



**MILLBRAE CITY COUNCIL
MILLBRAE REDEVELOPMENT AGENCY
MINUTES
September 14, 2010**

CALL TO ORDER MILLBRAE CITY COUNCIL AND REDEVELOPMENT AGENCY

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

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

PLEDGE OF ALLEGIANCE TO THE U.S. FLAG – Millbrae Sister Cities Commission

1. **CEREMONIAL/PRESENTATION**

- Chamber of Commerce Week Proclamation – Proclaiming Join Your Local Chamber Week

Mayor Seto presented Chamber of Commerce President John Ford with a proclamation proclaiming the week of September 20-26, 2010 as “Join Your Local Chamber Week.”

- Presenting a Certificate of Appreciation Regarding 2010 Census Proud Partner

Mayor Seto presented Community Services Director Leslie Parks with a certificate of appreciation regarding the 2010 Census.

- National Pollution Prevention Week Proclamation – Proclaiming National Pollution Prevention Week

Mayor Seto presented Millbrae Industrial Waste Inspector Catherine Allin with a proclamation proclaiming the week of September 20-26, 2010 as National Pollution Prevention Week.

- Introduction of New Millbrae Police Officer Christopher Eggers

Mayor Seto introduced Millbrae’s new Police Officer Christopher Eggers.

- Update on San Mateo County Transportation Authority, SamTrans, and Caltrain by Kim Rothschild, Government Affairs Officer

Government Affairs Officer Kim Rothschild made a brief presentation regarding the current fiscal status of the San Mateo County Transportation Authority, SamTrans, and Caltrain.

2. **AGENDA OVERVIEW/STAFF BRIEFING**

- Informational Report Regarding Bills, Claims, and Payroll
- Report out from Closed Session of July 27, 2010
- Report out from Special Closed Session of August 12, 2010

City Clerk Angela Louis reviewed the agenda items.

City Attorney Joan Cassman stated that the Council had met in Closed Session and discussed the matter of labor negotiations; no reportable action was taken.

3. **APPROVAL OF MINUTES**

- Regular Meeting of July 27, 2010
- Special Meeting of August 12, 2010

Upon a motion/second by Colapietro/Holober the minutes were approved with corrections. Councilmember Papan abstained.

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

- Report by the Sister Cities Commission

Sister Cities Commission Chair Tom Dawdy reported on the Commissions activities and discussed the upcoming arrangements with Millbrae's newest Sister City, Kai Ping, China. A delegation will visit Kai Ping in the fall. He noted that the August Festa Maltija was a successful fundraiser with over 200 attendees. The rededication of the Peace Pole at Josephine Waugh Park will be held on September 21st at 6:00 p.m.; a Chinese inscription will be added to the pole.

CITIZEN COMMUNICATION

Sandy Wee, Librarian, Millbrae Library presented the San Mateo County Library's Annual Report for FY 2009-2010, and updated the Council on the Library's current activities.

Wynn Greich, ATOWN, spoke on the detrimental health effects of chloramines and fluoride in drinking water.

Francois Milhael, ATOWN, spoke on the detrimental health effects of chloramines and fluoride in drinking water.

Lawrence Piepmeier, Millbrae resident, spoke on an issue of a home business operating out of a residence on Morningside Drive.

Holly Borghello, Millbrae resident, spoke on the issue of a home business operating out of a residence on Morningside Drive.

Hansen Lee, Millbrae resident, spoke on the issue of a home business operating out of a residence on Morningside Drive.

Tina Duong, Millbrae resident, spoke on the issue of a home business operating out of a residence on Morningside Drive.

Mayor Seto requested Community Services Director Leslie Parks address the issue regarding the residence on Morningside Drive. Ms. Parks noted that staff is aware of the situation and closely monitoring it.

David Carini, Editor, Patch.com, introduced himself and announced that Patch.com is an on-line newspaper and Millbrae Patch has articles on the Millbrae community.

Daniel F. Quigg, Millbrae Lions, spoke on the new Lions community trailer and how it was put to use during the recent fire disaster in San Bruno.

CONSENT CALENDAR

5. Investment Report for Period Ending July 31, 2010
6. Appointment to the Sister Cities Commission
7. Resolution No. 10-33 Amending Conflict of Interest Code
8. Resolution No. 10-34 Authorizing Filing of an Application for Federal Surface Transportation Program and/or Congestion Mitigation and Air Quality Improvement Funding to Fund in Part the El Camino Real/Victoria Traffic Signal

Upon a motion/second by Colapietro/Papan, Consent Calendar items 5 – 8 were unanimously approved.

PUBLIC HEARING

NONE

OLD BUSINESS

NONE

NEW BUSINESS

9. Resolution Approving Tract Map No. 941 (151 El Camino Real aka Belamor)

Public Works Director Ron Popp presented a report on Tract Map No. 941, 151 El Camino Real. The map is for 20,000 sq. ft. of commercial space and 142 condominium units. City Attorney Joan Cassman reported on the covenants, conditions and restrictions (CC&R's) and the deed restriction of the parking spaces.

No public comment for this item.

Upon a motion/second by Papan/Colapietro, Resolution No. 10-35 Approving Tract Map No. 941 (151 El Camino Real aka Belamor) was unanimously approved.

10. Motion to Elect Officers for the Peninsula Division of the League of California Cities for 2010-2011

City Clerk Angela Louis presented a report noting that Council would need to discuss and by motion, elect officers for the Peninsula Division of the League of California Cities.

Council discussed the ballot and recommended that they move approval by consensus to vote for the nominees. Councilmember Colapietro requested that Council move to vote for Art Kiesel as the at-large member for San Mateo County and Councilmember Holober recommended Chris Moylan as the Santa Clara County at-large member.

No public comment for this item.

By consensus Council concurred with the recommendations above.

11. Ordinance Adding Chapter 11.20 “State Video Franchises” Establishing Franchise Fees, PEG Fees, and Customer Service Penalties for State Video Franchise Holders
 - Waive 1st Reading
 - Introduce Ordinance

City Clerk Angela Louis presented a report waiving the first reading and introducing an Ordinance that would add Chapter 11.20 “State Video Franchises” establishing Franchise Fees, PEG Fees, and customer service penalties for State Video Franchise holders. This ordinance would recognize and protect the City’s rights with regard to State Video Franchise holders. With the adoption of this ordinance, the City would be allowed to obtain up to 5% of gross revenues from the franchise holder for franchise fees, and up to 1% of gross revenues for PEG fees.

No public comment for this item.

Upon a motion/second by Papan/Colapietro, Council unanimously waived the first reading and introduced an Ordinance adding Chapter 11.20 “State Video Franchises” Establishing Franchise Fees, PEG Fees, and Customer Service Penalties for State Video Franchise Holders.

COUNCIL COMMENTS

Councilmember Holober:

- Announced the September 21st Peace Pole rededication;
- Attended the Library JPA meeting; they are currently working through budget issues;
- Will attend the Environmental Quality Committee meeting at the League Conference on September 15th.

Councilmember Colapietro:

- Invited the community to attend the 6th Annual Disaster Preparedness Day on Saturday September 18th at the US Geological Survey campus on Middlefield Road. Millbrae CERT, HAM radio Club, and LEND will be on hand;
- Announced the Hawaiian Luau on September 25th from 4:00 p.m. – 7:00 p.m. at the Community Center;
- Reminded residents to fill out the transportation survey in the current Seniorline Newsletter. Newsletters can be picked up at the Community Center;
- Announced the Streets Alive Event scheduled for Sunday, May 1st;
- Thanked Millbrae’s Fire and Police Departments for their participation and assistance to San Bruno during the fire disaster, and expressed gratitude to all Millbrae volunteers and local businesses that supported San Bruno during this crisis.

Councilmember Papan:

- Concurred with Councilmember Colapietro’s comments regarding the San Bruno fire;
- Will attend the Emergency Services Council meeting on September 15th;
- Requested a closed session item regarding emergency services for Council discussion;
- Requested staff look into a plastic bag ban ordinance;
- Reminded residents that it is flu shot season;
- Announced that the NTSB is still in need of information or video recording of the San Bruno fire explosion or of suspicious plant death in the area or gas smell complaints;
- Requested that the Fire Department demonstrate how to shut off a gas main;
- Reminded residents that South San Francisco Scavenger will accept used batteries; place them in a plastic bag along with the can and bottle recycling;
- Thanked Senator Feinstein for her efforts regarding the newly restored Bay wetlands.

Vice Mayor Quigg:

- Attended the Congestion Management Environmental Quality meeting;
- Attended the Chamber of Commerce meeting;
- Announced vacancies on City’s Cultural Arts Commission, Community Preservation Commission, and Sister Cities Commission.

Mayor Seto:

- Attended the Youth Advisory Committee meeting;
- Attended the recent Rachel’s Challenge assembly at Mills High School;
- Announced the Coastal Clean up on September 18th at Rotary Park;
- Announced the Joint Meeting with the Millbrae School District on September 23rd at 7:30 a.m.;
- Thanked Chief Haag for his work in San Bruno during the fire.

RECESS CITY COUNCIL AND ADJOURN REDEVELOPMENT AGENCY

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

RECONVENE CITY COUNCIL

12. CLOSED SESSION

Conference with Legal Counsel – Existing Litigation
Closed Session held pursuant to Government Code §54956.9(a)
Claim against the County of San Mateo

Conference with Labor Negotiator
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

Employee Group: Unrepresented Management

ADJOURN CITY COUNCIL

There being no further business to discuss, the City Council adjourned at 10:40 p.m. in memory of Dora Bruno, former Millbrae Woman of the Year, Mr. Haolong Liu, member of the Millbrae Senior Center, Maria Kiu, Millbrae resident, and the victims of the San Bruno fire: Jacqueline and Janessa Grieg, Elizabeth Torres, Jessica Morales, and Greg, William, and Lavonne Bullis.

/s/ Angela Louis
City Clerk

/s/ Paul Seto
Mayor