



BRISBANE CITY COUNCIL

ACTION MINUTES

CITY OF BRISBANE CITY COUNCIL MEETING

THURSDAY, OCTOBER 3, 2019

BRISBANE CITY HALL, 50 PARK PLACE, BRISBANE

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

Mayor Davis called the meeting to order at 7:49 P.M. and led the Pledge of Allegiance.

ROLL CALL

Councilmembers present: Councilmembers Conway, Cunningham, Lentz, and Mayor
Davis

Councilmembers absent: Councilmember O'Connell

Staff Present: City Clerk Padilla, City Manager Holstine, Interim City Attorney McMorrow,
Director of Administrative Services Schillinger, Community Development Director
Swiecki, City Engineer Breault, Fire Marshall Bierman, Fire Safety Inspector
Preston and Police Commander Garcia

ADOPTION OF AGENDA

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

ORAL COMMUNICATIONS NO. 1

Kristi Yawata spoke about a lunch truck business that would be beneficial to the City

Barbara Ebel spoke about the Tree Ordinance and checklist based planning system.

PRESENTATION

A. Proclamation Declaring October 2019 as Fire Prevention Month

Mayor Davis read a proclamation declaring October 2019 as Fire Prevention Month. Fire Marshal Bierman, from North County Fire, accepted the proclamation.

CONSENT CALENDAR

- A. Adopt City Council Minutes of September 5, 2019**
- B. Accept Investment Report as of August 2019**
- C. Approve the City's Response to the Grand Jury Report "Soaring City Pension Costs – Follow-up on Grand Jury Report of 2017-2018"**
- D. Adopt Ordinance No. 638, Waiving Second Reading, Amending Chapter 12.12 of the Municipal Code Establishing Private Tree Regulations**
- E. Adopt Resolution No. 2019-57 to Authorize Staff to Apply for a Senate Bill 2 Planning Grant of \$160,000 from the State of California to Fund Housing-Related Planning Activities.**
- F. Adopt Resolution No. 2019-58 Authorizing the City Manager to Sign a Purchase Agreement with the Dolby Company to Purchase Approximately 16,000 Square Feet of Property Owned By The Dolby Company and Authorizing the City Clerk to Record a Deed that Conveys the Property to the City.**

CM Conway made a motion, seconded by CM Cunningham, to approve Consent Calendar Items A-F. The motion was carried unanimously by all present.

Ayes: Councilmember Conway, Cunningham, Lentz, and Mayor Davis

Noes: None

Absent: Councilmember O'Connell

PUBLIC HEARING

- A. Consider Introduction of Draft Ordinance No. 642 (Zoning Amendment RZ-3-18) Zoning text amendment to the TC-1 District regulations (BMC Chapter 17.19) to allow limited outdoor storage of North County Fire Authority-approved flammable materials in Crocker Park subject to the granting of an Exception Permit by the Zoning Administrator.**

Community Development Director Swiecki reported that the purpose of this ordinance is adopt regulations to allow for safe and code-compliant outdoor storage of specified flammable materials in the Crocker Industrial Park.

The proposed ordinance would allow businesses in the Crocker Industrial park to apply for an Exception Permit from the Zoning Administrator to store outdoors only flammable materials specifically authorized by North County Fire Authority.

Community Development Director Swiecki added that North County Fire outdoor storage of flammable materials, when properly housed, is preferable from a public safety perspective.

After some Council questions, Mayor Davis opened the public hearing.

No members of the public wished to speak.

CM Conway made a motion, seconded by CM Cunningham, to close the Public Hearing. The motion was carried unanimously by all present.

Ayes: Councilmember Conway, Cunningham, Lentz, and Mayor Davis

Noes: None

Absent: Councilmember O'Connell

After some Council discussion, CM Conway made a motion, seconded by CM Cunningham, to introduce Draft Ordinance No. 642 (Zoning Amendment RZ-3-18) Zoning text amendment to the TC-1 District regulations (BMC Chapter 17.19) to allow limited outdoor storage of North County Fire Authority-approved flammable materials in Crocker Park subject to the granting of an Exception Permit by the Zoning Administrator. The motion was carried unanimously by all present.

Ayes: Councilmember Conway, Cunningham, Lentz, and Mayor Davis

Noes: None

Absent: Councilmember O'Connell

B. Consider Adoption of Resolutions 2019-59 and Resolution 2019-60 to Vacate Public Rights of Way and, in Consideration of the City's Receipt of Valuable Consideration, Authorize the Conveyance of City Property and the Vacated Rights of Way to HCP LS Brisbane and Reserve and Accept Easements for Pedestrian Access and Public Utility Purposes, and for Underground Waterline Purposes

City Engineer Breault reported that the purpose of this item is to accommodate previously approved commercial development in the Sierra Point area.

It is being recommended that following the close of the public hearing, adopt the resolutions, one vacating portions of the public rights of way in the Sierra Point area, and the other, authorizing the conveyance to HCP LS Brisbane of 1) a portion of a City owned parcel in the Sierra Point area and 2) the vacated rights of way, and reserving and accepting easements for pedestrian access and

public utility purposes, and for underground waterline purposes, on the properties conveyed to HCP.

After further comments, Mayor Davis opened the Public Hearing.

Barbara Ebel asked why there was a need for land for setbacks.

CM Conway made a motion, seconded by CM Cunningham, to close the Public Hearing. The motion was carried unanimously by all present.

Ayes: Councilmember Conway, Cunningham, Lentz, and Mayor Davis

Noes: None

Absent: Councilmember O'Connell
Council discussion

After further Council questions and discussion with staff, CM Lentz made a motion, seconded by CM Conway, to adopt Resolutions 2019-59 and Resolution 2019-60 to Vacate Public Rights of Way and, in Consideration of the City's Receipt of Valuable Consideration, Authorize the Conveyance of City Property and the Vacated Rights of Way to HCP LS Brisbane and Reserve and Accept Easements for Pedestrian Access and Public Utility Purposes, and for Underground Waterline Purposes.

Ayes: Councilmember Conway, Cunningham, Lentz, and Mayor Davis

Noes: None

Absent: Councilmember O'Connell

VIII. OLD BUSINESS

A. Selection of Artist for Skateboard Park Quarter Pipe Wall

(It is being recommended for Council to Direct staff to sign a contract with the firm Science and Company to paint a mural on the quarter pipe wall at the skateboard park.)

Administrative Services Director Schillinger reported that on March 7, 2019 the City Council approved \$25,000 from the Public Art fund to be used to place art on or near the quarter pipe wall facing Old County Road. The Art Selection Committee reviewed eight proposals and narrowed it down to the firm Science and Company to paint a mural on the quarter pipe wall at the skateboard park.

After Council questions and comments, CM Conway made a motion, seconded by CM Lentz, to Direct staff to sign a contract with the firm Science and Company to paint a mural on the quarter pipe wall at the skateboard park.

Ayes: Councilmember Conway, Cunningham, Lentz, and Mayor Davis

Noes: None

Absent: Councilmember O'Connell

IX. STAFF REPORTS

A. City Manager's Report on Upcoming Activities

City Manager Holstine reported on the upcoming activities for the month of October and November.

X. MAYOR/COUNCIL MATTERS

A. League of California Cities Annual Conference Resolution Packet

This year, two resolutions have been introduced for consideration at the League of California Cities Annual Conference and referred to League policy committees:

The first resolution is:

Resolution of the League of California Cities Calling on the California Public Utilities Commission to Amend Rule 20a to Add Projects In Very High Fire Hazard Severity Zones to the List Of Eligibility Criteria and to Increase Funding Allocations for Rule 20a Projects

The Second Resolution Is:

A Resolution Calling Upon the Federal and State Governments to Address the Devastating Impacts of International Transboundary Pollution Flows into the Southernmost Regions of California and the Pacific Ocean

After some Council discussion, Mayor Davis will support both resolutions.

B. Recruitment for City Council Commissions and Committees were are several terms expiring January 2020 from our City Council Commissions and Committees.

Council directed City Clerk Padilla to begin recruitment for Commission and Committee seats immediately until January 10, 2020. The Council will schedule a date in January 2020 for interviews at the next City Council Meeting.

C. Countywide Assignments/Subcommittee Reports

Councilmembers reported on their latest Countywide Assignments/Subcommittee activities from the following groups:

County Library JPA, Airport Noise Subcommittee, Baylands Subcommittee, Affordable Housing Subcommittee, San Mateo County Bicycle and Pedestrian Advisory Committee, City/County Association of Governments, and Peninsula Traffic Congestion Relief Alliance

D. City Council Meeting Schedule

Mayor Davis noted that the City Council Meeting of October 17, 2019 has been cancelled and that the next scheduled City Council Meeting will be on Thursday, November 7, 2019.

E. Written Communications

Council received the following written correspondence from September 6, 2019 to October 3, 2019:

- Tony Verreos (9/6/19) Press Release for STOP Jet Noise NOW!
- Kristi Yawata and Tony Palmer (9/11/19) License Agreement for Food Trailer Business at the Park and Ride Lot
- IBEW Local Union 617 (9/23/19) 2019 California Energy Code- Local Amendments (Reach Codes)
- Sherry Goodwin, Steve Goodwin, Adam Cauayani, Anjanete Tsui, Naim Jamali, Sana Jamali (9/26/19) Residents of Kings Road Concerns
- Kim Follien (10/2/19) Regarding BCC 10/3 Mtg: X. Mayor /Council Matters, Item B

ORAL COMMUNICATIONS NO. 2

Barbara Ebel spoke about the need for objective standards for personal enjoyment in regards to the Tree Ordinance.

ADJOURNMENT

Mayor Davis adjourned the meeting at 8:50 P.M.

XIII. 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