BRISBANE CITY COUNCIL
SUMMARY MINUTES

SPECIAL MEETING TO DISCUSS THE BAYLANDS
MONDAY, AUGUST 7, 2017
BRISBANE CITY HALL, 50 PARK PLACE, BRISBANE

7:30 P.M. CALL TO ORDER – PLEDGE OF ALLEGIANCE

Mayor Liu called the meeting to order at 7:41 p.m. and led the flag salute. She asked City Attorney Roush to report out on the Council's closed session.

City Attorney Roush reported that the Council unanimously voted to deny a claim from Vincent Chang and voted 3-2 to deny a claim from Hanifa Munir.

ROLL CALL

Councilmembers present:	Conway, Davis, Lentz, O'Connell, and Mayor Liu
Councilmembers absent:	None
Staff present:	City Manager Holstine, City Clerk Padilla, Director Schillinger, Director Swiecki, City Attorney Roush

ADOPTION OF AGENDA

CM Conway made a motion, seconded by CM O'Connell, to adopt the agenda. The motion was approved 5-0.

OLD BUSINESS

A. Brisbane Baylands Planning Applications (Baylands Concept Plans, Brisbane Baylands Specific Plan Case SP-01-06, General Plan Amendment Cases GP-01-06/GP-01-10) related Final Environmental Impact Report (SCH##2006022136), and Water Supply Assessment. The subject site encompasses 733 acres generally bounded on the east by US Highway 101, on the west and south by Bayshore Boulevard, and on the north by the City and County of San Francisco. Site General Plan designations include Northeast Bayshore Trade Commercial, Baylands Trade Commercial – Planned Development, Beatty Heavy Commercial, and Marsh/Lagoon/Bayfront, and it is zoned C-3 Heavy Commercial, C-1 Commercial Mixed Use, M-1 Manufacturing, and Marsh/Lagoon/Bayfront. Universal Paragon Corporation, applicant; Owners: multiple; APN: 005-152-multiple parcels.

1. Discussion and deliberations on the above Planning Applications, the Planning Commission recommendations and any variations thereof (including maintaining the current General Plan policies for the Baylands) related to land use including but not limited to mix, distribution, and intensity of uses and development standards and providing direction to staff concerning scheduling a public hearing concerning the outcome of such discussions/deliberations. Deliberations may also address the possibility of putting forth a ballot measure addressing some or all of the legislative actions related to the project that are under consideration by the City Council.CM Lentz reported that the Baylands Subcommittee had received a report from the City's interns and asked staff to confirm the role of the interns in addressing the Council's questions.

Mayor Liu stated that the City's lobbyists in Sacramento had been tracking legislation of interest to the City including legislation relating to local land use and housing. Legislators were considering a package of bills related to local land use and had advised that specific details on the housing bill package would not be disclosed until the legislation was made public when the legislature resumed its session in September. She stated the City would wait for the legislative package to be disclosed publicly before moving forward in in its land use discussion related to the Baylands applications before the Council.

City Manager Holstine noted staff would report back to the Council as soon as the legislative package was made public.

Mayor Liu invited representatives from Jerry Hill's office to address the Council.

Joan Dentler, representative of State Senator Jerry Hill's District Office, and Kevin Fong, representative of Assembly member Kevin Mullin's office, introduced themselves to the Council. Ms. Dentler read a joint statement from Senator Hill and Assembly member Mullin. [Note: that statement is attached to these minutes.]

Mayor Liu invited questions from Council members of staff.

CM O'Connell asked staff to provide clarification on the legend for attachment 1 to the staff report.

Director Swiecki stated it would be addressed prior to the Council's next meeting.

2. Public Comment

Matt Regan, Bay Area Council, said his Council was concerned with the lack of housing in the area. He said cities in the area have approved more jobs than housing units, resulting in the current housing crisis. He shared statistics on the number of commuters traveling into the Bay Area from more affordable communities and said that model was unsustainable. He shared statistics regarding the number of low-income households that leave California for other states, where their respective carbon footprints increase. He asked the Council to approve a lot of homes on the Baylands.

Michael Barnes, Brisbane resident, supported housing on the Baylands for many reasons,

including environmental, and thought it could be built safely. He was concerned the Council wasn't voting. He wanted the Council to take action so the State legislature could take action. He said about half of respondents to the Council's resident survey regarding Baylands development would consider some housing on the Baylands. He said the Council hadn't followed up on that survey. The community preferred alternative included housing on the Baylands. He said the Council wasn't listening to him or people like him. He was knowledgeable about the Baylands and had started the review process when he was on the Council. He said the County supervisors and State representatives supported some housing development on the Baylands. Historically Brisbane fought housing proposals with allies from the County and State and that was not the case here. He did not want the City to be punished for not allowing housing. He asked Council to negotiate with legislators for Regional Housing Needs Allocation (RHNA) reductions in return for allowing housing on the Baylands.

Paul Krupka, independent transportation consultant, said he was a 30-year resident of San Mateo County. He said the developer's mixed-use transit-oriented development would reduce external impacts on the transportation system and would ease the housing crisis. The developer's proposal was world-class and scalable. He said the big picture goal should be to create the biggest and best project to benefit the City, County, and State. He said any mixed-use project should contain a high number of homes.

Evelyn Stivers, Housing Leadership Council, said she speaks with at least four families every day who are struggling to afford their current housing or find housing in the County. She said the decision facing the Council is not unique to Brisbane. Other cities in the Peninsula have faced the decision between housing and jobs and chosen jobs. She understood the concern with soil remediation and asked the Council to work with her organization to address their concerns and come up with a plan to allow for housing.

Vincent Woo said he grew up in Santa Clara County and currently lived in San Francisco. He shared anecdotes of his classmates who became teachers and struggle to find affordable housing in the cities they teach in. He said school districts cannot retain teachers throughout the Bay Area. He said not building housing to retain a quality of life that exists now would impact Brisbane's future quality of life as critical social infrastructure can't be maintained. He asked the Council to make a decision on the project and housing delayed is housing denied.

Jesse Vaughn said he helped teachers and school staff find housing in the Peninsula. He shared anecdotes of clients who commute from long distances and stay in motels during the work week which negatively impacted them and their community. He said teachers' and other essential workers and professionals' options are limited. He asked the Council to consider the positive impact of new housing development for communities to thrive.

Nicole Nabulsi said she was a first-year law student and said the Council's decision would impact students like her. She said the average law student makes about $60,000 per year after graduating and faces rents in San Francisco at a median price of $4,000 per month, limiting their ability to stay in the Bay Area. She asked the Council to make the right decision.

Todd David, San Francisco Housing Action Coalition, echoed Evelyn Stivers comments. He read

a joint statement from State Senator Scott Weiner and Assembly Members Chiu, Mullin, and Ting. [Note: the joint statement is attached to these minutes.]

Steven Buss said he recently moved to San Francisco for a job. He was uncomfortable gentrifying the Mission District where new residents are displacing existing residents. He said new housing was needed so that people can move here without having to kick someone else out of their housing. He asked the Council to vote yes on the application.

Tim Colen, San Francisco Housing Action Coalition, said the City's preferred alternative is silly and rooted in 1960's land use principles that doesn't respond to housing and traffic challenges and would make them worse. He said UPC's mixed-use proposal addresses those problems and successful cities in the U.S. are voting to build those types of projects. He said the City risked litigation if a commercial only project moved forward. He said the Council could negotiate with the developer to make it a great project for Brisbane. The transit investment alone would benefit the City for decades. The community benefits were considerable and opportunities for vacant properties like this were rare and should be put to the highest and best use. He asked the Council to develop solutions to the challenges.

Laura Foote Clark, executive director of YIMBY Action, shared stories from her work and personal life from local residents who cannot afford to stay in the Bay Area despite their salaries and desire to remain. She said she visited RV parks in Palo Alto and encountered parents with full-time jobs or two jobs who are struggling to afford housing. She visited the Brisbane trailer park and met with many residents who have jobs but can't find better housing. She asked the Council if that was acceptable and said not approving housing would make the housing problem worse.

Sam Moss, executive director of Mission Housing Development Corporation, said his company was a non-profit that builds 100 percent affordable housing for families and seniors. He said there was an infinite demand for affordable housing in the Bay Area because cities like Brisbane approved jobs but no housing. He respected the City's desire to protect its small town feel but stated that would negatively affect the region. He asked the Council to vote yes on housing.

Tony Verreos, Brisbane resident, said the previous commenters' arguments were illogical. He said San Francisco chose to not build housing in three quarters of the City and could reverse that but wouldn't. He said several thousand units are in the pipeline in the vicinity of the Baylands in the next ten years, including Schlage Lock and Executive Park. He said the project was not visionary and the community would welcome a visionary project. He read a written statement. [Note: Mr. Verreos' statement is attached to these minutes.]

Theodore Randolph, San Francisco resident, said building housing in the Baylands was regionally responsible and would give people opportunities. He said building offices without housing would mean new employees would have to commute from long distances and the revenue they could generate in Brisbane would be lost. He said cities used to grow to accommodate new residents and became better for having more people.

Jimi Sosa, Brisbane resident, said he moved to Brisbane because it reminded him of Sausalito,

which was beautiful and did not grow. He said the speakers tonight did not live in town and could not speak for the town residents. He said there was no guarantee that the speakers tonight could afford to rent or buy new housing developed in the Baylands. He said he was a social worker in San Mateo County assisting homeless people. He said people who grew up in San Mateo County couldn't afford housing there anymore. He said the project funder is overseas and they know nothing about the property owner. He said there would be traffic problems and the development was on toxic land.

Nancy Lacsamana, Brisbane resident, said the dump was 50 years old and she didn't know why they wanted to save it. She said with remediation housing could be built. She said it was the right thing to do at the right time.

Tom Bellino San Francisco resident, said building housing on the Baylands near transit was the right thing to do to reduce housing scarcity and car emissions and he couldn't understand how it could be opposed. He asked the City Council to allow transit-oriented housing at the Baylands.

Michele Salmon, Brisbane resident, said the Council should not certify the EIR and deny the developer's plan. She said her objection was not because Brisbane's character might change as a lifelong resident. She said the environmental impact review and clean-up plans were inadequate. One housing unit shifts the burden for infrastructure to the public. She said the Baylands could benefit the region by providing renewable energy and high-speed rail and zero waste at Recology. She said building more housing won't solve the crisis because it is a population crisis. She said the City's bi-county priority development area didn't matter when San Francisco was building the Salesforce tower. She said the developer's plan proposed only 4,400 units of housing and 8-12 million square feet of commercial space which was a disparate ratio of new jobs to new housing. She said she was disappointed to see Greenbelt Alliance endorse the proposal and investigated that UPC had held a fundraiser for them, and the San Francisco Housing Action Coalition also financially supported them. The highest and best use for the property and for future generations is to build renewable energy, conserve water, and achieve zero waste.

Michael Hoexter said he formerly lived in San Mateo County and now lived in Alameda County. He said the current suburban way of life is unsustainable. He said a significant share of Statewide greenhouse gas (GHG) emissions came from the transportation sector. He showed a graph from the California Air Resource Board that showed the breakdown of GHG emission sources by sector. [Note: the chart is available online here: https://www.arb.ca.gov/cc/inventory/data/graph/pie/pie_2015_by_sector.png]. He said commuters traveling to the Bay Area from other counties contributed to the GHG emissions.

Danny Ames, Brisbane resident, said Brisbane's right to make decisions for itself consistent with its General Plan which is its constitution should be respected. He read from the 1994 General Plan Community Character element which set out the community's values. [Note: the sections read by Mr. Ames include the "Goals" summary on the first page of the Community Character Element, and the first three paragraphs of the same Element.] He asked the Council to deny UPC's application and said the City's character was at stake.

Jonathan Scharfman, representing the applicant UPC, said the project is healthy for the planet, consistent with Brisbane's core values, right for the region, good for Brisbane and feasible for UPC or any successor developers to build. He respected the Council's struggle but said the site's location adjacent to transit was a once in a generation opportunity. He said the City could clean up the Baylands, create new open space, shopping, and recreation, and help other challenges. He said UPC would work with the Council to move forward with the Council to create a project that is healthy, right, good, and feasible.

Alfred Twu, Berkeley resident, said Brisbane residents' concerns about the environment and small town feel were a red herring. He said profiting from business and sales taxes without providing housing for workers generating that wealth was irresponsible and free-loading on other cities to provide housing. Berkeley recently raised taxes by $4 million to build affordable housing. He said current and future leaders of the region and State in the room do not support providing commercial development without housing. He displayed a sign saying "No homes, no shop" and said he would discourage friends and family from shopping in Brisbane. He said if housing was not built on the site, a standalone commercial development should not be either.

Sarah Sieloff, director of Creative Land Recycling, said on October 12 in Redwood City her organization would host a lunch and workshop on infill housing. She said they had many free resources on their website, www.cclr.org, including webinars and white papers. She said her organization had seen land safely cleaned and reused for housing, including two railyards in Sacramento and one railyard in Truckee. She said landfills get redeveloped often, including the Home Depot site in Colma. She said there was a lot of fear around contamination. She said remediation is paid for by the development of the site. Remediation is highly regulated and there are opportunities for public engagement. She said green goals aren't excluded from mixed-use development. She reiterated her organization's support for the Council and community.

The Mayor announced a five-minute break. After reconvening, she again welcomed public comment.

Adina Levin, Friends of Caltrain, shared research showing infill mixed-use development may result in slower moving traffic but overall results in less driving. She noted she previously emailed resources on that topic to the Council. She said Mountain View was considering new housing near Google's campus with reduced parking requirements and shared parking between day and night time uses. She said ABAG and MTC recently released a transportation plan that could tie transportation funding to housing production.

Clara Johnson, Brisbane resident, thanked the Council for their leadership of the Parkside Precise Plan which would meet the City's current RHNA. She then read from her written statement. [Note: Ms. Johnson's written statement is attached to these minutes.]

Victoria Fierce, Oakland resident, said she disagreed fundamentally with the Council on what it means to live in a society. She said the Baylands was an opportunity to end homelessness and strong leadership was needed. The Bay Area needs to work towards environmentally sustainable housing for the entire community. She shared her struggle to pay rent and medical expenses. She asked the Council not to privilege currently housed people over unhoused people. She said the

housing shortage is killing people and demanded Brisbane build more housing. She said the YIMBY movement fights for housing development at public meetings.

Christina Fernandez, with SAMCEDA, said businesses prefer nearby housing and transportation when looking for locations. She said the approved housing development in San Francisco was not adequate to accommodate San Mateo County's housing needs. She said new office space without adjacent housing would not be attractive to businesses. She said the new economy and the region's sustainability depended on incorporating housing into commercial developments.

Karen Cunningham, Brisbane resident, recommended not voting on the application. She said she understood the regional housing crisis but Brisbane didn't create it and should not be its solution. She said she wanted to find solutions to the crisis. She said San Francisco had thousands of units off the long-term rental market or vacant. She said she had a millennial son and understood the generation. However, San Francisco had built commercial space without more housing for years. She said 4,400 units was not close to the minimum ratio advocated by the housing advocates speaking at meetings. She said the City should be part of the solution but was upset to have fingers pointed at Brisbane's residents and Council. She said San Francisco's commercial and luxury residential development was responsible for the displacement and housing shortage described by many people at the meeting.

Michael Chen, San Francisco resident, said if Brisbane approves a project without housing it would result in higher housing prices for residents who would be displaced from Brisbane. He said if housing was approved, people could remain in town and enjoy new amenities like restaurants and shops. He said new housing would lead to a more equitable future. He said the Council and residents are afraid of more housing and asked the Council to instead view it hopefully for GHG emission reductions. He asked the Council to be a part of the solution to the housing crisis.

Paul Bouscal, Brisbane resident, echoed Clara Johnson's comments on water. He said he was concerned they did not know what the toxins were. He shared the story of Brisbane's incorporation to fight development of San Bruno Mountain. He said this was a Brisbane issue. He said he and his wife were middle class and could not afford to buy a home in Brisbane today. He said the EIR is inadequate for multiple reasons. He said the City was meeting its RHNA through the Parkside Plan. He said the needed infrastructure improvements at the Baylands there were not guaranteed if it is developed. He said Recology and South City Scavengers were trucking refuse miles away, increasing their carbon footprint. He supported the Planning Commission's recommendation.

Carolyn Parker, Brisbane resident, said Brisbane was a unique small town that should be protected. She said the most important thing at the Baylands is to expand Recology to cover up the dump. She said it would help Little Hollywood by reducing pollution and increase the quality of life for San Francisco and the region. She said high speed rail could cap the dump and the land could be used for entertainment. She said other dumps in the Bay Area have not been developed. Mare Island remained undeveloped because it was contaminated. She said UPC had owned the land and not cleaned it for years. The General Plan had prohibited housing on the Baylands prior to UPC buying the property. She said housing on the Baylands was not appropriate to the City

and community. She shared her issues with the construction quality of condominiums on the Ridge. She said affordable housing did not allow low-income homeowners to build equity. She said the Baylands should be a location for transportation. She stood by the Planning Commission's work on the Baylands applications.

Corey Smith, San Francisco resident, said the proposed housing was miles from downtown Brisbane and was closer to San Francisco. He said no one accused Brisbane of being a bad guy. He said Proposition 13 was the primary culprit. He said Brisbane was not the only place to build more housing and he advocated for up-zoning residential neighborhoods in San Francisco. He said 26.5% of the State's transportation sector GHG emissions result from cars. Building more than double the proposed housing units was the most environmentally friendly thing to do and to be pro-environment was to be pro-housing near jobs and transit.

Robert Howard, Brisbane resident, said the dump on the Baylands was unregulated. He said bedrock was 200 feet below the surface. He said the water table moves. He said archaea in the Baylands produced toxic off-gases and there were other unknown toxics there. He didn't want people to live there and it would be expensive to treat illnesses resulting from those toxins. He said the dump would be capped, not remediated, and caps get pierced over time. He said in Mountain View a Google building on top of a dump needed to be evacuated after the cap failed. He said Caltrain might move the railyard into the Baylands which would help reduce CO_2 emissions by increasing transit use. He said the advocates should go to the cities that build office space but not housing. He said the Planning Commission's recommendation addresses many issues of concern to residents. He said the tank farm was a huge problem generating plumes into the air and ground spreading over the Baylands. He said the California groundwater situation is terrible because oil well wastewater had been dumped in drinking aquifers.

MAYOR/COUNCIL MATTERS

A. City Council Schedule Concerning the Baylands Deliberations Process

City Manager Holstine indicated staff would update the Council as soon as they had information on the forthcoming legislative package from their Sacramento lobbyists. He said the upcoming meetings in August would be cancelled.

Laura Foote Clark, executive director of YIMBY Action, said it seemed the Council was delaying the decision for no reason.

The City Attorney stated the Council will not take action tonight and would wait for the legislative process to conclude and would reconvene after that legislation was acted on.

WRITTEN COMMUNICATION

A. Acknowledge receipt of written communications regarding the Brisbane Baylands Project

Mayor Liu acknowledged correspondence received since the last meeting that was in the public record from July 24 and August 7. [Note: all written correspondence is available on the City's website at http://www.brisbaneca.org/baylands-city-council-correspondence.]

ADJOURNMENT

CM Conway motioned and CM Davis seconded to adjourn the meeting. The motion was approved 5-0 and the meeting adjourned at 10:06 p.m.

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Ingrid Padilla, City Clerk

Attachment 1

Joint Statement on the Brisbane Baylands Project
Senator Jerry Hill & Assemblymember Kevin Mullin
Brisbane City Council Meeting – Monday, August 7th 2017

The City of Brisbane finds itself with an opportunity at a moment in history that if acted upon could revolutionize development, land use, housing, transportation, commerce, culture, the environment, and the economy on the Peninsula and in the Bay Area.
The Baylands project presents a rare and important opportunity to improve the quality of life for the residents of Brisbane and the region through a sustainability plan that includes a variety of different components, and housing plays a central and essential role in that plan to build a sustainable community.

People are increasingly interested in the opportunity to live, recreate, and shop where they work and vice versa, a concept that held true in the early days of most communities. Besides the added bonus of reducing traffic congestion, this concept has the potential to strengthen this community's cultural, civic, and communal opportunities in an environmentally sensitive design. When people live where they work, they have more time to engage and contribute in their community.

This moment in time provides the City of Brisbane with a unique opportunity to demonstrate to the region and to the state that it can exercise local control and also demonstrate leadership in addressing the region's housing crisis, sea level rise, and transportation needs in a way that is smart, sustainable, and timely.

It is the right thing to do for this and future generations.

We are proud to represent the City of Brisbane in Sacramento and we are always available to you as a resource.

Attachment 2

California Legislature

Joint Statement from Senator Wiener and Assemblymembers Chiu, Mullin, and Ting on the Brisbane Baylands Development

Delegation that represents San Francisco and San Mateo County calls on Brisbane City Council to put forward a development plan that addresses regional need for housing

San Francisco – Today, Senator Scott Wiener, Assembly Speaker pro Tem Kevin Mullin, Assemblymember David Chiu, and Assemblymember Phil Ting released the following statement in advance of Monday evening's Brisbane City Council meeting on the Baylands Development:

"The Bay Area and California are in this housing crisis for a long list of reasons, but the fundamental issue is that we simply do not have enough housing that our residents can afford. California got here as the result of thousands of decisions, like the one being considered by the Brisbane City Council tonight, where the question was should we build housing and, if so, how much housing should we build. Too often the answer has been to either build no housing, or to build very little of it.

Cities both large and small can no longer ignore their role in our regional need for more housing. If we had been more proactive in building housing ten years ago, we wouldn't be in the mess we are in today, and if we don't start building today, it's going to be even worse ten years from now. Our housing crisis impacts our residents, our economy, and our environment. The California legislature has been working on a package of bills that will both increase funding for affordable housing and streamline the process for building housing, including affordable housing. These bills are in response to the clear need to change California's approach to housing, and we are working hard to deliver on these policies. But we also need our local governments to step up and recognize that decisions made by one city impact the entire region.

Moving the Baylands development forward with no housing, or inadequate housing, would be a dramatic lost opportunity to provide housing for thousands of Bay Area residents. By contrast, approving a plan with thousands of homes accessible to public transit would show the kind of local leadership we need if we are going to pull ourselves out of this housing crisis. We urge the Brisbane City Council to put forward a plan that will add significant housing for the Bay Area residents who so desperately need it."

Attachment 3

Att: Brisbane City Council

Via Email: City Clerk
Ingrid Padilla

Tony Verreos
415-467-9600
122 Warbler
Brisbane

AUG 7, 2017

SUBJECT: Baylands deliberations: Why NO Housing!

Dear City Council members,

Housing on the Brisbane Baylands is currently prohibited. It should not even be up for discussion.

Our Planning Commission recommended a plan they judged to be practical, and both environmentally and economically sound. Rather than concentrating on that option as the preferred one, you have spent months laboring over the developer's preferences.

On July 24th ~~the~~ Madison Davis raised the question of a General Election vote to identify the true public opinion For or Against housing on the Baylands, and I followed her idea by suggesting 3 items be asked:

a) Housing? YES or NO?

b) Developer's plan (amend the current Brisbane General Plan to allow housing on the Baylands. YES or NO?

c) Planning Commission recommendation. YES or NO?

Att: Brisbane City Council Tony Verreos AUG 7, 2017

The belief that the Baylands cannot or will never be made safe for housing may be wrong, but it has not been proven wrong. More importantly, who or what has prevented this property owner from completing remediation of their lands to the top safety standard for housing over the term of their ownership? I think no one, just their own selfish interest to use the threat of constantly polluted lands as a bargaining chip in their efforts to persuade our City Council and voters to give them the unearned gift of billions in additional windfall profits by amending our General Plan. No one can justify that position by claiming Brisbane is standing in the way of fixing the crisis others made all around us. The regional responsibility argument is a fraud, just like the ABAG plans to include 4,400 new units in Brisbane that we have no intention of ever building.

Even if they had cleaned or remediated all of their land already, Brisbane has no obligation to subject itself to either the hyper growth these public proposals would mean, nor to the potential political power shift which should be expected if our City Council fails to uphold its own General Plan now.

It's good to finally read that a couple of San Francisco's former Mayor's, now long ago out of office, are willing to admit their City's part in creating this housing crisis. However, while San Francisco failed again to maximize density at this same developer's Schlage Lock site just North of us, they and all housing advocates are telling us we are

selfish for not embracing the end of our small town quality of life as they seek to dictate our future to us for their own benefit. I suggest you go first! Lift all of the height and density restrictions throughout San Francico, Daly City, and South San Francisco, and leave us to decide the little that we have a right to control.

Housing and environmental advocates are reported to have suggested our Baylands fill is just piles of dirt, not worthy of anything but the same sprawl they so much argue against in other locations. That is hypocritical. Many would build over Golden Gate Park if they got a chance to. I would rather see Brisbane facilitate the building of the next great park right here, complete with its own energy farm.

The great lie is that many small towns like Brisbane owe anything to the great cities around us. Every problem has a solution – some better than others. Some far worse. We in Brisbane have the courage to seek the highest value use, and not allow ourselves to be bullied into accepting the tired old lies that more housing will really help end an imbalance which is proven to be beyond simple supply and demand.

Change in the right direction is OK to paraphrase Winston Churchill. This developer plan is the wrong direction!

Attachment 4

Clara Johnson
159 Lake St
Brisbane, CA 94005
August 7, 2017

Dear Councilmembers

I watched your July 26th meeting yesterday. And read the staff report today. I appreciate the numerous questions that you asked. I have some comments and some questions. I have organized them by subject.

Regulators and Remediation:
BCDC has jurisdiction over portions of the Baylands. The City should make contact with them and let them know where we are in the process and ask them for their comments.

There are more than 80,000 known chemicals and only a few hundred of them have been evaluated for their impact on human health. There are more chemicals on the Baylands than those listed in monitoring reports. The actual health risk is greater than is acknowledged.

The discussions you have about the tremendous amount of soil placed on the site don't ever include the fact that the soil that is required to separate the public from the contamination must be approved by either DTSC, RWQCB or, as the staff report mentioned, CALRecycle. The soil for OU1 and OU2 needs to be of a type and soil pore size that is appropriate to act as a barrier. There is also the issue that soil imported prior to 2010 was not adequately tested to determine if it was free from contaminants. There are plans that UPC has agreed to make sure the regulator's standards are met. I don't know what CALRecycle requires but it would seem that they would have similar concerns.

Recreation:
All infrastructure is supposed to be paid for by the developer. Playing fields are recreation infrastructure.

In an earlier Baylands presentation, Ms Dangemond of Dangemond Landscape Architectural Firm stated that she found a study indicating that there had been interaction between chemicals used to treat turf and chemicals that were part of contamination of the soil underlying that turf. This issue must be investigated before you place playing fields anywhere on the Baylands.

Golden State Lumber:
Since the staff hasn't spoken to them in eighteen months, it would be wise if they touched base with Golden State Lumber.

Water Supply:
During the EIR process, you used an attorney who specializes in water issues. Why not bring her back to review the current circumstances. She might provide more information regarding the probability of water being available for the project.

The agreement to make an agreement for the OID water doesn't mean much unless there are agreements with MID and SFPUC who have both said that there isn't enough information in this EIR to know whether they could accommodate our needs. If all the water available to use is pledged to others, then we are out of luck. It seems like an unreliable source of water.

The pressure on water resources is increasing with population. The past is not a good predictor Of future availability

Landfill:
According to Dr. Lee, long term post closure municipal landfill failures, after 20 years or more, occur fairly frequently, leaving the host municipality to pay for repairs. We must be certain to protect against this possibility.

Traffic, Parking, Greenhouse Gas Emissions and Transit:
Where is the evidence that reducing parking well below the expected need for developments actually reduced car usage and greenhouse gas emissions and by how much? The report just lists cities that have done this.

The table on page 13 indicates that after the project the LOS will be more than 50 seconds at some intersections and more than 80 seconds at other that means it could be 10 minutes or any number above those first two. It isn't very helpful.

Noise:
Item number 26, the noise metric should be expressed in DBA to link it to human hearing and perhaps a CNEL number should be given.

Liability:

Liability for this project should be assigned to the developer in any and all agreements signed by the City.

Sea Level Rise and Chronic Inundation:

The Union of Concerned Scientists has published a report on areas that will be inundated by flooding cause by sealevel rise. We should ask them for a detailed version of that report.

The San Mateo Seal Level Rise Report seems very conservative in its prediction of the level of the rise. More information is needed.

You can decide not to approve any project because you have an inadequate EIR.

The Renewable Energy Alternative without so much commercial space looks good for the town and the environment.

Toxics must be monitored and if they start to move the owner must do something to stop the movement.

Thank-you

Clara Johnson