



BRISBANE CITY COUNCIL

ACTION MINUTES

MONDAY, AUGUST 27, 2012

BRISBANE CITY HALL, 50 PARK PLACE, BRISBANE

6:30 P.M. CLOSED SESSION

- A. Public Employee Performance Evaluation: City Manager, pursuant to Government Code Section 54957**
- B. Conference with real property negotiator regarding "Lot 2" (former SPRR easement) of parcel 005-300-050 pursuant to Government Code Section 54956.8**
- C. Liability Claims, Claimant: Joonstk Yoon, pursuant to Government Code Section 54956.95**

The City Council took action to deny the claim that was presented in item C.

CALL TO ORDER – FLAG SALUTE

Mayor Lentz called the meeting to order at 7:45 p.m. and led the flag salute.

ROLL CALL

Councilmember's present:	Conway, Miller, O'Connell, Richardson, and Mayor Lentz
Councilmember's absent:	None
Staff present:	City Manager Holstine, Administrative Services Director Schillinger, City Clerk Spediacci, City Attorney Toppel, Police Chief Macias, Public Works Director Breault

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

CM Miller noted that the Closed Session item listed at the end of the agenda had been dealt with so it should be removed from the end of the agenda.

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

ORAL COMMUNICATIONS NO. 1

Phillip Larson indicated that he was a slip renter at the Brisbane Marina and expressed his concerns about the inconsistent use and quality of life at the marina since the Spirit of Sacramento began operating out of the marina. He asked Council to abate this nuisance.

Harbormaster Warburton responded that he was working with the owner of the Spirit of Sacramento to solve the problems with noise and garbage. After Councilmember discussion, they requested that an update on the issue be presented at the next Council meeting.

Dana Dillworth expressed her concern about the Brisbane exit overpass bridge and its need for repair or replacement, the public's awareness of the tour to view former Redevelopment Agency owned properties, and an upcoming water shed conference at Foothill College on September 22.

Michele Salmon expressed her concern about garbage at the marina left after events, closed session items on the Council agenda, excessive dust coming from the quarry, oversight of the excavation on the Northeast Ridge, garbage and debris along Tunnel Road, the huge piles of dirt on the Baylands and the air quality concerns when the wind is blowing.

Carolyn Parker spoke about the Northeast Ridge and the vehicles that are pouring dirt into a mound on that site, and about the need for reflectors on the road coming back to Brisbane from Sierra Point.

Councilmembers and staff responded to the concerns that were raised.

PROCLAMATION & PRESENTATIONS

A. Proclamation recognizing World Breastfeeding Awareness Month

Mayor Lentz read the title of the proclamation and asked that it be forwarded to the organization who requested the recognition.

B. Proclamation recognizing September 2012 as National Preparedness Month

Mayor Lentz read the proclamation.

C. Proclamation recognizing Dale Allen upon his retirement

Mayor Lentz read the proclamation and presented it to Mr. Allen. Councilmembers thanked him for his many years of great service and wished him a happy retirement.

D. CALTRAIN application for electronic billboard

Jayne Ackemann, Government Affairs Officer for Caltrain, outlined the proposed outdoor advertising revenue program and introduced Brian Fitzpatrick, the Manager of Real Estate & Property Development for Caltrain. Mr. Fitzpatrick discussed the proposed Brisbane site, the benefits, and next steps in the process.

John Burr spoke of his concern for the wetlands in the area of the proposed sign.

Michele Salmon expressed concerns about the sign limiting views of the bay.

Dana Dillworth spoke about the General Plan policies in place that are not favorable towards billboard signage.

After Councilmember discussion about the history of opposition to billboards in Brisbane and their various concerns with the proposal, direction was given to Caltrain representatives that the proposed project would be worth at least investigating with no guarantees of its final approval.

Councilmember O'Connell noted that she was not supportive of the proposal but would listen to the study.

E. Samtrans Service Plan

Jayne Ackemann introduced Mr. Aidan Hughes, Project Manager of Planning and Development for SamTrans. Mr. Hughes gave a presentation outlining SamTrans proposed service changes and the process for public input.

After Councilmember clarification and discussion, CM Miller made a motion, seconded by CM Conway, to appoint a Council Subcommittee of Councilmember's Conway and Richardson, to meet with SamTrans to provide meaningful feedback of the needs of Brisbane.

CONSENT CALENDAR

A. Approve City Council Minutes of June 18, 2012

C. Approve Monthly Investment Report as of June 30, 2012

E. Approve Event Co-sponsorship of the Friends of the Brisbane Library Chamber Concert Series

CM Conway made a motion, seconded by CM Miller, to adopt Consent Calendar Items A, C, and E as proposed. The motion was carried unanimously by all present.

B. Approve City Council Minutes of July 23, 2012

CM Miller proposed wording changes on pages four and five of the minutes. He then made a motion, seconded by CM Richardson, to approve the minutes as amended. The motion was carried unanimously by all present.

D. Adopt Resolution No. 2012-21 agreeing to enter into a contract with the California State Department of Boating and Waterways to accept grant funds for the abatement of abandoned watercraft

CM Conway asked staff to outline what the funds would be used for. After staff clarification, he then made a motion, seconded by CM Miller, to adopt the resolution as proposed. The motion was carried unanimously by all present.

F. Adopt Resolution No. 2012-24 authorizing the filing of an application for State-Local Partnership Program (SLPP) in lieu of Federal Surface Transportation Funds, committing the necessary Measure A match, and stating assurances to complete the projects proposed for the SLPP funds

Public Works Director Breault outlined the information provided in the staff report. After Councilmember clarification, CM Conway made a motion, seconded by CM Miller, to adopt the resolution as proposed. The motion was carried unanimously by all present.

PUBLIC HEARING

A. Consider adoption of Resolution No. 2012-22 approving the Temporary Use Permit UP-5-12 for use of the Baylands Overflow Parking for the San Francisco 49ers home games for the 2012 and 2013 seasons

Community Development Director Swiecki outlined the information provided in the staff report.

Applicant Jonathan Scharfman of Universal Paragon Corporation gave background information of the proposed use of the property.

Mayor Lentz opened the public hearing.

Michele Salmon spoke about the use of a new lot this year and asked that the garbage be cleaned up immediately following the game rather than the next morning.

Councilmembers discussed earmarking the revenue received from this permit and they asked staff to come back with a plan for Council consideration.

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

NEW BUSINESS

A. Review and comments presented by the Planning and Parks and Recreation Commissions and the Open Space and Ecology Committee and provide direction to the City's Sustainability Committee

Administrative Services Director Schillinger reviewed the background of the Sustainability Plan and the process that each commission and committee used to provide their input. He suggested that Council take public comment at this meeting and that all of the input be reviewed by the Sustainability Committee and be incorporated before further review by Council.

Dana Dillworth submitted and read a letter for the record giving her input on the draft sustainability plan.

Barbara Ebel advised that the Baylands project should be energy positive and asked that Council make the leap for even greater sustainability in the Baylands.

Michele Salmon advised that the Baylands not be treated as an island but rather a part of its overall surroundings.

Jonathan Scharfman, Universal Paragon remarked that they were looking forward to the Sustainability Plans' measurable achievements so they would know how to proceed.

After Councilmember discussion, CM Miller made a motion, seconded by CM Conway, to have the Sustainability Subcommittee review all input and incorporate, as appropriate, those changes into the document and then come back to Council for deciding subsequent steps. The motion was carried unanimously by all present.

STAFF REPORTS

A. City Manager's Report on upcoming activities

City Manager Holstine outlined the upcoming Council meeting schedule.

MAYOR/COUNCIL MATTERS

A. Subcommittee Reports

Councilmember's gave updates on the recent C/CAG meeting, the Airport Land Use Committee Meeting, the Facilities Committee, and a recent trip to legislative session in Sacramento dealing with the local sales tax issue.

B. Communications

Councilmember's discussed how to respond to communication received from members of the public and the best way to respond. They also discussed the use of Brsnet and the limitations of the Brown Act.

C. Discuss City Attorney Recruitment Process

After some discussion, CM Conway made a motion, seconded by CM Lentz, to appoint Councilmember's Miller and Richardson to a Council Subcommittee to make recommendations on a process to find and hire a new city attorney. The motion was carried unanimously by all present.

D. Update on Westmoor School Bus Issue

Maria gave an update on the recent meeting with Samtrans, where they explored a timed transfer that would allow students to get to Westmoor School, but indicated that it probably wouldn't be possible to implement until next year.

After Councilmember discussion, direction was given to schedule a City/School 2x2 Meeting to keep exploring other possibilities for providing transportation for students.

E. League Resolutions

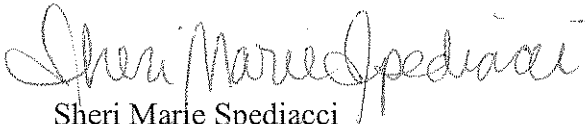
After Councilmember discussion, direction was given to the Mayor to oppose Resolutions two and five of the five resolutions presented. They also asked the City Attorney and Police Chief to review the resolution having to do with public safety and provide input to the Mayor.

ORAL COMMUNICATIONS

There were no members of the public wishing to speak.

ADJOURNMENT (to a Successor Agency Meeting)

The meeting was adjourned at 11:58 p.m.



Sheri Marie Spediacci
City Clerk