline to submit applications for the Man and Woman of the Year, is August 1st.

Vice Mayor Papan:

- Announced the closure of lanes on El Camino Real for the Victoria signal project;
- Announced that Millbrae will participate in this year's National Night Out on August 7th;
- Announced that she and the Mayor had met with BART representatives regarding their development, and that this will be brought to Council at a future meeting.

Councilmember Holober:

- Thanked Public Works staff for keeping on top of Caltrans during the Millbrae Avenue project;
- Attended the recent CMEQ meeting; there was a complex discussion on Cap and Trade.
- Announced the tentative date for 2013 Lunar New Year celebration on February 9, 2013.

Councilmember Lee:

- Requested that staff look into the striping on Millbrae Avenue; the lanes do not line up;
- Reminded residents that they need a permit to trim trees;
- Announced that the Millbrae Community Youth Center Fundraising Committee met, and \$15,000 is still needed to complete the project. They will host a fundraiser on August 11th at the San Francisco Airport Museum;
- Congratulated the Lions Club on the installation of their new officers.

Councilmember Gottschalk:

- Stated that he had no comments to make.

There being no further regular business to discuss, the City Council recessed at 9:20 p.m.

RECESS CITY COUNCIL

RECONVENE CITY COUNCIL

7. CLOSED SESSION

Closed Session held pursuant to Government Code §54957.6

Conference with Legal Counsel – Labor Negotiations

Agency Negotiator:	Marcia Raines
Employee Organizations:	Firefighters Local 2400
	Sanitation Workers Association
	Teamsters Local 856

Employee Group:	Unrepresented Management
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ADJOURN CITY COUNCIL

There being no further business to discuss the City Council adjourned at 10:15 p.m. in memory of Millbrae residents Larry Golarza, former Millbrae Senior Advisory Committee Member Barbara Aymar, Millbrae LEND/CERT/MARC Volunteer Kenneth Chin, Robert Kahle, Patricia McNamara, and Viola Pitt.

/s/ Angela Louis
City Clerk

/s/ Marge Colapietro
Mayor