



**MILLBRAE CITY COUNCIL**  
**MINUTES -DRAFT**  
**October 23, 2018**

**CALL TO ORDER MILLBRAE CITY COUNCIL**

Mayor Papan called the meeting to order at 7:03 p.m.

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

PLEDGE OF ALLEGIANCE TO THE U.S. FLAG

1. **CEREMONIAL/PRESENTATION**

- Presentation on Millbrae Yellow Command Exercise on September 6, 2018

Emergency Services Coordinator Bill Reilly presented the report.

2. **AGENDA OVERVIEW/STAFF BRIEFING**

- Calendar of Events
- Report of Bills and Claims

Interim City Manager Williams provided the agenda overview. We have added a calendar of events to the agenda under Item No. 2 showing upcoming events for October and November.

Mayor Papan said we had a very tragic incident occur in Millbrae involving the Sheriff's Department. There was a tragic death of Mr. Chinedu Valentine Okobi and we want to let his family know that they are in our thoughts and prayers. We as a Council are all concerned about each and every law enforcement related death. Until we have further information related to what happened that tragic day, including the District Attorney's findings, there really is no justice in commenting on an on-going investigation or submitting any opinions on the actions of anyone involved that day. It is a tragedy. Our hearts go out to his family and loved ones.

Deputy City Manager Lim provided an update on the Sewer Modernization construction work along Broadway.

3. **APPROVAL OF MINUTES**

- Continued Regular Meeting of July 30, 2018
- Regular Meeting of October 9, 2018

Councilmember Schneider requested a change to the minutes from the October 9, 2018 meeting. Under Council Comments for Councilmember Schneider the minutes say "San Francisco International Airport (SFO) Noise Roundtable has requested that all public agencies be responsible for responding to citizen concerns about airport noise." It is not staff who is supposed to respond to airport noise issues. It is the elected official who is the representative to the SFO Noise Roundtable that is supposed to be getting back to staff.

Upon a motion/second by Oliva/Holober the minutes for the July 30, 2018 and the October 9, 2018 meetings, with the change to the October 9, 2018 minutes requested by Councilmember Schneider, were approved unanimously.

- 4. **ORAL REPORT FROM CITY COMMITTEE/COMMISSION CHAIRS**  
NONE

**PUBLIC COMMUNICATION**

Chris da Rosa, Millbrae resident, spoke on flooding at Landing Lane, Federal Emergency Management Agency (FEMA) Community Rating System (CRS) Program, and requested a meeting with the City Manager.

Ryan Loesch, Millbrae resident, encouraged everyone to sign up on Next Door to get involved and asked Councilmember Oliva for clarification about her post that was removed.

Rafael Lopez, Millbrae resident, spoke about traffic on Millbrae Avenue and asked what the City's plans are for traffic mitigation once the housing development by BART is built.

Mills High School students Nicolas Bours, Cedric Fung, Brian He and Keefer Yip spoke on Millbrae's 2012 ordinance banning plastic bags and asked if the cost of plastic bags can be increased to 25 cents or a dollar.

**CONSENT CALENDAR**

- 5. Cancellation of Regularly Scheduled City Council Meeting of December 25, 2018
- 6. Resolution No. 18-66 Amending the Conflict of Interest Code
- 7. Resolution No. 18-67 Approving Amendments to the Records Retention Schedule

Upon a motion/second by Lee/Oliva Items No. 5, 6 and 7 on the consent calendar were approved unanimously.

**PUBLIC HEARING**

NONE

**EXISTING BUSINESS**

- 8. Recreation Center Restoration Project Informational Update

Recreation Superintendent Brady presented. Group 4 is currently collecting all the input from our community members, from the City Council, and the Parks and Recreation Commission on the conceptual design options. They will be presenting that to the Project Advisory Committee prior to the December 4<sup>th</sup> joint City Council, and Parks and Recreation Commission meeting. By mid-December we should have recommendations for the completion of the conceptual design, and by the end of the year Group 4 will have finalized all of the documents.

City staff produced a fact sheet on Ballot Measure II in English and Chinese that was mailed to all households in Millbrae and is available at all City counters at City Hall and online. Measure II needs two-thirds voter approval to pass. If it does pass, the cost to homeowners would be no more than \$8.70 per \$100,000 of assessed value. This will cost the average Millbrae homeowner no more than \$65.

Council said that some residents are asking why we don't just use the insurance money to pay for the Recreation Center. The building was insured for its maximum value and the City received \$6.4 million in insurance proceeds. The rebuild, under the insurance money, would only be the exact building we had before with current code compliance. The proposed new building will not only be up to code but would also be sustainable and cost less to operate and maintain in addition to accommodating a larger population. As houses turn over the total assessed value will increase and the debt service will decrease, so we will see a reduction over time.

9. Resolution No. 18-68 Approving an Affordable Housing Regulatory Agreement and Declaration of Restrictive Covenants

Interim Community Development Director Misner presented. Interim City Manager Williams said that we received a red-lined updated copy of Attachment 2 from the City Attorney. Copies were passed out to the City Council.

City Council asked questions:

1. Was the original number of units (444 units) adjusted because of the setback from 500 Hemlock?
2. With the affordable housing, how does it work when someone's income goes up? Can they stay in that unit until another unit of that value is freed up?
3. Is the number of Below Market Rate (BMR) units sixty-six or sixty-seven?
4. What is the anticipated breakdown of rentals and for sale units?
5. How are the BMR units going to be distributed in the building? Will they all be on one floor?
6. Will there be a reporting requirement to the City?

Applicant and Developer of Millbrae Serra Station Project Vince Muzzi responded:

1. We can still accommodate the 444 units. Accommodating the setback changed the upper floor unit type.
2. The rule is we have to wait for an apartment to become available and designate that apartment as low income and move someone there. We can't move the person out of the unit that they're in just because their income went up. We can't rent another at market unit until we find someone to take the below market unit.
3. It is sixty-seven BMR units.
4. None of the units are for sale. It is designed as a rental project.
5. The BMR units will be scattered through both buildings. I can't tell you how many units there are per floor.
6. Yes, there will be a reporting requirement.

Applicant Muzzi asked the Council if he could make one request. It is a policy question and he does not want to deal with the attorneys. His concern is that people who work in Millbrae can have a priority to be able to rent the affordable units. If they no longer work in Millbrae, they could continue to rent the unit for ten more years. He does not want this to happen, so he proposes that every five years the priority with which the renter came in becomes a condition because this will impact the number of trips and traffic.

The City Council was not comfortable with the developer bringing this issue up at the last minute. Council said they wanted staff to look into this issue and analyze the impacts. Applicant Muzzi withdrew his request.

Upon a motion/second by Schneider/Oliva Item # 9 was approved unanimously.

### **NEW BUSINESS**

10. Adoption of Fiscal Year 2018 – 2019 Community Enhancement Advisory Committee Work Plan

Community Enhancement Advisory Committee Chair Krasilnikoff presented.

Council said that a lot of the tasks that the committee has listed in its work plan are issues that are supposed to be handled by other committees such as the parking plan which is already being addressed by the Economic Vitality Advisory Committee and the Planning Commission. Some of these tasks such as a smoking ban are not in the City Council's priorities for Fiscal Year 2018/2019. This is an ambitious work plan for a committee that only meets once a month.

Council asked to see what the committee accomplished on their work plan from last year. Chair Krasilnikoff said that they can provide that to the City Council. Council said it is easier to see what needs to be done if the committee shows the City Council what has already been done.

Council asked the committee to focus on its mission and come back to the City Council at a later date with an updated work plan.

### **COUNCIL COMMENTS**

Mayor Papan:

- Compliments to the Lions Club for the Monster March on October 13.
- Last Friday's Movies in the Park showing the movie Hocus Pocus was a huge success.
- Superfest Disability Film Festival is on Saturday, October 27, at the Millbrae Library.
- Millbrae Rotary Kids Carnival is on Sunday, October 28, at Rotary Park.
- The Employee Service Recognition Lunch is on Wednesday, October 31.
- Compliments to the Mills High School students for participating in public comments.
- The Short Term Rental ordinance is in force and the requirements are on the City website.
- Reached out to Tesla to put in a super charger station hopefully at Safeway.
- Thanks to City Manager Williams for the Business Improvement District (BID) presentation.
- Re the tragic incident in Millbrae, our thoughts and prayers go out to Mr. Okobi's family.
- Reminded everyone to vote. The Millbrae Community Center is a vote center.

Vice Mayor Lee:

- Thanks to staff and the community for supporting the Millbrae Lions Crab Feed which was very successful. All the money that we raised goes back to the community.
- Peninsula Clean Energy (PCE) went to a ground-breaking in Los Banos. It was a half billion dollar project. It helps PCE have reliable energy and it is going to provide energy to 100,000 homes. There is a ruling that anyone who wants to opt-out of Pacific Gas and Electric Co. (PG&E) has to pay a fee, but luckily PCE is run so well that we are going to be able to absorb that, but it's still under discussion.

Councilmember Schneider:

- Attended Housing Leadership Council Housing Day last week and received a housing leadership award based on the bullying by the public for the Gateway at Millbrae Station Project.
- Thursday is the Bicycle Pedestrian Committee meeting for the county and we will be looking at the scope of work for the San Mateo County Comprehensive Bicycle and Pedestrian Plan.
- Last Tuesday our Bicycle and Pedestrian sub-committee met and began to look at connectivity issues.
- On PG&E bills this month there is a discount for the Climate Action Plan component.
- Residents have been writing to us about extremely high water bills and staff is looking into that.

Councilmember Oliva:

- The Senior Advisory Committee, in anticipation of a new Recreation Center, will host a social hour from 11:00 am to 12:00 noon on the last Friday of every month starting on January 25 to meet new people, chat with old friends, and enjoy some free coffee.

Councilmember Holoher:

- Congratulated our Man, Woman and Student of the Year – Stevan Luzaich, Deirdri Gladwin and Stephanie Wong. It was a wonderful event and a well-deserved honor for all three.
- Congratulated the Millbrae Lions Club for another wonderful crab feed. It was a lot of fun on Saturday evening.
- Reminded everyone to vote in the upcoming election.

### **CLOSED SESSION**

Closed Session held Pursuant to Government Code §54956.8

Conference with Real Property Negotiator (Tom Williams, Interim City Manager and Michael Conneran, Assistant City Attorney)  
City-owned Parcel at BART Station

### **ADJOURN CITY COUNCIL MEETING**

Closed in memory of Millbrae resident Lonnie Brown who passed away on September 20, 2018. Also closed in memory of Theodoros (Ted) Laliotis, former Mayor of Los Altos, who passed away on October 12, 2018.

There being no further business to discuss, the City Council adjourned at 9:45 p.m.

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Elena Suazo  
City Clerk

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Gina Papan  
Mayor