



BRISBANE CITY COUNCIL

ACTION MINUTES

DRAFT

MONDAY, JULY 23, 2012

BRISBANE CITY HALL, 50 PARK PLACE, BRISBANE

COMMISSION INTERVIEWS AND APPOINTMENTS

The meeting began at 6:30 p.m. in the City Hall Conference Room.

**A. Interview applicants for *one* Open Space and Ecology Committee Opening
Term expires January, 2014**

6:30 p.m. Elena Court
6:45 p.m. Thomas Lambert
7:00 p.m. Louise Schiller

Councilmembers interviewed each of the applicants and thanked each of them for applying.

B. Consider motions to fill vacancy

After Council discussion, CM Conway made a motion, seconded by CM Richardson, to appoint Elena Court to the Open Space and Ecology Committee. The motion was carried unanimously by all present.

Councilmembers asked City Clerk Spediacci to contact the applicants and ask Mr. Lambert and Ms. Schiller to consider serving on the recently formed citizens committee to review the Baylands Draft Environmental Impact Report.

CLOSED SESSION

Closed Session began at 7:15 p.m. in the City Hall Conference Room

**A. Conference with legal counsel regarding one case of potential litigation, pursuant to
Government Code Section 54956.9**

B. Liability Claims, Claimant: Cynthia Watkins, pursuant to Government Code Section 54956.95

The claim of Cynthia Watkins was rejected.

CALL TO ORDER – FLAG SALUTE

Mayor Lentz called the meeting to order at 7:33 p.m. and led the flag salute.

ROLL CALL

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| Councilmembers present: | Conway, Miller, O’Connell, Richardson, and Mayor Lentz |
| Councilmembers absent: | None |
| Staff present: | City Manager Holstine, Administrative Services Director Schillinger, City Clerk Spediacci, City Attorney Toppel, Marina and Aquatics Services Director Warburton, Police Commander Meisner, Public Work Director Breault, Senior Civil Engineer Kinser, Administrative Management Analyst Cheung, Intern Baker |

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

CM Conway asked that the meeting be closed in memory of Ray Nowakowski, Ben Hodge, Tom Gonzales, and Don Thatcher. CM Richardson made a motion, seconded by CM Conway, to adopt the agenda as amended. The motion was carried unanimously by all present.

ORAL COMMUNICATIONS NO. 1

Dana Dillworth spoke about her concerns regarding Sierra Point and her ideas regarding the budget. She urged the Council to give time and effort to think about the possibilities for new revenue.

Rosana Wagner spoke regarding transportation to Terra Nova, Oceana, and Westmoor high schools. She asked for Councilmembers help in getting the Sam Trans bus route expanded to include Westmoor High School.

Stacey Glynn also spoke regarding the transportation issues to the high schools that Brisbane teens are attending.

City Manager Holstine and Councilmembers responded to their concerns.

PRESENTATION

A. Recognize 2012 Concerts in the Park Sponsors

Mayor Lentz thanked all of the sponsors of the Concerts in the Park and Administrative Management Analyst Cheung assisted in presenting the certificates of appreciation to each of them.

B. Robert Maynard, Brisbane's Representative on the San Mateo County Mosquito Abatement & Vector Control District (SMCMAD) and Councilmember Richardson

Councilmember Richardson and Representative Maynard gave an update of the recent embezzlement of funds from the SMCMAD. Mr. Maynard explained the steps taken to assure that the situation is rectified.

Councilmembers asked Mr. Maynard to return in a few months to give an update.

CONSENT CALENDAR

CM Miller asked to remove Consent Calendar items D, E, & J for further discussion.

- A. Approve City Council Minutes of June 4, 2012**
- B. Approve City Council Minutes of June 11, 2012**
- C. Approve City Council Minutes of June 13, 2012**
- F. Approve Co-sponsorship of Brisbane Dance Workshop Silent Auction on November 17, 2012**
- G. Approve Co-sponsorship of Brisbane Dance Workshop Holiday Arts and Crafts Fair Fundraiser on December 8, 2012**
- H. Approve Co-sponsorship of Brisbane Dance Workshops Annual Spring Performance on May 18th and 19th, 2013**
- I. Approve Award of Construction Contract for the Bayshore Bus Stop Improvement Project to Interstate Grading and Paving in the amount of \$106,480 and authorize the City Manager to sign the Agreement on behalf of the City**
- K. Approve Community Park Use Application from Brisbane resident, Sue Cochran for Saturday September 15, 2012 from 3:30-9:30pm**
- L. Adopt Resolution No. 2012-19 authorizing the City to request its share of funds from the Citizens Option for Public Safety (COPS) Program and the creation of a Supplemental Law Enforcement Services Fund (SLESF) as required by the COPS Program**

CM Conway made a motion, seconded by CM Miller, to approve Consent Calendar Items A, B, C, F, G, H, I, K, & L as proposed. The motion was carried unanimously by all present.

- D. Approve Monthly Investment Report as of April 30, 2012**
- E. Approve Monthly Investment Report as of May 31, 2012**

CM Miller asked for further clarification of the difference in carry value of investment column and the division between the City and the Successor Agency.

After staff explanation and response, CM Miller made a motion, seconded by CM Conway, to approve the monthly investment reports as presented. The motion was carried unanimously by all present.

J. Adopt Resolution No. 2012-18 supporting the submittal of an application for Measure A Highway Program Funding for a US 101/Candlestick Interchange Project Supplemental Technical Study

CM Miller asked staff to give background on the history of the interchange project and the application for Measure A funding. Public Works Director Breault reviewed the background of the proposed project and answered Councilmembers questions and concerns.

After further discussion, CM Miller made a motion, seconded by CM Conway, to adopt the resolution as proposed. The motion was carried unanimously by all present.

PUBLIC HEARING

A. Consider Resolution No. 2012-16, Overruling Protests and Ordering the Improvements and Confirming the Diagram and Assessment for Fiscal Year 2011-2012 for the Sierra Point Landscaping and Lighting District

Senior Civil Engineer Kinser outlined the information provided in the staff report. Mayor Lentz opened the Public Hearing and read the opening statement. City Clerk Spediacci advised that there were no protests received. There being no members of the public wishing to speak, CM Conway made a motion, seconded by CM Richardson, to close the public hearing.

CM Conway made a motion, seconded by CM Richardson, to adopt the resolution as proposed. The motion was carried unanimously by all present.

B. Consider adoption of Resolution No. 2012-17, imposing charges for funding the local Brisbane stormwater program, authorizing placement of said charges on the 2012-13 County tax roll, and authorizing the County Tax Collector to collect such charges

Public Works Director Breault outlined the information provided in the staff report.

Mayor Lentz opened the public hearing. There were no members of the public wishing to speak. CM Conway made a motion, seconded by CM Richardson, to close the public hearing. The motion was carried unanimously by all present.

After Councilmember discussion and clarification, CM Miller proposed adding the total estimated amount to be collected to the resolution. CM Richardson made a motion, seconded by CM Miller, to adopt the resolution as amended. The motion was carried unanimously by all present.

NEW BUSINESS

A. Consider approval of the Charter Boat Agreement between the City and John Stahl, d/b/a "Spirit of Sacramento" at the Brisbane Marina

Marina and Aquatics Services Director Warburton outlined the information provided in the staff report and introduced Mr. John Stahl who was present to answer questions or concerns.

After Councilmember discussion and clarification, the term of the agreement was modified to a term of one year, with a review and modification of fees collected by the City be conducted before renewing the agreement. Councilmember also directed staff to alter the agreement to assure the charterer pays the costs of electricity used at the guest dock.

Mr. Larry Jobe, indicated that he was a boat owner for 19 years and had recently had the chance to enjoy the Spirit of Sacramento and attested to the professionalism of the captains and staff.

CM Richardson made a motion, seconded by CM Conway, to approve the agreement as amended. The motion was carried unanimously by all present.

B. Consider request for Waiver of Fee and Use of Food Trucks by the West Coast Farmer's Market Association

Administrative Management Analyst Cheung reviewed the information provided in the staff report and indicated that Mr. Jerry Lami, Executive Director for West Coast Farmers Market Association was present to answer any questions.

After Councilmember discussion and clarification, CM Richardson made a motion, seconded by CM Miller, to approve the waiver of fee and to allow up to three food trucks at the farmers market. The motion carried 3-2, CM Conway and CM O'Connell voting against the use of more than two food trucks.

STAFF REPORTS

A. City Manager's Report on upcoming activities

City Manager Holstine introduced Intern John Baker who was working on Economic Development issues as well as other items for the summer. He also indicated the Baylands Draft Environmental Impact Report was due to be available in early September with a 120-day comment period estimated to conclude in January, 2013.

MAYOR/COUNCIL MATTERS

A. Subcommittee Report

Councilmembers gave an update on the Caltrain Electronic Billboard request, the meeting with the owners of the VWR property, the School/City 2x2 meeting with the Brisbane Elementary School District, and the Brisbane Baylands Community Advisory Group Meeting.

B. Designation of voting delegates and alternates for League of California Cities Annual Conference – September 5-7, San Diego

It was decided that Mayor Lentz would be the voting delegate and Mayor Pro Tem Miller and Councilmember Richardson be the alternate delegates.

C. Consider setting dates for Council meeting dates to review list of issues coming out of the budget review process

D. Review Proposed Council Meeting Calendar

Councilmembers reviewed items C & D and made modifications to the workshop dates selected for September and October. City Clerk Spediacci advised that she would send out the modified schedule.

ORAL COMMUNICATIONS

There were no members of the public wishing to speak.

ADJOURNMENT

The meeting was adjourned at 11:13 p.m. in memory of Ray Nowakowski, Ben Hodge, Tom Gonzales, and Don Thatcher.

Sheri Marie Spediacci
City Clerk