



**MILLBRAE CITY COUNCIL  
MILLBRAE REDEVELOPMENT AGENCY  
MINUTES  
6:00 PM - December 13, 2011**

**CALL TO ORDER MILLBRAE CITY COUNCIL AND REDEVELOPMENT AGENCY**

Mayor Quigg called the meeting to order at 6:00 p.m.

**ROLL CALL:** Mayor/Agency Chair Daniel F. Quigg, Vice Mayor/Agency Vice Chair Marge Colapietro, Council/Agency Members Gina Papan, Nadia V. Holober, and Paul Seto

**AGENDA OVERVIEW/STAFF BRIEFING**

- Informational Report Regarding Bills, Claims, and Payroll – NONE
- Report Out from Closed Session – NONE

City Manager Marcia Raines reviewed the agenda items.

1. **APPROVAL OF MINUTES**

- Regular Meeting of November 15, 2011
- Regular Meeting of November 22, 2011
- Special Meeting of December 5, 2011

Councilmember Holober requested clarification regarding the “ethical component” to the Naming Policy in the November 15, 2011 minutes. Councilmember Papan stated that if a facility were named after someone and then that person is convicted of a crime; there should be a way for the City to remove that individual’s name from the facility.

Councilmember Seto noted that Council discussed the option of individuals being allowed to pay for the right to have a facility named after themselves, and requested that this be included in the minutes.

Regarding the November 22, 2011 minutes, Councilmember Seto stated that he dissented due to the cost HVAC system.

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

**CITIZEN COMMUNICATION**

NONE

**CONSENT CALENDAR**

Councilmember Holober requested that Consent Calendar items 3 and 4 be pulled for discussion.

2. Resolution No. 11-44 Certifying the Results of the November 8, 2011 General Municipal Election

Upon a motion/second by Papan/Colapietro Consent Calendar item 2 was unanimously adopted.

3. Resolution Approving the Tentative Side Letter Agreement Between the City of Millbrae and International Brotherhood of Teamsters, Local 856 Regarding the Transfer of Law Enforcement Services

Kelly Tuffo, Attorney, Liebert Cassidy and Whitmore, presented the report to Council regarding the tentative side letter agreement between the City of Millbrae and the Teamsters regarding the transfer of law enforcement services. The proposed agreement allows for up to one year of y-rating for Community Service Officers to be transferred to the County, up to one year of y-rating for the Special Services Coordinator to be transferred to the County, and y-rating of a City Administrative Assistant position in the amount of \$396 per year in salary. A new revenue generating Permits Officer would also be established.

Council inquired as to how much revenue the new Permits Officer was expected to generate and would this equate to the same level as the compensation for this position.

Staff stated that the level of compensation for this position is approximately \$100,000, and that this position is not expected to generate this amount.

It was noted that the County is not a signatory to agreement; they have reviewed the agreement and are in accordance with it.

No public comment for this item.

Upon a motion/second by Colapietro/Holober Resolution No. 11-45 approving the Tentative Side Letter Agreement between the City of Millbrae and the International Brotherhood of Teamsters, Local 856 regarding the transfer of Law Enforcement Services was adopted by a vote of 4:1. Councilmember Papan dissented.

4. Resolution Authorizing the City Manager to Execute an Agreement with the County of San Mateo for Provision of Law Enforcement Services in the City of Millbrae By the Sheriff's Office for a Five Year Term

Chief Raffaelli presented the report on the agreement with the County for law enforcement services.

Council inquired about the following:

- What figures had changed since the last report;
- What does Section 3.5.1 deal with;
- Clarification on Section 6 – Hold Harmless;
- Merger Clause has no mention of Police Volunteers;
- Clarification of Exhibit A – Deployment of Personnel;
- Clarification of Attachment 1 – Replacement Cost for Officer Leave;
- Where will the estimated \$1.5 million be saved?

Staff responded:

- The information in the 5 year forecast had changed. There were numbers in the overall budget that were not in the Police Department budget, but were being paid out of the Police Department budget such as:
  - Workers' Compensation
  - Legal services

- Labor relations.
- Section 3.5.1 of the agreement deals with the unfunded PERS liability. The City will be credited each year for this unfunded liability.
- Section 6 – Hold Harmless – the City Attorney is getting clarification from the County that prior to the transition to the Sheriff’s Office, claims are the responsibility of the City. After the transition to the Sheriff’s Office, claims would be the responsibility off the County.
- Merger Clause – the Police Volunteers would come under the Sheriff’s Office and provide similar services to those they currently provide.
- Exhibit A - Deployment of Personnel – the services provided will be mutually revised each year. Services can be reduced or increased; however the County can not provide the City with services if the cost paid by the City does not cover their costs.
- Attachment 1 – Replacement Cost for Officer Leave – these are overtime costs.
- The estimated \$1.5 million in savings is General Fund money and would go back into the General Fund.

Begin public comment.

May Wong, Millbrae resident, stated that it was important to let Council know how residents are feeling on the outsourcing of Police Department. She would like the City to continue with its own Police Department and Volunteers and requested that Council reconsider this decision.

Louise Velasquez, Millbrae resident, has a high degree of respect for the San Mateo County Sheriff’s Office. She stated that it is highly unusual to have this issue being discussed at a meeting when two current members are leaving office and two new members are being sworn in. There should be more time to go over any remaining issues, value of assets, volunteers, communications van, etc. The responsibility of these agreements should be with Council not the City Manager and City Attorney. She also stated that one candidate had the endorsement of the Sheriff’s Office and that candidate should recuse herself.

End public comment.

Upon a motion/second by Colapietro/Papan Resolution No. 11-46 authorizing the City Manager to execute an agreement with the County of San Mateo for Provision of Law Enforcement Services in the City of Millbrae by the Sheriff’s Office for a Five Year Term was adopted by a vote of 3:2. Councilmembers Holober and Seto dissented.

**NEW BUSINESS**

5. Appointments to be Considered by the City Selection Committee

City Clerk Angela Louis gave a brief report on the appointments to be considered by the City Selection Committee.

Council considered the appointments and moved to approve the following:

- Daly City Councilmember Carol Klatt to serve on the Bay Area Air Quality Management District;
- San Mateo Councilmember David Lim to serve on the San Mateo County Transportation Authority Board representing Cities-at-Large;

- Colma Mayor Helen Fiscaro to serve on the San Mateo County Transportation Authority Board representing Northern Cities.

All of the other appointments were all uncontested and Council noted their support for Portola Valley Vice Mayor Maryann Derwin to serve as the Chair to the City Selection Committee.

**RECESS CITY COUNCIL AND REDEVELOPMENT AGENCY**

The Council and Redevelopment Agency recessed at 7:27 p.m.

**RECONVENE CITY COUNCIL AND REDEVELOPMENT AGENCY**

The Council and Redevelopment Agency reconvened at 7:40 p.m.

Introduction of Color Guard: San Mateo U.S. Army Recruiting Station: Sergeant First Class Hector Villalpanto, Command Sergeant Jeffery Thomas, Staff Sergeant James Coy, Staff Sergeant Jeffrey Page, Staff Sergeant Arturo Barajas

Introduction of Boy Scout Troup 355: Life Scout Hank Van Wart and Eagle Scout Dane Nakamura

PLEDGE OF ALLEGIANCE TO THE U.S. FLAG: Life Scout Hank Van Wart and Members of the Public

Singing of “God Bless America” was lead by Randy Sahae and sung by members of the public.

**WELCOME TO DIGNITARIES**

Vice Mayor Marge Colapietro introduced the dignitaries in attendance.

**RECOGNITION OF OUTGOING MAYOR/AGENCY CHAIR AND COUNCIL/AGENCY MEMBER**

Comments from Outgoing Mayor/Agency Chair Daniel F. Quigg

Mayor Quigg thanked his wife for her support during seven campaigns, and his family for allowing him to serve the City these past twenty-nine years. He thanked staff, volunteers, and the voters of the City for supporting him in the past seven elections.

Comments from Council/Agency Members

Each Councilmember thanked Mayor Quigg for his service. The Councilmembers then thanked Councilmember Seto for his service.

Presentations:

Gifts from Outgoing Mayor/Agency Chair Daniel F. Quigg to Council/Agency Members

Mayor Quigg presented each Councilmember with a gift.

From Dignitaries, Organizations, and Members of the Public

Hank Van Wart, Life Scout, Troop 355, announced that for his Eagle Scout project he would be refurbishing the sign at Bayfront Park.

Bobbi Decker, HIP Housing, presented the Council with their 2012 Calendar.

Assembly Member Paul Fong, 22<sup>nd</sup> District, presented a commendation to Councilmember Paul Seto.

Assembly Member Fiona Ma, 12<sup>th</sup> District, Speaker pro Tempore, thanked Mayor Quigg and Councilmember Seto for their hard work in Millbrae and acknowledged the incoming Councilmembers.

Mark Nagales, Office of Congresswoman Speier, presented commendations to Mayor Quigg and Councilmember Seto.

Dan Lieberman, Office of State Senator Leland Yee, and Marc Hershman, Office of Assembly Member Jerry Hill, 19<sup>th</sup> District, presented commendations to Mayor Quigg and Councilmember Seto.

David Burruto, Office of Supervisor Dave Pine, presented commendations to Mayor Quigg and Councilmember Seto.

Supervisor Adrienne Tissier presented commendations to Mayor Quigg and Councilmember Seto.

Tony Slimick, President of the Firefighters Union, commended the Council on their good labor relations with the Firefighters Union.

Gift from the City to Outgoing Mayor/Agency Chair by Vice Mayor/Agency Vice Chair Marge Colapietro

Mayor Quigg presented Councilmember Seto with a commendation.

Councilmember Seto thanked everyone for attending the meeting. He stated that he enjoyed his time on the City Council. His four years of service had been worthwhile and he was able to give back to the community. He thanked his family for their support as well as the Millbrae voters, and he congratulated the new Councilmembers being sworn in.

Vice Mayor Colapietro presented Mayor Quigg with a commendation and a gift.

Mayor Quigg thanked the Council.

**REORGANIZATION OF THE CITY COUNCIL AND REDEVELOPMENT AGENCY**

Mayor Declares Nominations Open for the Office of Mayor:

Nomination and Election of Mayor/Agency Chair

Upon a motion/second by Quigg/Papan, Vice Mayor Marge Colapietro was unanimously nominated as Mayor.

Oath of Office and Seating of Mayor/Agency Chair

Administered by the Honorable Adrienne J. Tissier, Vice President San Mateo County Board of Supervisors

Mayor Declares Nominations Open for the Office of Vice Mayor/Agency Vice Chair:

Nomination and Election of Vice Mayor/Agency Vice Chair

Upon a motion/second by Colapietro/Quigg Councilmember Gina Papan was unanimously nominated as Vice Mayor.

Oath of Office and Seating of Vice Mayor/Agency Vice Chair

Administered by the Honorable Linda M. Gemello, Associate Judge, 1<sup>st</sup> District Court of Appeal, Division 5

Administration of Oath of Office for Four-Year Terms:

Oath of Office and Seating of Councilmember Wayne J. Lee

Administered by Arnold C. Lee and Family

Oath of Office and Seating of Councilmember Robert G. Gottschalk

Administered by City Clerk Angela Louis

Introduction of Guests and comments by Mayor/Agency Chair

Mayor Colapietro thanked everyone for attending the meeting. She introduced her family and friends.

Introduction of Guests and comments by Vice Mayor/Vice Agency Chair

Vice Mayor Papan wished everyone a safe holiday and thanked the California National Guard for service in Iraq and their return home, in particular Millbrae resident Chris Bruzzone.

Introduction of Guests and comments by Council/Agency Members

Councilmember Holoher wished everyone Happy Holidays.

Councilmember Lee introduced his family and friends and thanked everyone for their support.

Councilmember Gottschalk introduced his friends. He thanked everyone for attending this evening's meeting. He congratulated Mayor Colapietro, Vice Mayor Papan, and Councilmember Lee on their new appointments.

**ADJOURN CITY COUNCIL AND REDEVELOPMENT AGENCY**

There being no further business to discuss the City Council and Redevelopment Agency adjourned at 9:10 p.m. to the Chetcuti Community Room for a reception. The meeting was adjourned in memory of former Millbrae Mayor Denis Richardson, former San Mateo County Tax Assessor and Collector Lee Buffington, Mills High School student Dillon Piefer, and Don Bonini, cousin of Mayor Marge Colapietro.

/s/ Angela Louis  
City Clerk

/s/ Marge Colapietro  
Mayor