



**MILLBRAE CITY COUNCIL
MILLBRAE REDEVELOPMENT AGENCY
MINUTES
June 8, 2010**

CALL TO ORDER MILLBRAE CITY COUNCIL AND REDEVELOPMENT AGENCY

Mayor Seto called the meeting to order at 7:02 p.m.

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

PLEDGE OF ALLEGIANCE TO THE U.S. FLAG – Lynn Ferrario, Principal, Lomita Park School
Kristen Ugrin, Principal, Green Hills School

Principals Lynn Ferrario and Kristen Ugrin, along with the Lomita Park School leadership students, lead the Pledge.

1. **CEREMONIAL/PRESENTATION**

- Commendation to Lomita Park School – Distinguished School Award

Mayor Paul Seto presented Principal Lynn Ferrario with a commendation honoring Lomita Park School for receiving the California State Distinguished School Award.

- Commendation to Green Hills School – Academic Performance Index Score

Mayor Paul Seto presented Principal Kristen Ugrin with a commendation honoring Green Hills School for achieving a high academic performance index score.

- Commendation to Millbrae School District Superintendent Shirley Martin upon her Pending Retirement

Mayor Seto presented Millbrae School Superintendent Shirley Martin with a commendation and congratulated her on her retirement from the District.

2. **AGENDA OVERVIEW/STAFF BRIEFING**

- Informational Report Regarding Bills, Claims, and Payroll
- Report out from Closed Session

City Manager Marcia Raines reviewed the agenda items.

3. **APPROVAL OF MINUTES**

- Regular Meeting of May 25, 2010

Councilmember Colapietro noted the following correction on page 3, item 7, the date should read “Fiscal Year 2009-2010”; she also requested that the following be added to her Council Comments: “attended all assigned meetings and community events”.

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

4. ORAL REPORT FROM CITY COMMITTEE/COMMISSION CHAIRS

- Cultural Arts Commission

Howard Kaplan, staff liaison to the Cultural Arts Commission, updated the Council on the Commission's activities. He noted that the Cultural Arts Commission is looking for members and anyone interested is welcome to contact the City Clerk, or to go on-line for more information.

CITIZEN COMMUNICATION

NONE

CONSENT CALENDAR

Councilmember Papan requested that item 6 be pulled for discussion.

5. Investment Report for Period Ending April 30, 2010

Upon a motion/second by Colapietro/Papan, item 5 was unanimously approved.

6. Opposition to Potential Legislation That Would Undermine Local Transient Occupancy Tax Collection

City Clerk Angela Louis gave a brief summary of the report. It was recommended that Council move to oppose potential legislation that would undermine local Transient Occupancy Tax (TOT) collection. City Attorney Joan Cassman noted that the pending litigation regarding the TOT has not yet been decided.

Council requested that the City alert the League of California Cities of our concerns and that the issue of the TOT should be decided by the courts and not the legislature. This item should be revisited at a future time.

Upon a motion/second by Colapietro/Papan Council unanimously moved to continue the matter to a later date and to directly address the League with the City's concerns.

PUBLIC HEARING

NONE

OLD BUSINESS**7. Budget FY 10-11**

City Manager Marcia Raines noted that staff recommended Council review the budget document and provide direction for the preparation of the final budget documents for the June 22, 2010 meeting. She reviewed the items that were discussed at the May 25th meeting and provided information back to Council on questions raised at that meeting. The estimated budget shortfall is currently estimated at \$1.19 million, and Council was requested to provide input as to how to proceed. She also stated that this evening's meeting will not repeat the department by department detail that was discussed at the Special meeting on May 18th.

Mayor Seto requested that the information in the Proposed Budget binder be a part of the evening's discussion.

The following items were noted and discussed:

- vacant and temporary positions are not included in the budget;
- some employee reductions will be necessary if concessions with bargaining units can not close the \$1.19 million shortfall;
- addition of \$1.19 million line item in the City Manager's budget for payroll reductions;
- removal of \$15,000 for the Millbrae Avenue entrance sign and landscaping from the Outstanding General Fund Projects list;
- removal of \$32,000 for replacement of signs and banners from the Outstanding General Fund Projects list;
- further discussion and clarification was requested on the \$88,000 for dedicated personnel to work on the fields project;
- removal of \$6,000 RDA funds for summer concert series; look into sponsors for the concert series;
- discussion on recent sink hole at Taylor field. Staff is working to identify corrective measures and any funds needed for repairs would be added to the current budget discussion.

Further discussion noted that if employee concessions are not reached, staff would come back to Council at the first meeting in July with recommendations for reductions in payroll. Employee groups have worked with staff in the past and there are various options and alternatives to be discussed. It was noted that all employee groups are being asked to provide concessions and that management will do what is proposed and agreed upon by the other bargaining units. Council reiterated the City is down to \$1 million in reserves and that they decided not to increase reserves, but to use that \$500,000 elsewhere. There was brief discussion on Council adopting a one year budget versus a two year budget; in the past two year budgets had been adopted. It was recommended that the budget subcommittee discuss this issue.

Public Comment:

Andrew Trapani, Millbrae Parks and Recreation Commissioner, spoke at the May 25th meeting regarding the issue of reducing the Recreation Department staff. Millbrae finds itself in the same situation as other cities in the state. Every department should be looking as to how to help the current situation, possibly with rotating days off to keep recreation programs available to the public.

End of public comment.

Council accepted the report.

NEW BUSINESS

8. Ordinance Amending Chapter 6.15 of the Millbrae Municipal Code to Restrict the Provision of Debris Boxes Other Than Pursuant to a City Garbage Collection Franchise
- Waive 1st Reading
 - Introduce Ordinance

Public Works Director Ron Popp noted that staff recommended Council introduce an Ordinance to restrict the provisions of debris boxes in accordance with the City's policy of granting an exclusive franchise agreement for the collection and disposal of solid waste. Adoption of this Ordinance would allow for City to go after illegal debris box companies operating in the City. Notification would go out to all Peninsula debris box haulers advising them of the City's exclusive franchise agreement and the new enforcement actions which would allow for illegal boxes to be confiscated, impounded and released when charges for the removal and storage of the box have been paid. Estimated fines and charges could total as much as \$1,000 per occurrence.

Council discussed the new Ordinance and requested that the fine be clearly stated on all information given to the public, as well as posted on illegal debris boxes. There were some suggested edits to the ordinance which Council accepted.

No public comment for this item.

Upon a motion/second by, Colapietro/Holober, Council waived the first reading and introduced the edited Ordinance amending Chapter 6.15 of the Millbrae Municipal Code to restrict the provision of debris boxes other than pursuant to a City Garbage Collection Franchise.

COUNCIL COMMENTS

Councilmember Colapietro:

- read to 3rd grade students at Spring Valley School and also attended their Speech Day event;
- attended the Chamber of Commerce mixer hosted by the Magnolia of Millbrae;
- attended the Millbrae Rotary Club Installation on June 2nd, and congratulated Walter Gladwin as new president for 2010-2011, she also and congratulated Richard Chinn for his service as 2009-2010 president;
- attended a presentation on the possible effects of a major earthquake in Millbrae. A replay of the program will be on MCTV;
- attended a special Senior Advisory Committee meeting regarding Senior services and programs for the upcoming year;
- attended a special presentation of the Rotary and Interact Clubs and presented them with the Bill of Rights for Children and Youth;
- reminded everyone about the June 9th presentation at the Community Center on alternative medicine;
- attended burial services for the Honorable John J. "Jack" Bible, San Mateo County Superior Court Judge, and requested tonight's meeting be adjourned in his memory and that a letter of condolence be sent to attorney George Corey.

Councilmember Holober:

- attended the Airport Community Roundtable meeting. International flights are up from the last year and overall traffic at the airport is expected to go up by 10%. Their focus is to make the airport work for the communities, and to address noise impacts. She also noted that Horizon Airlines was this year’s recipient of the fly quiet award;
- attended the San Mateo County Library JPA meeting, the board members are determined to increase the number of meetings they attend, currently they meet 4 times a year;
- announced that the County Fair begins this weekend;
- reminded everyone that school is out.

Councilmember Papan:

- announced the upcoming Lions Pancake Breakfast on Saturday;
- announced the Soroptimist Awards Dinner on June 17th;
- thanked staff for updated Code and Ordinance information regarding littering;
- requested that the Council Protocols be amended to cancel Council meetings that fall on election days;
- thanked all residents who voted.

Mayor Seto:

- attended the recent Honoring our Veterans lunch at the Community Center;
- attended the Red Cross Heroes Breakfast;
- announced the State of the City speech on June 10th at 8:00 a.m.;
- announced the June 19th Lions Installation Dinner;
- congratulated all middle school and high school graduates.

RECESS CITY COUNCIL AND REDEVELOPMENT AGENCY

There being no further regular business to discuss, the City Council and Redevelopment Agency recessed at 9:26 p.m.

RECONVENE CITY COUNCIL AND REDEVELOPMENT AGENCY

9. **CLOSED SESSION**

- Conference with Legal Counsel – Existing Litigation
Closed Session held pursuant to Government Code §54956.9(a)
Baykeeper v. Millbrae
- Conference with Real Property Negotiators
Closed Session held pursuant to Government Code §54956.8
Address: 100 El Camino Real, Millbrae, CA 94030
Negotiators for Agency: City Manager/Executive Director and City Attorney

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

ADJOURN CITY COUNCIL AND REDEVELOPMENT AGENCY

There being no further business to discuss, the City Council and Redevelopment Agency adjourned in memory of the Honorable John J. “Jack” Bible at 11:00 p.m.

/s/ Angela Louis
City Clerk

/s/ Paul Seto
Mayor