



**MILLBRAE CITY COUNCIL
MINUTES
November 28, 2017**

CALL TO ORDER MILLBRAE CITY COUNCIL

Mayor Holober called the meeting to order at 7:03 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. She updated the Council on the following items:

- Announced the Central County Fire Department Toy Drive through December 22nd;
- Reminded residents to keep their v-ditches clean; reminder letters have gone out to the affected property owners;
- Two sandbag stations set up, one near the skate park on Millbrae Avenue and the second on Oak Street.

Chief Copeland updated the Council on the following:

- There was some suspicious activity in north part of town and downtown area regarding strangers approaching high school students. Call 911 if you see something suspicious.

Public Works Director Lim updated the Council on the following:

- Today was City Services Day between 4:00 p.m. – 6:00 p.m. The City created a brochure which will be posted on the website;
- Landing Lane issue, the City has been looking into this and the residents' request is to have the City join the FEMA rating, which would allow residents to get a discount on flood insurance. The City would have to pay approximately \$150,000 to \$200,000 to participate in this program. The City is currently updating its Sewer Master Plan and we should revisit this issue after the Master Plan. FEMA has recently released new flood maps and the City should review these because there may be more residents that are impacted.

Council requested that staff look into the properties that would be affected, and to open up a dialogue with the property owners.

3. **APPROVAL OF MINUTES**
 - NONE
4. **ORAL REPORT FROM CITY COMMITTEE/COMMISSION CHAIRS**
 - NONE

PUBLIC COMMUNICATION

Cynthia Lowry, Gatepath, spoke on the need for crime prevention.

Lorianne Richardson, Chamber of Commerce CEO, announced the Tree Lighting Ceremony on December 2nd at 5:00 p.m. in front of City Hall.

CONSENT CALENDAR

Vice Mayor Papan requested that item 7 be pulled for discussion. Mayor Holober requested that item 12 be pulled for discussion.

5. Resolution No. 17-56 Awarding a Construction Contract to KJ Woods Construction, Inc. in the Amount of \$1,248,000 and a Professional Service Agreement to AnchorCM Inc. in the Amount of \$125,000 for the Sewer Modernization Program, Madrone Sub-basin 3 Project, and Authorizing the City Manager to execute the Contracts and Approve Any Contract Changes Orders
6. Resolution No. 17-57 Vacating a Sanitary Sewer Easement and Accepting Dedication of a New Sanitary Sewer Easement at Richmond Drive
8. Resolution No. 17-59 Approving a Professional Services Agreement with V&A Engineers for Winter Flow Monitoring
9. Resolution No. 17-60 Requesting Transportation Development Act Article 3 Allocation in the Amount of \$370,183 from the Metropolitan Transportation Commission for Fiscal Year 2017-2018 and Authorizing an Increase of \$50,000 in the Capital Project Budget in the General Fund for Fiscal Year 2017-2018
10. Resolution No. 17-61 Approving the Adoption of the City of Millbrae Debt Policy
11. Resolution No. 17-62 Approving and Authorizing the City Manager to Execute a Pooled Liability Assurance Network (PLAN) Joint Exercise of Powers Agreement and Authorizing the City's Participation in the Authority

Upon a motion/second by Lee/Papan consent calendar items 5, 6, 8, 9, 10, and 11 were unanimously approved.

7. Resolution Authorizing the Purchase of Vehicles, Amending the Fiscal Year 2017-2018 Budget, and Authorizing Transfers to the Vehicle Replacement Fund

Vice Mayor Papan stated that the City should have hybrid and electric vehicles and that she may vote against this item. There is grant funding out there and staff should look into this. She also stated that there needs to be a charging station at the yard and to look into renting vehicles for staff use.

Public Works Director Lim stated that there has been an increase in Public Works staffing and there are not enough vehicles on hand for staff use. There are three pick-up trucks that are not electric/hybrid, and the Ford Escapes are Eco-Boost – similar to a hybrid engine. Staff has looked into the grant funding.

Councilmember Lee stated that the Council should approve the pick-ups and the replacement vehicles and approve extra funding for hybrid vehicles.

Public Works Director Lim suggested adding an additional 25% to the purchase order.

Upon a motion/second by Holober/Papan, Resolution No. 17-58 authorizing the purchase of vehicles, amending the Fiscal Year 2017-2018 Budget, and authorizing transfers to the Vehicle Replacement Fund including an increase of 25% for the purchase of hybrid vehicles and to report back to Council as to what was purchased, was unanimously approved.

12. Resolution Authorizing the City Manager to Execute an Agreement with the Mid-Peninsula Boys and Girls Club, Inc. to Operate and Provide Education and Enrichment Programs for Millbrae Youth and Authorizing an Increase in Budget Expenses and Transfers from the General Fund to the Recreation Fund

Mayor Holober stated that he understood that the City was providing seed money and over time, new funding sources would be sought. As we move forward, we need to have discussions with the School District, the Millbrae Community Foundation, and the Millbrae Education Foundation to see if they are willing to help reduce the burden on the City.

Deputy City Manager Raffaelli stated that the Boys and Girls Club has increased their programs and they are now in the high school now, thus the increased cost. The City Manager has implemented a review of all recreation programs so that the City is not funding all of these programs.

Upon a motion/second by Oliva/Lee, Resolution No. 17-63 Authorizing the City Manager to Execute an Agreement with the Mid-Peninsula Boys and Girls Club, Inc. to Operate and Provide Education and Enrichment Programs for Millbrae Youth and Authorizing an Increase in Budget Expenses and Transfers from the General Fund to the Recreation Fund was unanimously approved.

PUBLIC HEARING

NONE

EXISTING BUSINESS

13. Community Center Rebuild Project – Review Recommendations on Preferred Plan and Provide Direction on Selection of Architect

Councilmember Schneider stated that she is publicly identifying that she lives within 250 feet of the corner of the Community Center and will recuse herself from the discussion and voting on this item this evening. The City Attorney has sent her information about this and she has referred it to the Fair Political Practices Commission to get clarification on whether she can participate in discussions regarding the Community Center. She also stated that she does have a financial interest.

Mayor Holober stated that he too lives within a short distance of the Community Center. From the advice he received from the City Attorney, as he is a tenant and does not own property adjacent to Central Park, he does not have a financial interest in what gets built at Central Park or the Community Center. His lease will also be up before anything happens there and he will follow up with the Fair Political Practices Commission.

Councilmember Schneider recused herself at 7:45 p.m.

Deputy City Manager Raffaelli, reviewed the item and invited Project Manager Ingram and Group 4 to update the Council.

Project Manager Ingram stated that tonight is the culmination of the actions of the past year and that Group 4 will discuss the draft Master Plan Report and bring it back to Council in January for approval.

Dawn Merkes, Group 4 presented on the following:

- Central Park as Community Center Porch was the overall preferred option;
- Looking at how to mitigate wind issues in the area and will look at addressing solar analysis;
- Putting the Community Center on two levels will optimize the park site, multi-use courts above parking, and gym is separate building;
- Parks maintenance staging facility – the City is discussing with the School District for joint use facility;
- Tennis courts – the City to discuss with San Francisco Public Utilities Commission for the use of their property for three courts.

Council commented:

- Regarding the wind diagrams, would this lessen the wind impact on the park? Add some type of barrier at park edge along Palm Avenue as the park slopes towards the street;
- Vehicular access on Lincoln, looks to be in different location and closer to the corner of Lincoln; this is a safety concern. Having a 3-way stop may discourage the parking lot from being a drop off for students.
- Pool for aquatics program;
- Provide breakdown of age and ethnicity of poll;
- Why was the gym not located in the old parking lot area?

Staff responded:

- We have not delved too deeply into this just yet, and have Suggested trees and hedges to help mitigate the wind;
- Would recommend a 3-way stop in this area, and will need a traffic engineer to address this;
- Aquatics will be addressed in the Parks Master Plan;
- Did not ask for ethnicity when conducting poll. We went to senior lunches and attended story telling at the Library to get perspectives from different age groups. There was a diverse group of community members at the farmers markets. Some more information on the participants can be supplied by doing a breakdown by event. This information can be included in the Appendix of the Plan;
- Looked at placing the gym in the old parking lot, but it was not well received by the public.

No public comment for this item.

Upon a motion/second by Oliva/Papan, Council approved the Community Center Rebuild Project “Preferred Plan” as recommended by Group 4 and City project management and directed staff and Group 4 to complete the Community Center Rebuild Project Master Plan Report and make it available to the community at large, project stakeholders, and City Commission and Committees, by a vote of 4:0; Councilmember Schneider was recused.

Project Manager Ingram stated that for action item 3 Council needs to give direction on how City staff should proceed to keep this project moving to the next phase of architectural services. He stated that

Council could: 1) ask Group 4 to provide the next steps; 2) ask for staff to issue an RFP for architect of record; or 3) ask staff to bring back a pros and cons report.

Councilmember Lee stated that he would want a separate design and separate builder.

Councilmember Oliva stated that she would like to see a pros and cons report.

Mayor Holober stated that there needs to be a hands-on approach to this project and input needs to be provided on the details. Group 4 has been the architect for the site plan. He asked how different are the skill sets for being the architect of record for the building.

Project Manager Ingram stated that when this went out for RFQ, we asked to see all of the range of the architects, and all of the architects that we looked at would meet the qualifications. Group 4 Architects has already worked with the community are familiar. If Council is satisfied with what you have seen so far, it is up to your discretion to decide.

Councilmember Lee stated that he likes what Group 4 has done but would like to see what our local architects would do. He would like to open this up.

Councilmember Oliva stated that she would like to see what local architects would do but would like to keep what we have already and keep it moving.

Mayor Holober stated that during the interview process, they needed to judge based on qualifications. Other architects had the opportunity to bid and Group 4 is familiar with the community needs.

Upon a motion/second by Holober/Oliva, the Council provided direction to the City Manager to make a proposal to Group 4 on the next phase of architectural services by a vote of 3:1; Councilmember Lee dissented, and Councilmember Schneider was recused.

Regarding action item 4, it was the consensus of the four Councilmembers to direct staff to prepare an implementation plan for the Rebuild Project, including required resources and a comprehensive execution schedule; Councilmember Schneider was recused.

Council took a recess at 8:55 p.m. and reconvened at 9:05 p.m.

14. Discussion Regarding the 2017/2018 Rotation for Mayor/Vice Mayor

Mayor Holober opened the item for discussion.

Vice Mayor Papan stated that she requested that this item be on the agenda prior to the Council reorganization meeting. She requested that Council take a vote for the two offices.

Begin public comment.

Lou Sandrini, Millbrae resident, asked why would you not follow the rotation policy. If you have any respect for public trust do not change the policy; change it before the next election so that residents know what it is.

Todd Repp, Millbrae resident, said his hope would be centered on codifying the Protocol.

End of public comment.

Vice Mayor Papan requested that the City Attorney explain the Protocol.

Assistant City Attorney Conneran stated that the Council is the sovereign body of the City and the Protocol is an adopted policy of the Council and the Council can change the Protocol.

Vice Mayor Papan stated that the Protocol is the collaboration of the Council. What the public does not see is the interactions of between the Councilmembers and staff, and it is up to the Council as to who will be in these positions. We need to work in a manner to move Millbrae forward.

Councilmember Schneider stated that in talking about what the public sees and does not see, the public has a very good idea of what is going on. They saw what happened a few years ago, the public made their voice clear in the last election. I look forward to serving the public.

Upon a motion/second by Lee/Oliva Vice Mayor Papan was unanimously appointed as Mayor.

Councilmember Schneider moved to nominate herself as Vice Mayor. There was no second to the motion and the motion failed.

Councilmember Oliva spoke about what she did to educate herself on local government when she was elected to the City Council. Councilmembers need to use best practices, and if you are not doing your job, you do not deserve a promotion. She put forward the motion to nominate Councilmember Lee as Vice Mayor.

Begin public comment.

Lou Sandrini, stated that the Protocols do not dictate qualifications for Mayor. We do not vote for a Mayor or Vice Mayor. The current Mayor is not qualified as he has the least experience. If you cannot collaborate with one another then you are not doing your job. You are dishonoring the public trust if you do not follow your Protocols.

Rick Eastman, Millbrae resident, said he is confused as to where this is going. He wants Councilmembers to be individuals and represent the thoughts of their constituents. Protocols can be changed at the whim of the Council and a few can ostracize others. If you have a Protocol, follow it; if you are changing it then you need to let the residents know.

Todd Repp, Millbrae resident, asked for appropriate behavior. He says he has seen a lot of inappropriate behavior and this is slander. This is twice that the Protocols have been violated. There is something wrong, if we are not following the Protocols.

End of public comment.

Councilmember Lee stated that we do work together and have made many decisions as a Council. We all do well and we all fail. We need to collaborate to get things done.

Councilmember Schneider noted that she watched what Marge Colapietro went through and disagreed with what was said tonight. I generally do not go to staff and direct my e-mails to the City Manager or City Clerk. What will be will be. I look forward to continuing my work for the City.

Mayor Holober stated that he wanted this to be peaceful. There is a motion for Councilmember Lee for Vice Mayor.

There was no second to the motion and the motion failed.

Mayor Holober stated that the Council can revisit this at the December 12, 2017 meeting or early next year.

Councilmember Schneider stated that this hurts; maybe we go a year without a Vice Mayor.

No action was taken on the Vice Mayor position.

NEW BUSINESS

NONE

COUNCIL COMMENTS

Mayor Holober:

- Announced the Tree Lighting on December 2nd;
- Announced the Central County Fire Department Toy Drive;
- Announced that the Library has their “Food for Fines” campaign.

Vice Mayor Papan:

- Thanked staff for City Services Day.

Councilmember Schneider:

- No comments.

Councilmember Lee:

- Attended the recent C/CAG CMEQ meeting;
- Attended the recent ABAG Board meeting;
- Announced the December 2nd Tree Lighting Ceremony.

Councilmember Oliva:

- No comments.

ADJOURN CITY COUNCIL

There being no further business to discuss, the City Council adjourned at 9:51 p.m.

/s/ Elena Suazo
City Clerk

/s/ Gina Papan
Mayor