



BRISBANE CITY COUNCIL  
ACTION MINUTES

**DRAFT**

---

**TUESDAY, APRIL 2, 2015**

*BRISBANE CITY HALL COMMUNITY ROOM, 50 PARK PLACE, BRISBANE*

**7:30 P.M. CALL TO ORDER – FLAG SALUTE**

Mayor O’Connell called the meeting to order at 7:35 p.m.

**ROLL CALL**

Councilmembers present: Conway, Lentz, Liu, Miller, and Mayor O’Connell  
Councilmembers absent: None  
Staff present: City Manager Holstine, City Clerk Spediacci, City Attorney Roush, Public Works Director Breault, Community Development Director Swiecki, Administrative Services Director Schillinger, Police Chief Macias, Deputy Fire Chief Johnson, Community Development Assistant Tune, Senior Planner Johnson

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

Mayor O’Connell asked that Mayor Council Matters Item E be considered after Presentations and that New Business Item A be considered after the Consent Calendar. CM Conway said that he had an announcement to make under Presentations. City Clerk Spediacci pointed out a typographical error in the online version of the agenda.

With those changes, CM Conway made a motion, seconded by CM Lentz, to adopt the agenda as amended. The motion carried unanimously by all present.

**PRESENTATION**

**A. 2015 Wildfire Prevention & Readiness Activities**

Deputy Fire Chief Johnson gave a summary of the weed abatement and vegetation management program and said that letters to citizens about the program would be mailed soon. He also spoke

about the fire break project in conjunction with Cal Fire crews, and the annual emergency preparedness drill on the third Saturday of June.

**B. Announcement from CM Conway**

CM Conway said that there is a traveling half-scale replica to the Vietnam Veterans Memorial in Washington, D.C. which is coming to the Golden Gate National Cemetery in San Bruno on April 11<sup>th</sup>. He asked that an announcement be put on the City's TV Channel.

**MAYOR COUNCIL MATTERS (Item E. Taken Out of Order)**

**E. Discussion of appointment procedures regarding Commission/Committee vacancies**

City Attorney Roush said that earlier this year a vacancy occurred on the Planning Commission due to a resignation and that the City Clerk posted the required Notice of Vacancy. He said that subsequent to that, a request was received asking to be reinstated to the Planning Commission and the Council asked staff about policies that speak to reinstatement. City Attorney Roush reported that the Council adopted a Council Handbook in 2001 that requires a vacancy to be filled by an application process and that the handbook did not have a section dealing with reinstatement.

City Attorney Roush noted that the current deadline for submission of applications was set for April 15<sup>th</sup> and that the Council has the discretion to either appoint from the list of applicants or to schedule interviews.

Mayor O'Connell encouraged all members of the public wishing to serve to apply.

**ORAL COMMUNICATIONS NO. 1**

Colleen Mackin expressed her opinion that City Council Meetings go too late and suggested using the timer to limit the amount of time each citizen could speak.

**CONSENT CALENDAR**

Councilmembers asked to remove Consent Calendar Items A, E, & F.

**B. Approve City Council Minutes of March 19, 2015**

**C. Receive Monthly Investment Report as of February 28, 2015**

**D. Adopt Resolution No. 2015-09, ratifying and approving an agreement for purchase of real property identified as Assessor's Parcel Number 007-481-040 (Lot 79 – Brisbane Acres), and authorizing execution of closing documents on behalf of the City and approval of a supplemental appropriation in the amount of \$10,000**

CM Conway made a motion, seconded by CM Lentz, to approve Consent Calendar Items B, C, & D as presented. The motion carried unanimously by all present.

**A. Approve City Council Minutes of March 17, 2015**

CM Liu noted that her proposed changes to the minutes were highlighted on the document before the Council on the dais but that it needed further changes.

She suggested adding “They agreed the matter would also be reviewed by the entire City Council during the City Attorney annual review” to the end of the fourth paragraph on Page 2 and corrected Page 3 to add “Energy” to Community Choice Aggregation and to add “and Ridgeline Ordinance” after Parking requirement and Garage Setback Ordinance.

With those changes, CM Conway made a motion, seconded by CM Liu, to approve the minutes as amended. The motion carried unanimously by all present.

**E. Authorize the City’s Administrative Services Director to execute the Software as a Service Agreement and the Service Level Agreement with Tyler Technologies, Inc. for the provision of Financial Software**

Councilmembers asked questions of staff relating to the annual renewal of the contract, security issues with information on the Cloud, comparative costs of in-house service and maintenance, and current back-up systems and storage.

After Council discussion, CM Miller made a motion, seconded by CM Conway, to authorize the City’s Administrative Services Director to execute the Software Service Agreement and Service Level Agreement with Tyler Technologies as proposed. The motion carried unanimously by all present.

**F. Authorize the Mayor to execute a Consultant Agreement with Metis Environmental Group to prepare the Recology EIR**

CM Miller asked that the public scoping meeting to be held by Metis be sponsored by the City and start with the Mayor welcoming everybody.

City Manager Holstine said that he would work and City Attorney Roush on the proper notice of the meeting since members of the Council might be present, even though they would not be seated at the dais as in a regular City Council meeting.

CM Liu asked that the meeting be televised. Councilmembers discussed the format of the meeting and layout of the meeting room and City Manager Holstine said staff would do their best to have it televised and recorded as best as possible given the different layout.

CM Lentz asked that the reimbursement agreement with Recology be available on the City’s Website.

Mayor O'Connell noted that there was a communication received by Kameliya Vladimirova regarding water concerns of which would be answered as part of the EIR process.

CM Conway asked that all contracts be approved and signed by the City Attorney before coming to Council for approval.

CM Liu pointed out a date change on Page 18 that should say November instead of April.

With those changes, CM Conway made a motion, seconded by CM Miller, to authorize the Mayor to sign the Consultant Agreement with Metis as amended. The motion carried unanimously by all present.

### **NEW BUSINESS (New Business Item A Taken Out of Order)**

#### **A. Consider selection process and funding for architectural services for a proposed new library project and creation of a Library Planning Stakeholder Group**

Public Works Director Breault reported that the San Mateo County Library Staff had developed a Brisbane Library Building Program in May of 2014 that creates a vision for a new 5,000 square foot (SF) library, with an additional 1,500 SF proposed for interior community space and 500 SF for an outside garden. He said that another conversation between City staff and the Council added a desire to provide additional space for the archiving and display of Brisbane's artifacts and history.

He said that at the City Council Meeting of February 5<sup>th</sup>, 2015, Council gave staff guidance confirming the site selected for the new library as the former 5-Star Café/L.T. Clark site on Visitacion Avenue. He also said that the Council accepted the proposed financing plan; the library staff's building plan, and directed staff to commence development of a draft Request for Proposals for architectural services.

He then outlined the recommended steps for the selection of an architect and the creation of a Library Planning Stakeholder Group.

Councilmembers discussed and asked questions about the use of the existing library space after the move, their support of a space in a new library for the City's historical artifacts, the budgeting for additional costs for the consultants to do the RFP's, the outdoor space square foot costs, the viability and costs of a second story, fundraising through ideas like a donor wall, and about the Measure A funds.

Mayor O'Connell asked that it be made very clear in the RFP that the City does not have an unlimited budget for this project.

It was the consensus of the Council that they supported the RFP process for the selection of an architect and the recommended participants in the Library Planning Stakeholder Group as outlined by staff in the agenda report.

## **PUBLIC HEARING**

### **A. Consider adoption of a Negative Declaration and Adoption of Resolution No. 2015-08 amending the General Plan to adopt the 2015-2022 Housing Element**

Community Development Director Swiecki said that on November 20, 2014, the City Council, by a vote of 3 ayes to 2 noes, authorized submission of the Draft 2015-2022 Housing Element to the California Department of Housing and Community Development (HCD) for review as required by state law. The HCD responded with a letter confirming that the City's draft Housing Element (subject to several minor revisions) complied with the provisions of the State Housing Element Law.

He said that the Draft Housing Element was revised as requested by HCD and scheduled for formal adoption, necessitating a public hearing before the Planning Commission. He said that the Planning Commission held public hearings on February 26<sup>th</sup> and March 12<sup>th</sup> and that at the February hearing the Planning Commission was requested to study an alternative configuration of sites to be rezoned to provide adequate housing sites to meet the City's share of the Regional Housing Needs Allocation (RHNA).

Mr Swiecki said that on March 12, 2015, the Planning Commission, by a unanimous vote (3-0), approved the draft Housing Element including the RHNA sites included in the Housing Element previously approved by Council for submission to HCD.

Councilmembers discussed the proposed rezoning of 145 Park Lane and public concern about truck traffic and fumes near residential areas.

Community Development Director Swiecki said that the City had until January 31, 2015 to complete the necessary zoning amendments to accommodate the 2007-2014 RHNA shortfall and explained that he would be proposing a public process for making those zoning changes. He said that as a result of that public process, an amendment could be made to the Housing Element, if desired.

Mayor opened the public hearing.

Coleen Mackin expressed her concern about future zoning and the curtailing of development due to water and drought issues.

After further Councilmember discussion and questions, CM Lentz made a motion, seconded by CM Liu, to adopt the Negative Declaration and Resolution No. 2015-08 adopting the 2015-2022 Housing Element as recommended by the Planning Commission.

Public Works Director Breault answered questions from Council dealing with water allocations and development.

CM Conway asked the minutes to reflect that the Industrial Park not be divided up in the next Housing Element Cycle.

Councilmembers acknowledged the amount of work by the Planning and Commission and staff in preparing the Housing Element and CM Miller and Mayor O'Connell explained their reasons for not voting to approve it as presented.

The earlier motion passed 3-2. CM Miller and Mayor O'Connell opposed.

## **NEW BUSINESS**

### **A. Consider selection process and funding for architectural services for a proposed new library project and creation of a Library Planning Stakeholder Group**

This item was heard immediately after the Consent Calendar.

### **B. Provide guidance to staff on whether to pursue publication of a Request for Proposals to develop Bicycle and Pedestrian Master Plan, and if so modify or add to scope of work prepared by staff; provide guidance or comments on the proposed funding of the plan; and give direction on creating a stakeholder group to work with potential consultant**

Public Works Director Breault said that local, state, and federal funding sources for bicycle and pedestrian projects all generally include public involvement in the development of the proposed project, consistency with local, county wide and regional goals, and particularly in the Bay Area, compliance with the One Bay Area Grant Complete Streets Policies.

He said that the City's development of a Complete Streets Safety Committee was a positive first step in creating an organization that could consider multiple issues but that the most effective way to demonstrate compliance with a typical "call-for-projects" application was to have an adopted Master Plan that pre-identifies specific projects and their compliance with City Master Plans, with County-wide goals, and that meet the requirements imposed by the Metropolitan Transportation Commission.

He then outlined the elements that would be identified as desired final outputs of the final scope of work if the Council directed staff to pursue a Request for Proposals to develop a Bicycle and Pedestrian Master Plan.

He also recommended the creation of a stakeholder group and reviewed its proposed membership. He proposed a budget of \$50,000 to hire a consultant to develop the Master Plan and identified two possible funding sources.

Councilmembers discussed modifications to the proposed scope of work, including the issue of enforcement of parking and driving regulations, connecting the Central Brisbane stairways to the County Park and the Crocker Industrial Park Recreational Trail, connecting The Ridge to the

Industrial Park and Central Brisbane, inclusion of the trails on San Bruno Mountain and in the Brisbane Acres in the Plan, and coordination with other cities where bikeways could connect.

Coleen Mackin proposed getting greater community participation in the development of the Master Plan by having it start with review by the Parks and Recreation Commission, the Open Space and Ecology Committee, and the Complete Streets Safety Committee.

After some discussion, Councilmembers concurred that the consultant make a presentation to each Commission/Committee in the proposed stakeholder group to gather the initial information and then have each group select their representative(s) to serve on the stakeholder group.

Councilmembers discussed the membership of the proposed stakeholder group and agreed that one Councilmember should be added and that the Complete Streets Safety Committee have two members on the stakeholder group.

Councilmembers discussed where the \$50,000 should come from to pay for the proposed consultant and it was the consensus that it should come from the Council one-time project account instead of from the funds for the sale of city land adjacent to 201 South Hill.

**C. Consider creation of an Ad Hoc Committee to review all private art installations as allowed by the City's Art Ordinance**

Administrative Services Director Schillinger said that in October, 2014 the City Council adopted an Art in Public Places Ordinance and that implementation guidelines still need to be developed and approved by the City Council.

He said that in the meantime, owners of two buildings at Sierra Point received approval for renovations and therefore the City needs a temporary process for approving public art until the implementation guidelines are developed.

He advised that the Parks and Recreation Commission is working through its Subcommittee on Public Art to create a process for developing those guidelines and is recommending that in the meantime, the City Council create an Ad Hoc Committee consisting of the City Council Arts Subcommittee members, the Parks and Recreation Arts Subcommittee members, one or two interested members of the community, and a representative of the developer who is required by the ordinance to implement public art as part of their project.

He said that this Ad Hoc Committee would then recommend to the City Council a public art project to be included in the development.

After Councilmembers discussion and questions, CM Conway made a motion, seconded by CM Liu, to create an Ad Hoc Committee as proposed. The motion carried unanimously by all present.

**D. Consider authorizing the Mayor to execute an agreement with the County of San Mateo and San Mateo County Cities for facilitation and coordination of Animal Control Services**

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

CM Liu commented that she sent an e-mail to staff about all of the cats that had reportedly gone missing.

City Attorney Roush said Police Department would be putting information on their website and newsletter about the importance of licensing and registering pets.

**STAFF REPORTS**

**A. City Manager's Report on upcoming activities**

Public Works Director Breault gave information regarding the Silver Dragon Emergency Drill which was a simulated large-scale delivery of medicine and medical supplies and that would be in Brisbane at Mission Blue on Thursday, April 23<sup>rd</sup>. He also gave an update about the Governor's recent executive order to have the State Water Control Board come up with regulations further restricting water usage due to the drought.

**MAYOR/COUNCIL MATTERS**

**A. County-wide Assignments/Subcommittee Reports**

Councilmembers reported on an upcoming Housing Endowment and Regional Trust benefit luncheon in May and about the agendizing of the selection of a Representative on the Transportation Authority which would be discussed at an upcoming Council of Cities Selection Committee Meeting on April 24<sup>th</sup>.

**B. Written Communications**

- E-Mail from Karen Cunningham
- E-Mail from Luc Bouchard
- E-Mail from Councilmember Miller in response to Mr. Bouchard

Mayor O'Connell acknowledged the communications listed above.

**C. Consider Proposed City Council Meeting Schedule**

Councilmembers acknowledged the proposed schedule.

**D. Set Dates for City Manager and City Attorney Evaluations**

Councilmembers set May 7<sup>th</sup> from 7-8pm for the City Manager's Evaluation and May 21<sup>st</sup> from 7-8pm for the City Attorney's Evaluation.



**E. Discussion of appointment procedures regarding Commission/Committee vacancies**

This item was discussed after Presentations.

**ORAL COMMUNICATIONS 2**

There were no members of the public wishing to speak.

**ADJOURNMENT**

The meeting was adjourned at 11:03 p.m.

---

Sheri Marie Spediacci, City Clerk