**BRISBANE CITY COUNCIL**

**ACTION MINUTES**

**THURSDAY, DECEMBER 08, 2016**

*BRISBANE CITY HALL, 50 PARK PLACE, BRISBANE*

**6:30 P.M. WORKSHOP** (Held in the Large Conference Room)

**A. Introduction of Thomas McMorrow, from the firm Manatt, Phelps, and Phillips, the City's advocate in Sacramento. The City Manager will also discuss generally the issues Mr. McMorrow will be undertaking on behalf of the City.**

**B. Review County-wide and Subcommittee Assignments for 2017**

**7:45 P.M. CLOSED SESSION**

**A. Liability Claims: Claimant Scott Kellstedt, pursuant to Government Code, section 54956.95.**

**8:00 P.M. CALL TO ORDER – PLEDGE OF ALLEGIANCE**

Mayor Lentz called the meeting to order at 8:04 P.M. and led the Pledge of Allegiance.

**ROLL CALL**

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| Councilmembers present: | Conway, Davis, Liu, O'Connell, and Mayor Lentz |
| Councilmembers absent: | None |
| Staff present: | City Manager Holstine, City Attorney Roush, Interim City Clerk Padilla, Administrative Services Director Schillinger, Public Works Director Breault, Senior Management Analyst Cheung, Community Development Director Swiecki, Police Chief Macias, Fire Chief Myers, Deputy Fire Chief Lauderdale |

**REPORT OUT OF CLOSED SESSION**

City Attorney Roush reported that the claim had been rejected in Closed Session Item A.

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

CM O'Connell made a motion, seconded by CM Conway to move New Business Item E to before the Presentation and adopt the agenda as amended. The motion carried unanimously by all present.

**ORAL COMMUNICATIONS NO. 1**

Michele Salmon advocated for a November 2017 election with 3 year Councilmember terms and also noted that the special meeting on December 12th was a waste of city funds

Greg Anderson advocated for the Brisbane Baylands Applicant and his team of experts be allowed to share information at the Baylands Hearings

**E. Consider Introduction of Ordinance 614 to change the year at which City Council Elections must be held to even numbered years (Statewide Elections) and extending the terms of office for current City Council members by one year**

City Attorney Roush stated that the purpose of this Ordinance is to change the year at which City Council elections must be held to even numbered years to comply with new California legislation Senate Bill No. 415 or the California Voter Participation Rights Act. The Ordinance will extend the terms of office for current City Council members by one year.

Sharon Boggs advocated for an election in November 2017 and stated that the city can afford to hold an election.

Michele Salmon noted that the people chose the councilmembers and that they sit at the people's pleasure.

Peter Grace support even year elections and support Option 2.

Joel Diaz stated that there is no urgency in extending terms for the Baylands.

CM Conway was in favor of the recommendation and felt that this is state mandate. He stated that he does not agree with shortening the terms.

CM Davis noted that in this moment it is important to have trust from a community and a united community and because of that she cannot support the introduction of the Ordinance.

CM Liu agreed with CM Conway that this is a state mandate and was in favor of introducing the Ordinance.

CM O'Connell suggested to have 2017 a 4 year Councilmember term and the election in 2019 can have a 3 year Councilmember term or a 5 year Councilmember term.

CM Lentz noted that he does agree with democracy and the right way to do it. He was open to having the 2017 election as a 3 year Councilmember term or a 5 year Councilmember term.

After further Councilmember discussion and questions of City Attorney Roush, Councilmembers directed staff to come back with 3 options that included a November 2017 election.

**PRESENTATION**

**A. Presentation of the draft Bicycle and Pedestrian Master Plan**

Public Works Director Breault introduced Jeff Knolls, Principal of Alta Planning and Design, Inc. Mr. Knolls presented the Draft Bicycle and Pedestrian Master Plan, stating that this plan will provide a broad vision and serve as a blue print for the City to improve the walking and biking environments, secure funds dedicated to improving safety, and increase walking and biking activities in Brisbane.

CM Conway noted that he was impressed with the report because it did a great job capturing the City's trails.

City Engineer Breault stated that there are certain grants that may be a perfect fit for a grant.

CM Liu proposed bike racks that is more artistic and designed to reflect the image of our town.

Mayor Lentz stated that the City needs trail around the lagoon that would be friendly to runners as well as cyclists.

Peter Grace stated that this is a great report. He asked for Tunnel Road to be paved because it's a water hazard.

Tony Verreos wanted to hear more from the consultant regarding the crushed granite instead of concrete. He also wanted to see in the plan a new sidewalk on the north side of Valley Drive.

After further discussion and questions of City Engineer Breault and Mr. Knolls, the Councilmembers thanked everyone involved in drafting the plan.

**CONSENT CALENDAR**

**A. Approve City Council Minutes of October 20, 2016**
**B. Approve City Council Minutes of November 3, 2016**
**C. Approve City Council Minutes of November 17, 2016**
**D. Approve purchase of a specialized wildland fire control apparatus**
**E. Approve co-sponsorship of the Mothers of Brisbane's Annual Clothing Sale**
**F. Approve agreement with Manatt, Phelps, and Phillips to provide legislative Assistance related to public policy and regulatory developments by the State of California as it relates to the Brisbane Baylands**
**G. Adopt Ordinance No. 612, waiving second reading, Amending Title 16, Subdivisions, and Title 17, Zoning, of the Brisbane Municipal Code (BMC) to update existing subdivision and public noticing regulations to be consistent with current California Government Code and Civil Code requirements, and to amend the discretionary review process for newly constructed condominium developments.**
**H. Adopt Ordinance No. 609, waiving second reading, Amending Title 10 of the Municipal Code concerning "Commercial and Industrial Parking Permit Program."**

CM O'Connell requested for Consent Calendar Item D to be removed from the Consent Calendar so she can ask some questions about storage and staffing.

Consent Calendar Item A and B contained typographical errors that had to be corrected and Consent Calendar Item C needed to be amended to include the written statement from Dana Dilworth.

**CM Conway, made a motion and seconded by CM Davis to approve** Consent Calendar Item A, B, and C as amended and to approve Consent Calendar Item E, F, G and H as proposed, The motion was carried unanimously by all present.

**After Council clarifications and questions to Deputy Fire Chief Lauderdale regarding Consent Calendar Item D, CM Conway, made a motion and seconded by CM Davis, to approve** Consent Calendar Item D. The motion was carried unanimously by all present.

## ORAL COMMUNICATIONS 2:

Doug Kim Councilmember from the City of Belmont, introduced himself and made the case to be the best appointment for the Bay Area Air Quality Management District representing the Council of Cities.

## PUBLIC HEARING

**A. Consider Introduction of Ordinance No. 613 to Amend Brisbane Municipal Code Title 15 by Adopting the 2016 California Building Standards Codes, with Certain Local Modifications to the Fire and Energy Codes and Other Related Sections, and Adopting the 2015 International Property Maintenance Code.**

Community Development Swiecki, stated that the purpose of this Ordinance is to adopt the most recent version of the California Building Standards with local modifications, local water use codes, waste diversion, local energy conservation and generation and City Green Building Ordinance.

After Councilmembers discussion and questions about the technical aspect of the Ordinance, CM Conway made a motion, seconded by CM Davis, to introduce Ordinance No. 613 as presented. The motion was carried unanimously by all present.

**NEW BUSINESS**

**A. Consider Approval of the Request For Proposal for Artist for the New Library**

Administrative Services Director Schillinger stated that the City needs an artist to create an art piece for the new library which should stimulate creativity, imagination and add a unique human quality to the community environment and enrich the public space. The proposals are due back to the City by January 6, 2017 and the artist is to be recommended to the Parks and Recreation Commission by February 8, 2017. The cost of the artwork at the library is anticipated to cost between $30,000 and $50,000.

Kevin Fryer stated that this is the first for the City of Brisbane. He suggested to provide links about the library to the RFP as much as possible so the artist can get a sense of what the environment looks like. He also advocated for a longer timeline because an artist need time to get inspiration.

CM Liu also stated her concern about winter break and the short timeline.

Beth Grossman stated that the timing for this Request for Proposal is unrealistic and advocated for the artist be a part of the process of shaping the new library space.

After further Councilmembers discussion and questions of staff, CM Conway made a motion, seconded by CM Liu, to extend deadline of the RFP to February 8, 2017 and approve the Request for Proposal for Artist for the New Library with this amendment.

**B. Consider Adoption of Resolution 2016-44 to update the Hourly Pay Scale to ensure all classifications meet the minimum wage requirement effective January 1, 2017.**

Administrative Services Director Schillinger stated the purpose of this Ordinance is to update the hourly pay scale to ensure all classifications meet the minimum wage requirement which is

effective January 1, 2017. CM Conway made a motion, seconded by CM Davis to adopt Resolution 2016-44 as presented. The motion was carried unanimously by all present.

### C. Consider Withdrawal from San Mateo County Telecommunications Authority (SAMCAT)

After some Councilmember discussion, CM O'Connell made a motion, seconded by CM Conway, to approve the withdrawal from San Mateo County Telecommunications Authority. The motion was carried unanimously by all present.

### D. Consider Approval of the Fundraising Strategy for the New Brisbane Library

Senior Management Analyst Cheung noted that the fundraising strategy for the new Brisbane Library outlines activities to raise the $300,000 identified as the amount which staff believes is likely to be raised by donations. The new library is anticipated to break ground in 2018. Some strategies include naming rights, employer matching programs, leveraging business advertising, donations from families & individuals, donations made online, and outreaching to the community. The fundraising time line is ongoing but the bulk of the fundraising will be in 2017 before it breaks ground.

CM O'Connell stated that she wants the naming rights need to be vetted more. City Manager will work with staff to have a proposal regarding the naming rights.

CM Conway made a motion, seconded by CM Davis, to approve the fundraising strategy for the New Brisbane Library. The motion was carried unanimously by all present.

## STAFF REPORTS

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

Due to the late hour, the City Manager had no reports.

## MAYOR/COUNCIL MATTERS

### A. Election of New Mayor and Mayor Pro Tem

Mayor Lentz made a motion, seconded by CM Conway, to appoint CM Liu as the new Mayor of the City of Brisbane. The motion was carried unanimously by all present.

Mayor Lentz made a motion, seconded by CM O'Connell, to appoint CM Conway as our Mayor Pro Tempore of the City of Brisbane. The motion was carried unanimously by all present.

### B. Administration of Oath of Office of newly-elected Mayor Pro Tem

Interim City Clerk Padilla administered the Oath of Office of newly-elected Mayor Pro Tem Conway.

### C. City Council Meeting Schedule for 2017

The City Council Meeting Schedule dates were corrected for the months of September and December. The City Manager asked the Councilmembers to check their schedule for the Sonoma Mountain Workshop Fieldtrip scheduled on January 21st in order for travel arrangements to be made.

### D. Discuss City Selection Committee Appointments

The Councilmembers discussed the City Selection Committee Appointments and made the following selections:

Association of Bay Area Governments: Wayne Lee, City of Millbrae
Bay Area Air Quality Management District: Doug Kim, City of Belmont
San Mateo County Transit District: Jeffrey Gee, City of Redwood City
San Mateo County Transportation Authority (Central Cities): Maureen Freschet, City of San Mateo
San Mateo County Transportation Authority (So. Cities): Cameron Johnson, City of San Carlos
San Mateo County Transportation Authority (Cities): Emily Beach, City of Burlingame
Chairperson to the City Selection Committee for 2017: Liza Normandy, City of So SF
Vice Chairperson to the City Selection Committee for 2017: Mike O'Neill, City of Pacifica

### E. County-wide Assignments/Subcommittee Reports

Due to the late hour, no reports were given.

### F. Written Communications

Mayor Lentz acknowledged the receipt of written communication received on December 8, 2016 from Universal Paragon, Tony Verreos, Peter Grace, and Maryanne Mcguire-Hickey.

## ORAL COMMUNICATIONS 2

No member of the public wished to speak.

## ADJOURNMENT

The meeting was adjourned at 11:12pm

Ingrid Padilla

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Ingrid Padilla, Interim City Clerk