



BRISBANE CITY COUNCIL
ACTION MINUTES

DRAFT

SEPTEMBER 2, 2014

BRISBANE CITY HALL, 50 PARK PLACE, BRISBANE

7:30 P.M. CALL TO ORDER – FLAG SALUTE

Mayor Conway called the meeting to order at 7:31p.m. and led the flag salute.

ROLL CALL

Councilmember's present: Lentz, Liu, Miller, O'Connell, and Mayor Conway
Councilmember's absent: None
Staff present: City Manager Holstine, City Clerk Spediacci, City Attorney Kahn, Administrative Services Director Schillinger, Public Works Director Breault, Deputy Finance Director Cooper, Police Chief Macias

ADOPTION OF AGENDA (Deletions, Additions, Changes and Adoption)

CM O'Connell made a motion, seconded by CM Lentz to adopt the agenda as proposed. The motion carried unanimously by all present.

PROCLAMATION

A. Declaring September 2014 as Prostate Cancer Awareness Month

Mayor Conway read the proclamation and asked that the City Clerk forward it to American Cancer Society.

ORAL COMMUNICATIONS NO. 1

There were no members of the public wishing to speak.

CONSENT CALENDAR

A. Receive Monthly Investment Report as of May 31, 2014

B. Adopt Ordinance No. 589, waiving second reading, adding Chapter 8.41 of the Municipal Code Chapter concerning water conservation

CM Miller made a motion, seconded by CM O'Connell, to approve the Consent Calendar as proposed. The motion carried unanimously by all present.

NEW BUSINESS

A. Consider authorization for City Manager to issue a Request for Proposal and execute a consultant agreement to provide architectural review services regarding the appeal of the Planning Commission's approval of Design Permit DP-2-14 (7000 Marina Boulevard)

Community Development Director Swiecki gave a brief background of the proposed remodel to the exterior of 7000 Marina Boulevard and the subsequent Council appeal of the Planning Commission's approval of the Design Permit Application.

He said that the action before the Council at this meeting was to discuss the retention of architectural review services to evaluate the implications of the proposed design modifications on the architectural integrity of the existing structure. He said it would also identify and evaluate alternative design solutions that would address the applicant's functional objectives while maintaining the building's existing architectural character.

Councilmembers discussed being able to view the inside of the building prior to considering the appeal. They also discussed the timing of the architectural review.

Eric Clapp, owner of 7000 Marina Boulevard said that time was of the essence due to marketplace considerations and asked that the Council do everything they could to expedite the review process.

Simon Clark, leasing broker for the building, also reported that timing was very important and urged the Council to make a decision as quickly as possible.

Alex Wilson, leasing broker, agreed with Mr. Clark on the crucial timing.

Mark Geisrider, said that he had been in the real estate business for 30 years and urged the Council to move quickly due to the current market conditions.

After Councilmember questions and clarifications of staff and the applicants, CM Miller made a motion, seconded by CM O'Connell, to authorize the City Manager to issue a Request for Proposal and to execute a consultant agreement to provide architectural review as described in the scope of work. The motion also included the arrangement of a publically noticed field trip to the site. The motion carried unanimously by all present.

B. Consider authorizing the Mayor to sign the Professional Services Agreement with Anchor QEA, LLC in the amount of \$170,200 to perform design and permitting services for the Marina Dredging Project

Public Works Director Breault introduced Mr. Michael Hahn, the new Harbormaster and Mr. Joshua Burnam & Ms. Katie Chamberlin from Anchor QEA, LLC.

Mr. Breault said that nearly 15 years have passed since the Brisbane marina was last dredged. He said that over the last two years, boaters have increasingly reported inadequate depths at low tides where their vessels are either stranded in the marina, or unable to safely arrive/depart the marina. He further reported that a bathymetric survey completed in the summer of 2013 confirmed the locations of inadequate depths, and provided the city with a basis for calculating estimates of the total quantities needing to be removed.

He said that because of the somewhat lengthy time required to obtain and process sediment soil samples, and to process permits through the various regulatory agencies, staff was unable to obtain permits for work in 2014. He explained that authorizing the permit and design contract at this meeting would allow for the first dredging season in June 2015 and noted that the work is expected to take two seasons to complete; the first season would focus on the approach channel and docks 1 & 2.

After Councilmembers questions and clarifications of Mr. Breault and Mr. Burnam, CM O'Connell made a motion, seconded by CM Lentz, to authorize the agreement as proposed. The motion carried unanimously by all present.

C. Consider authorizing the Mayor to execute an Agreement for City Attorney Services with Renne Sloan Holtzman Sakai LLP

City Manager Holstine said that in June of 2013, the City approved an Agreement for City Attorney Services with Renne Sloan Holtzman Sakai LLP. He said that the agreement designated David Kahn as City Attorney and primary contact and that he and the Deputy City Attorney have been serving in their capacities since that time.

He said that due to circumstances unanticipated in June, 2013, David Kahn would be relocating to Philadelphia, Pennsylvania in the fall of 2014 and would not be able to continue representation of Brisbane as City Attorney. He explained that Renne Sloan Holtzman Sakai, LLP had proposed Michael Roush as a replacement, who was a member of their firm and one of the top two applicants in the 2013 recruitment. He reported that Councilmembers had met and chosen Mr. Roush as his replacement and that the agreement before the Council at this meeting stipulated that change.

After Councilmember compliments and well wishes to Mr. Kahn, CM Miller made a motion, seconded by CM Lentz, to authorize the Mayor to execute the agreement as proposed. The motion was carried unanimously by all present.

D. Receive Update on National Preparedness Month Activities and provide comments and direction as appropriate

Public Works Director Breault reported that in the past years, the national organization encouraged local agencies to pass resolutions encouraging preparedness efforts during the month of September. He said that the general practice has not continued but more of an effort is being made to get the word out to citizens about the importance of being prepared for disasters.

He said that the City would be providing links from its website to the National Preparedness Month themes, which would walk users through important steps to prepare themselves and their families in the event of a disaster.

After Councilmember questions and clarifications, they asked that information about preparedness activities be distributed at the Day in the Park in October.

OLD BUSINESS

A. Review and accept White Paper Memorandum from the City Attorney on Conceptual Brisbane Baylands EIR and Planning Review Process

City Attorney Kahn reported that at the direction of the City Council Baylands Subcommittee, he had prepared a “White Paper” Memorandum discussing how the overall Baylands planning effort can move forward upon publication of the Baylands Final EIR later this year. He advised that the Memorandum is solely an informational document outlining potential processes and possible outcomes for the City in making land use decisions for the Baylands at some time in the future. He said that as an informational document only, the Memorandum does not make specific procedural or substantive recommendations. He said it is intended to serve as a roadmap and reference document as the Baylands environmental and planning process moves forward.

He then spoke about the contents of the Memorandum which included Potential Planning Outcomes, Ongoing/Future Activities Supporting the Baylands Planning Process, Planning Commission Public Hearings, Potential Planning Commission Actions at the Close of Public Hearings, City Council Hearings, Potential City Council Actions at the Close of Public Hearings, and Other Planning Considerations.

After Councilmember questions and clarifications, CM Miller made a motion, seconded by CM Lentz, to receive and accept the White Paper as general guidance. The motion carried unanimously by all present.

Jonathan Scharfman of Universal Paragon said that the Specific Plan that they submitted was a really good document and he urged the Council to take a fresh look at it and use best practices.

STAFF REPORTS

A. City Manager’s Report on upcoming activities

City Manager Holstine reported on the many upcoming Council Subcommittee meetings that

were being scheduled after the summer break.

MAYOR/COUNCIL MATTERS

A. County-wide Assignments/Subcommittee Reports

Councilmembers reported on the recent Economic Development Subcommittee.

B. Written Communications

There were no written communications received.

C. Schedule Economic Development Council Workshop related to the Urban Land Institute follow-up

After a discussion of potential dates, Tuesday, September 30th was tentatively scheduled pending the availability of the ULI members.

ORAL COMMUNICATIONS 2

There were no members of the public wishing to speak.

ADJOURNMENT

The meeting was adjourned at 10:15p.m.

Sheri Marie Spediacci, City Clerk