



**MILLBRAE CITY COUNCIL
MINUTES
January 10, 2017**

CALL TO ORDER MILLBRAE CITY COUNCIL

Mayor Holober called the meeting to order at 7:04 P.M.

ROLL CALL: Mayor Reuben D. Holober, Vice Mayor Gina Papan, Councilmembers Ann Schneider, Wayne J. Lee, and Anne Oliva

PLEDGE OF ALLEGIANCE TO THE U.S. FLAG

1. **CEREMONIAL/PRESENTATION**

NONE

2. **AGENDA OVERVIEW/STAFF BRIEFING**

- Report of Bills and Claims

City Manager Raines reviewed the agenda items.

3. **APPROVAL OF MINUTES**

- Regular Meeting of November 15, 2016
- Regular Meeting of November 22, 2016
- Regular Meeting of December 13, 2016

Upon a motion/second by Oliva/Papan, the minutes are unanimously approved.

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

- NONE

PUBLIC COMMUNICATION

Wynn Grich, Hayward resident, spoke about recycled toilet water.

Ward Wise, Millbrae resident, stated that he would like the Council to comment on the recent accident on El Camino Real and that road safety in Millbrae is important.

CONSENT CALENDAR

5. Appointments to City Commissions/Committees

Councilmember Lee requested that this item be pulled for discussion. He recommended scouting for applicants for the Youth advisory Committee at Taylor Middle School.

Councilmember Oliva stated that there were no middle school applicants and that it is half way through the school year. The Sub-Committee's recommendation was to allow for the appointment of an additional high school representative to fill the vacancy.

No public comment for this item.

Upon a motion/second by Schneider/Oliva, the Council unanimously approved the appointments to the City Commissions/Committees and allowed for the appointment of an additional high school representative to fill the vacancy on the Youth Advisory Committee.

6. Resolution Authorizing the Mayor to Execute the Fourth Amendment to the Employment Agreement with the City Manager to Increase Compensation

Councilmember Schneider pulled the item for discussion. She expressed the following concerns: the unknown cost of replacing the Community Center; high staff turnover; the over use of consultants; poor communication and City Hall needing to be more accessible.

Begin public comment.

Lou Sandrini, Millbrae resident, must be able to justify and provide supporting documents before an increase.

Todd Repp, Millbrae resident, there have been two pedestrian accidents in the past six months; unsatisfied with the slow response time. Filling posts with contractors is not a long term solution. Need more transparency.

Howard Atkins, Millbrae resident, the Council must protect City funds.

End of public comment.

Mayor Holober, Vice Mayor Papan, and Councilmembers Lee and Oliva stated that the Council went through an extensive process in reviewing the City Manager.

Upon a motion/Second by Oliva/Papan, Resolution No. 17-01 Authorizing the Mayor to execute the Fourth Amendment to the Employment Agreement with the City Manager to increase compensation was approved by a vote of 4:1; Councilmember Schneider dissented.

7. Resolution Authorizing the City Manager to Execute a Professional Services Agreement, Amendment #2 with MIG, Inc. for Contract Planning Services in the Amount of \$270,670

Councilmember Schneider pulled this item for discussion. She expressed concern about hiring consultants to do the work that should be done by City Planning staff. She reiterated her concern about staff turnover and needing to rely on consultants training employees hired by the City.

Community Development Director Ward stated that we do not want to delay the current projects in process.

No public comment for this item.

Upon a motion/second by Oliva/Lee, Resolution No. 17-02 authorizing the City Manager to execute a Professional Services Agreement, Amendment #2 with MIG, Inc. for Contract Planning Services in the Amount of \$270,670 was unanimously approved.

PUBLIC HEARING

8. Ordinance Amending the Millbrae Municipal Code, Article XVIII of Chapter 10.05, Millbrae Station Area Specific Plan (MSASP) Development Impact Fees
 - Waive 1st Reading
 - Introduce Ordinance

Project Manager di Iorio presented the report. She clarified the methodologies used for the development impact fees.

Assistant City Attorney Conneran: explained the action needed this evening. The ordinance needs to be amended as the current municipal code refers to the 2000 study. The ordinance requires two meetings for approval; the subsequent meeting will be 2nd reading and adoption of the resolution. The Council could have close session on the matter as well. He stated that the fees must be spent on the purpose in which they are collected. A capital improvement plan, if not allocated after five years, will be repaid to the developers. These will be significant fees that will increase the cost of housing. Need to have balance between how much can you get and how much should you go for.

Begin public comment.

Kelly Erardi, Republic Family of Companies, the impact fee is based on use. He looks forward to successful project.

Leora Tanjuatco, Millbrae resident, residents do not think about which City the parks belongs to. Please consider the impact fees.

Laura F. Clark, YIMBY, there is a desperate need for housing in the Bay Area. Millbrae is becoming an aged community, not matching young life style. There are many sources of funding for parks, taxing, and housing should not be just one.

Vincent Muzzi, Millbrae Serra Station, does not blame Council for trying to get the maximum amount of money possible. Has paid park fees for residents from 1953 – 2010, and does not think developers should pay again. As developers, BMR units are already a big expense, the park fees is a concern.

Robert DuCote, Millbrae resident, what is Millbrae going to do with the money? Parks and recreation matter. Expand the parks and recreation facilities. This fund needs to be separate from the general fund and marked for parks and recreation. Have a plan of what will be done, and not spend the money on the fly.

End of public comment.

Upon a motion/second by Lee/Schneider, the public hearing was closed.

Upon a motion/second by Oliva/Papan, Council unanimously waived the first reading and introduced an Ordinance amending the Millbrae Municipal Code, Article XVIII of Chapter 10.05, Millbrae Station Area Specific Plan (MSASP) Development Impact Fees.

EXISTING BUSINESS

NONE

NEW BUSINESS

9. Resolution Amending Citywide Master Fee Schedule to Include Electric Vehicle Charging Fees at City Owned Charging Stations and an Ordinance Amendment to Prohibit Non-Electric Vehicles from Parking at any Publicly Owned Electric Vehicle Charging Stations and Prohibit Parking for Longer than Two Hours at any Publicly Owned Electric Vehicle Charging Stations
- Waive 1st Reading
 - Introduce Ordinance

Public Works Director Chan presented the report. He stated that the charges are minimal and will pay for the electricity and maintenance.

Council inquired:

- Was there a grant to pay for this?
- Consistency in signage/multilingual signage.
- Enforcement for non-EV vehicles parked in these spots?
- Rate charged is on the low end.

Staff responded:

- Any excess in the charges will be used to match the next grant so that we can keep building charging stations.
- Staff will look at the signage and try to be consistent. Staff will need to explore multilingual signage.
- Enforcement will be added to the current parking enforcement.
- The \$1.00 rate being charged is on the low end to encourage the public to use the charging stations and to encourage high turnover of use.

No public comment for this item.

Upon a motion/second by Lee/Schneider, Resolution No. 17-03 amending the Citywide Master Fee Schedule to include Electric Vehicle Charging Fees at City Owned Charging Stations, was unanimously adopted.

Upon a motion/second by Papan/Oliva, Council unanimously waived the 1st reading and introduced an Ordinance amendment to prohibit non-electric vehicles from parking at any publicly owned electric vehicle charging stations and prohibit parking for longer than two hours at any publicly owned electric vehicle charging stations.

10. Unsolicited Proposals to Develop City-Owned Properties

Community Development Director Ward presented the report. There is currently no procedure for the City to consider proposals to develop or dispose of property. The City may use a number of methods and ways to advance the development of its property to its full potential:

- Request for Qualifications (RFQ) to identify prospective developers.
- Request for Proposals (RFP) to obtain bids for a specific development project.
- Exclusive Negotiation Rights Agreements (ENRA) to negotiate with a specific developer.
- Disposition and Development Agreements (DDA) to dispose of land pursuant to a specific development proposal.

- Cooperation Agreements to include the City’s participation in the development of the property in the event it necessitates public participation in order to advance the development of the property or a public goal such as affordable housing.

It was the recommendation of staff that any policy include the RFP/RFQ approach so that the City could seek qualified developers who are experienced, financially qualified and capable of developing quality projects within the City.

The Council was receptive to the idea of public/private partnerships and using the RFP/RFQ process to generate a list of developers who are interested. Transparency is important and the RFP/RFQ process will allow for this.

Begin public comment.

Tim Tosta, Millbrae resident, do not lose the opportunities that come through the door.

End of public comment.

Council received the report.

11. Council Discussion and Appointments to Council Sub-Committees for 2017

The Council made the following appointments to Council Sub-Committees for 2017:

- Budget/Finance Sub-Committee: Holober/Papan;
- Downtown Enhancements Sub-Committee: Oliva/Papan;
- Fire Shared Services Sub-Committee: Oliva/Schneider;
- Commission/Committee Interview Sub-Committee: Schneider/Lee;
- Community Center Sub-Committee: Holober/Papan;
- Technology Sub-Committee: Holober/Lee.

The Commission/Committee Review Sub-Committee was sunsetted.

COUNCIL COMMENTS

In the interest of time the Council decided to forgo their comments.

CLOSED SESSION

Conference with Legal Counsel – Anticipated Litigation
Closed Session held pursuant to Government Code §54956.9(b)
One potential case

ADJOURN CITY COUNCIL

There being no further business to discuss, the City Council adjourned at 10:17 P.M.

/s/ Angela Louis
City Clerk

/s/ Reuben D. Holober
Mayor