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BRISBANE CITY COUNCIL  
SUMMARY MINUTES

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**JOINT CITY OF BRISBANE CITY COUNCIL/  
BRISBANE HOUSING AUTHORITY  
THURSDAY, JULY 19, 2018  
BRISBANE CITY HALL, 50 PARK PLACE, BRISBANE**

**6:30 P.M. CLOSED SESSION (*To Be Held in the Large Conference Room*)**

- A. Approval of the Closed Session Agenda
- B. Public Comment. Members of the public may address the Councilmembers on any item on the closed session agenda
- C. Adjournment into Closed Session
- D. Contract City Attorney Performance Evaluation: Evaluation of City Attorney performance under Government Code, section 54957 (b)(1)
- E. Conference with Real Property Negotiator, Clay Holstine, regarding requested land transfer- Portion of Former SPRR Easement (SBE 872-41-23R) pursuant to Government Code Section 54956.8
- F. Conference with legal counsel—Potential Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Government Code, section 54956.9 number of potential cases—1

**CLOSED SESSION REPORT OUT**

City Attorney Roush reported that no action was taken regarding Closed Session items D, E, and F.

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

Mayor Conway called the meeting to order at 8:15 p.m. and led the Pledge of Allegiance.

**ROLL CALL**

Councilmembers present: Mayor Conway, Council members Cunningham, Davis, Lentz, O'Connell

Councilmembers absent: None  
Staff present: City Clerk Padilla, City Manager Holstine, City Attorney Roush, Director of Administrative Services Schillinger, City Engineer Breault, Community Development Director Swiecki, Deputy Public Works Director Kinser, Recreation Manager Leek, and Police Sergeant Garcia, Fire Inspector Preston

## **ADOPTION OF AGENDA**

Mayor Conway requested Old Business Item B be removed from the agenda. CM O'Connell made a motion, seconded by CM Davis, to approve the agenda as amended. The motion was carried unanimously by all present.

## **ORAL COMMUNICATIONS NO. 1**

Luc Bouchard asked for more information about the item removed from the agenda and the discussion that the Council had regarding the sale of four lots.

## **PRESENTATION**

### **A. Designation of July as Parks and Recreation Month**

Mayor Conway read the Mayoral Proclamation celebrating July as Parks and Recreation Month. Recreation Manager received the proclamation and presented a video presentation highlighting the Parks and Recreation services.

### **B. San Mateo County Home for All Presentation**

Pat Brown from San Mateo County Home for All invited the City of Brisbane to participate in their collaborative community engagement projects facilitated by specialists starting in January of 2019 for 6-8 months.

After some Council questions of Ms. Brown, Council thanked Ms. Brown for the invitation and opportunity.

## **CONSENT CALENDAR**

### **A. Adopt City Council Minutes of June 7, 2018**

### **B. Adopt City Council Minutes of June 9, 2018**

### **C. Adopt City Council Minutes of June 18, 2018**

### **D. Accept Monthly Investment Report as of November 2017**

**E. Accept Monthly Investment Report as of December 2017**

**F. Approve a Task Order for the Engineering Services during Construction and Construction Management of the Annis Road PRV Station and Fire Main Replacement - Phase 1 Project (Project No. 9F08)**

CM Davis made a motion, seconded by CM O'Connell to approve Consent Calendar items A-F. The motion was carried unanimously by all present.

Ayes: CM Cunningham, Davis, Lentz, O'Connell and Mayor Conway

Noes: None

Absent: None

Abstain: None

**CONTINUED PUBLIC HEARING**

Mayor Conway asked for a staff report.

Community Development Director Swiecki began the staff presentation. [Note: staff's presentation slides may be viewed here: <http://brisbaneca.org/sites/default/files/BaylandsGPAPublicHearingSlidesJuly192018.pdf>.] He said that due to concerns with the phrase "mixed use," staff recommending further revising the draft General Plan Amendment GP-1-18 to eliminate references to "mixed use" in the proposed land use designation. The proposed Baylands subarea land use designation would be "Baylands Planned Development." He introduced Lloyd Zola of Metis Consulting, consultant to the City, to continue the presentation.

Mr. Zola reviewed the comparison of floor area ratios of various existing or planned commercial areas in Brisbane and other nearby communities.

CM O'Connell asked for the current building square footages at Sierra Point.

Mr. Zola said the current development in Sierra Point ranged from 0.66-0.70 FAR on a site specific basis, not including planned development of the unbuilt parcels.

Administrative Services Director Schillinger then reviewed the potential revenues Baylands development could generate for the City's general fund, and reviewed the City's outstanding liabilities that could absorb those revenues.

CM Lentz asked Director Schillinger to confirm that General Fund monies could be allocated to non-Baylands specific projects.

Director Schillinger confirmed.

Mayor Conway asked Director Swiecki to explain what the "jobs-housing balance" is and what laws apply to it.

Director Swiecki said the jobs-housing balance typically compares the total jobs to the total housing units determined on a regional basis. The core issue is whether enough housing exists in the region to house all the employees in the region, to mitigate the number of employees commuting into the region to work. He said there is no set formula as to a preferred jobs-housing balance, and it can work at a sub-regional scale where jurisdictions could provide housing in proximity to job centers in other jurisdictions.

Mayor Conway opened the public hearing. He stated the time limit for people who had not spoken to the Council on this topic previously would be allotted five minutes and those who had already addressed the Council on this topic would be allotted two minutes.

Tom Heinz said it was sad and tragic if the City Council approved the EIR and zoning changes when so much opposition had been voiced. He said the developer does not live or work here and may not have been told they are investing in toxic land for which there may be no return. He said many people have read the EIR and commented numerous times on its inadequacies. He said the General Plan was created to protect people from living on toxic land. The Council was willing to give the people of Brisbane and the Planning Commission the finger. He said the Council was not defending Brisbane's citizens but they had the power to make changes and value people over profits. He asked the Council not to approve a zoning change for a project that can't get water.

Kim Follien, Brisbane resident, said she supported the General Plan amendment, including the increase in commercial square footage. She said she did not support the proposed school district boundary study and that a similar study had already been completed and shot down. An effort to create a Brisbane Unified School District was attempted in 2011 but failed because it was not politically or legally feasible. The superintendent of the Bayshore School District made it clear last year at a public hearing that the District was not interested in such a study and it was not a worthwhile use of staff and the City's time. She asked the Council not to compromise the vote on the General Plan amendment with such a study.

Boris Lipkin, Acting Northern California Regional Director with the High Speed Rail Authority, referenced the Authority's letter sent to the City dated June 20, 2018. [Note: the letter may be viewed here: <http://brisbaneca.org/letters-to-city-council-2018>.] He said the Authority would operate service between San Francisco and San Jose using the Caltrain corridor. They are evaluating a light maintenance facility and rail yard on either the west or east side of the Baylands site. The environmental document for that study would be released in 2021 and in late 2019 the Authority will choose a preferred alternative.

Greg Anderson said while they were adopting the General Plan amendment to reduce the housing crisis, they had not studied whether the jobs-housing balance would be achieved with the current plan. He said 5 million square feet of commercial would not balance with the proposed housing units. He said Brisbane would vote no on the General Plan amendment if it does not improve the jobs-housing balance. He said the proposed single zoning district did not reflect the different geographic areas and differences across the Baylands and asked the Council to adopt three separate zones. He said the General Plan cannot be relied on to establish where land uses are allowed. He said SB 167 has language that says zoning maps prevail over the General Plan. He said the State will continue to try to adopt legislation to override local

regulations. He said the Council can't prove the site is a no liquefaction zone. The ballot measure should specify that the project will be built assuming high liquefaction. He said they should disincorporate the Baylands if they can't make a plan that works.

Nancy Lacsamana stated that allowing up to 7 million square feet of commercial space would generate revenues that could take care of many of Brisbane's needs. She said Colma was well taken care of by its commercial space.

Kyle Corbitt said he is a renter in Brisbane because they cannot afford to buy a home here. He said other people like him would love to stay in Brisbane, and the sooner the project is built the sooner that could happen.

Dan Carter said he supported the General Plan amendment. He said the past General Plan led them to where they are today. He said the issue had been studied well. He said up to 7 million square feet of commercial would ensure positive fiscal impacts. He said if it is defeated on the ballot, so be it, but it needs to go to the ballot.

Michele Salmon, Brisbane resident, said she felt it was a done deal but she hoped it was not. She asked why there was no cap on the housing square footage, which could result in housing units thousands of square feet in size. She said high density, transit-oriented affordable housing was what the City Council had originally wanted. She said the high speed rail maintenance facility was real. She said the General Plan land use map amendment was inadequate. She said 10 million square feet of building area, about 3 million square feet of which she calculated would be for housing using the Developer Sponsor Plan, would be equivalent to 43.5 football fields built four stories high. She said the Salesforce Tower and Millennium Towers in San Francisco were over one million square feet. She said a solar farm on the Baylands would benefit the entire City.

Karen Lentz, Brisbane resident, supported the proposed ballot measure language and appreciated how it incorporated community input. She said this was the framework for a subsequent specific plan which would involve more input from the community and require City Council approval. She said 7 million square feet of commercial may not ultimately be built, but having flexibility in the commercial square footage was needed to find the correct balance of housing to commercial.

Barbara Ebel supported Mr. Anderson's statements. She said Keyser Marston's report did provide some analysis of the jobs-housing imbalance, and it found that 4 million square feet of commercial would throw it out of balance. Anyone purporting to support the General Plan amendment to reduce the jobs-housing imbalance should not approve this plan, which would exacerbate the jobs-housing imbalance. She said community members would campaign against the measure and it was illegal for the City to campaign for the measure. She said less commercial square footage could make room for solar panels on the land susceptible to liquefaction to cover the community's energy needs and benefit the economy.

Lori Liu said approval of the General Plan amendment did not mean capitulation to the developer or to the State, but rather was a responsible compromise necessary for the City to retain control of the project and get the most environmentally protective project with the most community benefits and that represents the City's values. She said it was important to send a

unified message to the voters to approve the Council's vision. She said she understood Council members Davis and O'Connell reservations about the project, but she asked them to think more broadly and that voting no on the amendment would send a mixed message to the voters, making it more likely for the ballot measure to be voted down. She said as mayor in 2017, Senator Hill showed her the draft legislation, and it was a real threat. She asked the Council to vote "yes" to protect the best interest of the City and the community.

CM Cunningham moved to close the public hearing. CM Lentz seconded the motion and it was approved 5-0.

Mayor Conway asked the City Attorney whether the zoning map prevails over the General Plan.

City Attorney Roush said State law established the General Plan land use map as the overarching constitutional document establishing allowable land uses. Any specific plan or zoning ordinance must be consistent with the General Plan.

Mayor Conway said the City Attorney had previously advised the Council that if the vote fails, the Council would resume processing the application under the current General Plan. He asked Tom McMorrow, consultant to the City, to address that scenario.

Mr. McMorrow said in 2017 the legislature chose to illustrate the housing "problem" by characterizing the Baylands as a readily developable housing site, without acknowledging the land contamination or requirements for remediation. He said if the City had not responded with constructive discussions, there was a chance that legislation impacting the Baylands could have been adopted in the 2017 housing package. He said the Council has brought forth the General Plan amendment after over a year of study, and after aggressive negotiation to ensure the most stringent level of remediation, and has kept the State engaged in what the Council has done to move the process forward to build goodwill with Sacramento. He said if the General Plan amendment was defeated, several State laws under consideration with aggressive controls over housing could apply to Brisbane and the Baylands. The Council could continue to build goodwill and work with the developer and State legislators to modify the project further. He said the controversial draft legislation SB 828 would require any city that has not met its Regional Housing Needs Allocation (RHNA) to inventory all vacant land, regardless of whether it is zoned for housing, and identify which vacant sites would be used for housing. At that point, developers could submit proposed "solutions" to provide housing in those locations. If SB 828 becomes law, the City would have a limited basis to refuse a developer's proposal.

Mayor Conway asked what happens if the General Plan amendment is approved by the voters.

Mr. Zola said that adoption of a General Plan amendment is not a project approval or specific plan approval. The General Plan amendment is the Council's policy statement that establishes what any developer shall do before the Council approves a specific plan for site development. Once submitted, that specific plan would be subject to City Council review and approval.

CM O'Connell said the developer's current specific plan application did not meet the General Plan requirements. She asked how future applications would differ.

Mr. Zola said the Council cannot prohibit property owners from applying to amend the General Plan, which is what occurred in this case. The difference is the existing General Plan requires that a specific plan be submitted prior to establishing the development standards for the site. The General Plan amendment would definitively set clear limits as to what the Council is willing to approve in a specific plan.

CM Cunningham asked staff to clarify the difference between EIR requirements for a General Plan versus EIR requirements for a development plan.

Mr. Zola said a General Plan EIR is relatively general and does not examine site specific issues that would otherwise be studied in an EIR for a specific site development. For properties the size of the Baylands, approximately one square mile, typically a city would establish rules for a specific plan to comply with. The specific plan then would show specific land uses laid across the site, and would set physical limitations such as building height maximums and setback minimums. Specific plans would also address development phasing, public amenities, and water delivery systems design. All of these elements would be studied in the specific plan EIR. The current EIR is adequate for the General Plan amendment but not for a specific plan EIR.

CM Davis asked how de-annexation of the Baylands would impact the City's finances.

Director Schillinger stated the City would lose the truck haul fees, business license fees from Golden State Lumber, Kinder-Morgan tank farm, and Recology, which together total approximately \$5 million, representing approximately one third of the General Fund revenue projections for 2018-2019.

CM Davis asked staff why one land use designation would be applied to the entire Baylands site.

Mr. Zola said one land use designation would establish one set of policies for the entire subarea. If there was a designation for the residential area, and another designation for the other areas, the City would need to determine how much commercial development would be permitted in the residential area, which would be a very complex study, and because a General Plan amendment vote was binding, any future changes to that mix would have to be approved by the voters. Staff recommended that Council to adopt rules upfront that would allow for flexibility and control in the specific plan process.

CM Davis asked how SB 35 would or would not affect the City if the General Plan amendment passes.

Mr. McMorrow stated that SB 35 does not apply to the Baylands for multiple reasons, including the lack of objective design review standards, the existence of hazardous materials, and lack of adjacent urban uses. Those apply even if the General Plan is amended as proposed. He said four law firms evaluated the applicability of SB 35 to the Baylands, and independently of each other all concluded that it would not apply.

CM Davis asked if the City face would face litigation if the General Plan amendment doesn't pass.

Mr. McMorrow said the cost of litigation was an important factor to consider and could cost millions of dollars. The City does not have a reserve to cover legal fees even for one lawsuit. The draft legislation shown to the Council in 2017 would have led to a complicated and expensive legal fight.

CM Lentz asked if the General Plan amendment is approved by the voters, would that guarantee the developer land use rights.

City Attorney Roush said General Plan policies are not vested entitlement rights. They establish a roadmap the developer would need to follow, but land use permits such as a development agreement would grant entitlement rights.

CM Lentz asked if zoning regulations gave the developer land use rights.

City Attorney Roush said a sufficiently defined specific plan for the site in conjunction with a development agreement would provide the land use entitlements the developer would rely on. Subsequent zoning and subdivision map approvals would implement the specific plan and the development agreement.

CM Lentz said the General Plan amendment would allow up to 7 million square feet of commercial space. He asked if that meant the developer could automatically build 7 million square feet of commercial.

City Attorney Roush said the Council would decide how much commercial square footage was warranted when it reviewed a subsequent specific plan application.

CM Lentz asked if allowing a range of 1,800-2,200 housing units in the General Plan would automatically allow the developer to build 2,200 units.

City Attorney Roush said the range of housing units established in the General Plan amendment was not an automatic approval, but rather established a range of acceptable housing development.

CM Lentz said there had been many questions regarding the affordability and density of housing. He asked if that discussion would happen after the General Plan amendment is voted on.

City Attorney Roush said the developer would address the specific types and design of housing in the specific plan application, if the General Plan amendment was approved.

Mayor Conway reopened the public hearing.

Deb Horen said the draft General Plan amendment did not address the dire affordable housing need. She acknowledged the city's many volunteer organizations who loved Brisbane reviewed and participated in the Baylands process. She worried the Council's decision could destroy the city's values. She agreed with Mr. Anderson that the zoning needed to be more specific. She wanted more time to wordsmith the General Plan amendment and get the public behind it.



Tony Verreos said Mr. Zola's advice provided flexibility and defense for the City. He said Mr. McMorrow presented many opinions based on valuable experience, but there were many unknowns even if the General Plan amendment is voted down. He thought there was room for positive outcomes if the General Plan amendment is not approved. He said he does not agree with allowing housing in the Baylands, but agreed with the other elements of the General Plan amendment. He said Brisbane would not solve the housing problem alone. He thought Brisbane residents rather accept the same number of housing units in Crocker Park versus on the Baylands. He said the Council has not disclosed the issues it has discussed in closed sessions regarding deannexation of the Baylands. He suggested having a Town Hall meeting regarding that option. He said Senator Hill recently expressed interest in that idea in personal conversation.

Barbara Ebel asked if the General Plan amendment was adopted, and the developer submitted a new application for a specific plan, would that make the project eligible for SB 35?

Mr. McMorrow stated there were many other reasons SB 35 would not apply to the Baylands in that scenario.

CM Cunningham moved to close the public hearing. CM O'Connell seconded the motion and it was approved 5-0.

**A. Consider adoption of Resolution No. 2018-61 certifying the Final Environmental Impact Report and adopting the Mitigation Monitoring and Reporting Program**

CM Lentz moved adoption of Resolution 2018-61 certifying the Final Environmental Impact Report and adopting the Mitigation Monitoring and Reporting Program. CM Davis seconded the motion. The motion was approved 5-0.

Ayes: CM Cunningham, Davis, Lentz, O'Connell and Mayor Conway

Noes: None

Absent: None

Abstain: None

**B. Consider adoption of Resolution No. 2018-62 approving the Baylands General Plan Amendment GP-1-18 and a statement of overriding considerations and directing that the General Plan Amendment be put to the voters at the November 6, 2018 elections**

CM Lentz moved adoption of Resolution 2018-62 approving the Baylands General Plan Amendment GP-1-18 to allow between 1,800 to 2,200 housing units. CM Cunningham seconded the motion. The motion was approved 5-0.

CM Lentz moved adoption of Resolution 2018-62 approving the Baylands General Plan Amendment GP-1-18 to include up to 6.5 million square feet of commercial space and 500,000 square feet of hotel. CM Cunningham seconded the motion.

CM O'Connell said she believed 7 million square feet was too much, and she supported four million square feet plus 500,000 square feet of hotel.

CM Cunningham said her reasoning was financial; the City had many capital projects that were unfunded.

CM Davis said she initially supported 5 million square feet of commercial, but she revisited the issue. Her reasoning was partially financial, but was also to ensure for a balanced development of the site. That is also why she ultimately supported moving housing further south to the Main Street extension, in order to ensure the highest standard of cleanup in that area. She said the Council's review of the budget in June highlighted the City's unfunded liabilities and unfunded capital improvements.

Mayor Conway said the project was regional. He said within a certain radius of the project site, there would be 1600-1700 housing units at Schlage Lock with 40,000 square feet of retail, 900 plus units in the Sunnysdale area, in addition to the current residential development, as well as Executive Park with 1,800 approved housing units and 300,000 square feet of retail commercial space. The Candlestick Park area was zoned for 7,000-8,000 housing units and a shopping center. The jobs provided by the planned commercial developments in the area would not pay high wages. With bus rapid transit and other transit amenities, allowing additional commercial square footage on the Baylands could help meet that gap in higher wage jobs for nearby residents. He also echoed his fellow Councilmembers regarding the financial benefit to the City.

The motion was approved 4-1, with CM O'Connell opposing because of the amount of new commercial development.

Ayes: CM Cunningham, Davis, Lentz, and Mayor Conway

Noes: CM O'Connell (as to the amount of new commercial square footage only)

Absent: None

Abstain: None

**C. Consider adoption of Resolution No. 2018-63 placing the General Plan Amendment GP-1-18 on the November 6, 2018 ballot for voter consideration**

CM Lentz moved adoption of Resolution 2018-63. He thanked the community for their testimony and research over the years. He stated final decisions would happen farther down the line. The General Plan amendment establishes rules for a developer to work within. He said it was important to pass the General Plan amendment to maintain local control. He said no other City is facing doubling its population size. He said the City Council has studied all the issues and is putting the General Plan amendment because it is in the City's long term interest.

CM O'Connell seconded the motion, including revised language in Section 10 of the Resolution provided by the City Attorney.

CM Davis thanked her colleagues and echoed CM Lentz's statements. She said the Specific Plan would need to be submitted after the General Plan amendment and that would address issues such as affordability, design, renewable energy and other specific aspects. She asked all Brisbane

residents to make their voices heard and vote in November.

The motion was approved 5-0.

Ayes: CM Cunningham, Davis, Lentz, O'Connell and Mayor Conway

Noes: None

Absent: None

Abstain: None

## **PUBLIC HEARING**

### **A. Consider any objections by noticed property owners of properties on which a nuisance has been declared to exist (Brisbane Weed Abatement Program)**

Mayor Conway opened the public hearing.

Paul Bouscal voiced his concern about the big trees in the City as a fire threat.

After some discussion with Fire Inspector Preston, CM O'Connell made a motion, seconded by CM Davis, to close the public hearing.

CM O'Connell and CM Lentz made a motion to continue with the due process of the Brisbane Weed Abatement Program. The motion was carried unanimously by all present.

### **B. Consider the Adoption of Resolution No. 2018-55, to Impose Charges for Funding the Local Brisbane Stormwater Program, Authorizing Placement of Said Charges on the 2018-2019 County Tax Roll, and Authorizing the County Tax Collector to Collect Such Charges.**

Mayor Conway opened the public hearing. No member of the public wished to speak.

CM O'Connell made a motion, seconded by CM Davis to close the public hearing. The motion was carried unanimously by all present.

After some discussion with Deputy Public Works Director Kinser. CM Davis made a motion, seconded by CM Lentz to adopt Resolution No. 2018-55 as it stands.

Ayes: CM Cunningham, Davis, Lentz, O'Connell and Mayor Conway

Noes: None

Absent: None

Abstain: None

### **C. Consider adoption of Resolution No. 2018-56, Overruling Protests and Ordering the Improvements and Confirming the Diagram and Assessment for Fiscal Year 2018-2019 for the Sierra Point Landscaping and Lighting District.**

After a brief report by Deputy Public Works Director Kinser, and statements made by Mayor Conway and City Clerk Padilla the public hearing was declared open. No member of the public wished to speak.

CM O'Connell made a motion, seconded by CM Davis, to close the public hearing.

CM Lentz, made a motion, seconded by CM O'Connell to adopt Resolution No. 2018-56.

Ayes: CM Cunningham, Davis, Lentz, O'Connell and Mayor Conway

Noes: None

Absent: None

Abstain: None

**D. Consider Approval of Resolution No. 2018-57 Approving Correction to the Master Fee Schedule for Water Meter and Sewer Installation**

After a brief report by Administrative Services Director Schillinger, Mayor Conway opened the Public Hearing.

No member of the public wished to speak.

CM Davis made a motion, seconded by CM O'Connell to close the public.

CM O'Connell made a motion, seconded by CM Davis to adopt Resolution 2018-57 to approve correction to the Master Fee Schedule which was originally adopted by the Council at the City Council Meeting of June 21, 2018 to include water meter and sewer installation fees.

Ayes: CM Cunningham, Davis, Lentz, O'Connell and Mayor Conway

Noes: None

Absent: None

Abstain: None

**OLD BUSINESS**

**A. Consider Authorizing City Manager to Solicit Proposals and Engage a Consultant to Perform a Study to develop an understanding of how the development of the Baylands will impact primary and secondary education for future residents of Brisbane.**

*(It is anticipated that the fiscal impact of the study will be between \$40,000 and \$50,000.)*

After a brief report from Administrative Services Director Schillinger and some Council questions, Nancy Lacsamana and Karen Lentz spoke in support of the study. Barbara Ebel and

Michele Salmon voiced that the study is premature and opposed the study.

After further Council discussion and questions of staff, CM Lentz made a motion, seconded by CM Davis to authorize the City Manager to solicit proposals and engage a consultant to perform the study. The motion passed with a 4-1 Vote.

Ayes: CM Cunningham, Davis, Lentz, and Mayor Conway

Noes: CM O'Connell

Absent: None

Abstain: None

**B. Consider adoption of Resolution No. HA 2018-02, a resolution of the Brisbane Housing Authority of the City of Brisbane approving a sale of lots identified by the County Assessor as Parcel Numbers 007-556-010, 007-560-130, -140 and -120 to JL Homeland Development Group.**

*(Sale of four contiguous, vacant, lots, with a total land area of approximately 4.21 acres, located immediately south of the intersection of San Bruno Avenue and Gladys Avenue in Brisbane, CA. The lots are identified by the County Assessor as Parcel Numbers 007-556-010, 007-560-130, -140 and -120.)*

This item was removed from the agenda and was not discussed.

**NEW BUSINESS**

**A. Consider introduction of Ordinance No. 629, to amend Title 18 of the Brisbane Municipal Code concerning "Marina Regulations" to allow for live aboards**

After a brief report by City Engineer Breault and questions from City Councilmembers, CM Davis made a motion, seconded by CM Cunningham to introduce Ordinance No. 629 which amends Title 18 of the Brisbane Municipal Code concerning Marina Regulations, approve the "Rules and Regulations" that will be attached to the "Addendum to License Agreement- Live Aboard" and authorize staff to make future changes to these as approved by the City Attorney, and direct staff to schedule a public hearing at a later date to establish a "Live Aboard License Fee."

Ayes: CM Cunningham, Davis, Lentz, O'Connell and Mayor Conway

Noes: None

Absent: None

Abstain: None

**B. Approve Co-sponsorship of the Excelsior Running Club Half Marathon Race on August 18, 2018**

After some City Council discussion and questions, CM Lentz recused himself of the vote of New Business Item B due to conflict of interest.

CM Davis made a motion, seconded by CM Cunningham, to approve co-sponsorship of the Excelsior Running Club Half Marathon Race on August 18. The motion passed with a 4-0-1 vote.

Ayes: CM Cunningham, Davis, O'Connell and Mayor Conway

Noes: None

Absent: None

Recusal: CM Lentz

## **STAFF REPORTS**

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

City Manager Holstine announced three upcoming events in the city.

## **MAYOR/COUNCIL MATTERS**

### **A. Countywide Assignments/Subcommittee Reports**

Councilmembers reported their activities in the Economic Development Subcommittee, the Public Art Committee, and City School 2x2 Subcommittee.

### **B. City Council Meeting Schedule**

The next City Council Meeting is scheduled for September 6, 2018.

### **C. Written Communications**

Non-Baylands related written correspondences from Dana Dillworth (7/19/18), Luc Bouchard (7/18/18, 7/6/18, 7/3/18, 6/28/18), Save the Bay (7/10/18) and Ceci Herrmann (6/21/18) were received by the City Council.

Baylands related written correspondences by City Council were received from the following parties:

- Danny Ames 7/19/18
- SAMCEDA 7/19/18
- Kim Follien 7/19/18 & 7/19/18
- Dana Dillworth 7/19/18
- Cris Hart 7/18/18
- Alwin Warfel 7/18/18
- Barbara Ebel 7/17/18
- Bryan Le 7/16/18

- Mae Swanbeck 7/14/18
- Danny Ames 7/14/18
- Adina Levin 7/12/18
- Michael Barnes 7/12/18
- Carolyn Parker 7/12/18
- James Christie 7/11/18
- Michele Salmon 7/11/18
- Diane Van Stralen 7/11/18
- Peter Sutherland 7/11/18
- John and Thu Viray 7/11/18
- Beth Grossman 7/10/18
- Nancy Colman & Alex Reisman 7/10/18
- David Crabbe 7/9/18
- Alex Reisman & Nancy Colman 7/6/18
- Michele Salmon 7/5/18
- Raymond La 7/2/18
- SPUR Board of Directors 6/25/18
- Alex Coriano 6/21/18

## **ORAL COMMUNICATIONS NO. 2**

Michele Salmon expressed her dismay that the School District study was approved and wanted to know what the City is doing about the dust from the quarry.

## **ADJOURNMENT**

After some Council discussion with City Attorney Roush, CM Davis motioned and CM Lentz seconded to adjourn the meeting. The motion was approved 4-0-1 (Due to the late hour, CM O'Connell left the dais before the vote) and the meeting adjourned at 11:39 p.m.

## **PUBLIC MEETING VIDEOS**

The replay schedule for public meetings can be found on the Live Streaming page <http://brisbaneca.org/live-streaming>. Past meetings will be replayed on Comcast Channel 27 and at <http://brisbaneca.org/live-streaming> and can be found on the All Meetings page (<http://brisbaneca.org/city-government/meetings>) once the video has been archived.



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Ingrid Padilla, City Clerk