



**MILLBRAE CITY COUNCIL
MINUTES
February 12, 2019**

CALL TO ORDER MILLBRAE CITY COUNCIL

Mayor Lee called the meeting to order at 7:04 p.m.

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

PLEDGE OF ALLEGIANCE TO THE U.S. FLAG

Judi Sullivan and Steve Cady from the Friends of the Millbrae Library led the pledge of allegiance.

1. CEREMONIAL/PRESENTATION

Steve Cady and Judi Sullivan from the Friends of the Millbrae Library (FML) updated the Council on the activities of FML. Mayor Lee presented FML with a commendation.

- Presentation by the Millbrae Rotary Club

President Janet McAuley and President Elect Shari Teresi of the Millbrae Rotary Club updated the Council on the activities of the Rotary Club. Mayor Lee presented the Rotary Club with a commendation.

- Proclamation Proclaiming the Month of February as Black History Month

Mayor Lee read the proclamation for Black History month.

Councilmember Papan announced the the Hygiene Products Drive being held by the San Mateo Activist Coalition that is made up of many active youth in our City. There are collection boxes in City Hall and the Recreation Center where donations can be dropped off.

2. AGENDA OVERVIEW/STAFF BRIEFING

- Calendar of Events
- Report of Bills and Claims

City Manager Williams updated the City Council on the following items:

- Millbrae goes to the movies is showing Black Panther on February 15th at St. Dunstan School;
- Millbrae Rotary is hosting a Lunar New Year Banquet on February 22nd at Zen Peninsula;
- Millbrae Lunar New Year Parade is on March 2nd;
- Millbrae Recreation adult spring leagues start in March and registration is open;
- Millbrae Arts Show is on April 6th.

City Manager Williams introduced two new hires: Community Development Director Brad Misner and Code Enforcement Officer Lamonte Mack

City Manager Williams provided the agenda overview. Item No. 12, Informational Review of Parks and Facilities Inventory Report is an informational item only.

- Report out from Closed Session on January 22, 2019

Assistant City Attorney Conneran stated that the Council had met in Closed Session on January 22, 2019 and no reportable actions were taken.

3. **APPROVAL OF MINUTES**

- Regular Meeting of January 8, 2019
- Regular Meeting of January 22, 2019
- Special Meeting of January 23, 2019

Councilmember Schneider requested changes to the January 8, 2019 and January 22, 2019 minutes.

January 8, 2019:

- under the Bay Area Water Supply and Conservation Agency (BAWSCA), add information about the Lawn Be Gone program;
- under the discussion on the Study Session for the Gateway at Millbrae Station Project, the statement “Council also requested to see something more iconic” is misleading because it implies consensus of the Councilmembers when it may have been a request by one or more Councilmembers, but not the full Council;
- under Item No. 9, the statement “Staff said that we are using the number of homeless from the Point-in-Time Count that was conducted the night of January 25, 2017 to be eligible for funding” be changed because the correct date was January 31st.

January 22, 2019:

- include the discussion with San Francisco Airport (SFO) on back blast low frequency noise to the minutes.

Councilmember Schneider also requested that, on all three sets of minutes, that specific recognition be given to the people who stated things.

Councilmember Oliva requested clarification on the process of minute taking. City Manager Williams stated that the minutes are summary and action. If someone wants to obtain more information this would guide them to actually listen to the tape of the meeting. Councilmember Oliva stated that she objects to Councilmember Schneider’s changes to the minutes.

Councilmember Papan suggested that the future minutes include the Youtube link for those who wish to see the detail without getting into the word for word transcription. Councilmember Papan stated that she objects to Councilmember Schneider’s comments regarding the study session. The Council as individuals brought up certain items and the minutes were appropriately recorded as such. Councilmember Schneider’s comment about the noise is important, but again that was an informational item; not an action item.

Councilmember Oliva stated that she would like to approve the minutes. Councilmember Schneider stated that she cannot vote on something that is inaccurate and the minutes are not adequately reflecting what was said and discussed.

Mayor Lee stated that the minutes need to be accurate and that the public is encouraged to watch the meetings online to get the full understanding of what occurred at the meeting.

Vice Mayor Holober suggested that Councilmember Schneider submit her comments in writing to the City Clerk before the meeting so the City Clerk can provide a red-lined version at the meeting that the Council can review instead of doing it verbally. He also stated that he would be happy to hold back and bring the minutes back at the next meeting in red-lined form.

Councilmember Schneider stated that there was a style change and she has been working with the City Manager on it since November.

Councilmember Holober said in his opinion he has found that the minutes are actually a bit more comprehensive than they have been in the past. If there are minor things to be corrected he would be happy to make those amendments now.

Mayor Lee stated that we can work with staff to try to improve the minutes in some way and we will work with Councilmember Schneider to make it satisfactory.

Councilmember Papan stated that she made the motion to approve with the amendment as to the date of the homeless count and the informational item from the airport being included. She expressed an opposing position as to the use of the word "Council" from the January 23, 2019 study session. Regarding the other comments, a lot of these issues can be cleared up if we attach the Youtube link for future reference. With these modifications, Councilmember Papan's motion was before Council unless Councilmember Schneider would like the whole item pulled and that there be some support for that.

Councilmember Schneider stated that she is fine with the motion before Council and that she will be voting no.

Upon a motion/second by Papan/Holober the minutes from the regular meeting of January 8, 2019, the regular meeting of January 22, 2019, and the special meeting of January 23, 2019 as amended with the corrected date of the homeless count and the informational item from the airport added, passed with a vote of 4:1 with Councilmember Schneider dissenting.

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

NONE

PUBLIC COMMUNICATION

Rafael Lopez, Millbrae resident, spoke on parking enforcement on Lincoln Circle, license plate readers, Community Center updates, and Dragon speaking software for minute taking.

CONSENT CALENDAR

Items No. 6 and 9 were pulled off the consent calendar for discussion.

5. Resolution 19-08 Authorizing the City Manager or Designee to Execute an Agreement with ECS Imaging, Inc. in the Amount of \$139,374 for Electronic Content Management / Records Management Software and Implementation Services for a Term of Three Years

7. Resolution 19-09 Authorizing the City Manager or Designee to Execute an Addendum to the Professional Services Agreements with Mintier Harnish for Preparation of Priority Development Area (PDA) Specific Plan and General Plan Environmental Documents and Preparation of General Plan, Active Transportation Plan, and Parking Study
8. Resolution 19-10 Authorizing the City Manager or Designee to Execute the First Addendum to the Agreement for Professional Services with Robert Half International, Inc. for Temporary Employees Increasing Total Compensation from \$49,800 to \$65,000
10. Resolution 19-12 Waiving the Competitive Solicitation Requirements for the Phase One Implementation of the Asset Information Management System for the Stormwater and Water System, Approving a Professional Services Agreement with AIMS Teams, LLC in the Aggregate Amount of \$86,416 and Authorizing the City Manager or his Designee to Execute the Professional Services Agreement
11. Resolution 19-13 Approving the Submittal of a Concept Proposal for the Cultural, Community, & Natural Resource Grant Program to Support the Millbrae Recreation Center Restoration Project

Upon a motion/second by Papan/Oliva Items No. 5, 7, 8, 10 and 11 on the consent calendar passed unanimously.

6. Receive Informational Report on the Status of Ordinance 771 the Short Term Residential Rental (STRR) Ordinance Implementation

Community Development Director Misner presented the report.

Council stated that they are still receiving complaints about neighbors renting out their rooms. Community Development Director Misner said that anyone with a complaint can call in to (650) 259-2341 to report an issue anonymously. The City also has an online registry of operators.

Council asked how the City is investigating complaints. Community Development Director Misner responded that Code Enforcement staff goes into the field and asks questions to determine if operators are meeting the requirements of the ordinance. City Manager Williams stated that the City continues to comb the different hosting websites as well.

Council asked what platforms the City is looking at. Deputy City Manager Hilbrants stated that the City is checking Craigslist, Airbnb, HomeAway, and Vacation Rentals.

No public comment for this item.

Council received the report.

9. Resolution 19-11 Approving Authorizing the City Manager or Designee to Execute a Professional Services Agreement with Water Works Engineers, LLC in an Amount Not-to-Exceed \$196,152 for the Environmental and Preliminary Design Phases of the Water Tanks Replacement Project, Establishing a Project Contingency of \$20,000, and Authorizing the City Manager or Designee to Execute Contract Amendments Up to the Project Contingency Amount

Deputy City Manager Lim presented the report.

Council requested that the affected neighborhoods be listed on the City website. Deputy City Manager Lim stated that the City can provide that information on the City website.

Council asked if the water tank on Helen Drive by Tioga will eventually go away. Deputy City Manager Lim stated that Public Works is actively looking into this. The City does not need that tank for operational purposes, but it is needed to maintain water quality. The City may subsequently be able to demolish the tank and free up that piece of land.

No public comment for this item.

Upon a motion/second by Holober/Papan Item No. 9 passed unanimously.

PUBLIC HEARING

NONE

EXISTING BUSINESS

12. Informational Review of Parks and Facilities Inventory Report

Recreation Director Brady presented the report.

Council inquired about the funding and would this be for all the parks? Would the City give priority to those parks that need the most work?

Deputy City Manager Lim responded that the City does not have the estimated funding and it would include all parks and facilities including all City buildings. Central Park is the most used park, so the City needs to focus on this park and spend some money improving it. The City will look at available funding sources and slowly start working on all the other parks. City Manager Williams stated that we are at the first step which is the Parks Inventory and assessment of what our needs are. Prior to moving forward and spending the money on a full blown Parks Master Plan, we need to get the City's General Plan adopted and then coupled with the Development Impact Fee ordinance, we will bring this back to the Council.

Council asked if different organizations such as the Lions, Soroptomists and Rotarians are involved with upgrading our parks. Deputy City Manager Lim stated that the City can definitely use any donations we can get from these organizations. The Rotarians provided benches, park furniture, and a barbecue pit at Rotary Park.

Council discussed the possibility of a partnership with the San Mateo Union High School District for a limited Aquatics program at either Mills High School or Capuchino High School or a partnership with the Burlingame Aquatics Club (BAC).

Council asked when will this report be brought back to the Council. City Manager Willimas responded that it will be brought back in the next two to three months.

No public comment for this item.

Council received the report.

NEW BUSINESS

13. Accepting the Fiscal Year 2018 – 2019 Mid-Year Budget Report and Authorizing the Transfer of Up to \$25,000 from the General Fund to Other Funds Including Associated Increases in Budgeted Revenues and Expenses Where Needed to Fund Unanticipated Programs and Expenses

Deputy City Manger Hilbrants presented the report.

Council asked about whether the City's contribution of \$40,000 annually for the Joint Powers Authority (JPA) for the Sea Level Rising was included in the budget. City Manager Williams responded that this funding will be included in the Fiscal Year 2019 – 2020 budget.

Council asked why are they being asked for approval for \$25,000 transferring funds and how much is the City Manager's signing authority? Are these two separate issues? Deputy City Manager Hilbrants responded that the City Manager has signing authority for up to \$50,000. The City needs the Council's authorization to transfer \$25,000 out of the General Fund. They are two separate issues.

Council asked if staff has an update on the San Francisco Public Utilities Commission (SFPUC) lease with Orchard Supply. City Manager Williams responded that staff has met with SFPUC representatives and they are negotiating with Lowes on a buy-out of the lease to be completed within the next two to three months. The water district holds this property as an asset and they want to continue to lease it out as a revenue source.

No public comment for this item.

Upon a motion/second by Schneider/Oliva Item No. 13 passed unanimously.

14. Adopt a Resolution Declaring Certain City-Owned Properties as Surplus Property Consistent with the Surplus Land Act (SLA), Government Code Section 54222 and Direct Staff to Commence Inviting Bids for the Sale of Real Property

Community Development Director Misner presented the report.

Council inquired about the zoning of the Santa Margarita property. City Manager Williams responded that the General Plan designation is residential.

Council asked if the square footage for the Santa Margarita parcel includes the entire lot since there is no existing sidewalk. City Manager Williams responded that the City would sell the entire lot but it would be a condition of the development that the sidewalk would need to be improved as part of the project.

Council asked if the Santa Margarita lot, being across the street from three preschools, would require a traffic study before permits can be issued. City Manager Williams responded that one or two lots is the maximum you could get from this property and without a geo-technical study and additional engineering analysis there is no way of knowing the size of the lot.

Council stated that on the Sequoia property, it would be important to maintain a pedestrian bicycle connection to the Spur Trail. It does not have to be much, but maybe five feet by the edge of the property by the baseball field. This could be a City easement or not include that as part of the sale.

No public comment on this item.

Upon a motion/second by Holober/Papan Resolution No. 19-15 declaring City-owned property at a lot on Sequoia Avenue (APN 024-311-090) and a lot at the corner of Barcelona and Santa Margarita (APN 021-066-200) as surplus and to commence inviting bids for the sale of real property, passed unanimously.

COUNCIL COMMENTS

Mayor Lee

- The Mayor's Civic Coordinating Council meeting on January 24th went very well; the room was packed.
- The City is working on a community calendar to allow Millbrae non-profits and Millbrae groups that have community events to post them on the City calendar.
- The Governor announced that he is shutting down the High Speed Rail (HSR) project except for portion in the Central Valley.
- Peninsula Clean Energy (PCE) has grants for electric cars, electric car charging stations, and energy efficiency for income challenged families. The Pacific Gas and Electric Company (PG&E) bankruptcy will not affect PCE. There was a concern that the money that PG&E collects for PCE would be part of the bankruptcy; it is not.
- The City Council will have a retreat on March 30th from 9:00 am to 4:00 pm. The meeting will be open to the public.
- Millbrae's Lunar New Year parade and festival is on Saturday, March 2nd.
- Self-Help for the Elderly is sponsoring luncheons for seniors on Mondays, Wednesdays and Fridays from 10:30 am to 12:00 noon.
- San Mateo County sent out an alert for high winds and flooding February 12th and February 13th. Thank you to City crews for keeping us from flooding. Sand bags are available at Millbrae Avenue and Poplar.
- Please support the Leos on movie night, February 15. All the money collected goes back into the community.
- The Lions Club Crab Feed was a great success. I would like to thank all of their supporters.
- Congratulations to the Millbrae School District for their CPR Saturday event. Seventy-two people were certified.
- Congratulations to South San Francisco's Mayor Pro Tem Rich Garbarino on his appointment to the Association of Bay Area Governments (ABAG) Executive Committee.
- Congratulations to Councilmember Gina Papan on her appointment to the Metropolitan Transportation Commission (MTC).
- The Millbrae Education Foundation is having their Annual Gala on March 2nd.
- The Peninsula Chinese Business Association (PCBA) is having their 10th Annual Gala on March 9th.
- Thank you to Councilmember Schneider for working on the Community Garden project. The proposed site is Central Park.

Vice Mayor Holober

- The Adult Soccer Program will begin on March 6th on Wednesdays evenings at 8 pm for about two months. Registration is online.
- Assemblymember Kevin Mullin will be in Millbrae on February 22nd 9:00 am to 10:00 am at Peters café. Stop by and meet the Assemblymember and ask him questions about the State, High Speed Rail, or any other issues.

Councilmember Schneider

- The SFO Noise Roundtable met last week. They had their second meeting of the Ground-based Noise Ad-Hoc Committee to talk about infrastructure changes.
- The Emergency Services Council met. They provided an update of our Hazard Mitigation. A new sub-committee has been formed regarding particulate matter.
- The Mayor and I attended the Flood and Sea Level rise kick-off meeting. Supervisor Pine stated that most people were disappointed with the outcome.
- The Community Enhancement Advisory Committee met this week. Millbrae is longer a Tree City; we did not complete our application starting in 2016. We are working on regaining our Tree City status.
- The Cultural Arts Advisory Committee has two events coming up: the Millbrae Community Art Show and the Utility Box Project. The Art Show will be on April 6th.
- Information from the Bike Sharing pilot program is going to go to the City's Bike and Pedestrian Advisory Committee next Tuesday, February 19.
- The Bike Rodeo is on May 11th.
- The Community Garden sub-committee had their first meeting.
- The Sister Cities Commission is going to Malta from April 16 to April 27 and I will be joining the group. The cost is \$2,000 - \$2,500.

Councilmember Oliva

- Attended Airport Land Use Committee meeting. They accepted a recommendation for two new buildings in San Bruno. I was re-elected to the Housing Endowment and Regional Trust (HEART) Board of Directors. The Heart fundraiser is coming up and I will get flyers out to everybody.
- The Millbrae Economic Vitality Advisory Committee has a new meeting time now. They will meet at night on the fourth Thursday of the month.
- The Senior Advisory Committee will meet next week.
- This Friday I will be attending the Rotary Lunar New Year Celebration at Zen Peninsula.

Councilmember Papan

- The Bike Sharing Program sub-committee met and we should have something to report at the next meeting. Thank you to all staff who participated.
- The Youth Advisory Committee and Senior Advisory Committee held a joint meeting, it was a very fun and useful meeting. We are looking forward to having more joint events in the future.
- After over a year of negotiations with the San Francisco International Airport (SFO) and the Bay Area Rapid Transit (BART), we will now have a direct link between BART and SFO, a direct BART train every half hour. Starting on Monday SamTrans will also have a bus every half hour to SFO. There is a direct link to the airport from our transit center every fifteen minutes.
- Thanks to One Martial Arts which will have a Teen Hang-out on Saturday, February 23rd.
- Please make a contribution to the Hygiene Products Drive.
- Thanked Mr. Lopez for speaking tonight. We will look into the Dragon Speaking app.
- Community Center updates are scheduled once a month at Council meetings.

- The Gateway at Millbrae Station project is planned to go back to the Planning Commission at some point. The public is encouraged to comment on the designs.
- The City/County Association of Governments (C/CAG) Legislative Committee will meet with Senator Weiner regarding his legislation, SB50. We hope to update him on what we have been doing within San Mateo County and what our City has been doing.
- I look forward to being the representative for the 20 cities and towns, the voice for everyone on MTC.

CLOSED SESSION

CONFERENCE WITH LEGAL COUNSEL- EXISTING LITIGATION

(Subdivision (a) of Section 54956.9)

Name of case: Better Millbrae, et al. v. City of Millbrae, et al., San Mateo Superior Court, Case No. 18CIV04393

ADJOURN CITY COUNCIL MEETING

There being no further business to discuss, the City Council adjourned at 10:21 p.m.

The video recording of the meeting is available on the Millbrae Community Television Youtube website. You can click on the link below to view the recording of the entire meeting.

<https://www.youtube.com/watch?v=9dOxxks9kZk>

/s/
Elena Suazo
City Clerk

/s/
Wayne J. Lee
Mayor