

7. Refer to item #8B
8. Resolution 07-28 endorsing C/CAG Development of a Countywide Energy Strategy
- 8A. Councilmember Papan stated that she did not wish to vote on 1 single item in item #8A. City Attorney Joan Cassman noted that the item could be pulled and then a vote could take place. Check #437344 was pulled and upon a motion/second by Holober/Larson Approval of Bills and Claims totaling \$828,591.66 and Payroll totaling \$62,495.75 was unanimously approved.

Upon a motion/second by Holober/Larson Check #437344 in the amount of \$50.00 was approved by the following vote 4:0:1 with Councilmember Papan abstaining.

Animal Control Contract

- 8B. Resolution 07-29 adopting a second amendment to Animal Control Services Agreement with San Mateo County

Commander Marc Farber stated that before them was a resolution and agreement to extend Animal Control Services with the Peninsula Humane Society (PHS) for another 3 years. At this time there is no other alternative than to continue with the PHS. The projected budget is attached to the report and for FY 08-09 the amount each city would pay is slightly less.

Councilmember Papan noted concern that at one time there was a hotline that residents could call to get assistance, and asked whether that hotline still existed. She went on to state that some type of support to the residents in the City regarding certain wildlife (skunks) is needed. Also, there is little or no response to animals killed on the roadside. Councilmember Papan stated that the cost for PHS service is going up, but fewer Animal Control Services are being received.

Commander Farber stated that he would inquire about the hotline. He went on to state that Animal Control Services no longer respond to barking dogs; this has become a code violation and the police are sent out. The PHS does respond to dead animals on the road and will also put out traps for raccoons and skunks. They do look at animal cruelty cases as well. The PHS is not armed and can not euthanize on the spot.

Councilmember Papan stated that in her experience with PHS, there is little to no response.

Commander Farber Marc stated he would follow up on this.

Councilmember Papan suggested that something be put in next City Newsletter as to who to contact about Animal Control Services, and where information could be obtained.

Mayor Hershman asked if anyone present would like to comment.

Marge Colapietro, 367 El Paseo, noted that in the Warrant List of the last meeting she saw a \$94,000 payment for these services. She went on to state that she spoke with the City Manager regarding this fee and that something needed to be done; \$94,000 is a lot of money to spend on this.

City Manager Ralph Jaeck noted that the service needs to be addressed. The Humane Society is known more for treating animals, and not so much for Animal Control Services.

Councilmember Papan noted that the PHS was very good in the aspect of animal adoption and other animal services, but not in the area of animal control.

Upon a motion/second by Larson/Gottschalk, item 8B was unanimously approved.

PUBLIC HEARING

NONE

OLD BUSINESS

9. Report and Recommendation Regarding Payment of Park in Lieu Fees for the Millbrae School Site Project

Community Development/Parks Director Ralph Petty stated that staff recommends that Council adopt a motion for collection of the entire park in lieu fees. In March 2006, the park in lieu fee was estimated at \$2 million dollars. Throughout discussions with Braddock and Logan, the Municipal Code is clear on the matter of no credit, and that the amount of the fee must reasonably relate to the costs incurred by the City. In accordance with the Quimby Act, the City will develop a schedule of how fees charged will be used. The fees must be committed within 5 years of payment or upon the issuance of building permits on half of the lots in the subdivision. If the fees are not committed, they must be returned to the subdivision homeowners without deductions. At the May 8th Council meeting, Braddock and Logan asked to continue the discussion. They state that they are providing 2 small private open spaces and are requesting a credit against the fee. The park in lieu fee is calculated at .74 times the value of an acre of land in the subdivision. The Municipal Code precludes the granting of credit for private open spaces. Mr. Petty went on to state that staff recommends that the entire fee be paid and no credit be given for private open spaces. The park in lieu fee has been calculated at \$1.38 million.

Councilmember Papan asked for clarification of no strong discussion of this fee.

Mr. Petty stated that in the discussions with the developer it was not clear that there would be any private open space. As the layout was being developed, it became clear that there were lands that could not be developed as they were on an earthquake fault, thus it was proposed that they be pocket parks. Staff and the developer did not speak on granting credit for open space.

Councilmember Papan asked for clarification on the meaning of open space; is it any space that can not be built on or any space chosen not to be built on?

Mr. Petty noted that there is a large open space behind the development, owned in common by the owners of the properties; it is on the steep downhill slope behind the project.

Vice Mayor Holober noted that the Tentative Map was no longer before Council. In the Negative Declaration there was discussion concerning the pocket parks. She inquired if there would be a problem with the approval of the Negative Declaration if the pocket parks were not to be developed in the way discussed in the Negative Declaration.

Mr. Petty stated that he would view it as a huge impact. It is proposed that through the fee, park and recreation services would be provided to the residents of the development.