



**BRISBANE CITY COUNCIL**

**ACTION MINUTES**

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**CITY OF BRISBANE CITY COUNCIL**

**MEETING AGENDA**

**THURSDAY, APRIL 18, 2019**

*BRISBANE CITY HALL, 50 PARK PLACE, BRISBANE*

**6:45 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. Public Employee Performance Evaluation; City Manager, pursuant to Government Code Section 54957**
- E. Conference with Legal Counsel—Anticipated Litigation, Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Government Code Section 54956.9: One case**

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

Mayor Davis called the meeting the City of Brisbane City Council Meeting of April 18, 2019 to order at 7:36 p.m.

**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, Financial Services Manager Yuen, Deputy Public Works Director Kinser, and Police Commander Garcia

## **REPORT OUT OF CLOSED SESSION**

Interim City Attorney McMorrow reported that no action was taken regarding Closed Session Items D and E.

## **ADOPTION OF AGENDA**

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

## **ORAL COMMUNICATIONS NO. 1**

No member of the public wished to speak.

## **PRESENTATION & PROCLAMATION**

### **A. Proclamation for Mitch Bull on His Retirement as President and CEO of the Brisbane Chamber of Commerce**

Mayor Davis presented Mitch Bull with a Proclamation on His Retirement as President and CEO of the Brisbane Chamber of Commerce.

Mitch Bull thanked the Councilmembers for the Proclamation and their continued support.

Mayor Davis, Councilmembers Lentz and Conway also shared a few words of appreciation for Mr. Bull's service over the years to the City of Brisbane, the community at large and the business community.

Mr. Bull will continue to serve as the City's Economic Development Director.

### **B. Comprehensive Annual Financial Report**

Financial Services Manager Yuen presented on the different sections of the Comprehensive Annual Financial Report for fiscal year ending 6/30/18. Some of the highlights included that the total revenues for the City of Brisbane totaled \$19.9 million, the total expenditures were \$20.1 million and the General Fund balance was \$11.5 million. Auditors did not identify any material weaknesses with the City's internal controls.

After some council questions of staff, the Council thanked Financial Services Manager Yuen for her detailed and informative presentation.

## CONSENT CALENDAR

- A. Adopt City Council Minutes of March 7, 2019**
- B. Adopt City Council Minutes of April 4, 2019**
- C. Accept Investment Report as of January 2019**
- D. Award the design-build contract for a newly manufactured 48'x40' modular on the Brisbane Elementary School campus to Class Leasing LLC in the amount of \$192,082.00 and authorize the City Manager to sign the agreement on behalf of the City.**
- E. 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**

*(Removed from the City Council Meeting of April 4, 2019. The purpose of this item is to satisfy the accountability requirements of SB-1 Transportation Funding (2017-2018, Beall))*

CM Conway made a motion, seconded by CM Cunningham to approve Consent Calendar Items A through E.

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

Noes: None

Absent: None

Abstain: None

## NEW BUSINESS

- A. Consider Authorizing the Mayor to Sign a Lease of the Parking Lot at the Brisbane Inn for Public Parking**

*(Fiscal Impact: The annual cost of the lease would be \$30,000 plus the cost to stripe the parking lot and make a curb cut along Visitacion Avenue. There are funds available for this purpose.)*

City Manager Holstine reported that the City would lease the parking lot area for public parking purposes for 12 months at a cost of \$2,500 a month. Any improvements to the parking lot would be at the City's expense.

CM O'Connell stressed that the lease should not be fully executed until the property to be leased is ready.

CM Conway noted that the lease has the City Manager as the signatory.

After further council questions and discussion, CM Conway made a motion, seconded by CM Cunningham to authorize the City Manager to sign a lease of the parking lot at the Brisbane Inn for Public Parking when the property to be leased is ready. The motion was carried unanimously by all present.

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

Noes: None

Absent: None

Abstain: None

**B. Receive Midyear Budget Report and Consider Approval of Resolution 2019-10 to amend the FY 2018/19 Budget**

Administrative Services Director Schillinger reported that due to an increase in Sales Tax, staff is anticipating approximately \$900,000 in additional revenues for the year and no changes in expenditures.

CM Lentz stated that this may be a good time to look at opportunities to fund Capital Improvements.

After some Council discussion, Councilmembers directed staff to bring back to the Fiscal and Administrative Policy Subcommittee a policy related to the quicker funding of OPEB liability and PERS liability over the next year.

After further discussion, CM Conway made a motion, seconded by CM Cunningham, to receive the Midyear Budget Report and approve Resolution 2019-10 to amend the FY 2018/19 Budget

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

Noes: None

Absent: None

Abstain: None

**C. Consider Approval of an Agreement for Abandonment of Public Rights of Way and Transfer of Real Property between the City of Brisbane and HCP LS Brisbane, LLC**

City Manager Holstine reported that in June 2008, the City and Health Care Partners (HCP) LS Brisbane, LLC entered into a Development Agreement. The Development Agreement provides that in order to facilitate development of HCP's Properties in the Sierra Point area, the City will transfer to HCP a small portion of its Property and Marina Entry Road. In order to transfer the Marina Entry Road, it will be necessary for the City to vacate this public right of way.

Pending Council approval, the City will receive \$200,000 from HCP as the agreed fair market value of the properties to be transferred. The money received from HCP will go towards the planning and development of open space/park in the Sierra Point area.

After some Council discussion, CM Conway made a motion, seconded by CM Lentz to approve an Agreement for Abandonment of Public Rights of Way and Transfer of Real Property between the City of Brisbane and HCP LS Brisbane, LLC

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

Noes: None

Absent: None

Abstain: None

## **STAFF REPORTS**

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

City Manager Holstine reported on the upcoming activities in April and May.

Councilmember Cunningham reported that she is collecting travel size toiletries to donate to a humanitarian group helping border communities. Residents can donate items at City Hall.

## **MAYOR/COUNCIL MATTERS**

### **A. Countywide Assignments/Subcommittee Reports**

Councilmembers reported their activities in the following assignments:

- Progress Seminar
- Peninsula Traffic Congestion Relief Alliance
- C/CAG Retreat
- Economic Development Meeting
- Caliva Tour in San Jose

### **B. City Council Meeting Schedule and Scheduling Interviews for Committee and Commission Vacancies**

The next City Council Meeting is scheduled for May 2, 2019.

Mayor Davis directed City Clerk Padilla to send out a poll to schedule the meeting to interview applicants for the vacancies in the Open Space Ecology Committee, Complete Streets Safety Committee, and the Public Art Selection Committee for the Skatepark Project.

### **C. Written Communications**

The City Council received one written correspondence from the Silicon Valley Community Foundation regarding a Census funding opportunity.

## **ORAL COMMUNICATIONS NO. 2**

No member of the public wished to speak at this time.

## **ADJOURNMENT**

CM Conway made a motion, seconded by CM O'Connell to adjourn the meeting at 9:27 p.m.

## **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

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Ingrid Padilla  
City Clerk