



BRISBANE CITY COUNCIL

**DRAFT**

ACTION MINUTES

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THURSDAY, SEPTEMBER 3, 2015

*BRISBANE CITY HALL, 50 PARK PLACE, BRISBANE*

**7:00 P.M. CLOSED SESSION**

- A. Conference with legal counsel—potential litigation (one case); pursuant to Government Code Section 54956.9**

**CALL TO ORDER – FLAG SALUTE**

Mayor O’Connell called the meeting to order at 7:30 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, Deputy Finance Director Cooper, Public Works Director Breault, Principal Analyst Saguisag-Sid

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

CM Miller asked that the meeting be adjourned in memory of Arthur Court. With that addition, he made a motion, seconded by CM Conway, to adopt the agenda as amended. The motion carried unanimously by all present.

City Attorney Roush gave a report out of Closed Session saying that the matter was discussed but that no action was taken.

**INTRODUCTION**

- A. Noreen Leek, Recreation Manager**

Deputy City Manager Schillinger introduced the new Parks and Recreation Manager Noreen Leek. Councilmembers welcomed Ms. Leek and she thanked them for the opportunity to serve Brisbane.

## **PRESENTATION**

### **A. Prostate Cancer Awareness Month**

Mayor O'Connell read a proclamation about the effects of prostate cancer and encouraging citizens to have regular checkups.

### **B. South San Francisco Scavengers Trash Container Management**

Paul Formosa gave a presentation explaining the new Trash Container Management Policy. He said that SSF Scavenger Company will be monitoring containers and waste area closely, and will be issuing Notices of Noncompliance identifying litter problems that may need to be addressed through service adjustments. He said the program requires all trash container lids to be completely closed; all materials must be placed inside the containers and should not spill out of the containers. He also said the area around the container must be clear of any loose debris and that any opening between the lid and the container would not be in compliance with the new policy.

He explained why the program was being implemented and how citizens could prevent litter or ask for assistance.

After Councilmember questions and clarifications they thanked Mr. Formosa for his presentation and asked that an appeal process be considered for those situations where it was out of the direct control of the resident.

## **ORAL COMMUNICATIONS NO. 1**

There were no members of the public wishing to speak.

## **CONSENT CALENDAR**

### **A. Adopt Ordinance No. 598, waiving second reading, amending Title 18 of the Brisbane Municipal Code concerning "Marina Regulations"**

CM Miller made a motion, seconded by CM Conway, to adopt Ordinance No 598 as presented. The motion carried unanimously by all present.

## **OLD BUSINESS**

### **A. Consider approval of Response Letter to Grand Jury Flooding Ahead: Planning for Sea Level Rise**

Public Works Director Breault said that the Ad Hoc Council Subcommittee of CM Liu and CM Miller met with staff and gave them the changes to the Grand Jury letter that they were recommending to the full Council.

Mayor O'Connell indicated that a letter had been sent to the Grand Jury asking for an extension to the deadline of September 3<sup>rd</sup>.

Councilmembers concurred with the changes to the letter and thanked the Subcommittee for their important additions and changes.

CM Miller made a motion, seconded by CM Lentz, to approve the Grand Jury response letter as presented. The motion carried unanimously by all present.

CM Miller asked staff send the Grand Jury response letter to the Chairperson and staff of C/CAG with a cover letter.

## NEW BUSINESS

### **A. Consider adoption of Resolution No. 2015-37 establishing a policy concerning requests for legal services by council committees or individual councilmembers**

City Attorney Roush gave the background of the issue and the specifics of the policy. He said that he had been given direction from Council and the Council Rules and Procedures Subcommittee to draft a policy that would limit the amount of City Attorney research time a Council Subcommittee or any individual Councilmember could request before bringing the request to the full Council for authorization.

Councilmembers discussed adding clarifying language to Section 4 of the Resolution that clarifies that the three-request-limit in any month would not apply to short phone calls or questions from Council but rather would apply to more lengthy requests for City Attorney research or time, such as three requests of four hours each.

They directed the City Attorney to add language to clarify that intent.

With that change, CM Conway made a motion, seconded by CM Lentz, to adopt the Resolution as amended. The motion carried unanimously by all present.

### **B. Consider approval of plans and specifications, and authorization of the publication of Notice Inviting Bids of construction of the Bayshore Boulevard South Sewer Force Main Project (Project No. 9F07)**

Public Works Director Breault said that the July 2003 Sewer Master Plan recommended a prioritized capital improvement program to correct deficiencies in the City's sewer collection system. He said that one of the recommended projects is to "underground" an existing aboveground sewer force main that carries pumped wastewater from the Valley Drive Lift Station (VDLS) to a manhole at the intersection of Bayshore Boulevard and Guadalupe Canyon Parkway. He explained that this eight-inch diameter high-density polyethylene force main is one of two parallel force mains serving VDLS, and was installed in 2003 to provide additional capacity for wet weather flows as the Valley Drive Lift Station was constructed.

Mr. Breault then answered questions from the Council regarding different sewer flow scenarios, using different asphalt materials in the future, sea-level rise and potential flooding, and timing and construction of the project and road closures. He said that the project should begin in mid-October.

After further discussion, CM Conway made motion, seconded by CM Miller, to approve the plans and specifications as presented. The motion carried unanimously by all present.

## **STAFF REPORTS**

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

City Manager Holstine gave an update on the Baylands Community Survey indicated that the use of the coding number was an important feature to ensure the integrity of the survey.

He also reported on the financial analysis of the project with was being done by a consultant hired by the City and paid for by UPC. Mr. Holstine said that the consultant, Keyser Marsten, was awaiting further financial information from UPC and that they would provide that information by the end of September.

## **MAYOR/COUNCIL MATTERS**

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

Councilmembers reported on various meetings that they attended, including two Economic Development Subcommittee Meetings, the Community Energy Choice Committee Meeting, the New Library Kick-off Meeting and the Library visioning meetings, the Public Information and Technology Committee Meeting, the High Speed Rail Webinar, the Skate Park Design Drawings Facilities Subcommittee Meeting, the Airport Roundtable Meeting, the Caltrain Modification Meeting, and the Liaison to the Open Space and Ecology Committee Meeting.

### **B. Written Communications**

Councilmembers acknowledged receipt of an e-mail from Dolores Gomez resigning from the Complete Streets Safety Committee.

## **ORAL COMMUNICATIONS 2**

There were no members of the public wishing to speak.

## **ADJOURNMENT**

The meeting was adjourned at 9:28pm in memory of Arthur Court.

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Sheri Marie Spediacci  
City Clerk