



BRISBANE CITY COUNCIL

ACTION MINUTES

**CITY COUNCIL MEETING AGENDA
THURSDAY, FEBRUARY 15, 2024**

HYBRID MEETING, 50 PARK PLACE, BRISBANE, CA 94005

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

Mayor O’Connell called the meeting to order at 7:30 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**

Councilmember Davis made the request to attend the meeting remotely under the Emergency Circumstances of AB 2449. Councilmember Cunningham made a motion, seconded by Councilmember Mackin, to approve the request. The motion passed unanimously by all present.

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

Noes: None

Absent: None

Abstain: None

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, Assistant to the City Manager Cheung, Legal Counsel Roush, City Engineer Breault, Community Development Director Swiecki, Associate Planner Robbins, Deputy Fire Chief Amable, Police Chief Macias 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 E. City Manager Holstine reported that Council denied Liability Claim Item D.

ADOPTION OF AGENDA

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

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

Noes: None

Absent: None

Abstain: None

AWARDS AND PRESENTATIONS

B. Peninsula Clean Energy Update from CEO Shawn Marshall

Peninsula Clean Energy's (PCE) Chief Executive Officer Shawn Marshall highlighted important PCE activities and programs benefiting the Brisbane community.

C. Rebuilding Together Peninsula Presentation

Rebuilding Together Peninsula Manager Robert Skelton presented the vision and mission of Rebuilding Together Peninsula, an organization providing renovation and repair services for the Peninsula's most vulnerable homeowners, from seniors and veterans to individuals with disabilities and families with children. He also asked for the possibility of the City of Brisbane sponsoring future grants.

ORAL COMMUNICATIONS NO. 1

Glenn Fieldman commented on the continued environmental problems we face and asked that the New City Manager interviews focus on sustainability issues.

CONSENT CALENDAR

D. Approve Minutes of City Council Meeting of January 18, 2024

E. Approve Minutes of City Council Closed Session Meeting of January 30, 2024

F. Acknowledge that North County Fire Authority Completed Required Annual Mandated Fire and Life Safety Inspections within the City of Brisbane for 2023

Councilmember Cunningham made a motion, seconded by Councilmember Davis, to approve Consent Calendar Items D-F. The motion passed unanimously by all present.

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

Noes: None

Absent: None

Abstain: None

OLD BUSINESS

G. Brisbane Rental Assistance Program Eligibility Requirements

(It is being recommended to revise the eligibility requirements for Brisbane's Rental Assistance Program to reach more people experiencing financial hardship.)

Assistant to the City Manager Cheung reported that since the inception of Brisbane's Rental Assistance Program in late 2020, a dozen households have been assisted by the program. To date, \$49,895.66 remains in the fund to be distributed.

If revised, the programs' eligibility would be:

- Live in Brisbane
- Income at 80% or lower of Annual Median Income based on the previous year's tax return
- Not related to Landlord
- Have a signed rental agreement
- Savings not available to cover past-due rent

After Council questions with staff and the Director of the YMCA Community Resource Center Elida Sobalvarro, Michele Salmon commented that it is not clear what this program is about.

After Council discussion, Councilmember Lentz made a motion, seconded by Councilmember Cunningham, to revise the eligibility requirements for Brisbane's Rental Assistance Program by removing the section referring to the impact of COVID-19 on the resident's income. 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

H. Authorize City Manager to Sign Funding Agreement for Construction Phase of the Smart Corridor Project

(It is being recommended to authorize the City Manager to sign a funding agreement between the City/County Association of Governments of San Mateo County and the City of Brisbane for installation of an interconnected traffic signal system as part of the smart corridor extension project. The city's only financial contribution to this project is engineering and field inspection staffing to oversee the work in our jurisdiction.)

City Engineer Breault introduced Sean Charpentier, Executive Director of the City/County Association of Governments of San Mateo County. Mr. Charpentier provided an update regarding C/CAG's construction phase of the Smart Corridor Project.

After Council questions, Michele Salmon asked where the six signs were going to be placed. She also added

she was worried about drivers being distracted by the signs.

After Council discussion, Councilmember Cunningham made a motion, seconded by Councilmember Lentz, to authorize the City Manager to sign a funding agreement between the City/County Association of Governments of San Mateo County and the City of Brisbane for installation of an interconnected traffic signal system as part of the smart corridor extension project. The motion passed unanimously by all present.

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

Noes: None

Absent: None

Abstain: None

I. Receive Short Term Rental Ordinance Implementation Update

(It is being recommended that the City Council direct staff to explore obtaining an agreement with Airbnb and other hosting platforms where practical to collect and remit Transient Occupancy Tax automatically to the City.)

Community Development Director Swiecki updated the City Council on the status of short-term rental activity monitoring, permitting, and tax collection by vendor Granicus, and request direction from the City Council on the future collection of transient occupancy tax.

After Council questions, no public comment and further Council discussion, Council thanked staff for the update and directed staff to explore obtaining an agreement with Airbnb and other hosting platforms where practical to collect and remit Transient Occupancy Tax automatically to the City.

J. Consider Potential Sale of City Parcel APN 005-300-999 (formerly, S.P.R.R. SBE 872-41-23R) and Consider Approval of Resolution Declaring that City Parcel is Surplus Land

(It is being recommended that if Council elects to continue with the potential sale of APN 005-300-999, Council consider adoption of a Resolution declaring that the property owned by the City as surplus land. These actions are not subject to further environmental review as they involve general policy-making activities of the City Council and hence they are not projects under the California Environmental Quality Act (CEQA). CEQA Guidelines, Section 15378 (b) (2). Or if Council elects not to proceed with selling the property, Councilmembers consider providing direction to staff deemed necessary and appropriate.)

Council took a brief break and returned to discuss New Business Item J.

City Manager Holstine reported that the purpose of this item is to determine whether there is City Council support to sell vacant and landlocked property in Crocker Park and, if so, to discuss the next steps Council must take concerning the sale of this property City Parcel APN 005-300-999

After Council questions with staff and Lukas I. Huberman, Vice President & Director of Acquisitions of BLT Enterprises, Michele Salmon commented that she is opposed to selling the property that belongs to the people of Brisbane. She added that it is a safety buffer zone between development and the mountain. She wondered how the city can enforce the agreements. She later added that the City must protect the plants and the habitat in the area.

After Council discussion, Mayor O’Connell made a motion, seconded by Councilmember Lentz, to adopt an amended Resolution declaring that the property owned by the City as surplus land and stating that if the City Manager negotiates and recommends a purchase agreement to sell the surplus land, the purchase agreement shall be placed on a City Council agenda at an open meeting for consideration. The motion passed by a 4 to 1 vote.

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

Noes: Councilmember Mackin

Absent: None

Abstain: None

Councilmember Cunningham made a motion, seconded by Councilmember Lentz, to extend the meeting until 10:45 PM. 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

K. City Manager’s Report on Upcoming Activities

No City Manager report was given.

MAYOR/COUNCIL MATTERS

L. Countywide Assignments and Subcommittee Reports

i. Consider Endorsing a Letter to the California Insurance Commissioner

Staff will draft another letter to the California Insurance Commissioner from the entire City Council asking for relief from fire insurance fee increases. Michele Salmon commented that the request for protection from fire insurance fee increases should be for all the residents of Brisbane.

Councilmembers also reported on their county assignment and subcommittee activities.

M. Written Communications

Written communication was received by Council from the following members of the public:

- Kevin Fryer (February 14, 2024) Altamar Insurance Notes for Council
- Barbara Ebel (February 15, 2024) Big Storm.pdf
- San Mateo County Organization of Chinese Americans (February 7, 2024) Invitation

ORAL COMMUNICATIONS NO. 2

Michele Salmon commented on her lack of faith in the process of selling surplus land.

ADJOURNMENT

Mayor O'Connell adjourned the meeting at 10:48 P.M.



Ingrid Padilla
City Clerk