



**MILLBRAE CITY COUNCIL
MILLBRAE REDEVELOPMENT AGENCY
MINUTES
September 28, 2010**

CALL TO ORDER MILLBRAE CITY COUNCIL AND REDEVELOPMENT AGENCY

Mayor Seto called the meeting to order at 7:01 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 – Alan Kirth and Faye Dawdy, 2010 Millbrae Man and Woman of the Year

1. CEREMONIAL/PRESENTATION

- Recognition of Years of Service for Millbrae Commission and Committee Members

Mayor Seto recognized the following Millbrae Commission and Committee Members:

Doris Morse, Sister Cities Commission – 25 years
Matt Fitzgibbons, Downtown Process Committee – 10 years
Vernon Bruce, Downtown Process Committee – 10 Years
Terri Birt, Planning Commission – 5 years
Lorrie Kalos-Gunn, Planning Commission – 5 years
Shannon Morton, Cultural Arts Commission – 5 years

- Community Preservation Commission Water Wise Award
 - Man Ying Huang and Zi Di Dai

Man Ying Huang and Zi Di Dai were not able to attend the meeting.

- Community Preservation Commission Beautification Award
 - Eric Acosta

Community Preservation Chair Christina Stevens and Mayor Seto presented Eric Acosta with the Beautification Award.

- Discussion of Emergency Incident in San Bruno on September 9, 2010

City Manager Marcia Raines gave a briefing of the events of September 9, 2010. She noted that Millbrae was a good neighbor and that a number of employees from various City departments provided assistance to San Bruno.

Fire Chief Dennis Haag and Police Chief Neil Telford gave brief presentations on the events of September 9th. The Glenview Fire is the largest mutual aid event in San Mateo County, over 200 fire and police personnel responded.

Council commended staff and all who responded and assisted San Bruno.

2. AGENDA OVERVIEW/STAFF BRIEFING

- Informational Report Regarding Bills, Claims, and Payroll

City Manager Marcia Raines reviewed the agenda items. Mayor Seto requested clarification as to why the Council would reconvene in open session after closed session. Ms. Raines stated that Council would come out of Closed Session and take action on agenda item 13.

- Report out from Closed Session of September 14, 2010

City Attorney Joan Cassman stated that the Council met in Closed Session and discussed two matters: existing litigation and labor. The litigation matter involves a dispute with County and a request was brought to Council to extend a tolling agreement to protect the claim of the City. Council authorized the extension of the agreement. No action was taken on the labor matter.

3. APPROVAL OF MINUTES

- Regular Meeting of September 14, 2010

Upon a motion/second by Colapietro/Holober, the minutes were approved.

4. ORAL REPORT FROM CITY COMMITTEE/COMMISSION CHAIRS

- Report from the Japanese Culture Festival Committee
 - Announcing the October 3, 2010 Japanese Culture Festival

Kathleen Kimura, Japanese Culture Festival Committee Member, announced the 5th Annual Japanese Culture Festival. She thanked the various community groups involved and stated that the new Consul General of Japan will be in attendance.

CITIZEN COMMUNICATION

Wynn Grcich, ATOWN, spoke on the hazards of sulfuric fluoride which is used for fumigation purposes, and on the detrimental health effects of fluoride in drinking water.

CONSENT CALENDAR

There was a request for items 5 and 7 to be pulled for discussion.

6. Resolution No. 10-37 Supporting Reauthorization of Federal Surface Transportation Funding
8. Ordinance No. 736 Adding Chapter 11.20 "State Video Franchises" Establishing Franchise Fees, PEG Fees, and Customer Service Penalties for State Video Franchise Holders
 - Waive 2nd Reading
 - Adopt Ordinance

Upon a motion/second by Colapietro/Holober Consent Calendar items 6 and 8 were unanimously approved.

5. Resolution No. 10-36 Supporting the Sierra Club of California's Drive Green Campaign

Public Works Director Ron Popp presented a report on the Sierra Club's drive green campaign. This campaign fits in with the City's goal of reducing greenhouse gases, and would target vehicle manufacturers to create greener cars.

No public comment for this item.

Upon a motion/second by Papan/Colapietro Resolution No. 10-36 supporting the Sierra Club of California's Drive Green Campaign was unanimously adopted.

7. Resolution No. 10-38 Awarding Janitorial Services Contract 2010; Bid No. 619

Public Works Director Ron Popp presented a report on awarding Bid No. 619 for the janitorial services contract. A total of 7 bids were received and the bid was awarded to the lowest responsible bidder. The City performed its due diligence and checked the references of Little Giant, the company that was awarded the bid.

No public comment for this item.

Upon a motion/second by Holober/Colapietro Resolution No. 10-38 awarding Janitorial Services Contract 2010; Bid No. 619 was unanimously approved.

PUBLIC HEARING

Appeal of Planning Commission Approval of:

7A Spring Valley Lane – Residential Design Review to allow construction of a new single-family dwelling of approximately 3,300 sq. ft. on a vacant lot - PARKS

7B Spring Valley Lane – Residential Design Review to allow construction of a new single-family dwelling of approximately 4,600 sq. ft. on a vacant lot - PARKS

The above referenced item will not be discussed by the Council.

The appellant has withdrawn the appeal and has reached an agreement with the project applicant.

9. Resolution Amending the Millbrae Station Area Specific Plan to Refine and Expand the Conditional Use Permit Process for Commercial Uses in Excess of 5,000 sq. ft.

City Planner David Petrovich presented a report on amending the Millbrae Station Area Specific Plan to refine and expand the conditional use permit process for commercial uses in excess of 5,000 sq. ft. The current amendment is developer initiated.

Council requested that the following comments be added to Attachment A of the Resolution:

- Item 2. – addition of “Specific Plan” to read as “In addition, service commercial, retail, and restaurant businesses in excess of 5,000 square feet may be permitted with Planning Commission approval of a Conditional Use Permit if it can be determined that such uses are complimentary with the Downtown or the Specific Plan areas...”

- Item 4. – addition of “Intermodal Station” to read as “...that such uses are complimentary with the Intermodal Station...”
- Item 6. – addition of “U.S. 101 freeway, or the Downtown or the Specific Plan areas” to read as “...if it can be determined that such uses are complimentary with the U.S. 101 freeway, or the Downtown, or the Specific Plan areas...”

Mayor Seto opened the public hearing

No public comment on this item

Mayor Seto closed the public hearing

Upon a motion/second by Colapietro/Holober Resolution No. 10-39 amending the Millbrae Station Area Specific Plan to refine and expand the conditional use permit process for commercial uses in excess of 5,000 sq. ft. was unanimously approved with Council comments included.

OLD BUSINESS

10. Update Regarding the Millbrae Water Pollution Control Plant Renovation Project

Public Works Director Ron Popp presented an update report to Council on the Water Pollution Control Plant renovation project

No public comment for this item.

Council received the report.

NEW BUSINESS

11. Consideration of Response to Grand Jury Report on Sex Offender Law Enforcement in San Mateo County

Chief Telford presented a report on the response to the Grand Jury report on Sex Offender Law Enforcement in San Mateo County.

No public comment on this item

Upon a motion/second by Colapietro/Papan the response to the Grand Jury Report on Sex Offender Law Enforcement in San Mateo County was unanimously adopted.

COUNCIL COMMENTS

Councilmember Holober:

- suggested implementing a policy on how long high school students need to be present at the Council meeting;
- attended League of California Cities Environmental Policy meeting;
- announced that a delegation will visit Kai Ping, China in November to promote sister city relationship. No public monies will be spent on this visit;

- attended Peninsula Division meeting at the League Conference and submitted the ballot, as agreed upon by Council at the September 14th Council meeting.

Councilmember Colapietro:

- announced Streets Alive Event on May 1, 2011;
- ballots for the November 2nd election will go out at end of week;
- thanked the Millbrae Chamber Board for their support of Proposition 22;
- San Mateo County Disaster Preparedness Day on September 18th was well attended;
- noted that SamTrans is in need of volunteers for their Ambassador Program;
- attended San Mateo County OES meeting last week;
- participated during public radio call in program regarding discussion on Proposition 22;
- attended Peace Pole ceremony at Josephine Waugh Park;
- attended joint meeting with the Millbrae Elementary School District;
- attended the September 24th San Mateo County Council of Cities meeting in Burlingame;
- attended neighborhood watch meeting and picnic last week;
- attended Senior Hawaiian Luau;
- attended presentation of the San Mateo County Leadership Council;
- attended sub-committee meeting of the Airport Community Roundtable.

Councilmember Papan:

- attended Sierra Club meeting last evening;
- attended San Mateo County OES meeting. Stated that residents can register on-line with San Mateo County Alert and receive e-mail and text alerts;
- announced the activation of the 211 Program on October 26th. It is a free and confidential service that matches residents in need with community services;
- attended the joint meeting with the Millbrae Elementary School District.
- announced October 21st Open House at Mills High School;
- participated in the Walking School Bus, and encouraged parents to walk their children to school;
- attended C/CAG Legislative Committee meeting;
- announced that the Mid Peninsula Boys and Girls Club is in need of tutors call 347-9891 x347;
- congratulated Millbrae resident Shaina Tantuico, finalist of the Milken/Penn Graduate School of Education Business Plan Competition.

Mayor Seto:

- announced October 2nd event honoring Louis Vella, Honorary Consul General of Malta;
- announced October 3rd Japanese Culture Festival;
- announced October 8th Man and Woman of the Year Dinner;
- announced October 10th Rotary Park Kids Carnival.

RECESS CITY COUNCIL AND ADJOURN REDEVELOPMENT AGENCY

The City Council recessed and the Redevelopment Agency adjourned at 9:15 p.m.

RECONVENE CITY COUNCIL

12. **CLOSED SESSION**

Conference with Legal Counsel – Anticipated Litigation
Closed Session held pursuant to Government Code §54956.9(c)
Potential Filing of Test Claims against State for unfunded mandates reimbursements related to
Municipal Regional Stormwater Permit

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

RECONVENE CITY COUNCIL IN OPEN SESSION

The City Council reconvened in Open Session at 10:58 p.m.

13. Resolution Implementing a Reduction in Compensation for FY 2010-2011 for all Management Level Employees and City Council

City Manager Marcia Raines presented a report implementing a reduction in compensation for FY 2010-2011 for all management level employees and the City Council.

No public comment for this item.

Upon a motion/second by Papan/Holober Resolution No. 10-40 implementing a reduction in compensation for FY 2010-2011 for all management level employees and City Council was unanimously adopted.

ADJOURN CITY COUNCIL

There being no further business to discuss, the City Council adjourned at 11:02 p.m. in memory of Jack Fujino, father of Community Services Director Leslie Parks and James Franco, victim of the San Bruno fire.

/s/ Angela Louis
City Clerk

/s/ Paul Seto
Mayor