BRISBANE CITY COUNCIL

ACTION MINUTES

CITY OF BRISBANE CITY COUNCIL
REGULAR MEETING AGENDA

THURSDAY, JANUARY 4, 2018

BRISBANE CITY HALL, 50 PARK PLACE, BRISBANE

6:30 P.M. CLOSED SESSION *(To Be Held in the Large Conference Room)*

A. Approval of the Closed Session Agenda

B. Public Comment. Members of the public may address the Councilmembers on any item on the closed session agenda

C. Adjournment into Closed Session

D. Conference with legal counsel—Anticipated Litigation. Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Section 54956.9 (One potential case)

E. Liability Claim: Claimant Kenneth Gauci, pursuant to Government Code, section 54956.95

F. Conference with legal counsel regarding existing litigation; Peterson v. City of Brisbane (Case number: 17CIV00630), pursuant to Government Code Section 54956.9

REPORT OUT OF CLOSED SESSION

Deputy City Attorney Stricker reported that during Closed Session, Council gave direction to staff on Item D, denied Item E—regarding the liability claim from Claimant Kenneth Gauci and made a recommendation on Item F that was passed along regarding Peterson v. City of Brisbane.

8:00 P.M. CALL TO ORDER – FLAG SALUTE

Mayor Conway called the meeting to order at 8:04 p.m. and led the Pledge of Allegiance.

ROLL CALL

Councilmembers present:	Councilmembers Cunningham, Davis, Lentz, O'Connell, and Mayor Conway
Councilmembers absent:	None
Staff present:	City Clerk Padilla, City Manager Holstine, Administrative Services Director Schillinger, Deputy City Attorney Stricker, Community Development Director Swiecki, City Engineer Breault, Senior Planner Johnson, Associate Planner Capasso, and Deputy Police Chief Meisner

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

Mayor Conway made a request to amend the agenda and close the meeting in memory of Earl Hemming and Jan Makdalik. He also requested to close the meeting officially for San Francisco Mayor Ed Lee, and City of Belmont Councilmember Eric Reed.

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

ORAL COMMUNICATIONS NO. 1

No member of the public wished to address the Council at this time.

PRESENTATION

A. Receive Brisbane Library FY 16/17 Annual Report from Francisco Vargas, Library Manager for Brisbane

Francisco Vargas, Library Manager for Brisbane, presented the Brisbane Library FY 16/17 Annual Report. He highlighted their accomplishments for the year.

After some questions, Councilmembers thanked Mr. Vargas for his presentation and the library's services to the community.

B. Receive Presentation from Get Us Moving San Mateo County

Cory Wolbach, Outreach Manager, of Get Us Moving San Mateo County made a presentation on Get Us Moving San Mateo County. Get Us Moving San Mateo County is a diverse coalition of regional leaders, transportation experts, nonprofit groups, businesses and volunteers that are coming together to find a solution to San Mateo County's complex transportation issues. Mr. Wolbach encouraged residents of Brisbane to take part in their community survey to help build the roadmap for a faster, better transportation system in San Mateo County.

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After some questions of Mr. Wolbach, the Council thanked him for his presentation.

CONSENT CALENDAR

A. Adopt Resolution No. 2018-01 Amending the Land Use Element of the General Plan and Adopt Ordinance No. 623 Amending the Zoning Ordinance to be Consistent with the revised General Plan

C. Adopt Resolution No. 2018-02 Approval to Declare Various Public Works Equipment as Surplus, and Authorize the City to Dispose of This Equipment.

D. Consider Approval of a Contract with Kingdom Pipeline Inc. for the McLain Sanitary Sewer Pipe Emergency Replacement Project.

CM O'Connell made a motion, seconded by CM Davis, to approve Consent Calendar Items A, C, and D. The motion carried unanimously by all present.

Ayes: CM Cunningham, Davis, Lentz, O'Connell and Mayor Conway
Noes: None
Absent: None

B. Consider Approval of the First Amendment to the Ground Lease with the Sierra Point Yacht Club and Authorize the Mayor to Sign the document on the City's behalf.

CM O'Connell recused herself of Consent Calendar Item B due to a conflict of interest as the Treasurer of the Sierra Point Yacht Club and left the dais.

After some discussion, CM Lentz made a motion, seconded by CM Davis, to approve Consent Calendar Item B. The motion was carried by a 4-0-1 vote.

Ayes: CM Cunningham, Davis, Lentz and Mayor Conway
Noes: None
Recusal: CM O'Connell

PUBLIC HEARING

A. **Consider Introduction of Ordinance No. 624 (Zoning Text Amendment RZ-3-17) – Zoning Text and Map Amendments to Adopt Housing Overlay Zones PAOZ-1 and PAOZ-2 to implement the Parkside at Brisbane Village Precise Plan**

Community Development Director Swiecki reported that the purpose of Ordinance No. 624 is to implement the Parkside at Brisbane Village Precise Plan by adopting zoning text and map establishing Parkside Overlay Zones (PAOZ-1 and PAOZ-2) for housing.

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After some City Council discussion and questions of staff, Mayor Conway opened the public hearing. No member of the public wished to speak. CM O'Connell made a motion, seconded by CM Cunningham, to close the public hearing. The motion was carried unanimously by all present.

CM O'Connell made a motion, seconded by CM Lentz, to introduce Ordinance No. 624. The motion was carried unanimously by all present.

Ayes: CM Cunningham, Davis, Lentz, O'Connell and Mayor Conway
Noes: None
Absent: None

NEW BUSINESS

A. Consider Providing Direction to Staff regarding Zoning Ordinance Provisions Pertaining to Minimum Distance of Cannabis Businesses from Schools and Daycare Facilities

Community Development Director Swiecki reported that the purpose of this discussion is to determine whether the Council wishes to Provide Staff direction regarding a Zoning Text Amendment to Consider Amending Brisbane Municipal Code (BMC) Chapter 17.33 regarding the Prohibition of Cannabis Businesses within 600 feet of a School or Daycare Facility.

After some Council questions of Associate Planner Capasso and Community Development Director Swiecki, Council directed staff to return with a zoning text code amendment to exclude Crocker Park from the 600 foot buffer requirement that requires new cannabis businesses to be located more than 600 feet from schools, daycares, or youth centers.

STAFF REPORTS

A. City Manager's Report on upcoming activities

City Manager Holstine announced that the next Council Meeting will be Tuesday, January 16th to discuss the Brisbane Baylands Project.

ORAL COMMUNICATIONS 2

No member of the public wished to speak at this time.

MAYOR/COUNCIL MATTERS

A. Countywide Assignments/Subcommittee Reports

Councilmembers highlighted the activities of the Affordable Housing Subcommittee and the Brisbane School District 2x2 Subcommittee.

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B. City Council Meeting Schedule and Scheduling Interviews for City Commission and Committee Appointments

After discussing the City Council Meeting Schedule, Council directed City Clerk Padilla to extend the deadline for the City Commission and Committee applications to January 31st at 8 p.m. City Clerk Padilla will also forward to the City Council an online poll to schedule the interview meeting dates.

C. Written Communication

CM O'Connell directed staff to look into the correspondence from the Massage Therapy Council.

D. Review Council Subcommittee and County Assignment List and Make Necessary Changes *(This portion of the Council Meeting will be held in the Large Conference Room)*

The meeting was closed in memory of Earl Hemming, Jan Makdalik, San Francisco Mayor Ed Lee and City of Belmont Councilmember Eric Reed.

Councilmembers left the dais, reviewed the Council Subcommittee and County Assignment list in the Large Conference Room, and made necessary changes to the list.

ADJOURNMENT

The meeting adjourned at 9:26 p.m.

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Ingrid Padilla, City Clerk

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