BRISBANE CITY COUNCIL

ACTION MINUTES

DRAFT

THURSDAY, December 17, 2015

BRISBANE CITY HALL, 50 PARK PLACE, BRISBANE

6:30 P.M. (This portion of the meeting will be held in the conference room and will be open to the public)

A. Review Council Subcommittee List and make necessary changes

Councilmembers reviewed the list of Council Subcommittees and made changes to the list and made new assignments.

7:30 P.M. CALL TO ORDER – FLAG SALUTE

Mayor Lentz called the meeting to order at 7:31 p.m. and led the flag salute

ROLL CALL

Councilmembers present:	Conway, Lentz, Liu, Miller, and Mayor O'Connell
Councilmembers absent:	None
Staff present:	City Manager Holstine, City Clerk Spediacci, City Attorney Roush, Administrative Services Director Schillinger, Public Works Director Breault, Deputy Public Works Director Kinser, Police Chief Macias

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

CM Conway made a motion, seconded by CM O'Connell, to adopt the agenda as presented. The

Moment of silence for the victims of the San Bernadino mass shooting.

PRESENTATION

A. Presentation on Airport Noise/FAA Issues, Mayor Cliff Lentz

Mayor Lentz, who represents Brisbane, and is the Chairman, on the SFO Community Airport Roundtable gave a Power Point Presentation noting that the Federal Aviation Administration (FAA) has decided to engage the communities to address the long standing noise complaints being reported. He also noted that the SFO Community Roundtable has taken the initiative to engage the FAA during this review. He showed slides illustrating flight paths, procedures, and requested modifications.

ORAL COMMUNICATIONS NO. 1

Carolyn Moore from HIP Housing gave an update on HIP Housings accomplishments and the help that they were providing for Brisbane citizens in need of housing, home sharing, particularly their work with Seniors. She also presented the Council with their 2016 Calendars.

Mayor Lentz asked that City Clerk Spediacci put Ms. Moore in touch with Brisbane's local group, Helping Hand, which was formed to help seniors.

CONSENT CALENDAR

CM O'Connell asked to remove Consent Calendar Item A.

B. Approve Co-sponsorship of the Mothers of Brisbane Clothing Sale on the weekend of January 30-31st, 2016 at Mission Blue Center

CM Conway made a motion, seconded by CM O'Connell, to approve Consent Calendar Item B as presented. The motion carried unanimously by all present.

A. Approve a supplemental appropriation from the General Fund in the amount of $489,065 for the construction of the Ice House Hill Slope Mitigation Project

CM O'Connell asked Public Works Director Breault why the cost of the project had increased so much from last year's estimate.

Public Works Director Breault explained that the preliminary work was estimated in the $200,000 range and then it was discovered that the project was more extensive than they had realized. He said that the current project would also have a permanent wall instead of the originally proposed k rail.

Councilmembers discussed who should pay the costs, the need for the project now or at a later date, and the design of the wall.

CM O'Connell asked that the slope be revegetated and that the Open Space and Ecology Committee have input into how that revegetation should be done.

CM Conway made a motion, seconded by CM O'Connell, to approve the supplemental appropriation as presented. The motion carried unanimously by all present.

PUBLIC HEARING

A. Consider Ordinance No. 604 an urgency measure, pursuant to Government Code Section 65858, adopting an interim Ordinance extending for an additional 10 months and 15 days interim Ordinance No. 603 which imposed a 45-day moratorium on establishing, operating, permitting and/or licensing of any new electronic cigarette retailer (vape shop) within the City of Brisbane

City Attorney Roush said that this urgency measure would extend the existing moratorium on establishing, operating, permitting and/or licensing of any new electronic cigarette retailers for an additional 10 months and 15 days. He said that in order to extend the moratorium for that period of time it would take a 4/5ths affirmative vote of the Council. He indicated that there are currently no

vape shops in Brisbane but under the current zoning, a vape shop business could come in without regulation. He said that the Planning Department has planned for a work program to study this use and make recommendations to the Planning Commission and then to the Council and staff expects this work to be completed by mid-2016 so that the matter would be considered by Council before the moratorium expires.

After initial Councilmembers questions, Mayor Lentz opened the public hearing. There being no members of the public wishing to speak, CM Conway made a motion, seconded by CM O'Connell, to close the public hearing. The motion carried unanimously by all present.

After further Councilmember questions and clarifications, CM Conway made a motion, seconded by CM Liu, adopt Urgency Ordinance 604 as presented. The motion carried unanimously by all present.

B. Consider adoption of Resolution No. 2015-48 consenting to the inclusion of properties within the City's jurisdiction in the California HERO Program to finance Distributed Generation Renewable Energy Sources, Energy and Water Efficiency Improvements and Electric Vehicle Charging Infrastructure, and Approving an Amendment to a Certain Joint Powers Agreement Related Thereto

Public Works Director Breault explained that the California HERO Program is offered to allow property owners in participating cities and counties to finance renewable energy, energy water efficiency improvements, and electric vehicle charging infrastructure on their property. He explained that by the City's agreement to be included in the HERO Program JPA, homeowners could pay for the cost of these improvements on their property tax bills.

He introduced Mr. John Law, Director of Governmental Relations for HERO who answered questions from the Council on who could participate in the program, how soon the program would be available, tax write-off, leased properties, and how the payments stay with the owner of the property at any given time.

Mayor Lentz opened the Public Hearing. There being no members of the public wishing to speak, CM Conway made a motion, seconded by CM O'Connell, to close the public hearing.

CM Conway made a motion, seconded by CM O'Connell, to adopt Resolution No. 2015-48 as presented. The motion carried unanimously by all present.

OLD BUSINESS

A. Consider approval of Design Plan for the Brisbane Skatepark Project, authorize staff to release the plans and specifications when finalized, and approve a supplemental appropriation of $21,000, which is necessary to complete the project recommended by the Council Facilities Subcommittee which has a total project cost estimate of $345,000

Deputy Public Works Director Kinser said that the Council approved the Brisbane Skatepark Conceptual Design on March 19, 2015. She said that a final community workshop was held after Council's approval of the conceptual design, and at that time the users suggested an additional feature for the skatepark; a "quarter pipe" on top of the platform area to create more flow through the features.

She said that the consultant's 50% design submittal included a revised construction cost estimate of $450,000 and said the cost increases were attributed to additional geotechnical requirements, new demolition requirements revealed by the survey, increased contractor labor costs, and previously not included California prevailing wage rate requirements.

She indicated that the Council Facilities Subcommittee made a recommendation to remove the "skate spot" west of the basketball courts from the construction documents, and to bid the requested "quarter pipe" on top of the platform area as an additive alternate rather than as a required part of the construction after binding bids have been received.

She said that early in the conceptual design process, the stakeholders suggested additional items to enhance the experience at the skatepark; including a water fountain, a more aesthetic powder coated chain link fence, additional lighting, and seating. She said that these additions were estimated to cost approximately $36,000 and that the Council requested that the community develop a fundraising campaign for the additional items.

She reported that the Mothers of Brisbane worked with staff on a donor brick campaign, which raised approximately $27,000, in addition to receiving over $7,000 in donations from the sale of skatepark t-shirts led by Michael Barnes, and from proceeds of two car shows. She also estimated the value of committed in-kind donations to be at least $40,000 and acknowledged the $5,000 grant from the Tony Hawk foundation.

Finally, she reported that the total estimated construction cost for the recommended project was $345,000. $266,000 of it would come from the City, $245,000 already budgeted for, and $21,000 needed as a supplemental appropriation, and the remaining amount coming from community fundraising, in-kind donation, and rant money as previously noted.

Councilmembers asked questions regarding the functionality of the skatepark without the additional quarter pipe, the community fundraising efforts, the construction cost estimates and contingency fund, the final costs of the project, the timing of the project's completion, and the possibility of a mural on the wall facing the Community Park.

After Councilmember discussion, CM Conway made a motion, seconded by CM Liu, to approve the conceptual design for the Brisbane Skatepark, authorize a supplemental appropriation of $21,000 from the Capital Projects Fund, and authorize staff to release the plans and specifications when finalized.

STAFF REPORTS

A. City Manager's Report on upcoming activities

City Manager Holstine said he had nothing to report.

MAYOR/COUNCIL MATTERS

A. County-wide Assignments/Subcommittee Reports

There were no Subcommittee reports given.

B. Written Communications

Mayor Lentz noted that they received the written communications that were before them on the dais.

C. Consider setting a date for Council Workshop/Retreat in January

After some discussion, Council chose Sunday, January 24th from 2:30-5:30 for their Workshop.

D. Discuss City Selection Committee Appointments

Councilmembers discussed the upcoming appointments and supported Mayor Maureen Freshet of San Mateo for the Central Cities seat on the San Mateo County Transportation Authority and Councilmember Ken Ibarra of San Bruno for the Northern Cities seat on the San Mateo County Transportation Authority. They noted that the rest of the appointments were uncontested.

E. Discuss drafting rules for Council Reorganization

After Councilmember discussion, they asked the Council Fiscal & Administrative Subcommittee to discuss the issue and bring a recommendation back to the full Council.

ORAL COMMUNICATIONS 2

There were no members of the public wishing to speak.

ADJOURNMENT

The meeting was adjourned at 9:42pm.

_____

Sheri Marie Spediacci, City Clerk