



BRISBANE CITY COUNCIL
ACTION MINUTES

DRAFT

APRIL 7, 2014

BRISBANE CITY HALL, 50 PARK PLACE, BRISBANE

7:00 P.M. CLOSED SESSION

- A. Conference with Real Property Negotiators, Lot 1, Block I (near 201 South Hill Drive), pursuant to Government Code Section 54956.8

7:30 P.M. CALL TO ORDER – FLAG SALUTE

Mayor Conway called the meeting to order at 7:40 p.m.

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, Community Development Director Swiecki, Deputy Fire Chief Johnson, Administrative Services Director Schillinger, Police Chief Macias, Deputy Finance Director Cooper

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

Mayor Conway suggested closing the meeting in memory of Glen Allenson. CM Miller made a motion, seconded by CM O'Connell, to adopt the agenda as amended. The motion carried unanimously by all present.

PRESENTATIONS

A. Comprehensive Annual Financial Report

Deputy Finance Director Cooper gave a presentation explaining that the Comprehensive Annual Financial Reports (CAFR) are done annually as required by State Law. She said that the reports have an introductory section, a financial section, and a statistical section. She then explained the different spreadsheets throughout the document and answered questions from the Council.

Clara Johnson commented on the Senior Housing Loan and the funding for the General Plan update.

Councilmembers thanked Ms. Cooper for her informative presentation.

ORAL COMMUNICATIONS NO. 1

Jamie Dunn spoke against the land transfer sale with South Hill Properties.

Dennis Busse spoke about competitive bids for garbage collection services, questioned the need for an armed security guard at City Hall, and about the safety & aesthetic issues behind the Community Center at the Library Park.

CONSENT CALENDAR

A. Approve City Council Minutes of March 3, 2014

Corrections were made to the bottom of page 2 which was missing the vote, a typo on page 3, a correction to the spelling of "Tran" at the top of page 4, a date change at the bottom of page 5, and the addition of "in addition to those received on #8 Thomas" on page 5 under Item B.

With those changes, CM Miller made a motion, seconded by CM Liu, to approve the minutes as amended. The motion was carried unanimously by all present.

NEW BUSINESS

A. Consider approval of a Purchase and Sales Agreement with South Hill Properties, LLC for real property described as Lot 1, Block I near 201 South Hill Drive

Public Works Director Breault said that South Hill Properties operates a business as Sheng Kee Bakery at 201 South Hill Drive. He said that based on a desire to expand their facilities in Brisbane, the company had real estate brokers reach out to city staff to inquire about the possibility of purchasing the former rail spur that paralleled the western edge of their existing property.

He explained that two issues dominated staff's review of the request and subsequent closed session conversations with Council. The first issue was the examination of any future "best" uses for the parcel; and the second was the presence of existing city storm drain facilities.

He further explained that the question of future best uses was primarily focused on its potential use for access to San Bruno Mountain. He referred to the exhibit provided in the staff report and noted that the parcel dead-ends at 201 South Hill, and does not provide any potential for future access to the mountain.

Mr. Breault then explained the issue regarding the storm drain facilities and the proposed resolution which would require the purchaser to maintain the storm drain facilities including providing permission for the City to inspect their compliance.

And finally he suggested that the Council refer to other standing committees/commissions for input to future use of the funds received, if the sale was approved.

After initial Councilmember questions and clarifications, Mayor Conway called on those who wished to speak on the matter.

Ken McIntire said that although the land in question did not have much habitat value it was a buffer to the McKesson Property and asked the Council to be very careful with selling public land.

Michele Salmon expressed to opposition to selling the property noting its access to caves, parking, and to the mountain.

Dana Dillworth questioned the public access issue and the vision for Crocker Park and for the public needs. She cautioned chipping away at the mountain.

Clara Johnson expressed her view that selling public land was a big issue that requires more of a public process. She asked that the Council listen to concerns raised by members of the public.

Danny Ames asked the Council to hang onto the property and look at other ways for the property owner to obtain parking.

Dennis Busse gave some history about a 1990's Planning Commission decision regarding a strip of land in that area for parking.

Beth Grossman supported the need for a plan for Crocker Park before considering this sale.

Michele Salmon spoke about the valuable wetland habitat and water resources and expressed her view that there were many reasons not to approve the sale.

Dana Dillworth suggested that the Council consider giving them a variance on their own property to do what they require. She also suggested restoring the open channel and canals to their natural state.

Mark Melby spoke on behalf of the owners of the Bakery saying that the property would be used for parking due to the needed expansion. He said that they would make sure that the V-Ditch was maintained.

After Councilmembers questions, clarifications from staff, and discussion, consideration of this item was continued to the meeting of May 5th to allow for staff to respond to the many issues that were raised.

B. Consider approval of Resolution No. 2014-06 adopting the First Amended Joint Exercise of Powers Agreement for the San Mateo Operational Area Emergency Services Organization

Public Works Director Breault talked about the background of the JPA and talked about the proposed amendment.

He said that the Amendment was reviewed by the Fire Chiefs, Police Chiefs, City Managers and County Counsel before being presented to the Emergency Services Council (ESC). Members of the ESC did raise some questions on language in the JPA during their September 2013 and January 2014 meeting and said that those items have not yet been addressed.

He said that although there are questions that remain to be answered, and a revision to this Amendment will undoubtedly be required, approving the document in its current form is important to update significant portions of the existing very outdated agreement, and to also create a document that can be properly recorded with the Secretary of State.

After Councilmember questions and clarifications, CM O'Connell made a motion, seconded by CM Lentz, to adopt the resolution as proposed. The motion carried unanimously by all present.

C. Consider introduction of Ordinance No. 584 amending Chapter 10.36 of the Brisbane Municipal Code pertaining to speed zones

Public Works Director Breault explained that California Vehicle Code (CVC) specifies speed limits in residential areas, at railway grade crossings, and on roads adjacent to schools and senior centers. He said that in general terms, the speed limits on all other roadways are required to be established by the results of an Engineering and Traffic Survey (E&TS) performed per the requirements of the CVC.

He further explained that the primary changes proposed by this ordinance are the city asserting that it will continue to post and establish speed limits on the basis of an E&TS, and eliminating the previous practice of codifying any change in speed limits in the Brisbane Municipal Code.

A change was proposed on page 1 of the ordinance to Section 1. 10.36.010 to read "Setting of speed limit on certain streets" instead of "Increase of speed limit on certain streets."

After Councilmember questions and clarifications, CM O'Connell made a motion, seconded by CM Miller to introduce the Ordinance as amended. The motion passed unanimously by all present.

STAFF REPORTS

A. City Manager's Report on upcoming activities

City Manager Holstine reminded everyone about the Library Park Dedication that was rescheduled for May 3rd and advised that the Soils Processing Memorandum of Agreement was scheduled to come before the Council at their April 21st meeting.

MAYOR/COUNCIL MATTERS

A. County-wide Assignments/Subcommittee Reports

Councilmembers reports on the various meetings that they had attended, including the C/CAG retreat, the Sustainable San Mateo County Award Night, the Airport Roundtable Meeting, and the Council Subcommittee meetings related to Planning Issues, Technology, and Economic Development.

B. Written Communications

Mayor Conway noted the communication received from San Bruno Mountain Watch in regards to the sale of the property on South Hill Drive.

C. Set dates for upcoming Budget review and adoption

May 21st, June 2nd, 3rd, and 16th were tentatively set for budget hearings.

D. Set dates for City Manager and City Attorney Annual Review

April 28th was set as the date for the City Manager and City Attorney Annual Reviews.

ORAL COMMUNICATIONS 2

There were no members of the public wishing to speak.

ADJOURNMENT

The meeting was adjourned in memory of Glen Allenson at 11:05 p.m.

Sheri Marie Spediacci, City Clerk