



**BRISBANE CITY COUNCIL**

**ACTION MINUTES**

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**THURSDAY, JUNE 18, 2015**

*BRISBANE CITY HALL, 50 PARK PLACE, BRISBANE*

**7:30 P.M. CALL TO ORDER – FLAG SALUTE**

Mayor O’Connell called the meeting to order at 7:30 p.m. and led the flag salute.

**ROLL CALL**

Councilmembers present: Conway, Lentz, Liu, Miller, and Mayor O’Connell  
Councilmembers absent: None  
Staff present: City Manager Holstine, City Clerk Spediacci, City Attorney Roush, Administrative Services Director Schillinger, Public Works Director Breault, Principal Analyst Saguisag-Sid, Community Development Director Swiecki

**ADOPTION OF AGENDA (Deletions, Additions, Changes and Adoption)**

CM Conway made a motion, seconded by CM Miller, to adopt the agenda as proposed. The motion carried unanimously by all present.

**SWEAR IN NEW COMMISSIONERS/COMMITTEE MEMBERS**

- A. Administer Oath of Office to New Commissioners/Committee Members**  
**Greg Anderson, Planning Commissioner**  
**Karen Lentz, Park & Recreation Commissioner**  
**Lyle Covino, Park & Recreation Commissioner**  
**Theresa Jimenez, Park & Recreation Commissioner**  
**Kameliya Vladimirova, Open Space & Ecology Committee**  
**Megan Keogh, Open Space & Ecology Committee**  
**Sandip Patel, Complete Street Safety Committee**

City Clerk Spediacci administered the Oath of Office to Planning Commissioner Greg Anderson, Park and Recreation Commissioner Lyle Covino, and to Open Space & Ecology Committee Member Kameliya Vladimirova. She indicated that those not present would be sworn in

separately in the City Clerk's Office.

## **ORAL COMMUNICATIONS NO. 1**

Jennifer Bousquet gave an update of the Skatepark Fundraiser indicating that the so far \$11,050 had been raised toward the \$36,000 cash and in-kind donation goal. She also acknowledged that \$7,500 had been raised by Michael Barnes with the skatepark t-shirt sales and through the Brisbane Car Show. She expressed her confidence that the community would reach the \$36,000 goal to pay for the extra features at the proposed skatepark.

Councilmembers acknowledged and thanked Ms. Bousquet and other members of the community for their fundraising efforts.

Laura Fanuchi from HIP Housing, thanked the City Council for their commitment to HIP Housing and gave an update indicating that because of the affordable housing crisis they were experiencing a 25% increase in the number of people calling their agency for assistance. She also gave information on their Self Sufficiency Program which helps families get back on their feet during times of financial crisis.

After Councilmember questions, they thanked Ms. Fanuchi for the information and the valuable services that HIP Housing provides.

## **CONSENT CALENDAR**

Mayor O'Connell asked to remove Consent Calendar C and CM Miller asked to remove Consent Calendar Item G.

- A. Approve City Council Minutes of June 3, 2015**
- B. Receive Monthly Investment Report as of April 30, 2015**
- D. Approve Co-sponsorship for the Brisbane Village Helping Hands**
- E. Adopt the following resolutions for preliminary approval of the Engineer's report, and the intention to order the levy and collection of assessments for the Sierra Point Landscaping and Lighting District within the City of Brisbane**
  - 1. Resolution No. 2015-25, "A Resolution of Preliminary Approval of Engineer's Report – Fiscal Year 2015/16 - Sierra Point Landscaping and Lighting District"**
  - 2. Resolution No. 2015-26, "A Resolution of Intention to order the levy and collection of assessments pursuant to the Landscaping and Lighting Act of 1972 – Fiscal Year 2015/16 – Sierra Point Landscaping and Lighting District"**

**F. Adopt Resolution No. 2015-30 in order to amend current pay scales for hourly employees**

**H. Adopt Resolution No. 2015-31 setting the compensation for Parks, Beaches, and Recreation Commissioners and Planning Commissioners**

CM Conway made a motion, seconded by CM Miller, to adopt Consent Calendar Items A, B, C, D, E, F, & H as proposed. The motion carried unanimously by all present.

**C. Adopt Resolution No. 2015-22 calling a General Municipal Election for Tuesday, November 3, 2015 and consolidating with the County of San Mateo to provide election services**

Mayor O'Connell clarified that the deadline to turn in City Council Nomination Papers was August 7<sup>th</sup>, and August 12<sup>th</sup> if an incumbent Councilmember decides not to file nomination papers.

With that clarification, CM Conway made a motion, seconded by CM Miller, to adopt Resolution No. 2015-22 as proposed. The motion carried unanimously by all present.

**G. Adopt Resolution No. 2015-24 authorizing the execution of a Public Works Mutual Aid Agreement**

CM Miller asked Public Works Director Breault to give a brief report on the aspects and benefits of the mutual aid agreement. Mr Breault said the purpose of the agreement is to provide an organized means of providing voluntary mutual aid to neighboring entities throughout San Mateo County during the event of a disaster and explained the reimbursement process and the limitation of liability.

After Councilmember questions and clarifications, CM Miller made a motion, seconded by CM Conway, to adopt Resolution No. 2015-24 as proposed. The motion carried unanimously by all present.

## **PUBLIC HEARING**

**A. Open Public Hearing and hear any objections by the noticed property owners of properties on which a nuisance has been declared to exist within the Brisbane Weed Abatement Program, Close the Public Hearing and sustain or overrule any objections which have been raised, and give direction to the enforcement officer to clear the properties that have not complied with the notice**

Deputy Fire Chief Johnson said that on May 30<sup>th</sup> notices were sent to the owners of 75 properties and that at least half of them have complied with the request to clear their property of vegetation to prevent a fire hazard. He said that the Fire Department is continuing to work with all property owners to get full compliance without City remediation.

Mayor O'Connell opened the Public Hearing. There being no members of the public wishing to speak, CM Conway made a motion, seconded by CM Lentz, to close the Public Hearing. The motion carried unanimously by all present.

CM Conway then made a motion, seconded by CM Lentz, to give direction to the enforcement officer to clear any properties that have not complied with the notice. The motion carried unanimously by all present.

**B. Consider adoption of Resolutions to approve the budget for Fiscal Year 2015/16**

Administrative Services Director gave a Power Point presentation recapping the Fiscal Year 2015-16 recommended General Fund Budget based on the City Manager's proposed budget.

He then reviewed the Exhibit to Resolution No. 2015-27 that contained a list of removed budgetary items based on the Council Finance Committee's recommendations. He explained that based on the City Council discussion at the last meeting, three items were proposed to be voted on by separate budget resolutions. He explained that Resolution No. 2015-27A proposed including \$200,000 for the Southeast Crocker Park Precise Plan, Resolution No. 2015-27B proposed including funding for the Building Assessment Consultant, and Resolution No. 2015-27C proposed including funding for the Bike, Trail, and Pedestrian Master Plan Consultant.

**1. Adopt Resolution No. 2015-27 adopting the annual budget for Fiscal Year 2015-2016 and making appropriations for the amounts budgeted**

After Councilmember discussion, CM Conway made a motion, seconded by CM Lentz, to adopt Resolution No. 2015-27 as proposed with the Exhibit A listing the recommended removed items from the budget. The motion carried unanimously by all present.

**2. Adopt Resolution No. 2015-27A adopting a supplemental appropriation to the annual budget for Fiscal Year 2015-16 to include \$ 200,000 for the Southeast Crocker Park Precise Plan**

After Councilmember discussion, CM Conway made a motion, seconded by CM Lentz, to adopt Resolution No. 2015-27A as proposed.

After further Councilmember discussion, Mayor O'Connell made an alternative motion to amend Resolution No. 2015-27A to only include \$100,000 for planning and implementation of the housing element. CM Miller said he would second that motion with the reconsideration of approved Housing Element. Discussion was held regarding the planning of the Southeast Crocker Park area and the timing of such an endeavor. Mayor O'Connell stated that the Housing Element had been reviewed by both the Planning Commission and the Council two times and had been approved both times by a vote, and that she felt that the Council was making planning decisions under the guise of Budgeting, without consulting the Planning Commission or the public.

After further discussion, Mayor O'Connell agreed to amend her original motion, to include the reconsideration of the Housing Element. The alternative motion failed 2-3, CM Conway, Lentz, and Liu opposed.

The original motion carried 3-2, Mayor O'Connell and CM Miller opposed.

**3. Adopt Resolution No. 2015-27B adopting a supplemental appropriation to the annual budget for Fiscal Year 2015-16 to include \$ 50,000 for a Public Facilities Condition Assessment**

After Councilmember discussion, CM Conway made a motion, seconded by CM Miller, to adopt Resolution No. 2015-27B as proposed. The motion carried 4-1, Mayor O'Connell opposed.

**4. Adopt Resolution No. 2015-27C adopting a supplemental appropriation to the annual budget for Fiscal Year 2015-16 to include \$ 50,000 for a Bike, Trail, and Pedestrian Master Plan to be funded from the South Hill Property Fund**

After Councilmember discussion, CM Conway made a motion, seconded by CM Miller to adopt Resolution No. 2015-27C as proposed.

Mayor O'Connell made a motion to amend the proposed resolution to state that Master Plan would be funded from the General Fund. The motion failed for lack of a second.

After further clarification, the original motion carried 4-1, Mayor O'Connell opposed.

**C. Consider adoption of Resolution No. 2015-29 adopting a Master Fee Schedule**

Administrative Services Director said that adopting a Master Fee Schedule is an action that comes before the Council each year. He said that there is a standard 2% increase on all fees and that the new fees would go into effect in 60 days after adoption of the resolution. He also reported that the increase would amount to \$50,000 in revenues in the upcoming fiscal year.

After Councilmember questions and clarifications, Mayor O'Connell opened the Public Hearing. There being no members of the public wishing to speak, CM Conway made a motion, seconded by CM Miller, to close the Public Hearing. The motion carried unanimously by all present.

CM Conway made a motion, seconded by CM Lentz, to adopt Resolution No. 2015-29 as proposed. The motion carried unanimously by all present.

Councilmembers discussed the lack of public attendance at City Council budget hearings and CM Miller suggested that the City have a citizen's budget committee as a way of getting more public engagement.

**D. Consider introduction of Ordinance No. 596 amending the Brisbane Municipal Code Title 15, Buildings and Construction, Chapter 15.12, Permits and Fees,**

**and add new Chapter 15.82, Small Residential Rooftop Solar Energy Systems, adopting a streamlined review process for eligible residential rooftop solar energy systems pursuant to State law requirements**

Community Development Director Swiecki said that the California Solar Rights Act was adopted to promote and encourage the use of solar energy systems and limit obstacles to their use. He said that recent amendments to the Act under AB 2188 require local jurisdictions to adopt a streamlined permit approval and inspection process for eligible residential rooftop solar systems by September 2015.

He said that the proposed ordinance revision would bring the City's building regulations and permit processing policies into compliance with the new State law.

After Councilmember questions and clarifications, Mayor O'Connell opened the Public Hearing. There being no members of the public wishing to speak, CM Conway made a motion, seconded by CM Miller, to close the Public Hearing. The motion carried unanimously by all present.

CM Miller made a motion, seconded by CM Conway, to introduce Ordinance No. 596 as proposed. The motion carried unanimously by all present.

**OLD BUSINESS**

**A. Consideration of Draft Baylands Sustainability Framework**

Mayor O'Connell noted that it was not necessary to discuss this item at this meeting because it was already decided upon at the last meeting.

**NEW BUSINESS**

**A. Consider introduction of Ordinance No. 597, increasing the authorized number of Planning Commissioners**

City Attorney Roush noted that the Ordinance number in the staff report should be numbered 597 instead of 497.

He said the proposed ordinance proposes that the Planning Commission could consist of either five or seven members but that CM Miller suggested that the ordinance wording be changed to be "up to seven members." Mr. Roush talked about the change in wording that deals with staggered terms and the addition of language officially designating the Planning Commission as the planning agency for the City as described in the Government Code.

Councilmembers discussed the proposed change suggested by CM Miller and other Councilmembers concurred with that change, except CM Lentz who was not in favor of increasing the Planning Commission from five to seven.

With that change, CM Miller made a motion, seconded by CM Conway, to introduce Ordinance No. 597 as amended. The motion carried 4-1, CM Lentz opposed.

**B. Acknowledge proposed annual rate increase from South San Francisco Scavenger Company, Inc.**

Principal Analyst Saguisag-Sid said that the City currently holds a franchise agreement with South San Francisco Scavenger Company that was effective in November, 2014. She explained the details of the Franchise Agreement which provides for annual adjustment of rates for commercial and residential customers in Brisbane. She went into further detail on the two formulas for adjusting the rates.

She reviewed the actual dollar figures of the increase giving an example that the increase for a standard 32-gallon residential can would be increased by \$1.66 per month. She also addressed the earlier issue raised by community members regarding the discrepancy of the 96 gallon rate between Residential, Multiple Unit Residential, and Container Service for Commercial and Industrial. She said that currently there are only eight residential customers using the 96 gallon containers and they will all be notified of the change and provided an opportunity to reduce their container size and to encourage recycling.

She also noted that there was a requirement in the Franchise Agreement for SSF Scavengers to develop a Trash Container Management Policy which she said they did, and then outlined the provisions of the policy.

After Councilmember questions and clarifications, Public Works Director Breault explained what was driving the trash diversion policy that was dictated by the Regional Water Quality Control Board.

Doug Button, SSF Scavengers also responded to many questions from the City Council.

After further discussion, CM Miller made a motion, seconded by CM Conway, to acknowledge the rate increase for solid waste services effective July 1, 2015. The motion carried unanimously by all present.

**C. Consider adoption of Resolution No. 2015-28 establishing the Appropriation Limit for Fiscal Year 2015-2016**

Administrative Services Director Schillinger said adoption of this resolution is required every year and it adopts the limit to what the City can receive in taxes each year allowed by Proposition 111. He said that the City's appropriation limit for FY 2015/16 is \$18,099,903. He said that the City will receive \$11,665,800 in taxes, including the Guadalupe Valley Municipal Improvement District, and therefore the City will receive about \$6,434,103 less in taxes than is allowed under the appropriation limit.

CM Conway made a motion, seconded by CM Miller, to adopt Resolution No. 2015-28 as proposed. The motion carried unanimously by all present.

**D. Consider approval of Request for Proposals regarding creation of the Bicycle and Pedestrian Master Plan**

Public Works Director Breault said that the Council had previously requested the development of a Bicycle and Pedestrian Master Plan to assist in identifying and prioritizing projects and in the submittal of grant applications. He asked that the Council provide any comments they may have on the scope of services in the Request for Proposals and on the membership of the stakeholder group.

CM Miller said it would be useful to add a little bit more language about trails because it justifies where the money is coming from. He also suggested highlighting the instructions to consultant on the development of trail maps and showing their connection to central Brisbane.

CM Miller also asked that the Tunnel Avenue bike path be reconstituted. He asked whether it made any sense to direct bicyclist down the safest way. He noted how dangerous Tunnel Road is for bicyclists.

CM Miller also suggested that there be two members of the Complete Street Safety Committee on the stakeholder group and other Councilmembers concurred.

CM Lentz also indicated the need for a map showing how the existing central Brisbane trails connect to the trailheads leading to San Bruno Mountain. He noted that showing how the plan connects with the County parks may help in capturing Measure A Funds.

CM Liu noted that access to existing trail heads needs to be highlighted. She noted that on Page G2, South Hill Drive is missing and suggested including it. She also noted that Lagoon Way needs improvements and that safety issues should be looked at.

**STAFF REPORTS**

**A. City Manager's Report on upcoming activities**

City Manager Holstine said he had nothing to report.

**MAYOR/COUNCIL MATTERS**

**A. County-wide Assignments/Subcommittee Reports**

Councilmembers gave updates on various meetings including the Office of Emergency Services meeting, the Library JPA meeting, the North County Fire JPA meeting, the Commute.org meeting, the HEART Board Meeting, and the C/CAG Meeting

CM Miller reported that Anja Miller, Tony Attard, Dana Dillworth and he all attended the liturgy in remembrance of Paul Goercke.

**B. Written Communications**

**- Tony Attard**

Mayor O'Connell noted that the City received a communication from Tony Attard regarding Paul Goerke.

**C. Designation of voting delegates and alternates for League of California Cities Annual Conference – September**

Due to the late hour this item was continued to the next meeting.

**ORAL COMMUNICATIONS 2**

There were no members of the public wishing to speak.

**ADJOURNMENT**

The meeting was adjourned at 10:40 p.m.

  
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Sheri Marie Spediacci, City Clerk