



**BRISBANE CITY COUNCIL**

**ACTION MINUTES**

---

**CITY OF BRISBANE CITY COUNCIL MEETING**

**THURSDAY, NOVEMBER 7, 2019**

*BRISBANE CITY HALL, 50 PARK PLACE, BRISBANE*

**7:45 P.M. CALL TO ORDER – PLEDGE OF ALLEGIANCE**

Mayor Davis called the meeting to order at 7:42 p.m. and led the Pledge of Allegiance.

**ROLL CALL**

Councilmembers present: Councilmembers Conway, Cunningham, Lentz, O’Connell and Mayor Davis

Councilmembers absent: None

Staff: City Manager Holstine, City Clerk Padilla, Interim City Attorney McMorro, Community Development Director Swiecki, City Engineer Breault, Sustainability Management Analyst Etherton, Police Commander Garcia

**REPORT OUT OF CLOSED SESSION**

Interim City Attorney McMorro reported that Council met at the Closed Session, Special Meeting of November 7, 2019 Council provided direction regarding labor negotiation but no action was taken.

**ADOPTION OF AGENDA**

Mayor Davis pulled New Business Item A from the agenda.

CM Conway made a motion, seconded by CM Cunningham, to approve the meeting agenda as amended.

Ayes: Councilmembers Cunningham, Conway, Lentz, O’Connell and Mayor Davis

Noes: None

Absent: None  
Abstain: None

## **ORAL COMMUNICATIONS NO. 1**

Nancy Lacsamana thanked the Public Works for providing lights and visibility in San Bruno Ave. She also provided a brief update from the SamTrans' Citizen Advisory.

Steve Goodwin spoke about the need to remediate a hillside on Kings Road and provided pictures and a video clip to the Council.

Sherry Goodwin requested a retaining wall and shared her worry about the hillside on Kings Road.

It was reported that Council will discuss the hillside on Kings Road at the next City Council Meeting on November 21, 2019 as part of the Capital Improvement Project discussion.

## **PRESENTATION**

### **A. Volunteer of the Year and Youth Volunteer of the Year Award**

Mayor Davis presented Nancy Lacsamana with the Volunteer of the Year Award and presented her with a Mayoral Proclamation.

Mayor Davis presented Chaya-Bella David with the Youth Volunteer of the Year Award and presented her with a Mayoral Proclamation.

### **B. Brisbane Library Annual Report**

Tomika Price presented the Brisbane Library Annual Report. She reported that the library staff engaged over 6,000 youth adults in active learning and served 49,000 visitors. The library also became a fine-free institution in January of 2019.

Council thanked Ms. Price and the library staff for their successful year.

### **C. Acknowledge Beacon Platinum Award from the Institute for Local Government for the City of Brisbane's Holistic Approach to Addressing Climate Change**

Mayor Davis acknowledged the Beacon Platinum Award from the Institute for Local Government for the City of Brisbane's Holistic Approach to Addressing Climate Change.

Sustainability Management Analyst Etherton, reported that the City received the prestigious award for the City's voluntary efforts to reduce greenhouse gas emissions, save energy, and adopt policies that promote sustainability.

She added that the City of Brisbane received the Platinum-level Beacon Award for the following achievements:

- Agency GHG Reductions: Platinum Level - 32% reductions
- Community GHG Reductions: Platinum Level - 20% reductions
- Agency Energy Savings: Platinum Level - 21% savings
- Natural Gas Savings: Platinum Level - 24% savings
- Platinum Level Award in Sustainability Best Practices

## **CONSENT CALENDAR**

- A. Adopt City Council Special Meeting Agenda Minutes of October 3, 2019**
- B. Accept Investment Report as of September 2019**
- C. Adopt Ordinance No. 642 (Zoning Amendment RZ-3-18), Waiving Second Reading, Zoning text amendment to the TC-1 District regulations contained in BMC Chapter 17.19 to allow limited outdoor storage of approved flammable materials in compliance with specified performance standards subject to the granting of an Exception Permit by the Zoning Administrator**
- D. Approve Response to Grand Jury Report “Electric Vehicle Adoption in the Cities and County of San Mateo”**
- E. Approve the Mothers of Brisbane Clothing Sale as a Co-Sponsored Event.**
- F. Approve the Agreement for Professional Services with EOA, Inc. and Authorize the Completion of a Green Infrastructure Plan for a Not to Exceed Cost of \$48,830**
- G. Award the Fire Station 81 Standby Generator Upgrade Project to PC, Inc. in the Amount of \$190,000 and Authorize the Mayor to Sign the Contract on Behalf of the City.**

CM Conway made a request to pull Consent Calendar Item G to ask City Engineer Breault about the generator for the project

CM Conway made a motion, seconded by CM Cunningham, to approve Consent Calendar Items A-F. The motion passed unanimously by all present.

Ayes: Councilmembers Cunningham, Conway, Lentz, O’Connell and Mayor Davis

Noes: None

Absent: None

Abstain: None

After some questions with City Engineer Breault regarding the generator for the Fire Station 81 Standby Generator Upgrade Project, CM Conway made a motion, seconded by CM O'Connell to approve Consent Calendar Item G.

The motion passed unanimously by all present.

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

Noes: None

Absent: None

Abstain: None

## **NEW BUSINESS**

### **A. Discussion Whether to Consider a Rent Control Ordinance Applicable to the Sierra Point Mobile Home Park**

This item was pulled from the agenda.

### **B. Consider Introduction of Ordinance 643 to adopt the most recent version of the California Building Standards Codes (Code of Regulations, Title 24 or CBC) and the International Property Maintenance Code, Including Local Fire, Building Energy, and Electric Vehicle Reach Codes.**

Community Development Director Swiecki reported that the proposed ordinance's purpose is to adopt the recent version of the California Building Standards Codes (Code of Regulations, Title 24 or CBC) and the International Property Maintenance Code, including local fire, building energy, and electric vehicle reach codes.

He added that the Ordinance will adopt the construction codes by updating Brisbane Municipal Code Chapter 15.04, Adoption of Construction Codes outlined in the staff report.

Additionally, Community Development Director Swiecki read into the record the amendments to Section 15.04.040 of the Brisbane Municipal Code, which included the addition of the following:

#### **15.04.040 - Adoption of Construction Codes:**

- 2019 California Residential Code Appendix H Patio Covers, Appendix J Existing Building and Structures, Appendix K Sound Transmission, and Appendix V Swimming Pool Safety Act
- 2019 California Building Code Appendix G Flood Resistant Construction, Appendix I Patio Covers, and Appendix J Grading.

To supplement the updated state codes, it is proposed that the City adopt several local modifications, known as 'reach codes' to address local fire hazards as well as energy and greenhouse gas emissions.

After some Council questions of Community Development Director Swiecki and Sustainability Management Analyst Etherton, Mayor Davis opened the floor for public comment.

Terry Nagel, Tom Kabach, Diane Bailey, Dashiell Leeds, and Bruce Karney spoke in support of the Ordinance 643.

After Council question and discussion with staff, Council directed staff to bring back the item at the next City Council Meeting on November 21, 2019 with more information regarding the City of Mountain View's Reach Code Ordinance and their exemptions and the manufacturing needs of Cannabis Businesses.

### **C. Consider Approval of License Agreement with Brisbane Lunch Truck**

City Manager Holstine reported that the Brisbane Lunch Truck, owned by Kristi Yawata and Tony Palmer, has reached an agreement with the former operator to purchase the truck and equipment but Ms. Yawata and Mr. Palmer will require a new license agreement with the City to operate at the Park and Ride lot.

He added that the license agreement is similar to the prior license agreement with some changes which included the following:

- The operators will be required to operate Monday-Friday 11 a.m. to 3 p.m. They may operate additional hours with the approval of the City. Exceptions to the hours of operation are anticipated for holidays.
- The operators may provide signage on site subject to the City Engineer's approval.
- The addition of signage is intended to assist the operators in better advertising their business and location to the general public. The limitation of access to the site and site lines for drivers shall be a consideration on location and size of signs.
- The operators will have a porta potty on site and will make it available to the general public during their hours of operation.

After some clarifying questions and Council discussion, CM Conway made a motion, seconded by CM Lentz, to approve the License Agreement with Brisbane Lunch Truck.

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

Noes: None

Absent: None

Abstain: None

## **STAFF REPORTS**

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

City Manager reported on upcoming activities and providing a staff proxy for Mayor Davis for the Peninsula Clean Energy Board.

## **MAYOR/COUNCIL MATTERS**

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

Councilmembers reported on their activities with the following groups:

County Library JPA, Luna Fest Film Festival Ad hoc Subcommittee, Baylands Subcommittee, Brisbane Baylands Community Advisory Group (BBCAG) Meeting, Caltrain Modernization Local Policy Maker Group, and the Sierra Point Design Guidelines Ad Hoc Subcommittee.

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

#### **1. Schedule Commission/Committee Applicant Interviews in 2020**

Mayor Davis and the City Council scheduled the Commission/Committee Applicant Interviews for January 30, 2020.

The next scheduled City Council Meeting is on November 21, 2019.

### **C. Written Communications**

Written Communication has been received by the Council from the following members of the public:

- Asha Setty, DTSC (10/7/19) Brisbane Baylands CAG meeting location
- David Boisvert ( 10/8/19) Commuter Benefits
- Ben Granholm, Western Propane Gas (10/15/19) City of Brisbane Development of Reach Codes
- Sherry Goodwin (10/15/19) Crumbling Hillside
- Robert S. Kenney, PG&E (10/31/19) Support for All-Electric New Construction
- Linda Seekins (11/1/19) Protection for my solar panels
- Lipman Middle School Ecology Club (11/4/1) Letters to the Council
- Zoe Wong-VanHaren (11/5/19) All-Electric Reach Codes
- Diane Bailey (11/5/19) Support for Clean Energy, Healthy, Safe “Reach Codes” for New Homes and Buildings in Brisbane
- Campaign for Fossil Free Buildings in Silicon Valley (11/7/19) Strong Support for All-Electric Reach Code, Draft Ordinance 643

## **ORAL COMMUNICATIONS NO. 2**

No member of the public wished to speak.

## **ADJOURNMENT**

CM Conway made a motion, seconded by CM O'Connell to adjourn the meeting at 9:42 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



---

Ingrid Padilla, City Clerk