



BRISBANE CITY COUNCIL

ACTION MINUTES

**JOINT CITY COUNCIL MEETING AGENDA
THURSDAY, OCTOBER 19, 2023**

HYBRID MEETING, 50 PARK PLACE, BRISBANE, CA 94005

7:30 P.M. CALL TO ORDER – PLEDGE OF ALLEGIANCE

Mayor Davis called the meeting to order at 7:31 P.M. and led the Pledge of Allegiance.

ROLL CALL

**A. Consider any request of a City Councilmember to attend the meeting remotely under the
“Emergency Circumstances” of AB 2449**

No Councilmembers made a request to attend the meeting remotely.

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

Councilmembers absent: None

Staff Present: City Manager Holstine, City Clerk Padilla, City Attorney McMorrow, Finance Director Yuen, Legal Counsel Roush, City Engineer Breault, Community Development Director Swiecki, Police Commander Garcia, and Management Analyst Ibarra

REPORT OUT OF CLOSED SESSION

City Attorney McMorrow reported that both liability claims were accepted by the Council as recommended by the insurance provider.

ADOPTION OF AGENDA

Councilmember Cunningham made a motion, seconded by Councilmember Mackin, to adopt the agenda as it stands. The motion was passed unanimously by all present.

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

Noes: None

Absent: None

Abstain: None

ORAL COMMUNICATIONS NO. 1

Matthew Beeston from Local 217 San Mateo spoke about the importance of supporting the Carpenters' Union and having labor standards in the community.

CONSENT CALENDAR

- B. Approve Minutes of City Council Meeting of September 21, 2023
- C. Approve Minutes of City Council Meeting of October 5, 2023
- D. Adopt an Ordinance, Waiving Second Reading, Amending Chapter 10.52 of the Brisbane Municipal Code to Incorporate Transportation Demand Management (TDM) Requirements

(This ordinance is statutorily exempt from environmental review under CEQA Guidelines Section 15183(a) - Projects Consistent with a Community Plan or Zoning, and categorically exempt from environmental review under CEQA Guidelines Section 15308 - Actions by Regulatory Agencies for Protection of the Environment)

Councilmember O'Connell made a motion, seconded by Council Cunningham, to approve Consent Calendar Items B-D. The motion was passed unanimously by all present.

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

Noes: None

Absent: None

Abstain: None

OLD BUSINESS

E. Information Report Concerning Development Impact Fees

Legal Counsel Roush provided the following status updates to Council concerning Development Impact Fees:

1. DIF for Parkland. Park and Recreation Facilities, Open Space and Trails. The nexus study for this DIF has been completed and will be presented to the City Council when the other studies have been completed.

2. DIF for Affordable Housing. The nexus study for this DIF has been completed and will be presented to the City Council when the other studies have been completed.
Update on Development Impact Fees

3. DIF for Traffic. Council will adopt at its October 19 meeting the Traffic Demand Management Ordinance that will provide the framework for a Traffic DIF. Preparation of the nexus study for this DIF will occur later this year. When the study is completed, the DIF will be presented to City Council along with the other studies.

4. DIF for Capital Facilities. At the September 7 meeting, a DIF for Capital Facilities was suggested for consideration as a potential way to address major renovations of buildings such as City Hall, a new fire station, etc. Accordingly, as with the Traffic DIF, preparation of a nexus study for this DIF will occur later this year. Staff is developing a list of potential capital facilities that would be included in the study. When that study is completed, the DIF will be presented to City Council along with the other studies.

Legal Counsel Roush added that all of the nexus studies for these various Development Impact Fees will be completed in the first quarter of the new year at which time staff will present to the City Council a complete package of Development Impact Fees.

After Council questions, Michele Salmon asked what the definition of open space is. She is concerned about the obligations to maintain facilities gained from Development Impact Fees. She is also concerned about accepting Development Impact Fees without long term financial planning.

After further Council questions, Michele Salmon asked if Council decided to approve the implementation Development Impact Fees in the future, then what are the next steps. She is concerned about more development making a negative impact on the quality of life in Brisbane.

City Clerk Padilla noted for the record that Council received written correspondence from Leesa Greenlee and Frank Kern regarding the implementation of the Parkland, Park and Recreation Facilities, Open Space and Trails Fee and Michele Salmon (10/19/23) Parkland Usage Fee.

F. Short Term Rental Program Implementation

(Council will consider providing direction to staff on the Short-term Rental Program implementation and consider authorizing the City Manager to Execute a one-year extension with Granicus to continue providing short term rental monitoring and Permitting Services. The cost of renewing the service agreement through December 2024 would be \$11,430.37 to retain the current scope of services.)

Community Development Director Swiecki reported that the purpose for the City Council to consider a one-year renewal of the City's current agreement with Granicus (Host Compliance) to provide short term rental (STR) monitoring and permitting services and provide direction regarding other implementation issues pertaining to transient occupancy tax (TOT) collection.

He added that staff is recommending to the City Council to do the following:

1. authorize the City Manager to execute a one-year extension with Granicus to continue providing Short Term Rental monitoring and permitting services.
2. Provide direction regarding the penalties for failure to remit required TOT.
3. Provide direction for City staff to explore the feasibility of collecting revenues on rental stays exceeding 30 days in length that advertise of short-term rental type platforms

After Council questions, no public comment and Council discussion, Councilmember O'Connell made a motion, seconded by Council Cunningham, to authorize the City Manager to execute a one-year extension with Granicus to continue providing short term rental monitoring and Permitting Services. The motion was passed unanimously by all present.

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

Noes: None

Absent: None

Abstain: None

Staff was also directed by Council to return with more information regarding the following matters:

1. What happens when people are not paying 60 days and beyond of TOT?
2. Can STR permit holders provide an accounting of their rentals with TOT payment? What is the source of their TOT payments?
3. Are the penalties stipulated in the Granicus' statements/notices?
4. Should the Council consider an ordinance for "extended stay lodging" encompassing 30-90 days or 30-120 days? Can Granicus help track this data?
5. Once the "fines tracking" count is added to the code enforcement tracking data and the new fine collection protocols are in place, are they effective practices?

NEW BUSINESS

G. Bayshore Boulevard Traffic Calming

City Engineer Breault reported that the volume and speed of traffic on Bayshore Boulevard, especially in the reach between Old County/Tunnel and San Bruno Avenue has been a topic of concern for many years. In particular, the west side of Bayshore raises concerns regarding pedestrian safety for tenants of the mobile home park. Staff has recently ordered two radar speed signs for placement on Bayshore on the approach to the mobile home park. These signs include message feedback of TOO FAST for speeding vehicles and THANK YOU for vehicles travelling at the speed limit.

City Engineer Breault added that the question now is whether Council desires to have additional traffic calming measures installed in the near term. One concept that could be put in place quickly for less than \$50,000 would be the installation of low-profile traffic separators.

After Council questions, Erin Becker commented she wanted to make sure large trucks do not use San Bruno Avenue to get to the 101 Freeway sooner.

After Council discussion, Councilmember O'Connell made a motion, seconded by Council Cunningham, to approve installation of low-profile traffic separators and adjusting timing of traffic lights to assist with traffic calming on Bayshore Boulevard. The motion was passed unanimously by all present.

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

Noes: None

Absent: None

Abstain: None

STAFF REPORTS

H. City Manager's Report on Upcoming Activities

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

MAYOR/COUNCIL MATTERS

I. Countywide Assignments and Subcommittee Reports

Councilmembers reported on their countywide assignments.

J. Written Communications

Council received the following written correspondence between 10/6-10/19/23 from the following members of the public:

- Leesa Greenlee (10/16/23) Concerning: The implementation of the Parkland, Park and Recreation Facilities, Open Space and Trails Fee,
- Frank Kern (10/18/23) Concerning: The implementation of the Parkland, Park and Recreation Facilities, Open Space and Trails Fee
- Michele Salmon (10/19/23) Parkland Usage Fee

ORAL COMMUNICATIONS NO. 2

No members of the public wished to speak.

ADJOURNMENT

Mayor Davis adjourned the meeting at 9:19 P.M.



Ingrid Padilla
City Clerk