



**MILLBRAE CITY COUNCIL**  
**MINUTES - DRAFT**  
**January 28, 2020**

**CALL TO ORDER MILLBRAE CITY COUNCIL**

Mayor Holober called the meeting to order at 7:02 p.m.

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

**PLEDGE OF ALLEGIANCE TO THE U.S. FLAG**

1. **CEREMONIAL/PRESENTATION**

- Commendation for Millbrae Community Foundation (MCF) Student Volunteers

MCF President Maureen Davis presented certificates of appreciation and Mayor Holober presented commendations to Stella Baltasar and Samantha Lam.

2. **AGENDA OVERVIEW/STAFF BRIEFING**

- Calendar of Events
- Report of Bills and Claims

City Manager Williams provided the agenda overview and updated the City Council on the following items:

- Community Open House re Gateway at Millbrae Station Project on February 1;
- Disc Golf Course Demo Day on February 1;
- Millbrae's Spring Art Show and Contest on March 27 – 28;
- Millbrae launches new website address – [www.cityofmillbrae.com](http://www.cityofmillbrae.com);
- Thanked Millbrae Martin Luther King Jr. Day of Service volunteers.

3. **APPROVAL OF MINUTES**

- Regular Meeting of January 14, 2020

Upon a motion/second by Papan/Schneider the minutes from the meeting of January 14, 2020 passed with a vote of 4:0 with Councilmember Oliva excused.

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

NONE

**PUBLIC COMMUNICATION**

NONE

**CONSENT CALENDAR**

Vice Mayor Schneider requested that Item No. 5 be pulled from the Consent Calendar for discussion.

6. Resolution No. 20-11 Authorizing the City Manager or Designee to Execute a Second Amendment to the Professional Service Agreement with New City America for Work Related to the Formation of a Community Benefit District in Downtown
7. Resolution No. 20-12 Accepting the 2019 Pavement Maintenance Project as Complete and Filing of Notice of Completion

Upon a motion/second by Lee/Schneider Items 6 and 7 on the Consent Calendar passed with a vote of 4:0 with Councilmember Oliva excused.

5. Resolution No. 20-10 Waiving the Competitive Procurement Process and Authorizing the City Manager to Execute a Professional Services Agreement with Ghirardelli Associates for Construction Management and Construction Inspection Services for the Gateway at Millbrae Station Project (TOD#2) in an Amount Not-to-Exceed \$900,000

Vice Mayor Schneider said that the management company that the City is working with is already working with Bay Area Rapid Transit (BART) and we need to ensure that they are working for the City and not BART. The City did not get the re-use of trees in the contract and we are trying to negotiate saving and re-purposing the trees. We agreed not to have night work and if this is happening by the Highland Canal I just want to be transparent.

City Manager Williams responded that due to traffic congestion, night work will be allowed as long as the City does not get any complaints. Night work will be infrequent and with the first complaint we will shut down the night work. City staff is working with Republic Urban on the issue of trees and Republic Urban has agreed to remove the trees and deliver them to the Public Works Department for re-planting.

Councilmember Papan said she believed through the process the City was requiring trees and foliage to be re-purposed. I am also concerned that BART is not doing anything about the noise in the parking garage. What control do we have here? City Manager Williams responded as a private development project commences we do have control over the area of land that is being developed. There are still noise and cleanliness issues with the parking garage. I am meeting with the BART Director at the BART Station this week to continue with his Listening Tour, follow ups and what they can do to provide more attention to the Millbrae BART Station. Councilmember Papan said she hopes that the City pulls the Environmental Impact Report (EIR) because BART has over-estimated their plan and circulation. We still have not seen a circulation plan and a parking plan. City Manager Williams responded that the City is working with Republic Urban on the Parking Management Plan. They need to meet the satisfaction of the City before we can issue building permits. The grading and demolition permits issued are pursuant to terms and definitions outlined in the Development Agreement.

Mayor Holober said he had some concerns about this item as well when he saw it on the agenda. Who is Ghirardelli Associates really working for? Are they working for BART or the City? It sounds like the City does not really have any liability here. If there are any problems with any of the infrastructure and any of the work that gets done, it is on BART to fix it and the City will be enforcing that.

Upon a motion from Lee/Holober Resolution No. 20-10 waiving the competitive procurement process and authorizing the City Manager or designee to execute a professional services agreement with Ghirardelli Associates for construction management and construction inspection services for the Gateway at Millbrae Station Project (TOD#2) in an amount not to exceed \$900,000 passed with a vote of 4:0 with Councilmember Oliva excused.

Councilmember Lee requested that Items 11 and 12 be moved up since commission and committee members are present.

**NEW BUSINESS**

- 11. Adoption of Fiscal Year 2019 – 2020 Sister Cities Commission Work Plan

Sister Cities Commission Chair Gottschalk presented the report.

Begin public comment.

Ed Musa, Millbrae resident, requested that the City Council consider a Sister City relationship with the City of Ramallah which is his birth place. There are fifty families from Ramallah living in Millbrae.

End public comment.

Councilmember Lee said that last year, while he was the Mayor, Mr. Musa approached him with this request. Councilmember Lee wrote a letter to the City of Ramallah expressing interest in a Sister City relationship. The City of Ramallah responded that they are interested in forming a Sister City relationship. Mayor Holober said he recommends that Mr. Musa attend the next Sister Cities Commission meeting. City Manager Williams responded that staff has been working with Mr. Musa and a staff presentation is scheduled for the next Sister Cities Commission meeting on February 24.

Upon a motion/second by Schneider/Lee Item 11 passed with a vote of 4:0 with Councilmember Oliva excused.

- 12. Adoption of Fiscal Year 2019 – 2020 Senior Advisory Committee Work Plan

Senior Advisory Committee Chair McBride and Vice Chair Mullen presented the report.

Mayor Holober thanked Senior Advisory Committee Chair McBride for her service and for all her help with the Recreation Center planning. Vice Mayor Schneider shared her experience volunteering for the Meals on Wheels program and asked Police Chief Kunkel how can we find people who are home-bound and identify them for our evacuation plan? Police Chief Kunkel responded that Pacific Gas and Electric Company (PG&E) is working on our evacuation plan. It is hard to maintain the database, determine who maintains it and there are significant privacy issues. This is a very difficult complicated matter to solve. The Office of Emergency Services is working on it.

Upon a motion/second by Lee/Papan Item 12 passed with a vote of 4:0 with Councilmember Oliva excused.

**PUBLIC HEARING**

NONE

**EXISTING BUSINESS**

- 8. Recommendations of Art Work Submitted by Millbrae High Schools for Utility Box Painting

Cultural Arts Advisory Committee Vice Chair Van Wart and Committee Member Whiteley presented the report.

Councilmember Lee thanked the Cultural Arts Advisory Committee for all the work they have done. He said he is not sure why the City Council has to approve this. As long as staff and the Cultural Arts Advisory Committee approve the art work, Council approval is not needed. Councilmember Papan said we have a Public Art Policy and it does need to come to the City Council for approval. I love the art work and I am looking forward to seeing this in public. Vice Mayor Schneider thanked the committee.

Upon a motion/second by Papan/Lee Item 8 passed with a vote of 4:0 with Councilmember Oliva excused.

9. Re-Affirm Citywide Position Opposing Senate Bill 50 and Authorize Submission of Mayor's Opposition Letter

Mayor Holober said this bill has come back. Amendments were made on January 6 that attempted to ease some of the cities' concerns, but we feel there are a number of questions that have been raised but not answered. The bill has a deadline of this Friday, January 31, but it may be voted on tomorrow. City Manager Williams presented the report.

Councilmember Papan thanked the Mayor and staff for preparing the letter. It points out very significant issues. One of the primary issues is that it is inequitable. It does not treat all counties and jurisdictions the same. If they are truly committed to housing, everybody should be treated equally. In addition to that, Millbrae has significant transit issues that we have tried to enhance throughout in any developments that we do, but it actually deters people from taking transit in some jurisdictions. We want to note too that Millbrae has approved 844 housing units. We are doing a lot in that realm and will continue to do so. I move for approval.

Mayor Holober said the bill attempted to create a local accountability plan which would allow cities to come up with their own plan on how they would comply. Unfortunately, the legislation did not make any clear standards for what is acceptable in a local accountability plan. It takes the power out of the legislature and puts it in the Housing and Community Development Department at the State level. I cannot accept that at this time. It is saying we have to come up with a plan without any clear standards or guidelines as to what would be acceptable.

Vice Mayor Schneider thanked Mayor Holober for preparing the letter. Transportation agencies control over what is happening with Transit Oriented Development #1 (TOD#1) and Site One really frustrates me. It puts all the pressure on cities and ignores that transportation agencies can be extremely destructive to existing housing and any new housing. Senator Wiener needs to get the transportation agencies on the hook too. Mayor Holober said that this bill has no funding mechanism for infrastructure and services. Such broad mandates without infrastructure or transportation funding are unacceptable.

Councilmember Lee thanked Mayor Holober and staff for preparing the letter. He put out a similar letter. Before we send out the letter, he would like to see more about affordable housing. Mayor Holober and Councilmember Papan responded that we are in a time crunch.

Begin public comment.

Steven Green, Millbrae resident, spoke in favor of SB 50. In the midst of the most severe housing crisis Millbrae is going backwards. We need to create an intelligent plan.

End public comment.

Mayor Holober thanked Steven Green for speaking, said that he made a lot of good points and we will look to address that through our General Plan Update. Vice Mayor Schneider said she appreciates Steven Green's points, however, the reality is that the City has approved 444 – 488 housing units and High Speed Rail and Caltrain put a stop to it. I would love to see the housing advocates talk to the transit agencies. Councilmember Papan said, to clear the record, the only height limits we have in Millbrae relate to the airport and not the City. We are building ten stories high. It is a progression in the General Plan as to other areas in the City. Fifteen years ago nobody wanted to build there. TOD#1 and TOD#2 have both astronomically accelerated beyond anybody else's developments in an intermodal center. It's only been five years since those projects were proposed. We appreciate the passion a lot of people have here but we need to get the facts straight. We are trying to find the balance that will sustain Millbrae and help it grow. Mayor Holober said we have capacity concerns with water and sewer service. We don't have capacity. We have restrictions from the Bay Area Water Supply and Conservation Agency (BAWSCA) for water supply. Councilmember Lee said he appreciates Steven Green's comments about water rates. Adding more people will lower the rates a little bit. I am concerned about people on a fixed income. We are not saying no to housing, but build housing with the amenities.

Upon a motion/second by Papan/Schneider Item 9 passed with a vote of 4:0 with Councilmember Oliva excused.

#### 10. Receive Informational Update on Millbrae Recreation Center Restoration Project

Interim Public Works Director Kao presented the report. She said that staff will provide a monthly update at the second City Council meeting of each month. This will be a Consent Calendar item. Vice Mayor Schneider requested that this item be on Existing Business and not the Consent Calendar. City Manager Williams responded that staff can put the item under Existing Business if that is the Council's preference.

Councilmember Papan said that transparency is very important. I suggest that the Recreation bulletin should have a timeline people can follow. We also need to keep our website up to date. Vice Mayor Schneider said she is concerned that we have not identified the Furniture, Fixtures and Equipment (FF&E) cost. Mayor Holober said there were a number of items in our budget for the Recreation Center and obviously the loan from San Mateo County is the key to getting this going. There were some parcels identified as surplus property. What is the status on the process and the other pieces of the funding? City Manager Williams responded, in terms of surplus property, we had two properties that we surplus. We need to sit down with the school district to discuss their desire to purchase the property. Once we exhaust that, then we can move forward. We are working on a Request for Proposals (RFP) to solicit a real estate broker. Some of this has been delayed because we were looking at a \$43 - \$45 million Recreation Center and so now that we are working with Swinerton Management and Consulting we will know more about what we can do within the \$30 million budget.

Mayor Holober said he hopes this does not interrupt the timeline. City Manager Williams responded no it will not interrupt the timeline. Mayor Holober asked has the City received Development Impact Fees for TOD#2? City Manager Williams confirmed that the City has received a check for a little over \$16 million.

This is an informational item.

**COUNCIL COMMENTS**

## Mayor Holober:

- Attended Caltrain Local Policymakers Group meeting last week. There was a brief High Speed Rail discussion. The Environmental Impact Report (EIR) is anticipated to come out in April. This is an opportunity for us to comment. They still have a \$50 billion funding gap. They would like to see more federal funding, but it looks like that will not be the case under this administration. The Caltrain business plan was discussed. Discussions were on whether to prioritize more express service like the baby bullet trains or trains that stop at more stations. Baby bullet trains are very popular now and are usually completely full.
- Attended Parks and Recreation Commission meeting and we discussed grants.
- Announced Disc Golf Demo Day on Saturday, February 1, at Mosta Grove at 10:00 am.

## Vice Mayor Schneider:

- Attended the Peninsula Clean Energy (PCE) strategic retreat. Among topics discussed were nuclear energy, rebates for electric vehicles and whether to buy out PG&E.
- Announced Ground Base Noise meeting on Thursday, January 30, at 9:30 am.
- Attended League of California Cities (LOCC) New Mayors and Council Members Academy on January 22 – 24.
- Attended San Mateo County Transportation Agency update of transportation issues in the county on January 24.
- Attended Emergency Service Council meeting.
- Lomita Park School has students from San Bruno and Millbrae and it is possible we could do a Safe Routes to School walk. There has not been a Safe Routes to School audit since 2013.
- Spoke with Managed Lanes staff and they are going to be removing more vegetation in Millbrae. This means greater noise impact from the airport.

## Councilmember Papan:

- Re the Caltrain Burlingame program, the trees along the Burlingame side of El Camino Real have become a health hazard and they are required to get a plan to replace all the trees and improve the streets there.
- The school district is finally looking at serving alcohol in their facilities. It is still a work in progress. We are hoping the school district will take advantage of State regulations that protect them and expand their rules to allow the PTAs to fully fund their events.
- Metropolitan Transportation Commission (MTC) has a workshop on Thursday and Friday, January 30 and 31, to discuss Plan Bay Area 2050.
- Managed Lanes is moving ahead and we will be impacted. This is adding lanes to US Highway 101. The funding for that is progressing.
- Several councilmembers are working on making BART accountable as far as serving our community. It's unsafe and unhealthy. Last week they cleaned all the BART stations in San Mateo County. Once again they are dirty and disgusting. I voted no on \$35 million of discretionary money going to BART with no strings attached.
- Received a study from the University of California Los Angeles (UCLA) on why people take transit. Number one, if you do not feel safe on public transportation you will not take it.
- Re Seamless Transportation, coordination between agencies is needed. I am working with our City Manager and trying to get MTC to expand on a resolution they had and also bringing that to the State legislature to force transit agencies to show us the results.
- There was an article in the San Francisco newspaper accusing SamTrans of dumping homeless people in San Francisco. They are being forced off the BART train at night either in Millbrae or

the airport. The Airport has decided to give them bus tokens to return them to San Francisco. We do not do that here. We are trying to help as many people as we can.

- There was article in the Los Angeles Times saying that majority of homeless people in any jurisdiction are local. So the actions that jurisdictions take, whether we take them here in Millbrae, to provide affordable housing units and trying not to displace people, other jurisdictions are not doing the same. San Francisco has 70,000 units coming online none of which are affordable.
- Bank of America is working with other credit card agencies for a contactless bank acceptance card for transportation.

Councilmember Lee:

- Announced MTC and Association of Bay Area Governments (ABAG) are having all day workshops on Thursday, January 30.
- The Regional Housing Needs Assessment (RHNA) process is starting again.
- Announced San Francisco Chinese New Year Parade on Saturday, February 1. The Mills High School Dragon Team will participate in the parade.
- Thanked the City Council, Millbrae Cultural Committee, City staff, San Mateo County Sheriff’s Office, Central County Fire Department (CCFD) and everyone who participated in the Millbrae Lunar New Year Festival on January 26. 4,000 people attended the festival.
- Thanked everyone who participated in the Lions Crab Feed on Saturday, January 25, which was very successful. All the money raised goes back to the community.
- PCE has always promised a goal of 0 greenhouse gas emissions. PCE has been asked by PG&E for \$5.3 million for the rights to say that we do not buy nuclear energy. It seems like a waste of \$5.3 million better spent on energy savings programs. We decided not to accept this offer.
- Millbrae School District Superintendent Vahn Phayprasert has announced his resignation at the end of this year.

**CLOSED SESSION**

NONE

**ADJOURN CITY COUNCIL MEETING**

The meeting was closed in memory of Millbrae resident Bob Richard. The meeting was also closed in memory of Professional Basketball Player Kobe Bryant and the other victims of the helicopter crash on January 26.

There being no further business to discuss, the City Council adjourned at 9:03 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=LBJ\\_Z6z3gEo](https://www.youtube.com/watch?v=LBJ_Z6z3gEo)

By: \_\_\_\_\_  
Elena Suazo  
City Clerk

Approved: \_\_\_\_\_  
Reuben D. Holober  
Mayor