



BRISBANE CITY COUNCIL  
SPECIAL SUMMARY MINUTES  
FOR  
BAYLANDS WORKSHOP

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**THURSDAY, SEPTEMBER 29, 2016**

*BRISBANE CITY HALL, 50 PARK PLACE, BRISBANE*

**CALL TO ORDER – FLAG SALUTE**

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

**ROLL CALL**

Councilmembers present: Conway, Davis, Liu, O'Connell, and Mayor Lentz  
Councilmembers absent: None  
Staff present: City Manager Holstine, Deputy City Manager Schillinger, Interim City Clerk Padilla, Legal Counsel Allison Krumbein, Public Works Director Breault, Community Development Director Swiecki, Police Chief Macias

**ADOPTION OF AGENDA**

CM Conway made a motion, seconded by CM O'Connell, to adopt the agenda as proposed. The motion was approved 5-0.

**WORKSHOP**

**A. Receive presentation from City's consultant, Metis Group, regarding overview of the Brisbane Baylands Project**

Mayor Lentz welcomed attendees and provided opening remarks regarding the importance of the Baylands project to Brisbane and the region, the City's commitment to sustainability and responsible development, the ongoing Parkside Precise Plan process, and the process to create the Sustainability Framework. He emphasized the role of the Sustainability Framework in guiding the Council's review of the project, and its potential to result in one of the most sustainable developments in the country, or the world.

Mayor Lentz thanked the Brisbane Citizens Committee, led by Anja Miller, who reviewed the EIR in full and provided written comments. He acknowledged the service of Dave Reinhardt, Chris Hart, Renee Marmion, and Glenn Fieldman on the Sustainability Framework subcommittee. He thanked the Planning Commission for their hard work reviewing the EIR and specific plan proposal. He shared his excitement to work with the citizens, Council members, staff, and developer to work toward a successful and sustainable development.

Mayor Lentz invited consultant Lloyd Zola, Metis Environmental Group, to give the presentation. He noted that the Council would ask questions of staff following the presentation, then would open up the workshop to public comments.

Director Swiecki clarified that the item was an informational workshop and not a public hearing.

Lloyd Zola, consultant to the City, addressed the Council and gave the staff presentation. [Note: The presentation is available on the City's website.]

Mayor Lentz thanked Mr. Zola and asked if any Council Members had questions.

CM Conway asked what would happen if Oakdale Irrigation District (OID) reneged on the memorandum of understanding.

Mr. Zola said in that case, the City would have a General Plan policy that couldn't be implemented. The process is laid out in the agreement with the OID. Staff checked with OID during the Planning Commission hearings to make sure that the agreement was still standing, and with Council's consent staff would do that again. The City would be able to sign agreements for up to 2400 acre-feet (AF), which would cover all proposed development scenarios. If the Council ultimately determined they want less dense development, staff would work with OID, Modesto Irrigation District (MID), and the San Francisco Public Utilities Commission (SFPUC) to revise the water supply agreement. Staff confirmed with OID that the water could be delivered in a drought, as the water would come from existing water diversions. The system design and storage requirements would be subject to a subsequent environmental analysis.

CM Conway noted the agreement with OID was nonbinding, and OID could pull the rug out at any time. He asked if it was an exercise in futility.

Mr. Zola said it was not futile for the Brisbane community to decide its vision for the Baylands, 20 years after the General Plan was adopted. It was incumbent on the developer to find a water supply to ensure any project could actually be built.

CM Conway said he was thinking of the actual site development rather than policy.

CM O'Connell said while the developer would be required to find a water supply, the agreement would be entered into by the City of Brisbane to obtain and service the water and wastewater.

Mr. Zola said there would be a series of different agreements as to each transfer of water between Brisbane and OID, MID, and SFPUC.

CM O'Connell asked why the developer was not entering into these agreements.

MR. Zola said the developer would pay for the water, but the transfer of water was from public agency to public agency. The City maintains ownership of the water supply, not the applicant.

CM Liu asked if the public hearing schedule before the Council included the planning review.

Mr. Zola said the Planning Commission had made a land use recommendation regarding General Plan amendments, and a CEQA recommendation regarding the EIR.

CM Liu asked if the planning review would look at the balance of uses, such as residential and commercial. She asked if community impacts would be considered to Brisbane alone, or if it would extend regionally.

Mr. Zola said there is clearly a regional need for housing and that would be part of the Council's review. The Council must also look at what is good for Brisbane. The Council needs to decide what is best for the City, which might incorporate regional considerations.

CM Liu asked how the Sustainability Framework would be incorporated into the General Plan and into the Council's review process.

Mr. Zola said staff would identify the relevant goals, policies, and programs in the Sustainability Framework and format them such that they would be easily incorporated into the existing General Plan, and bring them back to the Council for review.

CM O'Connell thanked Mr. Zola for his presentation and shared her appreciation of the work done by the community, staff, and Planning Commission. She said she looked forward to hearing from the community and Council to come up with a good plan that serves the needs of the community and region while protecting the people of Brisbane, whom she serves.

CM Davis shared her excitement to dive into the process, and said she was confident they would create a plan that would be a good fit for their community. She was excited for the future of the City and what they could accomplish together.

Mayor Lentz acknowledged the work of OSEC, the Park and Recreation Commission, and Complete Street and Safety Committee for their work on the Draft EIR.

Mayor Lentz referred to page 3 of the agenda report, under "Key Environmental/Planning Concepts," and asked how the City would work with the State Department of Toxic Substances Control (DTSC) and the Regional Water Quality Control Board (RWQCB) to ensure the community is satisfied with the site's safety.

Mr. Zola said that is one of the policy decisions the Council will make. Per the EIR's mitigation measures, the City will determine the land uses at a General Plan level, then DTSC and RWQCB will prepare remedial action plans, and Title 27 landfill closure would commence. After those plans are done, the City would entertain approval of a specific plan. The Sustainability Framework suggests the City retain an independent reviewer to evaluate the information provided to DTSC and the RWQCB, to inform comments from the community on the remediation process. The Sustainability Framework also outlines what would happen if the City disagrees with the findings of the responsible agencies.

CM Lentz asked Mr. Zola to clarify the difference between the Sustainability Framework created by the City and the developer's sustainability plan.

Mr. Zola said the City of Brisbane Baylands Sustainability Framework was created by appointed representatives of the City and was accepted by the City Council in 2016. The applicant included a Chapter within the Draft Specific Plan called "Sustainability Framework," which is the applicant's proposal. Ultimately, the City Council has approval authority of the General Plan and any Specific Plan, and the wording in both documents will be approved by the City Council.

CM Lentz asked if staff wanted comments from the Council on the resolution containing the Planning Commission's recommendation.

Mr. Zola said Council was free to ask questions at any time whenever questions arise.

Mayor Lentz opened the workshop to public comments. He said each speaker would have three minutes.

Karen Cunningham, Brisbane resident, said the City needed to better inform Brisbane residents and those of other communities what's really going on in the Baylands. She wondered whether people outside of Brisbane would still promote the idea of housing in the Baylands for their children with full information, not just half-sided, woefully inadequate editorials. She said there are many obvious negatives and it is very unsafe. She wouldn't put any children there herself. She said she knew there were many speakers in favor of affordable housing, but this would not be an affordable housing project; it was a for-profit development. One of the reasons Brisbane has said "no" to housing is the General Plan. People may not realize that the site is a brownfield, and was almost considered a Superfund site. It is also near Midway Village, an awful development which has had problems since 1976. She is concerned with: 1) Safety, 2) Safety, and 3) Safety. She said the EIR's findings should scare everyone. The EIR mentions mercury as a hazard 17 times. This is critical when discussing exposure of children. The USGS found the Baylands has the highest chance of failure in a moderate seismic event. In some places, it is 300 feet through landfill to bedrock. She said the citizens of San Francisco would pick up the tab for the debacle of the Millennium Tower.

Barbara Ebel, Brisbane resident, said that Plan Bay Area plans to accommodate 2 million new residents, but has only 15% of the funding for transit improvements to serve new residents. The other 85% of the funding is dedicated to maintenance. The Bay Area houses 1 in 35 Californians, and the ecological footprint of 7 million people is 24 acres per person. She said the San Francisco metropolitan area would need 1.6 Californias to supply needed resources. She asked if we have the right to growth when the San Francisco metropolitan area has the fourth highest carbon footprint of a US city. She asked if it mattered if housing and jobs are built along a transit corridor if the bus never comes. She noted mitigation measures are always termed "when feasible." There is a perfect storm of pollution caused by Schlage Lock to the north, leaking Kinder-Morgan tank farm to the south, 100 years of unregulated dumping of the east, and hydrostatic pressure from the Bay pushing it west, and the heavy metals present on the site. She said residents want to preserve their small town, or are worried developers will target the mountain next. Most people don't want people to get sick, or for the developer to walk away from the liabilities. Others are worried by phantom transportation funding, or the lack of water. Some don't want to be a minority in their own home. There is a preponderance of reasons not to build housing. She said autonomy is the capacity for rational individuals to make informed, un-coerced decisions, and it is the central premise of informed consent. She said some are trying to undermine the City's State-granted right to make local land use decisions. The philosopher Ian Cain developed the autonomy principle, which states "people choose for themselves unless we can know their interests better than they can." She said those who have lived with the Baylands for generations know best. Brisbane residents have read the EIR and its appendices, the Sustainability Framework, and have served on advisory groups. Brisbane residents saved San Bruno Mountain and will be living with the consequences of this decision. She asked the Council to uphold the rights of the citizens and the Planning Commission's land use recommendation.

Michael Barnes, Brisbane resident, said the Baylands Sustainability Framework illustrates how housing is integral to sustainable development on the Baylands. The citizens of Brisbane reflected

this in the community survey, in which over half of respondents supported housing on the old rail yard. He asked the Council to consider the input from the quiet, thoughtful citizens who never come to Council meetings, the majority of voters who took the time to tell them what they didn't want to hear. He has supported housing on the Baylands since 2009. What persuaded him that housing would be safe on the rail yard was his company's move to Mission Bay in 2008. Mission Bay is a remediated former old rail yard, and from his office, he sees the UCSF hospital, graduate student housing, a food truck court, and new apartments. Mission Bay came alive when housing was built. Many of his San Francisco colleagues have sold their cars. Housing on the Baylands between two active commuter rail lines would allow residents to live without cars, which produces the most CO<sub>2</sub> in San Mateo County. Some of the housing would be affordable. He was on the Planning Commission when they wrote Brisbane's first inclusionary housing ordinance requiring a minimum of 10% affordable housing, and the Council can do even better. He was disappointed to hear the region talk about taking the Baylands away from Brisbane. The Baylands are not natural open space to be protected like San Bruno Mountain, but a man made, empty land mass in the middle of the hottest economy on the planet. He is worried that the City may induce the state to take over the Baylands or dissolve the town. He asked the Council not to be the last Council in Brisbane.

Kim Follien, Brisbane resident, said she was one of the 50% of community survey respondents who agree that some housing on the Baylands is appropriate and wants the City to proactively work with the developer to determine an acceptable number and ensure future development is consistent with the City's character, values, and the Sustainability Framework. She would like benefits such as site remediation, open space for habitat, trails, sports fields, parks, grocery store, drug store, renewable energy, and restoration of the Round House. The proposed housing location is about 2 miles away and would not impact the small town feel. The Baylands can be made safe for housing, subject to all state, local, and regional regulations. There are many examples across the US demonstrating former rail yards can be made safe for housing. Local examples include Mission Bay and Bridge Court in Emeryville. To safeguard the public's health and safety, which is a priority to many survey respondents including her, the City should require independent oversight as recommended by Dr. G. Fred Lee & Associates in their 2010 report. Locating housing near transit and jobs lowers greenhouse gas (GHG) emissions, which is a requirement of SB 375. Housing will also help correct the existing jobs-housing imbalance that has put housing out of reach for local families. She said since 2010, San Mateo County has created 54,000 new jobs and 3,000 new homes. Brisbane has twice as many jobs as homes. This imbalance is driving working families and adult children to places like the Central Valley where they can afford a home, encouraging paving over farmland for new roads and housing and increasing driving emissions and sprawl. As of 2003, 80% of the workforce living in Tracy worked in the Bay Area. The Planning Commission's refusal to approve a sustainable Baylands plan by approving housing has caught the attention of the Bay Area and the State. She is concerned that if they don't approve a sustainable development that includes housing, they may lose control of the Baylands that the City's fathers fought so hard to control.

Tom Heinz, Brisbane resident, said he was the first to turn in a speaker card. He said the Council would hear elegant statements whining and crying for housing by people who live in a vacuum with only dollar signs driving their tears. He said the bullies are thumping their chests. He asked the Council to allow Brisbane residents to speak first. At one of the last Planning Commission meetings, many of tonight's speakers spoke in favor of housing without knowing the facts. Unfortunately, they and corporate media failed to do their due diligence and research the facts. He said once the outside speakers spoke, most left and did not stay to listen to the residents other than those who stayed to speak again. He said they were crying to the wrong people. Brisbane is not the problem. If they want housing then they need to apply pressure to the developer to clean up the site, as required by law. Then the City may consider housing. In 1991 and reconfirmed in 1994 by the

General Plan, some wise people made a decision that the people were not willing to accept the liability and other risk of knowingly allowing people to live on very toxic land. After months of public hearings, the wise Planning Commission was to be commended for upholding that vision. He asked the Council to uphold that vision as well.

Cory Smith, representing the SF Housing Action Coalition, asked the Council to build housing because the Bay Area does not have enough. For 40 years, the Bay Area has created more jobs than homes, which has led to gentrification, displacement, and an affordability crisis that prevents him and his peers from being able to own a home. He talks with communities in the Bay Area and many view him as an outsider, but he doesn't agree. The things that happen in San Francisco impact Brisbane, and vice versa. He didn't understand why they must be opponents when everyone wants the same thing. He sees the Baylands as an opportunity to add parks, schools, retail, and transit investments to help people flow down the corridor so we stop destroying the environment and reduce our carbon footprint. He said it was an opportunity for Brisbane to do what is right in the face of political pressure and be an example for other cities. He asked the Council to do what was right. He said his organization started following this process a year ago and he has spoken to the media in San Francisco. He asked people who supported housing on the Baylands site to raise their hands.

Tim Cohen, executive director of the SF Housing Action Coalition, said this was the first project they've followed outside of San Francisco in 17 years. He compared the Planning Commission's recommended alternative to 1970's era planning, and analogized it to building a coal plant to generate cheap electricity. He spoke of the impacts of bringing thousands of workers in without providing housing. He said a significant weakness in the Sustainability Framework is the use of Level of Service (LOS), which evaluates impacts to automobiles. The State is transitioning to vehicle miles traveled (VMT), which evaluates impacts to GHG emissions and is a true measure of sustainability. He said the Planning Commission's recommendation would have double the carbon footprint of a denser project with housing and transit improvements. He said as a geologist he worked with the US EPA on brownfield remediation for 10 years. In his opinion, the proposed remediation is routine and has been done in cities across the US with a strict regulatory environment.

Laura Clark, of Grow San Francisco, said she advocates for housing throughout the Bay Area and the Bay Area operates as one. There are over 100 different municipalities that make up the economically integrated Bay Area. She said these communities can no longer think of themselves as isolated or underbuild housing, which has resulted in sprawl, environmentally unfriendly communities, and increased economic and racial segregation. She asked where the Council's children will live, and said millennials are being priced out of the Bay Area which was a tragedy. She said if the Council denies housing, there will be none for their children. She asked all the millennials in the room to raise their hands if they feel stunned by the lack of housing. She said it was a generational crisis and she asked the Council not to deny them their future.

Brian Hanlon, of California Renters Legal Advocacy and Education Fund, said Brisbane is not an island among the 100 other municipalities in the Bay Area. CM Liu had asked about the balance between regional and local planning. The State Supreme Court has said when a city is making land use decisions that significantly impact nonresidents, the city is obligated to consider regional welfare. The Planning Commission's recommendation would have a significant impact on nonresidents in neighboring jurisdictions. He asked the Council to take the obligations under SB 375 and other environmental laws seriously. He said remediation had been successful across the country. He said it was a misguided to think excluding people is "green." He was displaced from

San Francisco and lives in Oakland. He loves biking San Bruno Mountain and thinks it's a treasure more people should have the opportunity to enjoy. He provided a written letter from his organization to the Interim City Clerk.

Bill Dettmer, Brisbane resident, said Mayor Lentz said it was the largest piece of developable land in the area, but "developable" assumes that it is safe. Safety is everyone's concern. He has asked from the beginning if the land could liquefy or hurt people during an earthquake. People live with the risk every day, being in the Community room or driving on the freeway. Brisbane's public safety buildings, Sierra Point, and Sierra Point Lumber are on landfill and garbage. They have picnic tables and pathways so they made the decision it's worth the risk. He doesn't know if it's worth living on the Baylands, but some people are willing to take the risk. He has faith in the EPA and other agencies. He agrees with previous speakers that millennials are in a tough spot. His kids can't afford to live here. He doesn't know whether housing will be affordable on the Baylands; it's a dump. One person that doesn't have to drive from Antioch would save 1,000 pounds of carbon a year if they are willing to take the risk and pay the money to live there. The person who used to have to commute from Antioch could be overlooking the lagoon and migratory birds. They won't come into Brisbane and hurt residents.

Tom B (no last name provided), said the US contains 5% of the world's population but generates 25% of its GHG emissions. Transportation is the number one source of GHG emissions in the US because of the land use policies of American towns since World War II. Most American towns do not have direct rail service into a major hub as Brisbane does. It was unthinkable to him to squander such an opportunity to provide climate friendly commutes. He thinks there is social obligation to provide more housing in the Bay Area. The poorest and most disadvantaged people in the Bay, thousands of black and Latino people in particular, have been forced out of their homes into the Central Valley to find housing, contributing to the pollution crisis that threatens to submerge parts of the region. He urged the City to work with regulators to ensure the land is made safe and to build as much housing as appropriate given its location.

Rachele Trigueros, Policy Manager of the Bay Area Council, said the proposal for over 8 million square feet of commercial development and no housing, leads her organization to believe that Brisbane is in conflict with the California regional welfare doctrine, which states local development decisions must be evaluated against the regional welfare. The Bay Area is experiencing an unprecedented housing crisis. She said in 2015, the Bay Area added 133,000 jobs but only 16,000 units of housing. This jobs-housing imbalance increases costs, displaces low income residents, and forces the workforce to the outskirts of the region where they face extreme commutes that threaten to derail GHG emission reduction goals. She said the Baylands is a regionally significant site as it is at the heart of the region and is next to regionally funded transportation infrastructure. The City can't create 8 million square feet of commercial development and not build housing. Brisbane needs to be part of the solution to the problem.

Aaron Eckhouse, Berkeley resident, said it was not strictly a local Brisbane issue but an issue for the entire region. The housing crisis is regional problem and needs a regional solution. It's spilling into the east bay and causing displacement. He hoped Brisbane would be part of the solution.

Donald Dewsnup asked the Council to keep an open mind on the Baylands. The Bay Area has suffered a drought of housing units and downzoning, a dangerous trend. He said it was time to legalize housing. Brisbane is a Bay Area city integrated into the region and suffers from a jobs-housing imbalance. Mayor Lentz's comment to the press admitted this imbalance. The City should be a friendly neighbor and share the responsibility and the civic duty of resilient and sustainable

construction, gentle infill, and housing verticalization within a greenbelt where the land meets the water. He stated his opinion that if the City does not build housing, the State could take the land and build anyway. He said if Treasure Island can be cleaned up and certified by the State, the Baylands could too. He said San Francisco is not a perfect example of housing policy, and the needs of the many outweigh the needs of the few and tax revenues. He asked the Council to approve a mixed-use development.

Daniel Camp said he was a renter and was getting creamed on housing cost because throughout the Bay area, cities have been adding jobs but not housing for over 40 years. When jobs are added but housing for workers is not built, the existing housing supply becomes a rare commodity, the price goes up, and people that can't afford it have to go somewhere else and they drive to their jobs, which is not good for the environment. He said concerns were expressed about the toxic soil to protest housing development, but not hotel or office development. He heard in the news that Brisbane would provide the jobs and San Francisco would provide the housing, but that is a bad strategy. BART in the Transbay tube is packed with people coming into San Francisco in the day and leaving at night. That represents San Francisco's workforce housing backlog. If Daly City built a power plant that polluted Brisbane's air and drove residents away, Brisbane would expect Daly City to take those impacts into account. He asked the City to approve a lot of housing.

Aaron VanDevender, San Francisco resident, said as a physicist finding housing has been tough. He is renting and would like to buy a home someday, but there aren't enough in the area. He urged the Council to add to the housing supply. Bay Area communities are entwined, and he and others in San Francisco will be watching and hope they do the right thing in the Baylands. He then read a statement from Scott Wiener of the San Francisco Board of Supervisors, which read:

“Good evening Council members. Thank you for your public service and for receiving public feedback on the future of the Baylands. I am a big believer in regional cooperation and open regional dialogue. I have enjoyed my conversations with Mayor Lentz about regional housing and transportation needs and I'm honored to call him a friend. When it comes to housing and transportation, we must work together as a region to address our housing affordability crisis and our overcrowded public transportation systems- roads, highways, bridges. We will never solve these problems city by city. We are working hard to build housing in San Francisco, and I have fought for more housing despite anti housing obstruction by some colleagues including anti-housing obstruction by supervisor Jane Kim. I and others have been able to prevail and to move housing forward in our city. It's so important for Brisbane to partner with us and to add housing as well. The Baylands is an ideal location for new housing given its proximity to transit. I encourage you to add housing to this project. I look forward to working with you collaboratively to address our shared housing and transportation challenges.”

Prem Lall, Brisbane resident, said he had been generating electricity from solar energy for the 14 years he had lived in town. He supports the renewable energy plan recommended by the Planning Commission. He questioned whether housing built on the Baylands would be affordable, and asked how to prevent a situation like San Francisco is experiencing now regarding Airbnb reducing housing supply. He said many long-term renters in San Francisco were displaced by short-term rentals. Banning short-term rentals risks lawsuits by Airbnb and their competitors. He supports transit and drives infrequently. He takes the shuttle to the Balboa Park BART station every day to his job in downtown San Francisco. People in Brisbane use transportation. The proposed renewable energy plan would reduce our carbon footprint.

Noveed Safipour, San Mateo resident, said he was president of the Peninsula Young Democrats Club, which he brings up not for the “young” part. The Club has taken an interest in housing projects in the region. He noticed a tension about the “outsiders” at the meeting. He supports rent stabilization, and has advocates regulating Airbnb while building housing. He was not here to help a developer, but wants the region to solve the housing crisis. He asked the City Council to help by including housing in the proposal. He asked if Brisbane was debating whether to detonate a nuclear bomb, would it be fair for the Council to make a decision without hearing comments from anyone else in the region? It would be unfair to not give a heads up to everyone else. The Bay Area is regionally connected and no city is an island. This project without housing is a bomb of displacement that will ripple throughout the region. He knows people who have had to leave because they can’t afford housing. He pays more than 30% of his income on rent. He asked the Council to include housing and to review the California Legislative Analyst report that says even building market rate housing helps low and middle-income people in California.

James Ruigomez said he represented San Mateo County Building Trade and Construction Council with 16,000 members, many of whom live in Brisbane. They support the Baylands project. He said UPC would employ contractors with training agreements that meet the State’s Department of Apprenticeship standards for construction training and instruction. He said the project would provide good paying jobs for members and support the innovation economy. He said they had to act now to build campuses for top Bay Area companies. He said the Bay Area’s rapid job growth has increased housing costs for not just low wage workers, as Facebook employees making six figures can’t find housing. His organization was eager to build and mitigate the jobs-housing imbalance. He said the project could provide economic benefits to the City of Brisbane and Peninsula. He encouraged the Council to make a decision that is best not only for citizens but for local workers.

Kara Cox, San Mateo resident, said she had never spoken at a City Council meeting outside of San Mateo. She was heartbroken at the prospect the project would go through. She didn’t understand why Brisbane residents would want to live on an isolated hill surrounded by traffic on 101. She said history will remember what the City Council decides.

Stephanie Reyes, Deputy CEO of Greenbelt Alliance, said her organization worked to help cities grow sustainably, and provided recommendations on projects like the Sonoma Mountain Village project. She said the Alliance supports UPC’s proposal for mixed-use development. The region is challenged by a shortage of homes near transit and commercial centers, pushing people to the edges of the region with poor access to transit. This creates pressure to pave over natural and agricultural lands. She lives in San Mateo County, and recently they lost a caregiver who could not afford housing. Her family members may need to move because of housing costs. She thinks many Brisbane residents can relate to housing affordability issues. This is a unique opportunity to say “yes” to homes near transit and benefit the planet.

Coleen Mackin, Brisbane resident, welcomed visitors and said she wanted to hear what they said. She said it was helpful to know who they were and where they lived. She hoped they learned about Brisbane and the Baylands, which was a complex issue, not simple as portrayed by the San Francisco Chronicle. She hoped they left with substantive information rather than just soundbites. Brisbane residents have been emphatic about safe and responsible development to ensure long-term health and habitability. The Council should not act irresponsibly in response to outside pressures. Brisbane is not San Francisco. Residents are feisty and demand accountability. The community saved San Bruno Mountain housing development. The Mountain is a world-renowned biosphere. That is Brisbane. Mistakes can be made in hasty decisions to push development. She heard statements made about remediation by people who haven’t studied the toxic problem. Developers

come and go, like for the Millennium Tower project. Brisbane residents would bear the long-term responsibility if the area is uninhabitable in the future, and they take that very seriously. Brisbane did not push for the commercial development- the developer did. The project is not approved until the Council has voted. The Airbnb point is relevant and she asked how that was working for San Francisco.

Clara Johnson, Brisbane resident, supported the Planning Commission's recommendation. The program-level EIR provided an overview of the parameters of the extent of the impacts, and lacked specificity. She said Mr. Zola confirmed at a previous meeting that if the EIR is judged adequate by the Council, then the EIR mitigation measures would be the only ones required unless there are new impacts that are not yet known. That means the Council won't change the mitigation measures unless there is a new significant impact. She said there are no overriding considerations to justify significant unavoidable impacts. The extent of the contamination is documented as far as the number of VOCs present in OU-1 and some of OU-2. The landfill is undocumented and un-engineered and the degree of risk is unknown. She asked if we don't know the impacts of certain chemicals, how can we judge how risky it is? There are unknown chemicals in the landfill, and known chemicals such as benzene, which was recently found to be more toxic than previously thought. In considering housing or other development here, the City has to consider sea level rise and seismic risk, which may be able to be addressed but would require high standards to do so. The housing units proposed are 80% or 85% market rate. In San Mateo County, only 14% of residents could afford to purchase a market rate home and 13% in San Francisco. She said the units are not for people who live here, because they can't afford them. She suggests the Peking Handicraft and Levinson land are better places to put housing as they are less dangerous, a better environment, and are on the edge of open space. The water agreement is an agreement to make an agreement, and there are issues with the amount of water available. The MID wrote an angry letter to the City about lack of consultation and may not be helpful to the City.

April Ang, legislative staffer for San Francisco supervisor Jane Kim, agreed with previous speakers about the lack of affordable housing. She said each city in the region needs to do its fair share. Just as the Council may not appreciate people from the outside coming to their Council meetings, it was shocking for her to read that San Francisco should provide housing for the region. She said it was incumbent on everyone to think about how to house the Bay Area as we produce jobs. Supervisor Kim was happy to hear what Brisbane residents think about development in their community and has been able to negotiate community benefits, in particular affordable housing, in San Francisco. Supervisor Kim drafted an urging resolution for San Francisco to closely review the Baylands development project, which she provided to the City Clerk. She said there are many solutions short of annexation to provide more housing in Brisbane.

Diana Reddy, of Faith in Action, represented thousands of families in multi-faith congregations in San Francisco, San Mateo, and northern Santa Clara counties concerned with social justice and working families. She said it was important to require prevailing wages and affordable housing. She said thousands of families have been displaced from the County in the past year. She heard a new affordable housing development in Daly City received over 7,000 applications. A commercial development of 2 million square feet would generate over 10,000 jobs. Not providing any housing would be a tragic consequence for Brisbane and the region. She said truly affordable housing is deed-restricted for all levels of affordability. She hoped the Council would require affordable housing to be provided with any market rate housing and urged the Council to support housing.

Zack Ross, representing Assemblymember Kevin Mullin, read a statement from Mr. Mullin:

“As you consider the development of the Brisbane Baylands project, I sincerely hope you take every opportunity to incorporate a strong balance of housing as well as jobs, both of which contribute to a sustainable community. The peninsula and entire Bay Area continue to be impacted by traffic congestion and lack of housing, and the Baylands project provides a tremendous opportunity to live where they work and vice versa as well as reduce regional traffic congestion. That’s the right thing to do for this and future generations.”

Leora Tanjuateco, policy director for Housing Leadership Council, endorsed UPC’s proposal and supported housing development. She said she grew up in the Peninsula and her grandparents are from the Bay Area. She is a 30-year old professional with a graduate degree and can’t afford to live here, given that she works for a non-profit. She said she’s watched the Bay Area change over the years and seen friends move away because it was too expensive, or postpone having children because they could not afford a larger home. Growing up, the NorCal-SoCal rivalry was a part of life, one reason of which was they did not have the traffic SoCal has, but that has changed and traffic is terrible. She said she uses 101 twice a day. If Brisbane just builds offices, her quality of life will be impacted. She is a member of the Bay Area community and workforce. It would be irresponsible for the Council to ignore voices like hers. She has pride in the Bay Area and can’t stand to see her friends, teachers, and great organizers leave. She urged the Council to take this opportunity to make the region inclusive, sustainable, and forward-thinking.

CM Davis asked how many speaker slips remained.

Mayor Lentz said 11 slips remained and he wanted the meeting to end at 10:30 p.m.

CM Conway noted that all speakers had spoken thus far was “yes” or “no” to housing. The Council is months away from deliberating, and if everyone at meetings says the same thing over and over again it could take years to get through the process.

Kate Downing said she was a former Planning and Transportation Commissioner in Palo Alto, and is cofounder of Palo Alto Forward, Peninsula Forward, and board member of CaRLA which is suing the city of Lafayette for not building housing. She said Californians are proud of their efforts to preserve and rehabilitate land, their inclusive and diverse culture, and leading the nation in respect to global warming. She was saddened by the recommendation for the Baylands site. She urged the Council to take UPC’s money to remediate the site. She was perplexed why it is ok for people to spend 10-12 hours a day working on toxic soil, but not to spend eight hours a night sleeping on it. She asked the Council to make room for the next generation of young families just like their parents’ generation made room for them. She said building millions of square feet of commercial space without housing would result in gridlock, displacement, and GHG emissions, antithetical to State law. She asked Brisbane to do their part, and said Brisbane is a case study for all things wrong with local control.

David Needham said the Commission’s recommendation concerned him as it would not address all components of sustainability, which include environment, economy, and social. He thinks the Commission's proposal weighs heavily toward environmental sustainability, which is important, but land use policy should be balanced between the other two or else all constituents involved- the city, community, greater Bay Area, and developer- won’t win. He thinks Brisbane has to create something that can deliver all the elements of sustainability that helps in creating a broader ecosystem. He said there must be suitable economics for the developer, because it will be costly to rehabilitate the land. He encouraged the Council to think about delivering the various elements of

the project that are required, and that parts of the Community Plan be brought back into the mix. He believes if the City can address all those components, that would be something to be proud of.

Mayor Lentz announced that based on the increasing number of slips he was receiving, all speakers should limit their time to 2 minutes.

David Crabbe, San Carlos resident, said he heard Mr. Zola say that those who want housing are asking Brisbane to take on the housing needs of the region. He is asking them to take on the housing needs of Brisbane if they move forward with this project. Employees will need to leave somewhere. Jobs and businesses will benefit the community, and Brisbane should find a place for those workers to live and not ask San Francisco to provide the housing. He has written several letters to the Council, one of which compared the number of jobs to the number of housing units provided. In his opinion, the EIR understates the job generation of the proposed commercial development. He found that the developer's proposal could generate up to 30,000 jobs and demand for 20,000 housing units. He asked the consultant to go back to the EIR and recalculate those numbers which were based on 1998 data. In 2016 in Silicon Valley, workers are crammed into space.

Jonathan Scharfman, of UPC, said it had been seven years since the Council first reviewed their proposal. He appreciated the work of staff. He said that he personally respects the community and its character, as does UPC. He recognized the difficulty of the decisions before the Council. He said Mr. Needham covered a major concern regarding all aspects of sustainability. He asked after 11 years of project review that the Council expedite their review and move forward to recommendations as soon as possible. He asked them to review the comments from the Planning Commission hearings. To CM Conway's point, many of the same concerns were expressed at those hearings. He invited the Mayor to attend the US Green Building Council's Green Build conference, where for 25 years they have discussed best practices in implementation of sustainability around the world, and of which he is a founding member.

Amy Dondy said that Brisbane was building housing. According to San Mateo County, Brisbane needs to build 280 units and they have plans to do so. The Bay Area has been unaffordable since the Gold Rush days. She moved to Brisbane 15 years ago after being forced out of SF. She is a renter. This is not a new issue and will always be with us in the Bay Area because people love living here. The majority of housing in the Baylands will not be affordable. She thought it was inappropriate for the Chronicle not to do any homework, and found it shameful that the articles did not mention the toxicity of the former landfill. She has been attending meetings on this proposal for over 12 years. Brisbane is trying to prevent another Love Canal and avoid liability in the future.

Tom Linebarger, Redwood City resident, said a sad situation was occurring in Redwood City and across the Bay Area. Santa Rosa recently passed rent control stabilization and more cities in the region are doing that. In Redwood City, apartment buildings that were previously affordable have been turned into expensive units. He shared a story of an elderly woman and families who were evicted by new property owners. Displacement has a horrific effect on people, especially the elderly and schoolchildren. He asked the City to do something about this crisis. If 20 percent of 4,000 units of housing are required to be affordable, that is a solution.

Glenn Fieldman, Brisbane resident, said a speaker at a transportation forum held by Sustainable San Mateo County said a Caltrans plan to widen 101 would improve congestion for a short time, but then more people would start driving and it would fill up again. It reminded her of the discussion in town about building housing. Brisbane is part of a region and should do their share. She would like to see housing built in the industrial park and those business relocated to the Baylands. The notion

that the Bay Area can build its way out of the housing crisis is deluded. Regional cooperation has been mentioned numerous times. She wants the region to cooperate on informing businesses that want to relocate to the area that they will need to pay for transportation improvements. Businesses have been coming in and people have been evicted. She is a teacher at SF State and rents, and is worried about the housing crisis too. What is endangering her is the flood of new businesses paying very high salaries, who receive tax breaks and do not pay for the full cost of what they are doing to the region.

Danny Ames, Brisbane resident, said Mayor Ed Lee halved the corporate tax in San Francisco because he wanted to attract tech businesses to San Francisco. This generated more jobs than housing. New York has an 80/20 rule, where if housing is built, 20 percent has to be low-income. San Francisco has ignored that. He is a Brisbane resident since 1984. He asked all visitors to drive down Tunnel Road and look at the Kinder-Morgan Tank Farm. He said it was really toxic out there. He thanked visitors for attending the meeting. He said he was not against housing but wants it to be put in appropriate places in Brisbane. He didn't appreciate being demonized and bullied by regional forces.

Beth Grossman, Brisbane resident, said all the talk about housing and the crisis doesn't address what might happen when high speed rail (HSR) comes through. She's been involved in the project for 12 years. If HSR comes, it would take a majority of the area dedicated for housing or commercial. The developer is getting outside organizations to support housing, but really the developer wants the City to zone for housing because that would increase the value of the land in the event of eminent domain.

Deb Horen, Brisbane resident, said she used to wonder why the Baylands was vacant and why the City wasn't letting the developer clean up the land. She learned, however, that the soil would be capped with a material that could be permeated by tree roots. She wondered why the land would not be safe for trees but would be safe for people. This is a liquefaction zone, and it could be permeated in an earthquake. Sea level rise could result in leachates rising. The soil will not be cleaned up. If it was being cleaned up, she would support housing. That's why Brisbane is against building homes on the land. It's not safe for people. Many people in Brisbane want the area to be dedicated to renewable energy, as a regional contribution.

Madeline Bernard, San Mateo, said she was hit by a car on her bike on the way to the meeting. The driver was driving from his job at Candlestick to his home in Tracy. She is pro-housing. She said some Brisbane residents were concerned that Brisbane might get completely swallowed by another city, which might not be the case if the population of the town increased. The Planning Commission had preserved the character and culture of Brisbane with their recommendation. The City could get a farmers market or community theater if the city's population grew. She said the City's budget was \$15 million a year. Airbnb's CEO is worth \$3.3 billion. There are superfund sites in Mountain View. Lenny Siegel worked on those since the 1970's and was still pro-housing on a former superfund site.

Michele Salmon, Brisbane resident, said her grandmother got pushed out of San Francisco in 1930 because it got too expensive, and she came to Brisbane. Life from this point on will not be the life she lived. There are over 7 billion people on the planet now. She is sorry the millennials can't afford to buy a house. She pays over 50 percent of her income on housing. What future would millennials have if the real issues are not addressed- overpopulation, global warming, water consumption, energy consumption? The City has an opportunity to make a contribution of renewable energy and to set an example of sustainable energy in the Bay Area. They should not build more housing that

will disappear. San Francisco could gain 4,000 units if they cleaned up the people abusing rent control. Brisbane has been a good regional partner. They took San Francisco's garage and saved the mountain, the last remnant of Franciscan habitat. Treasure Island is not going to be developed with housing. She wished Brisbane a happy 55th birthday. Her father and other brave Council people acquired the Baylands so they could have a better future. She asked the community to support that vision by supporting renewable energy and sustainability, not housing, entertainment centers, or office space. The land is polluted and people should not be living or working on it.

Joel Diaz, Brisbane resident, said he went through almost all meetings at the Planning Commission. There were many assumptions being made. He understood the housing concern, but it would not be balanced under the developer's proposal. The EIR states there would be two phases: housing first, then commercial twenty years later, if there is financing. That is not a sustainable, balanced development. The fiscal analysis found that housing would result in a \$2.1 million deficit annually for the City. It would not be fair to sustain that deficit over time. Another assumption is that development would be safe. The City does not have adequate risk assessments to make that decision. Dr. Lee found that there were inadequate regulatory and monitoring investigations, and found the CDM study of 2005 to be incomplete as many monitoring wells were inaccessible. Dr. Lee said the technology used and methods were substandard. Other assessments should be done. In the EIR Master Response 2.4.41, the specific plan would be adopted after RWQCB and DTSC create remedial action plans. The Council can only adopt a concept plan now. Dr. Lee suggests ongoing testing over time and said they could not assume other chemicals will not be apparent in the tests. Brisbane deserves a fair chance to speak the same amount of time as the developer and outsiders.

Tony Verreos, Brisbane resident and business person, applauded how the meeting was run tonight. He thought it was unfortunate that the people from outside of town didn't realize that Brisbane residents are well-educated and the City is not, as some newspaper hack said, "a sleepy little town." He said the City Council and Planning Commission are on top of their jobs and he appreciated the work of the consultant and staff. He said there are four ways to live in the Bay Area; as a high wage earner, inherit property, bleed to pay the mortgage, or be homeless. He wanted the tech geniuses to do a better job to match where individuals live with their job location. He is fortunate to live within a mile of work. He found it unfair to portray Brisbane as backward or not doing its regional job as there are many infill lots in Brisbane currently being developed. Many people have bought shacks and rehabilitated and expanded them. In 1997 when Viewpoint at the Ridge began construction, close to 477 homes were built, an increase of 25 to 30 percent in population. He asked what other city in the County or region has grown by that percentage, other than areas near Tracy where farmland was turned into housing? The Baylands is made of bay fill. The City could make the Baylands open space, a higher use. A huge tower could be built near the transit hub to get real density and pay for everything else. That would be visionary.

Greg Anderson, Brisbane resident, said he was speaking as an individual and not for the Planning Commission. He said the Council had a lot of work ahead of them before making a land use decision, and they would also review the EIR mitigation measures and decide what each one means to the City. He asked the Council to look at the site very carefully. Millennium Tower was built completely to code; they put piers down until they hit PSI. He cautioned that said there is risk to building and individual homeowners are not well-equipped to handle that risk. He felt bad for people speaking about the housing crisis, which is real. He urged the Council to consider how much housing could be built in other parts of the City. People say infill is needed to preserve agriculture land. However, there are farms that are fallow now, that have paid for their entire water allocation

and receive no water. He said we are going to run out of resources and must decide which spaces are appropriate for housing.

Mayor Lentz thanked all speakers.

CM Conway said he is approaching his 20th year as a Council member. When he was first elected in 1993, Brisbane had a population of about 3,000 people, and today it is about 4,700- an increase of close to 53%. He doesn't know any other city in the Bay Area that has grown that much. Brisbane is a small town by choice, and is not anti-housing or anti-growth. Their job balance has been the same over 24 years. Some major employers have left. He asked the irresponsible reporters at the San Francisco Chronicle to get their facts together and hoped they listened to the meeting recording.

## **WRITTEN COMMUNICATION**

### **A. Acknowledge receipt of written communication regarding the Brisbane Baylands Project**

Mayor Lentz acknowledged the written communications received and reviewed the Council's hearing date schedule.

## **ADJOURNMENT**

The meeting adjourned at 10:41 p.m.



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Ingrid Padilla, Interim City Clerk