



CITY COUNCIL/REDEVELOPMENT/GVMID
ACTION MINUTES

DRAFT

CITY COUNCIL REGULAR MEETING

February 1, 2010

BRISBANE CITY HALL, 50 PARK PLACE, BRISBANE

CALL TO ORDER/FLAG SALUTE

Mayor Conway called the meeting to order at 7:30 p.m. and led the flag salute.

ROLL CALL

Councilmembers present:	Bologoff, Lentz, Richardson, Waldo, Mayor Conway
Councilmembers absent:	None
Staff present:	Public Works Director Breault, Police Chief Hitchcock, City Manager Holstine, Special Counsel Leiter, Administrative Services Director Schillinger, City Clerk Spediacci, City Attorney Toppel

ADOPTION OF AGENDA

CM Richardson made a motion, seconded by CM Waldo, to adopt the agenda as proposed. The motion was carried unanimously by all present.

ORAL COMMUNICATIONS NO. 1

There were no members of the public wishing to address the Council.

CONSENT CALENDAR

- A. Adopt City Council Minutes of January 10, 2010**
- B. Adopt City Council Minutes of January 19, 2010**
- C. Approve Monthly Investment Report as of October 31, 2009**

- D. Approve Monthly Investment Report as of November 30, 2009**
- E. Approve Monthly Investment Report as of December 31, 2009**
- F. Approve Resolution No. 2010-03 declaring certain property surplus and providing for the disposition of such**

CM Richardson made a motion, seconded by CM Bologoff to approve the consent calendar as proposed. The motion was carried unanimously by all present

PUBLIC HEARING

A. Northeast Ridge Residential Development Compliance Hearing

- 1. Consider adoption of Resolution No. 2010-01, making findings and granting final approval and certifying the 2009 Addendum to the San Bruno Mountain Habitat Conservation Plan 1982 Environmental Impact Report/Environmental Assessment, and the 2007 Addendum to the 1983 Final Environmental Impact Report on the Northeast Ridge Residential Development**
- 2. Consider adoption of Resolution No. 2010-02, approving an amendment to the Habitat Conservation Plan (HCP) Agreement and granting final approval for a modification to the vesting tentative map (VTM-1-06), Planned Permit (EX-1-06), Design Permit (DP-3-06), and Grading Permit (EX-1-06) for Unit II, Neighborhood II, of the Northeast Ridge Residential Development (APN 005-020, 030, & 040).**

City Attorney Toppel indicated that staff had submitted a memo answering questions from the last meeting on January 19, 2010 and would answer any further questions that Council may have.

Special Counsel Leiter advised that there were several additional people at the meeting to answer questions that might come up. She introduced Eric Tattersall, Assistant Supervisor of the U.S. Fish and Wildlife Service (USFWS), Chris Nagano, Chief Endangered Species Division of USFWS, Mike Thomas, Senior Biologist of USFWS, Patrick Kobernus, Conservation Biologist formerly with Thomas Reid Associates and currently with Coast Range Ecology, and Dave Holland, Director of San Mateo County Parks.

Mayor Conway opened the public hearing.

Robert Uram, of Sheppard, Mullin, Richter & Hampton and attorney for Brookfield Homes stated that this project has been reviewed extensively and urged the Council to grant the required

approvals for the modified project.

Kanji Nishijima asked that the Council reject the development and ask for a new EIR.

Greg Anderson asked Council to find a way to make Brookfield happy without approving the current actions.

Jamie Dunn thanked the citizens of Brisbane for their due diligence and urged the Council to represent the people on this issue.

Dr. Amie Franklin, PhD urged the Council to reject the project and ask for a new EIR.

Terry O'Connell presented a video about the history of the Callippe Silverspot on San Bruno Mountain and the eventual extinction if the Council approved this project. She urged the Council to demand a new EIR.

Dana Dillworth reminded the Council that Brookfeild has no entitlement and urged the Council to ask for a new EIR.

Glenn Fieldman asked that the Council insist on a new EIR.

Bill Collins of the local Sierra Club Chapter asked the Council to vote no on the EIR addendum.

David Schooley urged the Council to reject the proposal and vote no on the EIR addendum.

Ken McIntire of San Bruno Mountain Watch asked that the Council reject this proposal and ask for a new EIR.

Mayor Conway then introduced Chris Nagano from USFWS. Mr Nagano answered questions from Councilmembers.

Carolyn Parker urged the Council to require a new EIR.

Michele Salmon expressed her concerns about the extinction of the Callippe Butterfly and proposed project and urged the Council to ask for a new EIR.

John Christopher Burr reviewed his legal concern for the project and his concern of the killing of even more endangered species. He presented a document outlining different options the Council should consider.

Philip Batchelder reviewed the history of the NER/HCP Amendment and urged the Council to

reject the Addendum.

Tom Heinz stated that it would be political suicide to approve this project.

Laurie Graham a resident of South San Francisco urged the Council to call for a new EIR and stop the construction.

Daniel Ames urged the Council to require a new EIR.

Russ Bain asked that Council stop the construction and preserve the mountain.

Dave Grimault said it was advisable to order a new impact report.

Robert Carillo a Daly City Resident spoke against the proposed project.

Robert Howard asked for a new EIR.

Joe Cannon reviewed his history in working with Thomas Reid Associates and said a new EIR was necessary.

Dana Dillworth asked Council to require a new EIR to protect the existing habitat.

Robert Howard asked Council to review the USFWS website and their information about the Callippe Butterfly on San Bruno Mountain.

Jamie Dunn asked the Council to do the EIR.

Ken McIntire asked that Council not close the public hearing so that members of the public would have a chance to respond to further information being presented.

Mayor asked if there were any other speakers who wished to address the Council. There being no one who wished to speak, CM Waldo made a motion, seconded by CM Bologoff, to close the public hearing. The motion was carried by all present.

Mayor Conway invited Patrick Kobernus, a conservation biologist formerly with TRA and currently with Coast Range Ecology, to give a presentation about the San Bruno Mountain Habitat Conservation Plan and his study and work in that area.

After Council questions and clarifications to Mr Kobernus and staff, it was agreed to continue the hearing to Tuesday, February 16, 2010 in order to give the Council time to deliberate on the actions being recommended.

STAFF REPORTS

A. City Manager's Report on upcoming activities

There were no reports.

MAYOR/COUNCIL MATTERS

A. Subcommittee Reports

There were no reports.

ORAL COMMUNICATIONS NO. 2

Michele Salmon thanked the Council for continuing this matter.

ADJOURNMENT

The meeting was adjourned at 10:10 p.m.

ATTEST:

Sheri Marie Spediacci
City Clerk