



**BRISBANE CITY COUNCIL**

**ACTION MINUTES**

**DRAFT**

---

**THURSDAY, JULY 17, 2014**

*BRISBANE CITY HALL, 50 PARK PLACE, BRISBANE*

**6:30 P.M. CLOSED SESSION**

- A. Public Employment; Title: City Attorney, pursuant to Government Code Section 54957

**7:30 P.M. CALL TO ORDER – FLAG SALUTE**

Mayor Conway called the meeting to order at 7:33 p.m. and led the flag salute.

**ROLL CALL**

Councilmember's present: Liu, O'Connell, and Mayor Conway  
Councilmember's absent: Lentz, Miller  
Staff present: City Manager Holstine, City Clerk Spediacci, City Attorney Kahn, Deputy Finance Director Cooper, Police Commander Meisner

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

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

**REPORT OUT OF CLOSED SESSION**

City Attorney Kahn reported that discussion was held but no action was taken.

**ORAL COMMUNICATIONS NO. 1**

Michael Barnes spoke about art in the skatepark and gave a history of what public art is and the current artwork at the skatepark. He encouraged the Council to enhance the current skate artists involvement.

**CONSENT CALENDAR**

CM Liu noted that she had given corrections to the minutes to the City Clerk on Consent Calendar Items B & C and that the highlighted corrections were before the Council on the dais.

Councilmembers concurred with the proposed changes to the minutes of April 21<sup>st</sup> and May 5<sup>th</sup>.

- A. Approve City Council Minutes of April 7, 2014**
- B. Approve City Council Minutes of April 21, 2014**
- C. Approve City Council Minutes of May 5, 2014**
- D. Approve City Council Minutes of May 19, 2014**
- E. Approve the plans and specifications, and authorize publication of the Notice Inviting Bids for 2014 Overlay Project (Project No. 9E00)**
- F. Adopt Resolution No. 2014-33 ratifying and approving the agreement for purchase of real property consisting on one undeveloped parcel of land located in the acres and identified as Assessor's Parcel Number 007-570-130 and authorizing execution of closing documents on behalf of the City, and approving a supplemental appropriation in the amount of \$50,000**
- G. Adopt Resolution No. 2014-34 approving the filing of an application for grant funds under the California Coastal Conservancy San Francisco Bay Area**
- H. Adopt Resolution No. 2014-35 regarding pay scale for Hourly Employees**

CM O'Connell made a motion, seconded by CM Liu, to adopt the Consent Calendar as amended. The motion carried unanimously by all present.

## **PUBLIC HEARING**

- A. Sierra Point Lighting and Landscape District**
  - 1. Hear Statement of Engineer of Record, Read Mayor's Statement, Hear City Clerk Statement, Open Public Hearing to hear any testimony, Close Public Hearing**
  - 2. Consider adoption of Resolution No. 2014-29 overruling protests and ordering the improvements and confirming the diagram and assessments for Fiscal Year 14/15**

Senior Civil Engineer Kinser explained that this is an annually occurring process that provides the funding mechanism for the work completed within the landscaping and lighting district. She said that in addition to the routine maintenance provided within the district the revenue received

funds special projects such as the replacement in the prior three fiscal years of the north and east shoreline Myoporum trees that fell victim to an invasive pest, and the improved lighting of the stop signs at the Sierra Point Parkway/Lagoon Road intersection in the coming fiscal year.

Mayor Conway read a statement and declared the Public Hearing open. City Clerk Spediacci noted that no written protests had been received.

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

CM O'Connell made a motion, seconded by CM Liu, to adopt the Resolution as proposed. The motion carried unanimously by all present.

#### **B. City of Brisbane Local Stormwater Program Fees**

- 1. Open the Public Hearing and take public comment. Close the Public Hearing, and if appropriate, overrule any objections to the imposition of fees related to the NPDES Program**
- 2. Consider adoption Resolution No. 2014-31, "A Resolution of the City Council of the City of Brisbane Imposing Charges for Funding the Local Brisbane Stormwater Program, Authorizing Placement of Said Charges on the 2014-2015 County Tax Roll, and Authorizing the County Tax Collector to Collect Such Charges."**

Senior Civil Engineer Kinser explained that adoption of this resolution provides the funding required for the City to maintain compliance with the various State clean water requirements which have increased significantly over the past several years.

Mayor Conway opened the Public Hearing.

There being no members of the public wishing to speak, CM O'Connell made a motion, seconded by CM Liu, to close the Public Hearing. The motion was carried unanimously by all present.

After questions and clarifications, CM O'Connell made a motion, seconded by CM Liu, to adopt the Resolution as proposed. The motion carried unanimously by all present.

#### **NEW BUSINESS**

##### **A. Consider approval of Resolution No. 2014-15 granting approval for a joint sewer line serving residences in the 200 block of Humboldt Road**

Senior Civil Engineer Kinser explained that the property owners of the joint sewer line approached the Public Works Director about executing a formal document regarding the sharing of the maintenance costs of their sewer line.

CM O'Connell pointed out that Parcel 1 was listed twice on Exhibit A and ask that it be corrected.

CM Liu pointed out a correction she had requested to staff in the third paragraph of the resolution changing "across the property" to "through the property".

After further questions and clarifications, CM Liu made a motion, seconded by CM O'Connell, to adopt the Resolution as amended. The motion was carried unanimously by all present.

**B. Consider adoption of Resolution No. 2014-32 supporting the application of San Bruno Mountain and corresponding areas as a priority conservation area**

Administrative Intern Yang gave the background of the Priority Conservation Area program and the benefits of San Bruno Mountain and other adjacent areas being declared at PCA.

Councilmembers noted that they received a letter from Dana Dillworth, wanting to include amphibians and snakes as endangered species and add the Lagoon as a PCA in the Resolution. Councilmembers concurred to add that language.

Councilmembers also directed staff to ask that the cities of Daly City and South San Francisco be asked to adopt the same language.

Ken McIntire from San Bruno Mountain Watch indicated that he was working on this with the other cities and San Mateo County.

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

**City & GVMID Actions**

**B. Consider approval of Resolution No. 2014-30 & Resolution No. GVMID 2014-02 authorizing the Bay Area Water Supply and Conservation Agency (BAWSCA) to initiate, defend and settle arbitration related to the Water Supply Agreement with the City and County of San Francisco**

Senior Civil Engineer Kinser reported that the City and GVMID receive 100% of their water supply from the City and County of San Francisco (CCSF) via the Water Enterprise of the San Francisco Public Utilities Commission (SFPUC). She said that both districts are members of the Bay Area Water Supply Conservation Agency (BAWSCA).

She explained the functions that BAWSCA provides, and said that the resolutions before the Council were to delegate arbitration authority to BAWSCA per their request to formalize that role on the City's and GVMID's behalf.

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

## **STAFF REPORTS**

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

City Manager Holstine said that he had nothing to report.

## **MAYOR/COUNCIL MATTERS**

### **A. County-wide Assignments/Subcommittee Reports**

Councilmembers reported on various meetings including the Health and Safety Subcommittee, the Public Information and Technology Committee, the Economic Development Subcommittee, the History Book Subcommittee, and a recent attendance at a Sea Level Rise Conference in Foster City.

### **B. Written Communications**

Councilmembers noted that an e-mail had been received from Dana Dillworth regarding Agenda Item VII – B, regarding Priority Conservation Areas.

### **C. Designation of Voting Delegates and Alternates for League of California Cities Annual Conference – September 3-5<sup>th</sup> in Los Angeles**

It was decided that the Mayor would be attending, therefore would be the Designate and that CM Liu and Cliff would also be attending and would be designated Alternates.

## **ORAL COMMUNICATIONS 2**

There were no members of the public wishing to speak.

## **ADJOURNMENT**

The meeting was adjourned at 8:40 p.m.

---

Sheri Marie Spediacci, City Clerk