



BRISBANE CITY COUNCIL

ACTION MINUTES

**CITY COUNCIL MEETING AGENDA
THURSDAY, JANUARY 18, 2024**

HYBRID MEETING, 50 PARK PLACE, BRISBANE, CA 94005

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

Mayor Pro Tem Cunningham 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 requests were received for Roll Call Item A.

Mayor O’Connell was teleconferencing from 52 Josefa Ortiz de Dominguez Colibri Condos #104 Bucerias, Nayarit, Mexico.

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

Councilmembers absent: None

Staff Present: Interim City Manager Holstine, City Clerk Padilla, City Attorney McMorrow, Finance Director Yuen, Sustainability Manager Etherton, Parks and Recreation Director Leek, Deputy Fire Chief Abelson, Police Commander Garcia and Management Analyst Ibarra

REPORT OUT OF CLOSED SESSION

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

ADOPTION OF AGENDA

Councilmember Davis made a motion, seconded by Councilmember Lentz, to amend the agenda and adjourn in memory of Debbie Canfield. The motion passed unanimously by all present.

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

Noes: None

Absent: None

Abstain: None

ORAL COMMUNICATIONS NO. 1

Nancy Lacsamana referenced a City Council correspondence from 41 residents. The letter was written asking to include in a City Council meeting agenda three topics concerning Election processes. The topics were: 1. Term limits for elected officials 2. District elections so that selection of council members will represent all areas 3. Election citywide of Mayor

Paul Bouscal agreed with Nancy Lacsamana's request.

Michael Barnes commented that the City Council told a lie about fee schedules and that is an example of the Council being ethically challenged.

Erin Becker, chair of the Open Space Ecology Committee, emphasized that the Dark Skies Ordinance will benefit the citizens and the natural environment.

After some questions with staff, Council will discuss the creation of a City Council Subcommittee to address the election issues under Mayor and Council Matters.

CONSENT CALENDAR

B. Approve Minutes of City Council Special Meeting of December 14, 2023

C. Approve Minutes of City Council Closed Session Meeting of December 14, 2023

D. Accept Investment Report as of November 2023

E. Introduction of an Ordinance, Waiving First Reading, Repealing and Replacing Chapter 6.04 of the Brisbane Municipal Code Concerning Animal Control Regulations to Clarify Existing Definitions, Enact Additional Requirements, and Revise Service Fees

(Introduction of the Ordinance is not subject to environmental review because the Ordinance is general policy and procedure making and therefore it is not a project under the California Environmental Quality Act. Section 15378 (b) of the CEQA Guidelines)

F. Consider Adoption of the Dark Sky Ordinance, waiving second reading, adding Chapter 15.88 Outdoor Lighting Standards to the Brisbane Municipal Code

(This Ordinance is exempt from further environmental review under the California Environmental Quality Act (CEQA) because it is not a project (CEQA Guidelines, §15378 (b) (2)). As proposed, the ordinance will result in required changes to streetlights and other public facilities within fifteen (15) years of the effective date, with an estimated cost upwards of \$1M. Additional implementation costs may include equipment and training for police officers. Staff proposes to create a program to systematically make updates over time.)

Councilmember Mackin made a motion, seconded by Councilmember Lentz, to approve Consent Calendar Items B-F. The motion passed unanimously by all present.

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

Noes: None

Absent: None

Abstain: None

NEW BUSINESS

G. Capital Improvement Plan Update for Fiscal Year 2023/2024

Interim City Manager Holstine reported that this evening the Council will not determine the funding sources for the priority projects in the Capital Improvement Plan. Staff will bring back the Capital Improvement Plan during the Midyear Budget to review potential funding sources.

He added that there are two projects which can be funded through the Enterprise fund:

- DPW-94 Wastewater Infiltration and Inflow Study (high priority)
- DPW-95 Guadalupe Canyon Parkway Flushing Unit (high priority)

Finance Director Yuen provided an update on the Capital Improvement Plan and reported on completed and new Capital Improvement Plan requests since January 2022. She added that the fiscal impact at this time for the priority projects total \$3,916,046, for which \$2,850,200 is being requested from the General Fund. She added that final fiscal impact to the City will be determined when the projects are approved and what funding source is used.

After Council questions, Michael Barnes commented that he heard from staff that the EIR Crocker Trail Master Plan was going to be funded out of the Capital Improvement Plan. He also wanted to note for the record where the source of the funding for the Community Pool Heating system.

Paul Bouscal commented that he is concerned about the dangerous trees in Brisbane and the City's liability on this issue. Capital Improvement is about public concerns and should include mitigating big trees.

Diana S. commented that it seems like there is a misunderstanding about the total cost versus the City's cost for the community pool heat pump system.

After Council discussion, Council directed staff to return at mid-year to review potential funding sources for Council priority projects. Council also recommended removing completed projects from CIP List after five years from completion.

Councilmember Davis made a motion, seconded by Councilmember Lentz, to approve DPW-94 and DPW-95 Projects to be funded using the Enterprise Funds. The motion passed unanimously by all present.

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

Noes: None

Absent: None

Abstain: None

STAFF REPORTS

H. City Manager's Report on Upcoming Activities

i. Development Projects Status report – Quarter 1 of 2024

Interim City Manager Holstine reported on the latest news about the Community Park Resurfacing and provided a status update on the Development Projects.

MAYOR/COUNCIL MATTERS

I. Countywide Assignments and Subcommittee Reports

i. Congressman Mullin's Coffee with City Council 1/25/24 9am-10am at San Mateo County Office of Education

Council members reported on their Countywide Assignments and Subcommittee activities. After some questions with staff, Interim City Manager Holstine was directed to schedule for an upcoming City Council Meeting the creation of a City Council Subcommittee to address the election issues.

Councilmembers Cunningham and Lentz will attend the event Congressman Mullin's Coffee with City Council on January 25, 2024.

J. Written Communications

Written Correspondence was received by the City Council from:

- 01-08-2024 Bumanglag on Liveaboard Request
- 01-13-2024 Detert on Water Aerobics
- 01-13-2024 Jones on Water Aerobics
- 01-14-2024 Frank on Water Aerobics
- 01-14-2024 Trabing on Water Aerobics
- 01-15-2024 Aloft on Election Policies
- 01-15-2024 Kendall on Water Aerobics
- 01-15-2024 Linn on Water Aerobics
- 01-15-2024 Martin on Water Aerobics
- 01-15-2024 Oseto on IDEA Committee Resignation
- 01-16-2024 Marder on Water Aerobics
- 01-17-2024 Cochran on Water Aerobics
- 01-17-2024 Walker on Council Term Limits
- 01-18-2024 Lacsamana on term limits
- 12-21-2023 McGowen on Trove on Recommerce Inc. WARN Notice
- 01-16-2024 Bildhauer on Water Aerobics
- 01-13-2024 Deaton on Water Aerobics

ORAL COMMUNICATIONS NO. 2

Michele Salmon thanked the Council for passing the Dark Skies Ordinance and shared her concern about lacking stability in the landfill development at the Sierra Point Marina, needing full public disclosure for the Quarry Development, and

restoring the stars in the Community Park.

ADJOURNMENT

Mayor Pro Tem Cunningham adjourned the meeting in memory of Debbie Canfield at 9:36 P.M.



Ingrid Padilla
City Clerk