



CITY COUNCIL/REDEVELOPMENT/GVMID

ACTION MINUTES

CITY COUNCIL REGULAR MEETING

DECEMBER 6, 2010

BRISBANE CITY HALL, 50 PARK PLACE, BRISBANE

CALL TO ORDER - FLAG SALUTE

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

ROLL CALL

Councilmembers present: Bologoff, Lentz, Richardson, Waldo, Mayor Conway
Councilmembers absent: None
Staff present: City Manager Holstine, Deputy Chief Johnson, Police
Commander Macias, Fire Chief Myers, Deputy Fire Chief
Panacci, Administrative Services Director Schillinger, City Clerk
Spediacci, City Attorney Toppel

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

Mayor Conway asked to add a discussion of the upcoming Council of Cities Selection Committee Meeting to Mayor Council Matters.

CM Waldo made a motion, seconded by CM Lentz, to adopt the agenda as amended. The motion was carried by all present.

ORAL COMMUNICATIONS NO. 1

Carolyn Moore from HIP Housing presented the Council with calendars from their organization and advised that it had been created using a color contest, of which a Brisbane student had won.

CONSENT CALENDAR

- A. **Adopt City Council Minutes of October 18, 2010**

- B. Adopt City Council Minutes of November 15, 2010**
- C. Approve Monthly Investment Report as of October 31, 2010**
- D. Adopt Ordinance No. 551 adopting the 2010 Edition of the California Fire Code, with local modifications and introduction of Ordinance No. 552, adopting the 2010 Edition of the California Building Standards Code**
- E. Authorize the Public Works Director/City Engineer to sign an agreement with ABAG to allow Brisbane to participate in the Bay Area-wide Trash Capture Demonstration Project to protect waterways**
- G. Adopt Resolution No. 2010-47 authorizing the City to request its share of funds from the Citizens Option for Public Safety (COPS) Program and the creation of a Supplemental Law Enforcement Services Fund (SLESF) as required by the COPS Program**

Michael Barnes read a letter that he had presented for the record regarding his concerns about Consent Calendar Item F questioning giving a reduction in water rate charges to the San Bruno Mountain Watch Nursery.

CM Waldo made a motion, seconded by CM Bologoff to remove Item F for further discussion and approve Items A, B, C, D, E & G as proposed. The motion was carried by all present.

- F. Approve a reduction in overall water rate charges fro San Bruno Mountain Watch Nursery**

Michele Salmon expressed the amount of volunteer hours given by citizens to the Nursery and asked that Council support to reduction of water charges.

After Councilmember questions and clarifications of staff and Ken McIntyre, it was the consensus to have staff continue to work with Mountain Watch to come up with a different recommendation that might consider the use of the Special Beautification Fund.

PUBLIC HEARING

- A. Consider adoption of Urgency Ordinance No. 553, extending a moratorium on the establishment of businesses that perform tattooing, body piercing and permanent cosmetics, under the term "Body Art Establishment" in the NCRO, Neighborhood Commercial District**

City Attorney Toppel outlined the purpose of the adoption of the Urgency Ordinance. Mayor Conway

opened the Public Hearing. There being no members of the public wishing to speak, CM Waldo made a motion seconded by CM Bologoff to close the Public Hearing.

After Council questions and clarifications, CM Richardson made a motion, seconded by Waldo, to adopt Ordinance 553 as proposed. The motion was carried by all present.

B. Consider introduction of Ordinance No. 554, amending various provisions of the Municipal Code to classify violations as misdemeanors or infractions and establish penalties for code violations

City Attorney Toppel outlined the purpose of the adoption of the Ordinance. Mayor Conway opened the Public Hearing. There being no members of the public wishing to speak, CM Waldo made a motion seconded by CM Bologoff to close the Public Hearing.

Mayor Conway noted a typographical error on Page 2 of the penalty table; the figure should be "1,000" instead of "1,0000".

After Council further questions and clarifications, CM Richardson made a motion, seconded by Waldo, to adopt Ordinance 553 with the change noted by Mayor Conway. The motion was carried by all present.

C. Consider introduction of Ordinance No. 555, amending various provisions in Title 1 of the Municipal Code pertaining to code enforcement

City Attorney Toppel outlined the purpose of the Ordinance. Mayor Conway opened the Public Hearing.

Terry O'Connell questioned the range of fines.

City Attorney Toppel noted that they were prescribed by State law.

Michele Salmon asked that an appeal process be provided before paying the fines that some might find unaffordable.

City Manager Holstine clarified that the enforcement process is only used when someone is refusing to work with staff to correct the problem. In the vast majority of cases, this process will not be necessary.

CM Richardson made a motion, seconded by CM Lentz, to introduce the Ordinance as proposed. The motion was carried by all present.

PROCLAMATION & PRESENTATIONS

A. Recognizing Mayor W. Clarke Conway for his service to the City of Brisbane

Mayor Pro Tem Bologoff read the proclamation and presented the traditional gavel plaque. He thanked Mayor Conway for his dedicated leadership. Mayor Conway thanked his colleagues for the Proclamation and remarked how difficult and time consuming the job of Mayor is.

NEW BUSINESS

A. Election of New Mayor and Mayor Pro Tem

CM Richardson made a motion, seconded by CM Waldo, to appoint CM Bologoff as Mayor. The motion was carried by all present.

CM Lentz made a motion, seconded by CM Conway, to appoint CM Waldo as Mayor Pro Tem. The motion was carried by all present.

B. Administration of Oath of Office to new Mayor and Mayor Pro Tem

City Clerk Spediacci administered the Oath of Office to the new Mayor and Mayor Pro Tem.

Mayor Conway announced a short break for refreshments.

STAFF REPORTS

City Manager Holstine gave an update on the High Speed Rail Project and the Airport Noise Complaint Issue.

MAYOR/COUNCIL MATTERS

A. Subcommittee Reports

CM Richardson reminded everyone of the Airport Noise meeting on December 2nd and urged citizens to show up and voice their concerns.

CM Lentz gave a Sustainability Subcommittee Meeting update.

B. Consider canceling City Council meeting of January 3, 2010.

Mayor Bologoff made a motion, seconded by CM Waldo, to cancel the January 3rd Meeting.

C. Consider application received for the Planning Commission and set date for interview or provide direction to staff

It was the consensus to set Monday, December 13th at 7:30 p.m. at the date and time to interview the applicant.

D. Discussion of upcoming Council of Cities Selection Committee Meeting

Input was given to Mayor Bologoff about the different Councilmembers interested in various County seats.

ORAL COMMUNICATIONS

There were no members of the public wishing to speak.

ADJOURNMENT

The meeting was adjourned at 8:58 p.m.

ATTEST:



Sheri Marie Spediacci
City Clerk