



**MILLBRAE CITY COUNCIL  
MINUTES  
January 12, 2016**

**CALL TO ORDER MILLBRAE CITY COUNCIL**

Mayor Oliva called the meeting to order at 7:00 p.m.

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

PLEDGE OF ALLEGIANCE TO THE U.S. FLAG

**1. CEREMONIAL/PRESENTATION**

- Community Preservation Commission Residential Water Wise Awards and Residential Beautification Awards

Mayor Oliva and Chair Krasilnikoff presented the awards:

Residential Water Wise Garden Award:

- Tam Vilom
- Erik and Carmen Gjerstad

Residential Beautification Award:

- James and Kathleen Terranova
- James and Celina Koch

**2. AGENDA OVERVIEW/STAFF BRIEFING**

- Report of Bills and Claims

City Manager Raines reviewed the agenda items. She requested that the Council remove item 5 from the Consent Calendar to allow the applicant to say a few words.

**3. APPROVAL OF MINUTES**

- Regular Meeting of November 24, 2015
- Regular Meeting of December 8, 2015

Upon a motion/second by, Papan/Holober, the minutes were approved by a vote of 4-0-1; Councilmember Schneider abstained.

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

- NONE

**PUBLIC COMMUNICATION**

Joseph Valle, Millbrae resident, spoke about traffic issues and concerns on Crestview Drive.

Alie Sobczak, HIP Housing, thanked the Mayor and Council for their support of affordable housing in San Mateo County. She presented the Council with their 2016 calendar.

Janet Creech, Millbrae resident, spoke on affordable housing in Millbrae.

### **CONSENT CALENDAR**

5. Reappointment to the San Mateo County Mosquito and Vector Control District Board of Trustees

This item was pulled for discussion to allow for Dr. Baluom to address the Council.

Upon a motion/second by, Papan/Lee, Consent Calendar item 5 was unanimously approved.

Dr. Baluom thanked the Council for his reappointment to the San Mateo County Mosquito and Vector Control District Board of Trustees. He announced that the District is having their 100 Year Celebration on January 26<sup>th</sup> and invited everyone to attend.

### **PUBLIC HEARING**

6. Consideration of Resolutions (1) Certifying a Final Environmental Impact Report; (2) Adopting Amendments to the Millbrae Station Area Specific Plan Update; and (3) Adopting Related Amendments to the General Plan as well as Waiver of First Reading and Introduction of Amendments to the Millbrae Zoning Ordinance Relating to the Millbrae Station Area Specific Plan. The location of the Millbrae Area Specific Plan (MSASP) project surrounds the Millbrae BART/Caltrain Station and shares a border with Burlingame, El Camino Real and Broadway to the west, Victoria Avenue and the Highline Canal to the north and Highway 101 interchange to the east. General Plan Amendments City-wide include a new land use definition for Transit – Oriented Development, and Floor Area Ratio
  - Waive 1<sup>st</sup> Reading
  - Introduce Ordinance

The transcription of the public hearing is on file in the City Clerk's office and is available upon request.

### **EXISTING BUSINESS**

NONE

### **NEW BUSINESS**

7. Motion to Authorize the City to Sponsor the Millbrae Super Chili Bowl Fun Run on February 6, 2016 and Authorization for Street Closures along Palm Avenue, Richmond Drive, Broadway, Chadbourn Avenue, and Ashton Avenue

Mayor Oliva and Vice Mayor Holober made a brief presentation for the Super Chili Bowl Fun Run on February 6<sup>th</sup>. The run will begin and end at the Community Center, and will be followed by a Chili Cook-off.

No public comment for this item.

Upon a motion/second by Papan/Lee Council moved to authorize the City to sponsor the Millbrae Super Chili Bowl Fun Run on February 6, 2016 and authorized street closures along Palm Avenue, Richmond Drive, Broadway, Chadbourn Avenue, and Ashton Avenue by a vote of 4-0-1; Councilmember Schneider abstained.

8. Motion to Direct Staff to Negotiate and Authorize the City Manager to Execute Agreements with Short Term Rental Hosting Platform Providers, Airbnb, VRBO, Homeaway, Flipkey, et al to Collect Transient Occupancy Tax from Property Owners in Millbrae who use their Services to Rent Properties for Less than 30 Day Rentals in Millbrae

Finance Director Spray presented the report.

Council discussed this issue and there was a question on how the rentals would be regulated. It was noted that San Francisco gives out registration numbers and only those who have registration numbers can rent their properties.

City Attorney Cassman stated that this is a revenue measure and not a regulatory measure. We would need to update our Code so that short term rentals are allowed and this would then allow the City to identify where these rentals are taking place. We have a proposed agreement that these short term rental platforms are agreeing to be subject to our Transient Occupancy Tax.

Begin public comment.

Ian Lewis, Millbrae resident, stated that Airbnb is just one platform and that they are putting the City in an impossible situation: the City has to patrol and regulate. He stated that any agreement should include the ability to audit to ensure that they are paying what they should and to know what properties are being rented out.

End of public comment.

Upon a motion by Papan/Lee, the motion to direct staff to negotiate and authorize the City Manager to execute agreements with Short Term Rental Hosting Platform Providers, Airbnb, VRBO, Homeaway, Flipkey, et al to collect Transient Occupancy Tax from property owners in Millbrae who use their services to rent properties for less than 30 day rentals in Millbrae was unanimously approved.

9. Council Discussion and Appointments to Council Sub-Committees for 2016

City Clerk Louis presented the report. The report noted the following appointments:

- Fire Sub-Committee: Mayor Oliva and Councilmember Schneider;
- Budget Sub-Committee: Mayor Oliva and Vice Mayor Holober.

Upon a motion/second by Lee/Papan, the appointments to the Fire Sub-Committee and Budget Sub-Committee were unanimously approved.

Council discussed the remaining Sub-Committees and made the following appointments:

- Commission/Committee Interview Sub-Committee: Mayor Oliva and Councilmember Schneider;
- Commission/Committee Review Sub-Committee: Councilmembers Schneider and Lee;
- Technology Sub-Committee: Vice Mayor Holober and Councilmember Lee.

Upon a motion/second by Papan/Holober the remaining Sub-Committee appointments were unanimously approved.

**COUNCIL COMMENTS**

NONE

**ADJOURN CITY COUNCIL**

There being no further business to discuss, the City Council adjourned at 12:25 a.m.

/s/ Angela Louis  
City Clerk

/s/ Anne Oliva  
Mayor