



BRISBANE CITY COUNCIL

ACTION MINUTES

CITY OF BRISBANE CITY COUNCIL

SPECIAL MEETING AGENDA

THURSDAY, JANUARY 16, 2020

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. Conference with Real Property Negotiator, Clay Holstine, regarding requested land transfer- Portion of Former SPRR Easement (SBE 872-41-23R) pursuant to Government Code Section 54956.8**
- E. Conference for Real Property Negotiations under Government Code, section 54956.8; Portion of 50 Park Place (APN 005-201-130) ; Negotiator Clay Holstine, City Manager; Property Lessors: City of Brisbane; Property Lessees: American Tower Corporation (ATC); regarding request for lease extension.**
- F. Conference with legal counsel--Anticipated litigation. Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Section 54956.9 (Two potential cases)**

CALL TO ORDER – PLEDGE OF ALLEGIANCE

Mayor O'Connell called the meeting to order at 7:35 p.m. and led the Pledge of Allegiance

ROLL CALL

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

Staff Present: City Clerk Padilla, City Manager Holstine, Interim City Attorney McMorrow, Director of Administrative Services Schillinger, Community Development Director Swiecki, City Engineer Breault, Police Chief Macias, and Sustainability Management Analyst Etherton.

REPORT OUT OF CLOSED SESSION

Interim City Attorney McMorrow reported that Council gave staff direction regarding Closed Session Items E and F.

ADOPTION OF AGENDA

CM Conway made a motion, seconded by CM Cunningham, to approve the agenda as it stands and close in memory of Betty Salmon and the wild fire victims in Australia. The motion was carried unanimously by all present.

ORAL COMMUNICATIONS NO. 1

Mary Bookbinder from the League of Women Voters asked the Council to consider a proclamation the 19th Amendment Centennial.

Radu Mihaila and Anthony Walker commented on alternative energy opportunities in the Baylands.

CONSENT CALENDAR

- A. Adopt City Council Minutes of December 12, 2019**
- B. Accept Investment Report as of November 2019**
- C. Adopt Mitigated Negative Declaration for the Guadalupe Channel Erosion Control Project**
- D. Accept OSEC Report of Accomplishments**
- E. Approve the Addendum to the Reimbursement Agreement with HCP LS Brisbane LLC**
- F. Approve Resolution No. 2020-02 Establishing the Business License Tax Rates for Cannabis Businesses for 2020**

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

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

Noes: None

Absent: None

OLD BUSINESS

A. Consider Adoption of Resolutions No. 2020-04 through 2020-11 approving Memorandums of Understanding for Employee Groups

Administrative Services Director Schillinger reported that in July and December of 2019, the City Council approved Tentative Agreements with the City's bargaining groups. Staff is presenting signed MOUs for the following groups:

- Executive Management
- Police Chief
- Police Commander
- Confidential Management
- General Employee Association
- Mid-Management Professionals
- Confidential

CM Davis made a motion, seconded by CM Conway, to adopt Resolution No. 2020-04 through Resolution No. 2020-08 and Resolution No. 2020-10 and Resolution No. 2020-11 approving Memorandums of Understanding for employee groups. (Note Resolution No. 2020-09's exhibit was not received in time for approval). The motion was carried unanimously by all present.

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

Noes: None

Absent: None

B. Consider Approval of Resolution No. 2020-13 Updating the Master Pay Schedule

Administrative Services Director Schillinger reported that the City Council approved Tentative Agreements with all of the Bargaining Groups in July and December of 2019. The Agreements called for increases that are effective for the first full pay period in January. The attached Master Pay Schedule reflects the agreed upon pay rates.

CM Conway made a motion, seconded by CM Davis , to approve Resolution No. 2020-13 updating the Master Pay Schedule. The motion was carried unanimously by all present.

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

Noes: None

Absent: None

PUBLIC HEARING

A. Consider Adoption of Resolution No. 2020-1 approving Addendum and General Plan Amendment Case GP-1-19 Implementing Measure JJ

Community Development Director Swiecki reported that the purpose of Resolution No. 2020-1 is to amend the Brisbane General Plan to be fully consistent with Measure JJ.

Lloyd Zola of Metis Environmental Group, presented on the proposed General Plan Amendment's three basic elements:

- (1) Incorporating GP-1-18 and Measure JJ into the General Plan and ensuring the General Plan's consistency with GP-1-18;
- (2) Making non-substantive revisions that update the existing General Plan; and
- (3) Revising roadway Level of Service (LOS) standards in limited instances within the City

After some Council questions, Mayor O'Connell opened the public hearing. No members of the public wished to speak.

CM Conway made a motion, seconded by CM Davis, to close the public hearing. The motion was carried unanimously by all present.

CM Lentz made a motion, seconded by CM Davis, to adopt Resolution 2020-1 approving Addendum and General Plan Amendment Case GP-1-19 Implementing Measure JJ. The motion was carried unanimously by all present.

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

Noes: None

Absent: None

NEW BUSINESS

A. Consider Introduction of Ordinance No. 648, waiving first reading, adding §6.08.115 “Harassment of Animals” to the Brisbane Municipal Code

City Engineer Breault reported that the purpose of this Ordinance is to revise Chapter 6.08 of the Brisbane Municipal Code (BMC) to include prohibitions on feeding wild animals. He also noted that this regulation will not apply to the feeding of feral cats.

CM Davis asked for some signs be posted around the City regarding the citations.

After some Council questions and discussion, CM Cunningham made a motion, seconded by CM Davis, to introduce Ordinance No. 648, waiving first reading, adding §6.08.115 “Harassment of Animals” to the Brisbane Municipal Code. The motion was carried unanimously by all present.

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

Noes: None

Absent: None

STAFF REPORTS

A. City Manager’s Report on upcoming activities

i. Baylands Update

CM Holstine provided a Baylands Update and a report on upcoming activities in January.

MAYOR/COUNCIL MATTERS

A. Countywide Assignments/Subcommittee Reports

Council reported on their activities in the following assignments:

- Baylands Subcommittee
- Affordable Housing Subcommittee
- Infrastructure, Utilities and Franchise Subcommittee

CM Davis asked staff to inform the public the History Channel’s show American Pickers are looking for prospects to film.

B. City Council Meeting Schedule and Scheduling the City Council Goal Setting Workshop

The City Council canceled the City Council Meeting of February 6, 2020, July 2, 2020, and both August, 2020 meetings. The next City Council meeting is scheduled for February 20, 2020 and AB 1234 Ethics Training is scheduled for February 13, 2020.

C. Update on City Council Commission and Committee Applications

Council directed City Clerk Padilla to extend the application deadline to February 19, 2020 to have a greater pool of applications. City Clerk Padilla will provide an update to the Council at the next meeting.

D. Written Communications

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

- Michele Salmon (1/3/20) No Left Turn onto Bayshore from San Bruno Avenue
- JC (1/13/20) SB50 Turns CA into New Jersey
- Emil Spickert (1/15/20) Thomas Avenue Apartments
- Dana Dillworth (1/16/20) Item C Mit Neg Dec on Guadalupe Channel Erosion Control Project

ORAL COMMUNICATIONS NO. 2

No members of the public wished to speak.

ADJOURNMENT

Mayor O'Connell adjourned the meeting at 9:13 p.m.

Ingrid Padilla
City Clerk