



CITY COUNCIL/REDEVELOPMENT/GVMID
ACTION MINUTES

DRAFT

MONDAY, JULY 18, 2011

CALL TO ORDER – FLAG SALUTE

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

ROLL CALL

Councilmember's present: Conway, Lentz, Richardson, Waldo, Mayor Bologoff
Councilmember's absent: None
Staff present: Public Works Director Breault, Police Chief Macias, Financial Services Director Cooper, Administrative Services Director Schillinger, Deputy City Clerk Ricks, Community Development Director Swiecki, City Attorney Toppel

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

CM Richardson made a motion, seconded by CM Conway, to continued New Business Item A to the next Council meeting on August 1st, and adopt the rest of the agenda as proposed. The motion was carried unanimously by all present.

ORAL COMMUNICATIONS NO. 1

There were no members of the public wishing to speak.

CONSENT CALENDAR

- A. Approve City Council Minutes of June 6, 2011
- B. Approve City Council Minutes of June 13, 2011
- C. Approve the City of Brisbane's response to the County of San Mateo Grand Jury report on the use of Cell Towers
- D. Consider approval of City of Brisbane's response to the County of San Mateo Grand Jury report regarding the use of tasers

CM Conway made a motion, seconded by CM Waldo, to approve the Consent Calendar as proposed. The motion was carried unanimously by all present.

PUBLIC HEARING

A. Hear any protests on proposed Water and Sewer Rate Increase and give direction to staff on proposed increase

Administrative Services outlined the process and issues regarding the water and sewer rate increase.

After Councilmember questions and staff clarifications, CM Conway made a motion, seconded by CM Lentz, to open the public hearing. The motion was carried by all present.

Sarkis Khazadian spoke regarding changing the method waste transit to cut costs.

Dana Dillworth protested the increase and asked that the City look for grants or seek funds from the County or other sources.

Linda Salmon protested the increase and asked that other water sources be explored and other ways to pay for services.

Paul Bouscal proposed looking at spring water as a source and at solar powered pumps.

Michelle Salmon supported a clean and safe water supply and setting aside funds for future generations.

Ron Colonna spoke for the need for a water tank at a higher level in town.

Terry O'Connell spoke of the importance of water issues and the expenses related to providing safe water.

After Councilmember questions and staff clarifications, CM Conway made a motion, seconded by CM Richardson, to close the public hearing, and continue the hearing to the City Council meeting of August 1st. The motion was carried unanimously by all present.

B. Consider appeal of the Planning Commission's Denial of Design Permit DP-2-11, Use Permit UP-7-11 and Variance V-2-11; Time Extensions for Design Permit DP-5-07 Approving Two Office Buildings and a Parking Structure with Related Site Grading, Use Permit UP-3-08 Accepting 1,373 Parking Spaces Including 1,175 "Universal" Spaces Located Off Site within the Parking Structure, and Variance V-1-08 for the Parking Structure's Lot Coverage and East Side Setback; Don Little, Don Little Group, applicant & appellant; Sierra Point LLC, owner; APN 007-165-020; Re: Sierra Point Office Project at 3000-3500 Marina Boulevard

Community Development Director Swiecki outlined the Planning Commissions action and the process for considering the appeal by the applicant.

After Councilmember questions and staff clarifications, CM Conway made a motion, seconded by CM Waldo to open the public hearing. The motion was carried by all present.

Linda Salmon expressed her concerns about the project as it relates to transportation, land swap issues, and the general plan update and asked that Council deny the appeal.

Dana Dillworth read a letter submitted for the public record concerning many concerns about the project and asked that the Council deny the appeal.

Michelle Salmon expressed her many concerns about the project and asked that Council uphold the Planning Commissions denial of the permits.

Terry O'Connell stated that the project could be designed better and asked that Council deny the appeal and ask the applicant to re-design the project.

Dennis Busse spoke about the clean up of the creek bed parallel to the freeway and the danger of the train derailling. He asked that the debris be cleaned up.

Paul Bouscal supported the Planning Commission's denial of the permits.

Michael Warburton, Executive Director of the Public Trust Alliance, spoke against the proposed project and asked that Council uphold the Planning Commissions denial of the permits.

Tom Heinz spoke against the project and asked that Council uphold the Planning Commissions denial of the permits and deny the appeal.

CM Conway made a motion, seconded by CM Richardson, to close the public hearing. The motion was carried by all present.

After Councilmember discussion, and after questions and clarifications of staff and the applicant, CM Conway made a motion, seconded by CM Waldo, to uphold the appeal and grant the extension of the project subject to the requirement that the developer process a development agreement with the City requiring the project to comply with lead gold standards.

City Attorney indicated that a resolution would be brought back to Council to memorialize this action at the next City Council meeting.

Michael Warburton expressed further concerns about the project.

Linda Salmon asked that Council not take action on this item and refer back to the Planning Commission to look at a completely new project.

Michelle Salmon asked that Council take further time to consider this action and put it off for a couple of months to do it right.

Tom Heinz stated that the issue should not be around the gold standards but about the design of the site.

After further Council discussion, the earlier motion was carried unanimously by all present.

OLD BUSINESS

- A. Consider authorizing the Mayor to execute an agreement to pay processing costs with Semik Oungoulian and an agreement for consulting services with NBS Government Finance Group regarding in connection with the formation of an assessment district for the improvement of Margaret Avenue and Paul Avenue
(Continued from July 5, 2011)**

CM Conway made a motion, seconded by Mayor Bologoff, to continue this item to a special meeting on Tuesday, October 11th. The motion was carried unanimously by all present.

NEW BUSINESS

- A. Review argument in favor of a measure on the November 8, 2011 ballot establishing a new business license tax on certain recycling businesses**

CM Waldo made a motion, seconded by CM Conway to approve the argument in favor as proposed. The motion was carried unanimously by all present.

- B. Consider introduction of Ordinance No. 563 to comply with the voluntary alternative redevelopment program pursuant to Part 1.9 of Division 24 of the California Health and Safety Code in order to permit the continued existence of the Redevelopment Agency**

Administrative Services Director Schillinger gave an update on the redevelopment agency and outlined the need for adoption of the proposed ordinance.

Michelle Salmon spoke against redevelopment and asked that the ordinance be placed on the ballot so citizens could vote on it.

Terry O'Connell expressed her concern about the redevelopment agency debt and it's ongoing plans.

After Councilmember questions and clarifications from staff, CM Waldo made a motion, seconded by CM Lentz, to introduce the ordinance as proposed. The motion was carried 4-1, with CM Richardson opposing.

- C. Consider authorizing the City Manager to enter into an agreement with Syphers Consulting regarding assistance to the City Sustainability Committee**

Administrative Services Director Schillinger outlined the need for the agreement.

CM Richardson made a motion, seconded by CM Conway, to authorize the city manager to sign the agreement as proposed. The motion was carried unanimously by all present.

- D. Consider accepting proposal to install permit tracking software by CSG and authorize City Manager to execute the necessary documentation to implement proposal**

This item was continued to the City Council Meeting of August 1st.

STAFF REPORTS

- A. City Manager's Report on upcoming activities**

City Manager Holstine had nothing to report.

MAYOR/COUNCIL MATTERS

- A. Subcommittee Report**

CM Richardson gave an update on the progress of the Airport Noise Issue.

- B. Consider Council Meeting Schedule through the end of 2011**

The City Council discussed and updated the schedule.

ORAL COMMUNICATIONS

There were no members of the public wishing to speak.

CLOSED SESSION

- A. Liability Claims; Andrew Torvik; Mae Deluno; LaShawn Brooks, pursuant to Government Code Section 54956.95**

ADJOURNMENT

The meeting was adjourned at 11:10 p.m.

Wendy Ricks
Deputy City Clerk