



BRISBANE CITY COUNCIL
ACTION MINUTES

DRAFT

MONDAY, SEPTEMBER 16, 2013

BRISBANE CITY HALL, 50 PARK PLACE, BRISBANE

7:00 P.M. CLOSED SESSION

- A. Conference with legal counsel regarding one case of potential litigation, pursuant to Government Code Section 54956.9(b)(3)(C)

ROLL CALL

Councilmember's present: Conway, Lentz, O'Connell, and Mayor Miller
Councilmember's absent: None
Staff present: City Manager Holstine, Deputy Finance Director Cooper, City Clerk Spediacci, City Attorney Kahn, Public Works Director Breault, Principal Analyst Saguisag-Sid, Community Development Director Swiecki, Police Commander Meisner

REPORT FROM CLOSED SESSION

City Attorney Kahn indicated that no direction was given and no action was taken.

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

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

ORAL COMMUNICATIONS NO. 1

There were no members of the public wishing to speak.

PROCLAMATION & PRESENTATION

- A. Proclamation recognizing September as National Preparedness Month**

Mayor Miller read pertinent parts of the Proclamation and presented it to Public Works/Emergency Services Director Breault. Mr. Breault thanked Mayor Miller and the Council and talked about the importance of individual citizens being prepared and ready for an emergency.

B. San Mateo County Library Annual Report – Carine Risley, Library Manager

Ms. Carine Risley, Brisbane Library Manager gave a report highlighting a new mobile application, increased mobile book truck services, and a new system called Find It. She also talked about the new library hours in response to citizen input.

After Councilmember questions and clarifications, they thanked Ms. Risley for her report.

CONSENT CALENDAR

Mayor Miller asked to remove Item A from the Consent Calendar.

B. Award the construction contract for the 2013 Roof Repair of the Brisbane Fire Department Project to Western Roofing Service in the amount of \$138,183 and authorize the City Manager to sign the agreement on behalf of the City

C. Adopt Resolution No. 2013-36 amending Resolution No. 2002-05 to amend the classification of Public Works Lead Maintenance Worker in the class specification manual and Adopt Resolution No. 2013-37 amending Resolution No. 93-33 to change the classification of Police Service Aide to Public Service Aide and include in the class specification manual

CM Conway made a motion, seconded by CM Lentz, to approve Consent Calendar Items B & C as proposed. The motion was carried unanimously by all present.

A. Approve City Council Minutes of June 24, 2013

Mayor Miller proposed changes to page 2, Old Business Item A which related to the design and printing of the 50th Anniversary History Book Project. He asked that the words “and to make sure printing could be done locally” be added to the end of the first sentence in the third paragraph. He also asked that the word “color” be added to the 2000 copies. He then made a motion, seconded by CM Conway, to approve the minutes as amended. The motion was carried unanimously by all present.

PUBLIC HEARING

A. Consider introduction of Ordinance no. 579, amending Chapter 15.01 and Section 17.32.220 of the Brisbane Municipal Code pertaining to grading

Community Development Director Swiecki said that the City had undertaken a comprehensive update of the grading ordinance partially in response to a lawsuit settlement regarding the Ng condominium project on Bayshore Boulevard. Based on the settlement, specific provisions to be incorporated into the grading ordinance include enhancing existing fines and penalties for violations

of the grading ordinance, prohibiting removal of existing vegetation having habitat value without providing mitigation, and requiring habitat restoration of graded areas within the jurisdiction of the Habitat Conservation Plan (HCP) that will decrease the presence of exotic/non-native plant species, as well as prevent erosion.

He also said that in updating the grading ordinance, the City engaged in early consultation with Mountain Watch and has continued to work cooperatively with Mountain Watch in the drafting of this ordinance. He said that the proposed ordinance was also reviewed by the Council Planning Issues Subcommittee.

Community Development Director Swiecki then discussed some of the major changes that will be made by the proposed ordinance including a new statement of objectives, and a definition for clearing and grubbing.

Mayor Miller opened the Public Hearing. There being no one wishing to speak, CM Conway made a motion, seconded by CM Lentz, to close the Public Hearing. The motion was carried unanimously by all present.

After Councilmember discussion, and questions and clarifications from staff, Mayor Miller stated that the reason that the proposed grading ordinance had taken on additional significance lately was because of the stockpiling issues out at the Baylands. He clarified that the proposed ordinance changes were more related to the issue with Ng Condominium Project and Mountain Watch. He advised that this would be a good time for the Council Subcommittee to meet with staff to draft additional language in several place to be clearer about what is trying to be achieved on the Baylands site as well.

It was the consensus of the Council to refer the ordinance back to the Subcommittee and then have the full Council consider their proposed revisions and/or additions at a future meeting.

Carolyn Parker gave her thoughts regarding the difference between fill and grading.

B. Consider introduction of Ordinance No. 566, amending Chapter 16.12, tentative and final parcel maps and subdivision maps--where required; Chapter 16.16, tentative map procedures; Chapter 16.20, final map procedures; Chapter 16.24, park improvements—bay access—natural heating and cooling; Section 17.02.150, condominium; and Chapter 17.30, condominiums, of the Brisbane Municipal Code

Community Development Director Swiecki gave the background of when this ordinance was first introduced last spring. He reviewed the purposed of the amendments, which included implementing the housing element policy, bringing the code in compliance with State Law, and rectifying internal inconsistencies. He offered to answer any questions the Council might have.

The Council Subcommittee reported that they were happy with the changes that had been made in Subcommittee meetings and recommended introduction of the Ordinance as presented.

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

After Councilmember questions and clarifications, typographical corrections were made Section 16.122.020.A and a consensus was made to change the requirement for washers and dryers to be installed change from 1 in every five units to 1 in every 3 units.

With those changes, CM Conway made a motion, seconded by CM O'Connell, to introduce the Ordinance as amended. The motion carried unanimously by all present.

NEW BUSINESS

A. Discuss the next steps in developing and implementing the City's Economic Development Plan

City Manager Holstine gave a presentation outlining the General Plan Economic Development Goals, the different documents that were reviewed in putting together the Economic Development Plan, the status of the different business districts, the largest sales tax producers in fiscal years 2006/2007 & 2012/2013, the formation of the Council Subcommittee in 2010 and its many meetings on various topics.

He also reviewed the next steps that were anticipated including a Crocker Park Charette, continued feasibility of fiber optics in Crocker Park, staffing options for implementing an Economic Development Plan, and continued discussions regarding branding, marketing, and outreach.

Mitch Bull, President and CEO of the Brisbane Chamber of Commerce gave an overview of the current business scenario in Brisbane. He reviewed each particular business district and gave vacancy rate statistics and a report on the new businesses that had recently moved in or were planning to move in soon. He said there were a lot of opportunities for generating interest for businesses coming to Brisbane, including its recreational resources.

After Councilmember questions and clarifications they thanked the Subcommittee and staff for presenting the Plan and asked the Council Subcommittee to continue the process and the work on the Plan and to reagendaize further discussions with the full Council

STAFF REPORTS

A. City Manager's Report on upcoming activities - Baylands DEIR Planning Commission Public Hearings October 22nd, 24th, and 29th

City Manager Holstine reported on the upcoming Planning Commission Hearing in which the public could give oral comments on the Baylands Draft Environmental Impact Report.

B. Baylands Use Permit Code Enforcement Status

City Manager Holstine and Public Works Director Breault reported on the recent actions that had

taken place including the recent meeting with the Bay Area Air Quality Management District on the dust abatement issues. City Manager Holstine also reported on the height of the stock piles and the September 27th deadline for the applicant to get additional information to the City to process the permit renewal request. He said applicant would also be providing a site management plan to the City in the meantime.

MAYOR/COUNCIL MATTERS

A. County-wide Assignments/Subcommittee Reports

CM Lentz reported on the upcoming meeting with Congresswoman Speier in regards to the FAA and Airport Noise.

B. Written Communications

1. Memo from Chief Macias regarding Public Safety Policy Committee Resolution

Mayor Miller acknowledged receipt of a memo from Police Chief Macias supporting the Public Safety Policy Committee Resolution.

2. E-Mail from Carolyn Livengood regarding Skyline College President's Council Success Summit, the possible nomination of a resident to the Presidents Council, and a possible nomination to the San Mateo County Women's Hall of Fame

After Councilmember discussion, they asked staff to see if former Councilwoman Richardson was serving on the President's Council and to look into whether Clara Johnson had been a previous nominee and submit an application choosing her, if possible. Councilmembers also discussed nominating Sepi Richardson.

3. Letter from San Mateo County Hispanic Chamber of Commerce regarding a nomination for the 5th Annual Mayors' Diversity Award

Mayor Miller indicated that he was unable to attend due to the State of the City address that he would be giving that night. Mayor Pro Tem Conway said that he would attend if Brisbane had a nominee. After some discussion, Councilmembers indicated that they would give any ideas for an honoree to the Mayor.

4. Letter from Kevin Mullin and Warren Slocum regarding appointing attendees to Connect13 event held on Wednesday, October 23rd from 7:30 a.m.-3:30 p.m.

City Manager Holstine informed the Council that he would send two staff members to attend.

ORAL COMMUNICATIONS 2

There were no members of the public wishing to speak.

ADJOURNMENT

The meeting was adjourned at 11:30 p.m.

Sheri Marie Spediacci, City Clerk