



BRISBANE CITY COUNCIL

ACTION MINUTES

**JOINT CITY OF BRISBANE CITY COUNCIL/
GUADALUPE VALLEY MUNICIPAL IMPROVEMENT DISTRICT**

MEETING AGENDA

THURSDAY, APRIL 4, 2019

BRISBANE CITY HALL, 50 PARK PLACE, BRISBANE

6:30 P.M. CLOSED SESSION (*To Be Held in the Large Conference Room*)

- A. Approval of the Closed Session Agenda**
- B. Public Comment. Members of the public may address the Councilmembers on any item on the closed session agenda**
- C. Adjournment into Closed Session**
- D. Conference with labor negotiators regarding all bargaining units pursuant to Government Code Section 54957.6**
- E. Conference with legal counsel regarding one case of pending workers compensation claims, pursuant to Government Code Section 54956.9**

REPORT OUT OF CLOSED SESSION

City Manager Holstine reported that Council provided direction to staff regarding Closed Session Items D and E.

CALL TO ORDER – PLEDGE OF ALLEGIANCE

Mayor Davis called the meeting to order at 7:38 p.m. and led the Pledge of Allegiance.

ROLL CALL

Councilmembers present: Councilmembers Conway, Cunningham, Lentz, O'Connell, and Mayor Davis

Councilmembers absent: None

Staff present: City Clerk Padilla, City Manager Holstine, Interim City Attorney McMorrow, Administrative Services Director Schillinger, Community Development Director Swiecki, City Engineer Breault, Associate Planner Ayres, Police Chief Macias, Police Commander Garcia, and Economic Development Director Bull

ADOPTION OF AGENDA

Staff made a request to remove item New Business Item C from the City Council Meeting agenda.

Councilmember Conway and Mayor Davis made a request to close the meeting in memory of Mitch Bouyer, Michael Harrington, and Joey Lassus.

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

Ayes: Councilmember Conway, Cunningham, Lentz, O'Connell and Mayor Davis

Noes: None

Absent: None

Abstain: None

ORAL COMMUNICATIONS NO. 1

No member of the public wished to speak.

PRESENTATION & PROCLAMATION

A. SFO Airport Development Plan

San Francisco International Airport (SFO) Spokesperson Doug Yakel made a presentation about the SFO Airport Development Plan (ADP). He reported that SFO is planning for the future, and the SFO ADP projects help the airport modernize and increase operational efficiency to accommodate the upwards of 71.1 million annual passengers and more than 500,000 annual aircraft operations – the estimated maximum capacity of the existing airfield.

After some Council questions, Doug Yakel thanked the Council for their time and attention.

B. Proclaiming April 14-20, 2019 as Mosquito Awareness Week

Mayor Davis presented Carolyn Parker, Brisbane Representative on the San Mateo Mosquito & Vector Control District Board of Trustees, with a Proclamation recognizing April 14-20, 2019 as Mosquito Awareness Week.

Megan Sebay, San Mateo Mosquito & Vector Control District's Public Health Education and Outreach Officer, provided a brief update on the District's activities and invited members of the public to attend their upcoming Open House Event.

CONSENT CALENDAR

- A. Accept Investment Report as of December 2018**
- B. Approve Excelsior Running Club's Second Annual Star City San Bruno Mountain Half Marathon as a Co-sponsored Event**
- C. Approve BDW Holiday Arts and Crafts Fair Fundraiser as a Co-sponsored Event**

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

Ayes: Councilmember Conway, Cunningham, Lentz, O'Connell and Mayor Davis

Noes: None

Absent: None

Abstain: None

CM O'Connell made a motion, seconded by CM Conway, to approve Consent Calendar B. The item was approved on an 4-0-1 vote. CM Lentz recused himself from this item due to a conflict of interest and left the dais.

Ayes: Councilmember Conway, Cunningham, O'Connell and Mayor Davis

Noes: None

Absent: None

Recused: Councilmember Lentz

NEW BUSINESS

- A. Discuss the Cannabis Issues Ad Hoc Subcommittee Recommendations Regarding Cannabis Business Taxation and Retail Storefront Businesses and Provide Direction to Staff as Necessary.**

Community Development Director Swiecki reported that the Cannabis Issues Ad Hoc Subcommittee met on March 13, 2019 to discuss the City's existing cannabis business land use regulations and potential taxation structures. The subcommittee discussed the potential for allowing limited storefront retail cannabis businesses, subject to Use Permit approval, in the City's commercial districts and the subcommittee recommended a range of taxation levels for each type of cannabis business, based on existing State taxes and the unique characteristics of each business type.

Councilmember Conway expressed that the City is not ready to allow storefront retail cannabis businesses.

Economic Development Director Bull and Cannabis Issues Ad Hoc Subcommittee members Mayor Davis and Councilmember O'Connell shared the trends and findings from San Mateo County and the State around Cannabis Retail Storefront Businesses and Cannabis Business Taxation.

Carolyn Parker asked if medical marijuana research is allowed in Brisbane.

Michelle Dizitser advocated for lowering taxes to curb the illicit market and attract more operators.

After some Council discussion and questions, Council directed staff to do the following:

- draft business license tax ballot language listing a range of taxation levels for each type of cannabis business, based on existing State taxes and the unique characteristics of each business type, and discuss with the Cannabis Issues Ad hoc Subcommittee
- draft land use regulations for allowing limited storefront retail and discuss with Cannabis Issues Ad hoc Subcommittee before the Planning Commission drafts an ordinance for the Council's review

B. Consider Approval of Resolution No. 2019-08 and Resolution No. GVMID 2019-01, Approving Amendments to the Water Supply Agreement between the City and County of San Francisco and Wholesale Customers in Alameda County, San Mateo County, and Santa Clara County.

City Engineer Breault reported that in the years since the implementation of the Water Supply Agreement (WSA) in 2009, both the San Francisco Public Utilities Commission and the Wholesale Customers found the need to address substantive issues. These seven (7) issues are the following:

1. Oversight of SFPUC's Capital Improvement Program
2. Tier 1 Drought Allocation Plan
3. SFPUC's Required 2018 Decisions (customer permanency and supply guarantee increase)
4. Asset Classification
5. Wholesale Capital Fund
6. Water System Improvement Program (WSIP) Completion Date
7. Regional Groundwater Storage & Recovery Project

After some Council discussion and questions of City Engineer Breault, CM Conway made a motion, seconded by CM Cunningham, to Approve of Resolution No. 2019-08 and Resolution No. GVMID 2019-01, Approving Amendments to the Water Supply Agreement between the City and County of San Francisco and Wholesale Customers in Alameda County, San Mateo County, and Santa Clara County. The motion was carried unanimously by all present.

Ayes: Councilmember Conway, Cunningham, Lentz, O'Connell and Mayor Davis

Noes: None

Absent: None

Abstain: None

C. Consider Approval of Resolution number 2019-09, amending the City's FY 2019/20 Capital Improvement Program to include the Slurry Seal of Various City Streets

(The purpose of this item is to satisfy the accountability requirements of SB-1 Transportation Funding (2017-2018, Beall))

This item was removed from the agenda and will be discussed at the City Council Meeting of April 18, 2019.

STAFF REPORTS

A. City Manager's Report on upcoming activities

Interim City Attorney McMorrow provided a report on Senate Bill 672 (Hill). This bill, if passed, will allow the City to focus on implementing a voter approved plan that could more than double the housing in the city and provide a consistent regional housing needs allocation during the current and subsequent planning periods. Councilmembers agreed to send a letter of support for the bill to the California Senate Housing Committee.

City Manager Holstine provided a report on upcoming activities for the month of April as well as future presentations at City Council Meetings.

MAYOR/COUNCIL MATTERS

A. Council discussion and approval of committee assignments

Council discussed the assignments for the School/City Subcommittee 2x2, Education Subcommittee, Liaison to the Complete Streets Safety Committee, and the Housing Endowment & Regional Trust (HEART) Member Agency Committee.

Council approved to assign Mayor Davis and replace Councilmember Conway to the School/City Subcommittee 2x2 and Education Subcommittee.

Council also approved to assign Councilmember Cunningham and replace Mayor Davis to the Complete Streets Safety Committee Liaison.

Lastly, Councilmember Lentz agreed to continue to be a member of the HEART Member Agency Committee.

B. Countywide Assignments/Subcommittee Reports

Councilmember Cunningham expressed her frustration with rumors targeting her that are untrue. She expressed her unwavering support for her fellow Councilmembers and commended the work

they have done together.

Councilmember reported on their activities in the following County assignments and Council Subcommittees:

- Public Art Advisory Committee
- C/CAG's Bicycle and Pedestrian Advisory Committee
- San Mateo County City Selection Committee Emergency Meeting
- Airport Noise Subcommittee
- San Francisco Airport SFO Roundtable
- Caltrain Modernization Local Policy Maker Group
- Complete Streets Subcommittee Liaison
- Affordable Housing Subcommittee

Councilmember Cunningham reported she was elected to the C/CAG's Bicycle and Pedestrian Advisory Committee.

Councilmember Lentz reported he was elected to MTC/ABAG's Housing Bill Legislative Task Force.

Mayor Davis invited members of the public to attend Mitch Bull's Retirement Party as CEO of the Brisbane Chamber which is scheduled for April 17, 2019.

C. City Council Meeting Schedule

Mayor Davis announced that the next Council Meeting is scheduled for April 18, 2019.

Council also approved the cancellation of the City Council Meeting of October 17, 2019 due to a conflict with the League of CA Cities' annual conference. Council also approved the cancellation of the City Council Meeting of December 5, 2019 and scheduled a City Council Meeting on December 12, 2019 to provide ample time to receive the Certification of Election from the San Mateo Elections Division.

D. Written Communications

Written correspondence was received by the Council from the following members of the public:

- Matthew Kent (3/5/19, 3/15/19): Earth Hour 2019
- Kim Follien (3/2/19 & 3/13/19): Public Communication Regarding Home for All Workshop
- Bobby Carter (3/20/19): KB Home
- Zoe Wong-Van Haren (3/25/19): Energy Efficient Home Tour
- Anonymous (4/1/19): SB 50 Articles from SM Daily Journal and Curbed, SF
- Nick Mason (4/1/19): Purchase of Used Electrical/Mechanical Equipment
- Anja Miller (4/2/19): Resignation from Complete Streets Safety Committee

ORAL COMMUNICATIONS NO. 2

No member of the public wished to speak.

ADJOURNMENT

CM Conway made a motion, seconded by CM Cunningham, to adjourn the meeting at 10:04 P.M. in memory of Mitch Bouyer, Michael Harrington, and Joey Lassus. The motion was carried unanimously by all present.

PUBLIC MEETING VIDEOS

The replay schedule for public meetings can be found on the Live Streaming page <http://brisbaneca.org/live-streaming>. Past meetings will be replayed on Comcast Channel 27 and at <http://brisbaneca.org/live-streaming> and can be found on the All Meetings page (<http://brisbaneca.org/city-government/meetings>) once the video has been archived.

Ingrid Padilla
City Clerk