BRISBANE CITY COUNCIL

ACTION MINUTES

DRAFT

MONDAY, DECEMBER 16, 2013

BRISBANE CITY HALL, 50 PARK PLACE, BRISBANE

6:00 P.M. CLOSED SESSION (In City Hall Conference Room)

A. Conference with legal counsel regarding one case of potential litigation, pursuant to Government Code Section 54956.9(b)

B. Conference with labor negotiators regarding all bargaining units, pursuant to Government Code Section 54957.6

7:00 P.M. COUNCIL WORKSHOP (In City Hall Conference Room)

A. Discussion of Council Subcommittee Appointments

Councilmembers discussed possible Subcommittee changes. No action was taken.

7:30 P.M. CALL TO ORDER – FLAG SALUTE

Mayor Conway called the meeting to order and led the flag salute.

ROLL CALL

Councilmember's present:	Conway, Lentz, Liu, O'Connell, and Mayor Miller
Councilmember's absent:	None
Staff present:	City Manager Holstine, City Clerk Spediacci, Finance Director Schillinger, City Attorney Kahn, Community Development Director Swiecki, Police Chief Macias, Principal Management Analyst Saguisag-Sid

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

CM Miller asked to add Appointment of Advisory Committee's and Commission's under Mayor Council Matters. CM Liu asked to remove Item B from the Consent Calendar. Mayor Conway asked that the meeting be closed in memory of Andrew Adams and Ron Wright. CM Miller made a motion, seconded by CM O'Connell, to adopt the agenda as amended. The motion carried unanimously by all present.

REPORT FROM CLOSED SESSION

City Attorney Kahn reported that direction was given to staff but no action was taken on the Closed Session Items.

PRESENTATIONS

A. Recognition of Greg Trefz, Mayor's Diversity Awards Recipient

Mayor Conway explained that the Mayor and Councilmembers were unable to attend the San Mateo County event where Greg Trefz was honored due to it conflicting with the Mayor's State of the City Address.

He then presented Mr. Trefz with a commendation honoring his outstanding service to AYSO, a very dynamic organization which promotes cultural diversity. He also thanked all of the parents, coaches, and referees for their hard work.

B. Update on SFO Airport Noise Community Group – Peter Grace

Mr. Peter Grace gave a Powerpoint presentation outlining his understanding of the cause of Brisbane's aircraft noise problem. He said the number of flights were at record levels and there was an increase in short haul flights off Runways 01L and 01R. He stated his belief that the vectoring over Brisbane is a conscious decision by the FAA to follow neither their published procedure nor their FAA manual.

After Councilmember questions and clarifications, they directed staff to consider professional help in reviewing this issue and for the City Attorney to give the Council a legal interpretation of how the fines work.

C. Mosquito Abatement District Update – Robert Maynard

Mr. Robert Maynard gave a brief update regarding mosquitos, the West Nile Virus, and other rodent-borne diseases and what the district was doing to control those issues.

ORAL COMMUNICATIONS NO. 1

Carolyn Moore of HIP Housing indicated that she was the Director of the Self Sufficiency Program at HIP Housing. She indicated that their program had served 17 households in Brisbane in 2013. She also presented the City with their annual calendars.

Tom Heinz expressed his dissatisfaction with the rules of the History Book Front Cover Photo Contest regarding discrimination and the relinquishment of rights.

The City Attorney said he would review the contest rules and requirements and make sure that they were legally correct.

CONSENT CALENDAR

CM Liu asked to remove Item B for questions.

A. Approve Monthly Investment Report as of October 31, 2013

CM Miller made a motion, seconded by CM Conway, to approve the Monthly Investment Report as presented. The motion carried unanimously by all present.

B. Approve request to waive all future application and tenant improvement fees associated with Ring of Fire Boxing, a non-profit youth fitness and boxing program at 180 Industrial Way

CM Liu asked for further information regarding the fee waiver amounts and past practice in waiving them.

After staff clarification, CM Liu made a motion, seconded by CM Lentz, to approve the request for the current project only. The motion was carried unanimously by all present.

PUBLIC HEARING

A. Consider introduction of Ordinance No. 583 amending Chapter 15.04, adoption of construction codes, Chapter 15.08, organization and enforcement, and Chapter 15.44, Fire Prevention Code, and repealing Chapter 15.41, abatement of dangerous buildings code in Title 15, Buildings and Construction, of the Municipal Code

Community Development Director said that every three years a new set of construction codes is published by the State. He explained that in order to modify the standard codes a local jurisdiction must make findings and local amendments and they must be filed with the California Building Standards Commission to become effective. He then outlined the different codes provided in detail in the staff report.

After Councilmember questions and clarifications of staff, Mayor Miller opened the public hearing. There being no members of the public wishing to speak, CM O'Connell made a motion, seconded by CM Lentz, to close the public hearing.

CM Lentz proposed adding "exceeding the fifty percent of floor area ratio" to Section 15.44.080(c). Other Councilmembers concurred.

After further Councilmember questions and clarifications, CM O'Connell made a motion, seconded by CM Lentz, to introduce the ordinance as amended. The motion was carried unanimously by all present.

NEW BUSINESS

A. Consider approving the process for design development and potential construction of skate board park rehabilitation

Administrative Services Director Schillinger reviewed the background of the Parks and Recreation Commission effort to put together a plan of action for the skatepark. He said the Facilities Subcommittee who was working with the Teen Services Subcommittee of the Parks & Recreation Commission are now recommending that a design-bid-build process be initiated and showed a proposed flow chart of actions to be taken.

Councilmembers noted citizens in the audience wishing to speak on the matter and opted to hear from them first before deliberating.

Malcolm Barnes asked that the Council approve the skatepark design in concrete and said what a great social center it could be.

Josh Bunker described the problems and dangers with the current park and asked that a new skatepark be approved quickly.

Jake Goodwin asked that a skatepark design be approved quickly.

Alex Orak said the current skatepark was falling apart and advocated for a quick solution.

Gino Burton asked that a new skate park be approved before someone gets hurt.

Evan Tiapula talked about how popular the skatepark was, expecially since the closure of the Teen Center and advocated for a concrete skatepark.

Michael Barnes reviewed the many requests over the last few years for a new skatepark and the many benefits it could provide to the community. He also expressed his concern over the law not allowing youth under 12.

Dede Porter, Co-chair of the Mothers of Brisbane urged the Council to expedite the process as much as possible. She indicated that a large part of the community is in favor of this.

Renee Marmion, Parks & Recreation Commissioner gave her support for moving forward with the proposed process.

Councilmembers discussed their various concerns and asked that staff update the survey of users of the facility and have staff meet with the users regarding maintenance issues and report back to the Council on those safety issues.

After further questions and clarifications, CM Lentz made a motion, seconded by CM Miller, to approve moving forward with the proposed process. The motion carried 4-1, CM O'Connell opposed.

B. Approval of Resolution 2013-41 and 2013-42 in Order to Amend Benefits and Pay Scales for Hourly Staff of the City of Brisbane

Principal Analyst Sagisag-Sid reviewed the provisions of the proposed resolution including the new Affordable Care Act and the costs associated with providing those benefits.

After Councilmember questions and clarifications, CM O'Connell made a motion, seconded by CM Lentz, to adopt the resolution as presented. The motion carried unanimously by all present.

STAFF REPORTS

A. City Manager's Report on upcoming activities

City Manager Holstine said he had nothing to report.

B. Update from Community Development Director on Conference regarding Sea Level Rise

Community Development Director Swiecki gave a report on his recent attendance at the Sea Level Rise Conference including the need to not wait for science to be clear but to make incremental changes now and the need for collaboration between jurisdictions.

MAYOR/COUNCIL MATTERS

A. County-wide Assignments/Subcommittee Reports

Councilmembers reported on their attendance at various meetings including C/CAG, the Economic Silicon Valley Leadership Group, and CM Liu's interview with PenTV for San Mateo County Today.

B. Written Communications

There were no written communications.

C. Review Council Subcommittee Appointments Lists and make adjustments as necessary

This item was continued to the meeting of December 19th due to the late hour.

ORAL COMMUNICATIONS 2

There were no members of the public wishing to speak.

ADJOURNMENT

The meeting was adjourned at 10:59 p.m. in memory of Andrew Adams and Ron Wright.

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Sheri Marie Spediacci, City Clerk