



**BRISBANE CITY COUNCIL**

**ACTION MINUTES**

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**JOINT CITY COUNCIL AND BRISBANE-GUADALUPE VALLEY**

**MUNICIPAL IMPROVEMENT DISTRICT FINANCING AUTHORITY**

**MEETING**

**THURSDAY, JANUARY 20, 2022**

*VIRTUAL MEETING*

**CALL TO ORDER AND PLEDGE OF ALLEGIANCE**

Mayor Mackin called the meeting to order at 7:38 P.M. and led the Pledge of Allegiance.

**ROLL CALL**

Councilmembers present: Councilmembers Cunningham, Davis, Lentz, O'Connell and Mayor Mackin

Councilmembers absent: None

Staff Present: City Manager Holstine, City Clerk Padilla, City Attorney McMorrow, Assistant City Manager Schillinger, Finance Director Yuen, Community Development Director Swiecki, Contract Senior Planner Beggs, City Engineer Breault, Deputy Director of Public Works Kinser, Economic Development Director Bull, Administrative Management Analyst Ibarra, Parks and Recreation Director Leek, Fire Chief Myers, Deputy Fire Chief Pomicpic, Deputy Fire Chief Kavanaugh and Police Chief Macias

**ADOPTION OF AGENDA**

CM Cunningham made a motion, seconded by CM O'Connell to approve the agenda as it stands. The motion passed unanimously by all present.

Consent Calendar Item I will be pulled for discussion.

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

Noes: None

Absent: None

Abstain: None

## **AWARDS AND PRESENTATIONS**

- A. Proclaiming January 2022 as Human Trafficking Prevention Month in the City of Brisbane

Mayor Mackin proclaimed January 2022 as Human Trafficking Prevention Month. Attorney Ruth Robinson accepted the Proclamation on behalf of the San Mateo County Human Trafficking Initiative.

- B. Brisbane Library Annual Presentation

Tomika J Price, Brisbane Library Manager, presented the Brisbane Library Annual Report. Councilmembers thanked for the outstanding work and activities in the new Brisbane Library.

## **ORAL COMMUNICATIONS NO. 1**

Anja Miller asked via email why the Covid-Testing Vehicle was not in the park today.  
Barbara Ebel asked to move Old Business Item M earlier in the agenda for discussion.

## **CONSENT CALENDAR**

- C. Approve Minutes of City Council Meeting of November 18, 2021
- D. Approve Minutes of City Council Meeting of December 9, 2021
- E. Approve Minutes of City Council Closed Session Meeting of December 9, 2021
- F. Accept Investment Report as of November 2021
- G. Adopt Resolutions to Establish the Classification of Assistant Fire Marshal and Amend the Master Pay Schedule
- H. Adopt Ordinance No. 670, waiving second reading, to Amend Section 1.16.060 of the Brisbane Municipal Code Concerning the Amount of Administrative Fines for Violations Of The City's Short Term Residential Rental Ordinance
- J. Adopt a Resolution Ratifying the Proclamation Declaring the Continued Existence of a Local Emergency in the City of Brisbane in Response to the COVID-19 Pandemic and Confirming and Declaring the Continued Existence of a Local Emergency in the City of Brisbane in Response to the COVID-19 Pandemic
- K. Adopt a Resolution Ratifying Proclamation of the Director of Emergency Services to Continue Conducting City Council, Commission and Committee Meetings Remotely Due to Health and Safety Concerns for the Public, and Declaring the Continued Need to Conduct Such Meetings Remotely Due to Health and Safety Concerns for the Public

CM Cunningham made a motion, seconded by CM O'Connell to approve Consent Calendar Items C-H and J-K. The motion passed unanimously by all present.

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

Noes: None

Absent: None

Abstain: None

**I. Adopt a Resolution Setting the Dates of Regular Meetings of the Brisbane/Guadalupe Valley Municipal Improvement District Financing Authority**

Assistant City Manager Schillinger asked to amend the Resolution to set the meeting date of the Brisbane/Guadalupe Valley Municipal Improvement District Financing Authority from February 3, 2022 to March 3, 2022.

CM Cunningham made a motion, seconded by CM O'Connell to approve Consent Calendar Item I. The motion passed unanimously by all present.

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

Noes: None

Absent: None

Abstain: None

**PUBLIC HEARING**

**L. Consider Introduction of an Ordinance to amend Brisbane Municipal Code Title 17 (Zoning Ordinance) to achieve consistency with housing-related state legislation passed in 2017 and after.**

**(Proposed amendments include: establishing objective design and development standards for housing development projects; allowing multiple family dwellings in the SCRO-1 District by right; allowing multiple family dwellings as part of a mixed use in the NCRO-2 Zoning District by right; establishing residential density requirements for the NCRO-2 Zoning District; reducing guest parking requirements; and establishing procedures and requirements for an administrative Housing Development Permit for qualifying housing development projects.)**

Community Development Director Swiecki introduced Aaron Aknin, Principal of Good City Company and Contract Senior Planner Beggs to present the objective design and development standards for housing development projects and the draft Ordinance to amend Brisbane Municipal Code Title 17 (Zoning Ordinance) to achieve consistency with housing-related state legislation passed in 2017 and after. According to Principal Aknin and Contract Senior Planner Beggs, the draft ordinance would:

- establish objective design and development standards for housing development projects;
- establish procedures and requirements for an administrative Housing Development Permit for qualifying housing development projects.

- allow multiple family dwellings in the SCRO-1 District by right; allow multiple family dwellings as part of a mixed use in the NCRO-2 Zoning District by right;
- and establish residential density requirements for the NCRO-2 Zoning District.

After some Council questions, Mayor Mackin opened the public hearing.

Barbara Ebel, commented that the City could choose to make Visitacion Avenue a historic district.

CM Cunningham made a motion, seconded by CM Lentz to approve close the public hearing. The motion passed unanimously by all present.

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

Noes: None

Absent: None

Abstain: None

After some Council discussion about the timeline of the decision making process, CM O'Connell made a motion, seconded by CM Cunningham to postpone the introduction of the Ordinance and hold a land use discussion a couple of months down the line. The motion passed unanimously by all present.

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

Noes: None

Absent: None

## OLD BUSINESS

### M. Covid-19 Small Business Grant Program

**(It is being recommended to approve the Economic Development Subcommittee recommendation to decrease the 2020 compared to 2019 loss to 15% from 20% in existing program and to allocate funds to businesses that began in 2020 which have a physical location in Brisbane with a signed lease and business license. The fiscal impact to the General Fund will depend on if the City Council will allocate more than the original \$200,000.)**

Assistant City Manager Schillinger reported that on December 2, 2021 the Economic Development Subcommittee discussed the criteria for the remaining \$38,000 and the desire of the City Council to assist businesses with a lower loss than 25% in 2020 and new start-ups in 2020.

He added, the Subcommittee recommends opening up the Small Business Grant Assistance program to businesses with gross revenues of \$5,000,000 or less that can show a loss of revenues greater than 15% between 2019 and 2020. The Subcommittee further recommends that the Small Business Grant Assistance program be opened up to businesses that began operations during 2020.

After Council questions, Barbara Ebel wanted the grant program to consider businesses who opened in 2020 for the grant program.

After Council discussion, CM O'Connell made a motion, seconded by CM Lentz to equally distribute the

\$38,000 in grant funds among qualified applications with the criteria of a lower loss than 25% in 2020 and new start-ups in 2020. The motion passed unanimously by all present with Councilmember Davis recusing herself.

Ayes: Councilmembers Cunningham, Lentz, O'Connell and Mayor Mackin

Noes: None

Absent: None

Abstain: None

Recusal: Councilmember Davis

## **NEW BUSINESS**

### **N. Capital Improvement Plan Amendment**

(The fiscal impact of the priority projects at this time total \$971,046, for which \$550,200 is being requested from the General Fund.)

Council reviewed the list and no action was taken. Staff will return next year for review. City Engineer Breault reported that there were no safety hazard issues on all these items. No members of the public wished to make public comment on this item.

### **O. Consider Adoption of a Resolution Authorizing (A) the Transfer of \$2,035,060 from the City's Facility Fund to the City's Capital Fund, (B) the Use of the Capital Improvement Portion of the City's Business License Tax Revenues (1) to Reimburse the City's General Fund for the Loss of Property Tax Revenues that the City Would Otherwise Receive from the County of San Mateo that the County Withholds to Pay Off a Loan the City Obtained to Help Construct the New Library , and (2) to Reimburse the City's General Fund for the Funds It Advanced to the Capital Fund to Pay for the Public Library**

Assistant City Manager reported that it is being recommended to approve the resolution which allows for the Capital Improvement Portion of the Business License Tax to reimburse the City's General Fund for the repayment of the \$1,700,000 County Loan and \$4,606,601 advance made for the completion of the new Public Library. Additionally, the Resolution approves the use of \$2,035,060 in the Facility Fund for the Library project.

After some clarifying questions with staff, and after no comments were made by members of the public, CM O'Connell made a motion, seconded by CM Davis, to adopt a Resolution Authorizing (A) the Transfer of \$2,035,060 from the City's Facility Fund to the City's Capital Fund, (B) the Use of the Capital Improvement Portion of the City's Business License Tax Revenues (1) to Reimburse the City's General Fund for the Loss of Property Tax Revenues that the City Would Otherwise Receive from the County of San Mateo that the County Withholds to Pay Off a Loan the City Obtained to Help Construct the New Library , and (2) to Reimburse the City's General Fund for the Funds It Advanced to the Capital Fund to Pay for the Public Library. The motion passed unanimously by all present.

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

Noes: None

Absent: None

#### **P. Community Park Festival Tree Replacement**

(The fiscal impact will depend upon the number of trees and locations planted, costs could range from \$2,000 for two trees up to \$20,000 for four trees because of modifications needed to park infrastructure)

After a report from Deputy Director of Public Works Kinser regarding the replacement of the community park festival tree and some Council question and discussion, CM Davis made a motion, seconded by CM O'Connell to replace the festival tree with one holiday tree, and directed staff to work with a new arborist on the proper species and placement of the tree. The motion passed unanimously by all present.

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

Noes: None

Absent: None

#### **9. STAFF REPORTS**

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

City Manager Holstine reported on the latest news and City events.

#### **10. MAYOR/COUNCIL MATTERS**

##### **R. Consider Donation to Fire in the Ring Boxing Inc. a Non-profit Youth Boxing Program**

After some council questions, Dan Carter sent a text and made public comment asking the Council to consider donating to Fire in the Ring Boxing Inc.

CM Cunningham made a motion, seconded by CM Davis, to extend the meeting after 10:30 p.m. for an additional 15 minutes. The motion passed unanimously by all present.

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

Noes: None

Absent: None

Mayor Mackin made a motion, seconded by CM Davis, to authorize the City Manager to determine the Fire in the Ring Boxing Inc. donation based on previous donations made by the City.

##### **S. Update on Commission and Committee Recruitment**

City Clerk Padilla provided an update on the Commission and Committee Recruitment and will schedule two interview dates. She added she received one late application from current Committee Member Ross Dykes. CM Davis made a motion, seconded by CM Cunningham to accept Committee Member Ross Dykes' application and schedule interviews for the applicants.

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

Noes: None

Absent: None

#### **T. Countywide Assignments and Subcommittee Reports**

Councilmembers reported on out on their activities in Subcommittees and Countywide assignments.

#### **U. City Council Meeting Schedule**

The next City Council Meeting is scheduled for February 3, 2022.

#### **V. Written Communications**

The following written communication were received by the Council:

- Meena Motwani (12/16/21) Scholarship for Black Students
- Howard Wong (1/10/22) Happy Transit 2022

#### **ORAL COMMUNICATIONS NO. 2**

No member of the public wished to make public comment.

#### **ADJOURNMENT**

Mayor Mackin adjourned the meeting at 10:54 p.m.



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Ingrid Padilla, City Clerk