



CITY COUNCIL/REDEVELOPMENT/GVMID

ACTION MINUTES

CITY COUNCIL REGULAR MEETING

May 3, 2010

BRISBANE CITY HALL, 50 PARK PLACE, BRISBANE

7:00 P.M. CLOSED SESSION (City Hall Conference Room)

A. Public Employee Performance Evaluation; City Attorney, pursuant to Government Code Section 54957

CALL TO ORDER/FLAG SALUTE

Mayor Conway called the regular meeting to order at 7:30 p.m. and led the flag salute.

ROLL CALL

Councilmembers present:	Bologoff, Lentz, Richardson, Waldo, Mayor Conway
Councilmembers absent:	None
Staff present:	Public Works Director Breault, Police Chief Hitchcock, City Manager Holstine, Deputy Fire Chief Johnson, Fire Chief Myers, Administrative Services Director Schillinger, Assistant to the City Manager Smith, City Clerk Spediacci, Interim Community Development Director Swieki, City Attorney Toppel

ADOPTION OF AGENDA

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

ORAL COMMUNICATIONS NO. 1

Michele Salmon asked for an update on the status of the illegal fence at Callippe Court. Ms Salmon expressed her concern about the Northeast Ridge CC&R's and the City's inability to enforce them. She also asked for an update on the Quarry tonnage reports and the closed session item on 55 Lassen

Street.

Mayor Conway asked staff to respond to her questions. City Attorney Toppel gave an update on the fence enforcement issue. Mayor Conway asked that staff look into whether the CC&R's could be amended to deal with the fence issue, but asked that staff wait to see what the outcome of the next Homeowners Association meeting was and if progress was made on the issue.

City Manager Holstine said he would look into the Quarry issue and bring back an update at the next City Council meeting.

Terry O'Connell spoke about a milky substance in the lagoon that a citizen had reported. She complimented the Public Works Department on their fast response and urged citizens to report incidents of concern. She also inquired about the possibility of Brookfield purchasing and developing the McKesson property next to their current development site

Mayor Conway asked the staff to address the issues that Ms O'Connell brought up. Public Works Director Breault gave further information on the illegal discharge into the lagoon and the difficulty in pinpointing the source of the discharge. Mayor Conway asked that staff send a bulletin to businesses to make them aware of the problem.

City Manager Holstine reported that Brookfield was not purchasing the property for development. He stated that the real effort is to manage the area as open space.

Ashley and Ron Marshall questioned the City's loitering ordinance and asked that Council consider amending it.

Mayor Conway asked the police chief to meet with the Marshall's to answer their questions and concerns.

CONSENT CALENDAR

- A. Adopt City Council Minutes of April 19, 2010**
- B. Adopt City Council Minutes of April 26, 2010**
- C. Approve Monthly Investment Report as of March 31, 2010**
- D. Approve Community Park Day Use Permit Application for the use of the Community Park picnic tables and grassy areas for a family picnic on Sunday, June 27, 2010**
- E. Approval of Resolution 2010-14 to provide standby pay for public works maintenance hourly staff of the City of Brisbane**

- F. Approval of Resolutions 2010-15 adding the classification of Public Works maintenance Team Leader to the Class Specification Manual and Resolution No. 2010-16 amending Resolution 2006-38, the Memorandum of Understanding between the City of Brisbane and the Mid-Management/Professional Employees Group, adding the Classification of Public Works Maintenance Team Leader**
- G. Authorize the City Manager to execute a Side Letter to Current Memorandum of Understanding between the City of Brisbane and the General Employees Association regarding temporary Assignment Pay**

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

NEW BUSINESS

- A. Consider acceptance of the Brisbane share of \$34,400 from the Regional Grant of \$390,717.50 from the Federal Emergency Management Agency (FEMA) for communications narrow banding upgrade for mobile radios and fire station alerting systems**

Deputy Chief Johnson reviewed the details of the grant. After Councilmember questions and clarifications, CM Waldo made a motion, seconded by CM Bologoff, to accept the grant. The motion was carried unanimously by all present.

- B. Jefferson Union High School District Transportation and Support**

- 1. Consider authorizing the Mayor to execute an agreement with CYO Transportation Services (CYO) for school bus transportation services**

Assistant to the City Manager Smith reviewed the details of the transportation agreements. After Councilmember questions and clarifications of city staff and of Superintendent Mike Crilly, Mayor Conway took public comment.

Michele Salmon urged the Council to find a way to fund the transportation completely so that parents and teens would not have to pay the \$360 a year for a bus pass.

Jerry Salvador spoke regarding the continuation of the bus service and the additional library hours.

Bob Dettmer school boardmember and parent expressed his support for the continuation of the afterschool library hours.

Terry O'Connell addressed the issue of transportation of disabled students.

After further discussion, CM Richardson made a motion, seconded by CM Waldo, to authorize the Mayor to execute the agreement as proposed. The motion was carried unanimously by all present.

2. Consider authorizing the Mayor to execute an agreement with the Jefferson Union High School District concerning student transportation by the City of Brisbane specifically to clarify the City's and the Jefferson Union High School District's relative responsibilities for transporting disabled students

CM Waldo made a motion, seconded by CM Bologoff, to authorize the Mayor to execute the agreement as proposed. The motion carried unanimously by all present.

3. Consider authorizing the Mayor to execute a funding agreement with the Jefferson Union High School District Agreement for the extended library hours

CM Waldo made a motion, seconded by CM Richardson, to authorize the Mayor to execute the agreement as proposed. The motion was carried unanimously by all present.

C. Consider adoption of Interim Urgency Ordinance No. 542, an ordinance of the City of Brisbane, imposing a moratorium upon the establishment or operation of medical marijuana collectives

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

John Burr proposed that pot farms on the Baylands be considered.

D. Consider authorizing the City Manager to execute a contract with Cohen Ventures, Inc. dba Energy Solutions to perform renewable energy analysis for the Baylands

Interim Community Development Director Swieki reviewed the details of the proposed contract. After Council questions and clarifications, Mayor Conway invited public comment.

Dana Dillworth expressed her concerns about the proposed contract and the conflict of interest. She expressed her opinion that this was not the right consultant for the job.

Anja Miller urged the Council to move forward with this proposal and indicated that it was a good place to start.

John Burr expressed his concern that the proposed \$15,000 was not sufficient for a good study.

Michele Salmon stated that there was a need for a good independent review of renewable energy.

John Burr spoke regarding cost saving revenue generation.

Dana Dillworth spoke regarding the Universal Paragon Corporation Baylands Project EIR and also urged the Council to look at a City-wide energy plan.

After further discussion, CM Waldo made a motion, seconded by CM Bologoff, to authorize the City Manager to execute the proposed contract. The motion was carried by all present.

E. Consider adoption of Resolution No. 2010-21 amending the Bylaws of the Open Space and Ecology Committee to allow for seven members and clarify the terms of the additional members

CM Waldo made a motion, seconded by CM Bologoff, to adoption the resolution as proposed. The motion was carried unanimously by all present.

After some discussion, it was also decided that Committee Member Peter Steiler would be appointed for the two-year term and that the remaining three newly appointed members would serve for a four-year term.

STAFF REPORTS

A. City Manager's Report on upcoming activities

City Manager Holstine indicated that there was nothing to report.

MAYOR/COUNCIL MATTERS

A. Subcommittee Reports

CM Bologoff reported that the San Mateo County Library had just launched a new Chinese language website.

CM Richardson reported on the recent Chamber of Commerce Scholarship Awards.

Mayor Conway advised the Council that he was talking to staff about having the Open Space and Ecology Committee review the Open Space Fund Contribution that was set back in 1999.

B. Consider creating an Economic Development Subcommittee

CM Waldo made a motion, seconded by CM Richardson, to appoint Councilmembers Conway and

Lentz to the subcommittee.

C. Consider setting Tuesday, May 18, 2010 for a City Council meeting to hear Universal Paragon Corporations (UPC) updated project description

After checking schedules, Councilmembers set the date as proposed.

ORAL COMMUNICATIONS NO. 2

Michele Salmon advised that she had not received the community survey in her water bill.

Mayor Conway asked staff to make sure Ms. Salmon received a survey to fill out.

Anja Miller questioned whether Universal Paragon's Project needed to be accepted by Council.

City Attorney Toppel advised that a Council action to accept the proposal is not required at this time.

Clara Johnson advised the Council that the Brisbane Baylands Community Advisory Group had a special speaker scheduled for their meeting of Tuesday, May 18th and asked if Council would consider re-scheduling the special meeting that was just set for the same day. After some discussion, it was the consensus to hold the special Council meeting on Monday, May 24, 2010 instead.


CLOSED SESSION

- A. Conference with legal counsel regarding one case of potential litigation pursuant to Government Code Section 54956.9**
- B. Conference with Real Estate Negotiator regarding 55 Lassen St. APN 007-313-110, pursuant to Government Code Section 54956.8**

ADJOURNMENT

The meeting was adjourned at 9:55 p.m.

ATTEST:


Sheri Marie Spediacci
City Clerk