



BRISBANE CITY COUNCIL

ACTION MINUTES

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**DRAFT**

**THURSDAY, OCTOBER 16, 2014**

*BRISBANE CITY HALL, 50 PARK PLACE, BRISBANE*

**7:00 P.M. CLOSED SESSION**

- A. Conference with labor negotiators regarding all bargaining units, pursuant to Government Code Section 54957.6

**8:00 P.M. CALL TO ORDER – FLAG SALUTE**

Mayor Conway called the meeting to order at 8:00 P.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, Deputy City Clerk Ricks, City Attorney Kahn, Administrative Services Director Schillinger, Public Works Director Breault, Senior Civil Engineer Kinser, Deputy Finance Director Cooper, Police Chief Macias

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

Mayor Conway asked to move New Business before the Consent Calendar. With that change, CM O'Connell made a motion, seconded by CM Miller, to adopt the agenda as amended. The motion carried unanimously by all present.

**ORAL COMMUNICATIONS NO. 1**

Mayor Wayne Lee from the City of Millbrae spoke about an upcoming Economic Development Meeting and a Health Care Sign-up Day hosted in Millbrae, joint efforts with Brisbane regarding fiber optics, and asked for Council's support for his serving on the SamTrans Board of Directors.

**NEW BUSINESS – (Taken Out of Order)**

- A. Consider approval of Resolution No. 2014-38 authorizing payment contribution for Kings Road Improvements providing public benefits

Public Works Director Breault explained that the Brisbane Municipal Code requires property owners to conform altered and new buildings to current standards when additions/alterations exceed 50% of the value or area of the then existing buildings and in some cases include improving substandard street access to the property.

He then explained that the owners of 350 Kings were required to widen the public street in front of their property in the early 2000's and had signed a reimbursement agreement identifying other "benefitting properties" and their payment of proportionate costs for the building of the road.

Mr. Breault then explained the rationale for the current recommended reimbursement of funds to the Bynum's which included \$16,535 from the owners of 345 Kings, and \$33,070 from the City.

Torrence Bynum, owner of 350 Kings described the history and circumstances involving the Reimbursement Agreement, the users of the improvements, and parking conflicts in the area. He asked that the City Council make a decision in good faith and reimburse his family for their expenses that have benefited many others.

After Councilmember initial questions and clarifications they asked staff to re-think the Reimbursement Agreement process and put an improved program in place.

After further Councilmember questions and clarifications of staff, CM Miller made a motion, seconded by CM Lentz, to adopt Resolution No. 2014-38 as proposed. The motion carried unanimously by all present.

**B. Consider approving the recommendation by the Council Facilities Subcommittee to design the new skate park to be constructed at the existing skate park location**

Senior Civil Engineer Kinser reported that the Council approved a design contract with skate park designer Spohn Ranch in June and that the designer held a project kickoff and information gathering meeting. She said that at that meeting three potential skate park sites were considered; the existing location at Old County and Park Lane, the former Teen Center location, and the east end of the Community Park.

She said that the Council Facilities Subcommittee met and considered the skate park users desire to keep the facility at its current location as well as the constraints of the other sites and was recommending to the full Council that the project be redesigned at its existing site.

Ethan Behoe expressed his support for the current site.

Malcolm Barnes spoke in support of the existing location and cautioned against the others sites due to the noise in the surrounding neighborhood and danger of small children at the Community Park site.

Domenic Gresone also spoke in support of the existing location.

Aaron Rasberry cautioned against putting the new skate park at the Teen Center location due to noise that might disturb residential homes in the neighborhood.

Burman Juliano spoke in favor of keeping the existing location for the new skate park.

Jamie Veto spoke in favor of keeping the current location.

Gino Burton said he likes how the skate park is separate from the Community Park so users are not disturbing each other.

Jade Escobido said she liked hanging out at the current skate park because it is away from the noisiness of the park.

Ethan Velho spoke in support of the current location of the skate park.

Renee Marmion, Parks and Recreation Commissioner spoke in support of the skate park improvements and the existing location.

Joel Diaz gave the background on the construction of the existing skate park and basketball court and urged the Council to approve the existing site.

Michael Barnes reported that he had previously come before the Council to present a check for \$1,000 towards the new skate park but that subsequently due to a high volume of t-shirt sales, the amount he was presenting would be \$3,000. Councilmembers thanked Mr. Barnes for his hard work and donation.

After Councilmember questions, clarifications, and discussion, CM Lentz made a motion, seconded by CM Miller, to approve the Subcommittees recommendation to “design” the new skate park at the existing location, but to remove the wording in the proposed recommendation which said “to be constructed”. The motion carried unanimously by all present.

## **CONSENT CALENDAR**

Consent Calendar items B and D were removed for discussion.

### **A. Approve City Council Minutes of September 2, 2014 Approved**

### **C. Approve Brisbane/GVMID Financing Authority Resolution No. 2014-01 adopting Bylaws**

CM O’Connell made a motion, seconded by CM Lentz, to approve Consent Calendar items A and C as proposed. The motion carried unanimously by all present.

### **B. Approve adding new classification of Deputy Public Works Director**

- 1. Consider adoption of Resolution No. 2014-42 amending Resolution No. 2001-11 to include the classification of Deputy Public Works Director in the Class Specification Manual**
- 2. Consider adoption of Resolution No. 2014-43 amending Resolution No. 2013-45, the Memorandum of Understanding between the City of Brisbane and the Mid-Management/Professional Employees Group, by adding the classification of Deputy Public Works Director**

Principal Analyst Saguisag-Sid reported that there was a proposed change to the description of duties attached to the Resolutions indicating that the new position would be providing a high level of staff support to City Committees and Council Subcommittees.

With that change, CM Miller made a motion, seconded by CM O'Connell, to adopt the Resolution as amended. The motion carried unanimously by all present.

**D. Adopt Ordinance No. 590, waiving second reading, adding Chapter 8.18, Title 8 of the Health and Safety Section of the Municipal Code, Prohibition on the use of Polystyrene Based Disposable Food Service Ware by food vendors**

Mayor Conway asked that this item be continued to the next meeting so that he could send another letter to the affected business owners further explaining the costs involved and the time allowed for making adjustments to the new prohibition. Councilmembers concurred and asked to review a copy of the letter prior to it being sent out.

After Councilmember questions and clarifications, it was the consensus to continue this matter to the City Council Meeting of November 6, 2014.

City Manager Holstine reported on the efforts that had been made to date and said he would give a packet of information to Councilmembers describing the efforts and results.

**PUBLIC HEARING**

**A. Consider actions regarding issuance and sale of lease revenue bonds**

- 1. Consider adoption of Resolution No. 2014-44 approving proceedings by the Brisbane Financing Authority for the issuance and sale of lease revenue bonds to refund the outstanding Brisbane Public Financing Authority Lease Revenue Bonds, Series 2005B (City Hall Renovation and Expansion Project), approving the form and authorizing execution of related documents and approving official actions**
- 2. Consider adoption of Brisbane/GVMID Financing Authority Resolution No. BFA 2014-02 authorizing the issuance and sale of lease revenue bonds to refund the outstanding Brisbane Public Financing Authority Lease Revenue Bonds, Series 2005B (City Hall Renovation and Expansion Project), approving**

**the form and authorizing execution of related documents and approving official actions**

- 3. Consider adoption of Brisbane Public Financing Authority Resolution No. BPFA 2014-01 relating to the issuance and sale of lease revenue bonds to refund the outstanding Brisbane Public Financing Authority Lease Revenue Bonds, Series 2005B (City Hall Renovation and Expansion Project), approving the form and authorizing execution of related documents and approving official actions**

Administrative Services Director Schillinger explained the need to refinance the existing bonds due to lower interest rates and the savings which would be approximately \$20,000 a year. He explained that the Resolutions would also change the asset securing the debt to be only the Marina property.

He explained that the Successor Agency Long Range Property Management Plan transferring the Marina property from the former Redevelopment Agency to the City and explained the difference between Tax Allocation Bonds and the proposed refinance.

He introduced Brian Quint of Quint & Thimmig LLC and the Financial Advisor, Mary Johnson who answered additional questions from the Council.

Mayor Conway opened the Public Hearing. There being no member of the public wishing to speak, CM O'Connell made a motion, seconded by CM Lentz, to close the Public Hearing. The motion carried unanimously by all present.

After Councilmember questions and clarifications, CM O'Connell made a motion, seconded by CM Lentz, to adopt the City, GVMID, and Brisbane Public Financing Authority Resolutions as proposed. The motion passed unanimously by all present.

## **OLD BUSINESS**

- A. Authorize City Manager to sign an amendment to the South San Francisco Scavenger Company (SSFSC) Franchise Agreement extending the term to November 7, 2014.**

Principal Analyst Saguisag-Sid reviewed the status of the current negotiations and the need for an additional extension of the current SSFSC Franchise Agreement.

After Councilmember questions and clarifications, CM Lentz made a motion, seconded by CM Miller, to authorize the City Manager to sign the amendment to the SSF Scavenger Franchise Agreement Extension as proposed. The motion passed unanimously by all present.

## **STAFF REPORTS**

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

City Manager Holstine gave an update on the Social Media Website additions and reminded the Council of the two upcoming workshops on Economic Development (11/3) and the Housing Element (11/10).

## **MAYOR/COUNCIL MATTERS**

### **A. Formation of Farmers' Market Council Ad-Hoc Subcommittee regarding the future of the Farmers' Market**

After Councilmember discussion, it was decided that CM Lentz and CM Liu would serve on this Council Subcommittee.

### **B. County-wide Assignments/Subcommittee Reports**

- Health & Safety Subcommittee**
- Finance Subcommittee**
- Baylands Subcommittee**

Councilmembers gave updates on each of the subcommittee meetings listed above as well as the C/CAG Meeting, SFO Roundtable Meeting, and the Liaison Committee Meeting with the Open Space and Ecology Committee.

### **C. Written Communications**

There were no written communications received.

## **ORAL COMMUNICATIONS 2**

There were no members of the public wishing to speak.

## **ADJOURNMENT**

The meeting was adjourned at 10:40 p.m.

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Wendy Ricks, Deputy City Clerk