DRAFT

BRISBANE CITY COUNCIL

ACTION MINUTES

THURSDAY, March 17, 2016

BRISBANE CITY HALL, 50 PARK PLACE, BRISBANE

7:30 P.M. CALL TO ORDER – FLAG SALUTE

Mayor Lentz called the meeting to order at 7:31 P.M. and led the flag salute.

ROLL CALL

Councilmembers present:	Conway, Davis, Liu, O'Connell, and Mayor Lentz
Councilmembers absent:	None
Staff present:	Deputy City Manager Schillinger, Deputy City Clerk Padilla, City Attorney Roush, Community Development Director Swiecki, Senior Planner Johnson, Police Sergeant Garcia

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

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

PRESENTATION

A. Newly Promoted Staff Introductions

Keegan Black – Maintenance Program Manager
Dustin Cohn – Public Works Team Leader
Kessel Crockett – Public Works Lead Maintenance Worker
Lester Vega – Police Detective

Three newly promoted staff members from Public Works, Keegan Black, Dustin Cohn, Kessel Crockett, and one newly promoted staff member from the Police Department, Lester Vega was presented to the City Council. The Council Members congratulated them on their promotions.

ORAL COMMUNICATIONS NO. 1

There were no members of the public wishing to speak.

CONSENT CALENDAR

A. Direct staff to submit the 2015 Annual Housing Element Progress Report to the California Department of Housing and Community Development (HCD) and the Governor's Office of Planning and Research (OPR)

B. Approve the annual co-sponsorship of Brisbane Dance Workshop's Spring performance at Mission Blue

C. Adopt Ordinance No. 600, waiving second reading, amending Division VII of Title 9 of the Brisbane municipal Code to clarify the scope and meaning of the City's Weapon Control Regulations to conform those regulations to current Federal and State law

CM Conway made a motion, seconded by CM Liu, to approve the Consent Calendar Items A, B, and C. The motion carried unanimously by all present.

PUBLIC HEARING

A. Consider introduction of Ordinance No. 606, waiving first reading, amending Brisbane Municipal Code Title 17 (Zoning) to amend sections of Chapter 17.02, Definitions, Chapter 17.32, General Use Regulations, and Chapter 17.32, Appeals

Community Development Director Swiecki indicated that the hearing was to update the Brisbane Municipal Code Title 17 (Zoning Code) to implement Housing Element Program H.B.1.f, to modify existing regulations to achieve internal consistency within the Municipal Code, and to amend the appeals process for Planning Commission decisions per the recommendations of the City Council Policy Subcommittee.

Mr. Swiecki said that Program H.B.1.f of the City's 2015-2022 Housing Element, adopted on April 2, 2015, requires the City to amend the definition of "single-family dwelling" to include employee housing for six or fewer employees, consistent with California Health and Safety Code Section 17021.5. He said the Health and Safety Code precludes the City from requiring a conditional use permit, variance, or other zoning clearance for employee housing that serves six or fewer employees that wouldn't otherwise be required of a family dwelling of the same type in the same zone.

He said that the draft ordinance also proposed several discrete amendments to sections of the Brisbane Municipal Code Chapter 17.32, General Use Regulations, intended to achieve consistency within and between different Chapters of the Municipal Code and to better reflect current application review procedures.

Mr. Swiecki then outlined the proposed changes to BMC Chapter 17.52 which he said were intended to revise the time frame in which appeals must be heard, change the terminology from a "Council appeal" to a "Council referral"; clarify why a Council referral does not disqualify the referring Council members from participating in the hearing, clarify procedural steps in processing an appeal or referral, and create a timeframe in which the City Council must consider an appeal/referral.

Councilmembers discussed concerns regarding changing the word "appeal" in BMC Chapter 17.52 to "referral", discussed residential districts being allowed to have television satellite receivers

placed on the roof of structures, and discussed the wording regarding flood hazard area using "consistent" instead of "in compliance" with the procedures and standards for floodplain management.

Councilmembers noted the receipt of Carolyn Parker's email expressing her opinion that the change of the word "appeal" to "referral" should not be approved.

After further Councilmember questions and discussion they asked that the matter be continued to the next City Council meeting, allowing staff to address their suggested revisions.

B. Consider introduction of Ordinance No. 607, waiving first reading, amending Titles 15 and 17 of the Brisbane Municipal Code (BMC) to replace the Water Conservation in Landscaping Ordinance, BMC Chapter 15.70, in its entirety, to be at least as effective in conserving water as the State's Model Water Efficient Landscape Ordinance and to modify the Landscaping Development Standards in various sections of Title 17 to be Consistent with the State's requirements for when irrigated landscapes are subject to the Water Conservation in Landscaping Ordinance

Community Development Director Swiecki indicated that the hearing was to consider a Brisbane Municipal Code text amendment to replace the Water Conservation in Landscaping Ordinance in its entirety consistent with new state law and to amend the related zoning development regulation cross-references. He said the new state law was passed in response to the state's 4-year drought.

Mr. Swiecki said that local agencies have the option to either comply with state regulations or adopt their own ordinances which must be at least as effective in conserving water as the state regulations. He said that the City of Brisbane is a member of the Bay Area Water Supply and Conservation Agency (BAWSCA) and that staff's recommendation is that the City adopt its own ordinance modeled after the Bay Area Water Supply and Conservation Agency (BAWSCA) model which is more stringent in conserving water than the state regulations.

After Councilmembers discussion and questions about the technical aspects of the Ordinance, which were addressed by Senior Planner Johnson and Community Development Director Swiecki, CM Conway made a motion, seconded by CM O'Connell, to close the public hearing. The motion carried unanimously by all present.

CM O'Connell then made a motion, seconded by CM Davis, to introduce Ordinance No. 607 as presented. The motion carried unanimously by all present.

STAFF REPORTS

A. City Manager's Report on upcoming activities

There was no report given.

MAYOR/COUNCIL MATTERS

A. Countywide Assignments/Subcommittee Reports

Council members gave updates on the Economic Development Subcommittee, the Liaison to the Planning Committee Meeting, and the C/CAG Subcommittee on Water Issues. CM O'Connell also asked staff to request a presentation on San Mateo County Supervisor Dave Pine's Measure AA, the Clean and Healthy Bay Initiative, in order to educate voters about this Parcel Tax Measure set for the June 2016 ballot,

CM Conway reported that he was asked to be on the hiring/recruitment panel for a new Brisbane School District Superintendent.

B. Written Communications

There were no written communications reported.

ORAL COMMUNICATIONS 2

There were no members of the public wishing to speak.

ADJOURNMENT

The meeting was adjourned at 9:10 P.M.

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Ingrid Padilla, Deputy City Clerk