



BRISBANE CITY COUNCIL
ACTION MINUTES

DRAFT

TUESDAY, SEPTEMBER 3, 2013

BRISBANE CITY HALL, 50 PARK PLACE, BRISBANE

6:30 P.M. CLOSED SESSION

- A. Conference with real property negotiator 185 Visitacion Avenue & 1 San Bruno Avenue, pursuant to Government Code Section 54956.8**
- B. Conference with legal counsel regarding one case of existing litigation; Orange Citizens for Parks and Recreation vs. Superior Court, pursuant to Government Code Section 54956.9**

7:30 P.M. CALL TO ORDER – FLAG SALUTE

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

ROLL CALL

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

REPORT FROM CLOSED SESSION

Deputy City Attorney Sticker reported that there was no action taken under Closed Session Item A and that the Council authorized joining in on a letter of support urging review of the Court of Appeals decision on Closed Session Item B.

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

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

ORAL COMMUNICATIONS NO. 1

Andy Torvik spoke about a property on Kings Road and a parking structure encroachment issue that he was concerned with.

After some discussion Council asked staff to look into the matter and provide information to the Council on the matter.

CONSENT CALENDAR

- A. Approve City Council Minutes of June 17, 2013**
- B. Approve Monthly Investment Report as of June 30, 2013**
- C. Approve the applications for the use of the Community Pool on September 29, 2013 from 12pm-5pm by Silverspot Co-op Nursery School to have a water carnival**
- D. Approve plans and specifications and authorize the advertisement of the 2013 Slurry Seal Project**

CM Conway made a motion, seconded by CM O'Connell to approve the items on the Consent Calendar as presented. The motion carried unanimously by all present.

OLD BUSINESS

- A. Consider appointing two members of the community to the Geneva-Harney Bus Rapid Transit Community Advisory Committee**

Public Works Director Breault reported that the San Francisco County Transportation Authority had received a Caltrans Planning Grant to initiate a feasibility study for the Geneva -Harney Bus Rapid Transit Project. He said that one of the tasks for this study was to create a Citizens Advisory Committee to provide focused input on this project. He talked about the overall structure of the committee and the number of proposed meetings.

After Councilmember questions and clarifications, CM Conway made a motion, seconded by CM O'Connell, to appoint CM Lentz and an interested member of the Complete Streets Safety Committee to represent Brisbane on the Advisory Committee. The motion was carried unanimously by all present.

- B. Receive Report on Status of Brisbane Soil Processing and Brisbane Recycling Permits**

City Manager Holstine gave an overview of the ongoing problem and the recent meetings that had taken place. He talked about the long and short term management of both sites. He recommended that the Council Subcommittee continue to meet with staff and bring recommendations to the full Council for eventual guidance to the Planning Commission when they hear the application for permit renewal.

Community Development Director Swiecki reported on the details of the two separate permits with both Brisbane Soil Processing and Brisbane Recycling Center. He said that extensive discussions had taken place over the past weeks about the potential solutions to measuring and enforcing the dust control issues. He also talked about the soil and concrete stockpile heights and the upcoming permit renewal process that would be before the Planning Commission.

Public Works Director Breault reported on the recent meetings with consultants, site operators, and the Bay Area Air Quality Management District.

Dana Dillworth submitted photos and shared her concerns over the contaminated soils and invasive weeds that have been transported to the site. She asked the Council to rectify this public nuisance.

Lori Liu said she was concerned about the stockpile heights, the dust control, and the impairment of views. She proposed that the City look at revising the way it measures the heights, and said that the owner of the sites should propose the solutions.

Jonathan Scharfman of Universal Paragon, said that he understood the complications of the sites and of the proposed solutions and looked forward to working with the site operators and the City to solve the problems.

After Councilmember questions, clarifications, and discussion they asked that the Council Subcommittee to continue to look at ongoing enforcement and the types of conditions that should be looked at as part of the permit extension process. They asked that staff give regular updates on each City Council agenda on the enforcement actions that have occurred.

C. Receive report on options for Sierra Point Design Guidelines

Community Development Director Swiecki reported that the Sierra Point Design Guidelines Subcommittee had met a number of times over the past several months. He said that at the direction of the Subcommittee, city staff had prepared graphics for the full Council's consideration which present different approaches to providing additional public space at Sierra Point. He said that in addition to the land exchange concept, the graphics reflect possible site reconfigurations based on the existing ownership and where future public space improvements occur on existing city-owned property. He said that the Subcommittee wanted to share these concepts with the full Council before formulating any final recommendations on the proposed Sierra Point Design Guidelines update. He then briefly reviewed the Comparison of Concept Alternatives A, B, & C.

Mayor Miller noted that a memo had been received from the Parks and Recreation Commission expressing its views of the importance of carefully planning the park and recreation space during the design process.

Karen Lentz, member of the Parks and Recreation Commission, said she supported the Council Subcommittee's recommendation of Concept A and said that she hoped that Sierra Point would become a destination point on the Bay Trail.

Renee Marmion, member of the Parks and Recreation Commission, supported the creation of passive parks and the combining of the Bay Trails.

Kevin Fryer, member of the Parks and Recreation Commission, expressed his support for public art and uses for people who work out at Sierra Point.

Dana Dillworth expressed her concern over setbacks, reduced parking, and the environmental impacts of blocking views.

Lori Liu expressed her support for Concept Plan A and the increase in open space.

Tom Heinz expressed his opinion that the public land was being confiscated. He cautioned against piecemeal planning and land-swapping.

Jonathan Scharfman of Universal Paragon suggested that the City consult with neighboring city park managers for usage data and for operation and maintenance requirements.

After Councilmember clarification and discussion, they supported using the area as public space, expressed the need for further information before supporting any one concept plan, liked the idea of a community workshop, and planning the area in phases. They asked that the Council Subcommittee take the input received at the meeting tonight, review the proposed concepts and concerns, and bring back further recommendations to the full Council at a future meeting.

NEW BUSINESS

A. Consider request from Brisbane Dance Workshop (BDW) to use Teen Center on an Interim Basis

City Manager Holstine reported that he had been contacted by Brisbane Dance Workshop (BDW) about conducting some classes at the former Teen Center Facility on a temporary basis. He said that BDW agreed to open and close the facility and have volunteers move furniture and other equipment to make for acceptable floor space. He also indicated that if Council approved this interim use, further discussion would need to take place regarding janitorial and utility costs.

Dana Dillworth advocated for making the facility available to all community groups and users.

Renee Marmion expressed her concern over the teens losing the center and the need to find a permanent space for them. She advocated for re-vamping the teen programs.

Tom Heinz said he was an advocate for teens and asked about the module at Brisbane Elementary School.

After Councilmember questions and clarifications, they approved the temporary use and asked that the City Attorney draft up a facilities use agreement.

STAFF REPORTS

A. City Manager's Report on upcoming activities - 2013 Work Plan Update

City Manager Holstine gave a presentation on the list of issues and topics that City staff was currently engaged in. He cautioned that the list was not in any priority order but rather a compilation of items. He also indicated that the list was not an exhaustive statement of staff's workload.

He reviewed the list which included the Recology Expansion and Remodel, the Baylands EIR and Specific Plan, the Sierra Point Design Guidelines, the Community Park Playground Equipment Project, the demise of Redevelopment and the new Successor Agency, Affordable Housing Issues, High Speed Rail, the EPA/NREL Renewable Energy Grant, Water and Sewer Rates, Airport Noise, Teen Center and Services, the History Book Project, the Sustainability Subcommittee, the Fire Station, Form Based Codes, Economic Development, the Green Building Ordinance review, Budget and Fiscal Planning, the Baylands Soils Processing Permit, the Geneva Avenue/Candlestick Project Study Report, the Grading Ordinance, Water Supply Issues, the High School Subcommittee, Other Post-Retirement Benefits, Collective Bargaining Strategies, the 2014-2022 Housing Element, the General Plan Update, the City Attorney Recruitment, Waste Franchise renewals and bidding, the Quarry Permit, the new Complete Streets Safety Committee, and the Habitat Conservation Plan review.

After Councilmember questions and clarifications they made minor changes to the document and thanked City Manager Holstine for his thorough report.

MAYOR/COUNCIL MATTERS

A. County-wide Assignments/Subcommittee Reports - C/CAG Update

CM Conway gave an update on the Bi-County Transportation Study. CM Lentz gave an update on the recent CMAC Meeting and reported that it is an advisory group to C/CAG.

- Report from liaison committee to the Open Space & Ecology Committee

Mayor Miller gave an update about the Council liaison meeting and reported their acceptance of the Council's 45-day extension to the comment period deadline for the Baylands Draft Environmental Impact Report.

B. Communications

Mayor Miller reported on a notification about the upcoming Tricycle Music Fest at the Brisbane Library on September 8th and October 19th.

C. League of California Cities Annual Conference Resolutions Packet

After Councilmember discussion they agreed to support the Water Bond Funding Resolution and ask Police Chief Macias to report back to the Council on the Public Safety Realignment Resolution.

D. LCC Elections for the Executive Committee for the Peninsula Division

Mayor Miller advised that the elections for the Executive Committee would be held at the annual conference and that the ballot showed there was one person running for each seat.

E. Resilient Communities for America Agreement

Mayor Miller pointed out that the City was being asked to support the efforts of the Resilient Communities for America which promotes energy security, infrastructure renewal, and economic prosperity. Councilmember supported joining this effort.

ORAL COMMUNICATIONS 2

Jamie Dunn, member of the Parks and Recreation Commission, referred to the Sierra Point Design Guidelines and supported using the space in a cohesive way and not dividing it up.

Andy Torvik spoke of his concerns about permit conditions on Kings Road.

ADJOURNMENT

The meeting was adjourned at 11:32 p.m.

Sheri Marie Spediacci, City Clerk