



BRISBANE CITY COUNCIL

ACTION MINUTES

**CITY COUNCIL MEETING AGENDA
THURSDAY, NOVEMBER 2, 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 7:42 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 McMorro, Assistant to the City Manager Cheung, Parks and Recreation Director Leek, Parks and Recreation Supervisor Houghton, Human Resources Director Partin, Police Chief Macias and Management Analyst Ibarra

REPORT OUT OF CLOSED SESSION

City Attorney McMorro reported that Council made no decision and staff was given direction on the Real Property Negotiation Item.

ADOPTION OF AGENDA

Councilmember O’Connell made a motion, seconded by Councilmember Lentz, to adopt the agenda as it stands. The motion was carried unanimously by all present.

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

Noes: None

Absent: None

Abstain: None

AWARDS & PRESENTATION

B. Proclaim November as National Native American Heritage Month

Mayor Davis proclaimed that the City recognizes November 2023 as National Native American Heritage Month by celebrating the rich ancestry and traditions of Native Americans and Indigenous peoples.

C. Proclaim November 12-18, 2023 as United Against Hate Week

Mayor Davis proclaimed November 12-18, 2023 as “United Against Hate Week in Brisbane” and urged our community to come together to condemn acts of hate toward all persons and to reaffirm our commitment to building an inclusive and equitable community for all.

Mangesh Kolhatkar, vice chair of the Inclusion, Diversity, Equity and Accountability (IDEA) Committee, accepted both proclamations and invited the public and the City Council to attend upcoming events coordinated by the IDEA Committee for United Against Hate Week and Diwali, the festival of lights originating from India.

ORAL COMMUNICATIONS NO. 1

Linda Salmon commented that she is not in favor of selling the public property discussed at the Closed Session Meeting.

CONSENT CALENDAR

D. Approve Minutes of City Council Meeting of October 19, 2023

E. Approve Minutes of City Council Closed Session Meeting of October 19, 2023

F. Approve Minutes of City Council Special Meeting of October 19, 2023

G. Accept Investment Reports as of September 2023

Councilmember Mackin suggested two amendments to the Consent Calendar Item D minutes from the City Council Meeting of October 19, 2023. The amendments were:

On page 8, #2 would be replaced by “Can STR permit holders provide an accounting of their rentals with TOT payment? What is the source of their TOT payments?”

On page 7 under Item E., #4. Would be replaced by: "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."

Councilmember O’Connell made a motion, seconded by Councilmember Cunningham, to approve Consent Calendar Items D, as amended by Councilmember Mackin, E, F, and G. The motion was carried unanimously by all present.

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

Noes: None

Absent: None

Abstain: None

NEW BUSINESS

H. Consider Adopting a Resolution Certifying the Appointment of Clayton Holstine as Interim City Manager in Compliance with the California Public Employees Retirement Law and Authorizing the Mayor to Sign an Employment Agreement with Mr. Holstine

Human Resources Director Partin reported that after twenty-five years of service to the City of Brisbane as the City's City Manager, Clayton Holstine will retire on December 27, 2023. The City Council is actively recruiting for his replacement, but it is not likely that the Council will complete that recruitment and make an appointment for a new City Manager until sometime after Mr. Holstine's retirement. The City Council has requested Mr. Holstine to continue to serve as City Manager on an interim basis until the City Council makes a permanent appointment; Mr. Holstine has agreed.

She added that it is being recommended to adopt a resolution certifying that the appointment of Clayton Holstine as Interim City Manager, effective January 2, 2024 and authorize the Mayor to sign an Employment Agreement with Mr. Holstine concerning the interim appointment.

After no Council questions, no public comment and no discussion, Councilmember Cunningham made a motion, seconded by Councilmember O'Connell, to adopt a Resolution Certifying the Appointment of Clayton Holstine as Interim City Manager in Compliance with the California Public Employees Retirement Law and Authorizing the Mayor to Sign an Employment Agreement with Mr. Holstine. The motion was carried unanimously by all present.

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

Noes: None

Absent: None

Abstain: None

OLD BUSINESS

I. Consider Adoption of Resolution to Amend the Master Pay Schedule

Human Resources Director Partin reported that staff is presenting for adoption the master pay schedule to reflect the approved pay increases effective the first full pay period in January 2024. The summary of the updates to the master pay schedule are as follows:

- Confidential Management Employees: The classifications in this group will receive a 3% pay increase and the current filled positions in this group and their respective top step pay rates include: Finance Director at \$108.95 per hour and Human Resources Director at \$106.93.

- Executive Management: The classifications in this group will receive a 3% pay increase and the current filled positions in this group and their respective top step pay rates include: Assistant to the City Manager at \$87.25 per hour, City Clerk at \$70.59 per hour, Community Development Director at \$110.11 per hour, Parks and Recreation Director at \$104.99 per hour and Public Works Director/City Engineer at \$128.90 per hour.
- Police Chief: This classification will receive a 3% pay increase and the new pay rate will be \$128.48 per hour at the top step.
- The following bargaining groups will also receive a 3% pay increase: Brisbane Fire Management, Confidential Employees, General Employees Association, International Association of Firefighters, Local 2400, Mid-Management/Professional Employees, Police Commander, and Police Officers Association.

After no Council questions, no public comment and no discussion, Councilmember Mackin made a motion, seconded by Councilmember O'Connell, to adopt a resolution to amend the Master Pay Schedule. The motion was carried unanimously by all present.

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

Noes: None

Absent: None

Abstain: None

J. Receive Information and Consider Providing Direction on Playground Resurfacing Project Utilizing Per Capita Grant Funds from State Proposition 68

Parks and Recreation Director Leek provided an update on the Playground Resurfacing Project which utilizes per capita grant funds from State Proposition 68. She reported that the City recognized that a full replacement of the deteriorating rubber surfacing was necessary in order to mitigate risks that currently exist at the playground area and to keep it ADA (Americans with Disabilities Act) accessible.

After Council questions, the following members of the public made a comment:

June Heavner advocated to keep the sand play area but was also open to exploring a new location if needed.

Linda Salmon commented that sand play is important but the sand box should be located further away from the rubber surface.

Jennifer Bousquet commented that the City is trying to keep our kids safe with this project.

Sarah Mills supported the project and commented that this is both a safety and inclusion issue.

City Clerk Padilla noted for the record that Council received the following correspondences on this item:

Elizabeth Larson (11/2/23) Preservation of the Sand Playground at Community Park

Elna Miller (11/2/23) In Support of Sand

Lyora Zadik (11/2/23) Sand

Michelle Woodruff (11/2/23) A comment for tonight's meeting regarding sand at the Community Park Playground

Khalia Harding (11/2/23) Brisbane Park playground changes

Madeline Johnson (11/2/23) Comment for city council meeting playground discussion

Haley Maureen Smith Henderson (11/2/23) Comment about Resurfacing

Councilmember Mackin was concerned about the toxicity of the surface material and the injuries that the rubber surface creates such as rebound damages.

After further Council discussion, Linda Salmon commented that signage can be used to remind the public about the risks in the park and Sarah Mills commented she was also concerned about kids putting the current rubber flooring in their mouth.

Councilmember Lentz directed staff to clarify with the contractors whether the top surface could be made 1 inch vs. 0.5 inch, and Mayor Davis directed staff to provide regular maintenance of the new rubber surface and to utilize the warranty if needed. Mayor Davis added that the City can explore options for a new sand area in the future.

STAFF REPORTS

K. City Manager's Report on Upcoming Activities

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

MAYOR/COUNCIL MATTERS

L. Countywide Assignments and Subcommittee Reports

Councilmembers reported on their countywide assignments and subcommittee meetings.

M. Written Communications

City Clerk Padilla stated that the following correspondence were received between 10/20/23-11/2/2023:

- Dana Dillworth (10/31/23) Closed Session - Consideration of the Sale of Rails-to-Trails Public Land Within Our Watershed Without Proper Authority
- Whitney Jones (11/1/23) Sangamo Therapeutics, Inc. CA WARN Act Notice to Brisbane City Council
- Elizabeth Larson (11/2/23) Preservation of the Sand Playground at Community Park
- Elna Miller (11/2/23) In Support of Sand
- Lyora Zadik (11/2/23) Sand
- Michelle Woodruff (11/2/23) A comment for tonight's meeting regarding sand at the Community Park Playground
- Khalia Harding (11/2/23) Brisbane Park playground changes
- Madeline Johnson (11/2/23) Comment for city council meeting playground discussion
- Haley Maureen Smith Henderson (11/2/23) Comment about Resurfacing

ORAL COMMUNICATIONS NO. 2

Linda Salmon commented that she is concerned about the City potentially selling the public land discussed at Closed Session.

ADJOURNMENT

Mayor Davis adjourned the meeting at 9:30 P.M.



Ingrid Padilla
City Clerk