



**CITY COUNCIL/REDEVELOPMENT/GVMID**

**MINUTES**

**DRAFT**

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**CITY COUNCIL REGULAR MEETING**

**May 18, 2009**

*BRISBANE CITY HALL COMMUNITY ROOM, 50 PARK PLACE, BRISBANE*

**CLOSED SESSION**

**A. Public Employee Performance Evaluation; City Manager, pursuant to Government Code Section 54957**

The City Council met in closed session at 6:00 p.m. to discuss the City Manager's performance evaluation.

**CALL TO ORDER/FLAG SALUTE**

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

**ROLL CALL**

Councilmembers present:	Barnes, Bologoff, Conway, Waldo, and Mayor Richardson
Staff present:	City Attorney Baird, City Manager Holstine, Community Development Director Prince, Deputy City Manager/Administrative Services Director Schillinger, Parks and Recreation Director Skeels, City Clerk Spediacci, Principal Planner Swiecki

**ADOPTION OF AGENDA**

CM Conway made a motion, seconded by CM Barnes, 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 who wished to address the City Council.

## **CONSENT CALENDAR**

CM Barnes, CM Conway, and CM Bologoff asked to remove Item A.

- B. Adopt City Council Minutes of April 20, 2009**
- C. Sierra Point Landscaping and Lighting District Annual Appointments and Directed Preparation of Engineer's Report**
  - 1. Resolution No. 2009-17, "Appointing Attorney for the Sierra Point Landscaping and Lighting District for the Fiscal Year 2009-2010"**
  - 2. Resolution No. 2009-18, "Appointing Engineer for the Sierra Point Landscaping and Lighting District for the Fiscal Year 2009-2010"**
  - 3. Resolution No. 2009-19, "Describing Improvements and Directing Preparation of Engineer's Report for the Sierra Point Landscaping and Lighting District for the Fiscal Year 2009-2010"**

CM Waldo made a motion, seconded by CM Barnes, to approve Items B and C of the Consent Calendar. The motion was carried unanimously by all present.

### **A. Adopt City Council Minutes of April 13, 2009**

CM Barnes noted the City Clerk provided a written copy of his proposed change to the April 13 minutes. He recommended inserting the following on Pages 2 to 3: "CM Barnes noted that, much like the pool, open space at the Baylands, while great to have, could be costly to maintain. He observed that when he first looked at the map and saw in the neighborhood of 50 percent of the area set aside for open space, he immediately thought the rest of the area would be more dense, more industrial, more geared toward economic revenue generation in order to pay for remediation, creation, and maintenance of all the green space."

CM Bologoff drew attention to the third paragraph from the bottom of Page 4 and clarified that pipelines actually run under the north bank of the lagoon.

CM Conway referred to the second paragraph on Page 6. He recommended starting a new paragraph with the second sentence and revising it to read: "CM Conway expressed a preference for arts and activities in the round house area, and he suggested a performing arts facility and studios there."

CM Conway made a motion, seconded by CM Barnes, to adopt the April 13 minutes as amended. The motion was carried unanimously by all present.

## **OLD BUSINESS**

### **A. Continue Review of 2009-2011 Budget and provide direction to staff**

Administrative Services Director Schillinger noted that the staff provided an overview of the proposed 2009-2011 budget on May 3, and the City Council heard detailed departmental budget presentations on May 4 and May 11. He said the City Council identified a number of issues for further review, and he drew attention to the items described in the staff report.

Administrative Services Director Schillinger welcomed direction from the Council with respect to public meeting records. He advised that in addition to detailed transcribed minutes, City Council meetings and Planning Commission meetings are televised and recorded on DVD's, and meetings of the Parks, Beaches and Recreation Commission and the Open Space and Ecology Committee are recorded on DVD's but not televised.

CM Conway said he thought the purpose of this meeting was to talk about general overall policies, and then have the Finance Subcommittee look at line items in more detail and come back with recommendations.

Administrative Services Director Schillinger pointed out that there are policy issues with respect to the level of detail in meeting minutes and whether meetings other than City Council meetings should be televised.

CM Waldo questioned the need for transcribed minutes of all Planning Commission meetings. CM Conway recalled that CM Waldo had proposed eliminating televising of Planning Commission meetings on May 11. CM Waldo observed that as long as DVD's are made, written minutes can be prepared later if they are needed. He asked if there was any extra cost for recording meetings on DVD's. Administrative Services Director Schillinger responded that both televised and untelevised meetings can be recorded on DVD's at no additional cost.

CM Waldo expressed his preference for just making DVD's of Planning Commission meetings. He recommended not televising Planning Commission meetings and preparing detailed transcribed minutes only when necessary. CM Conway noted that concise action minutes of each meeting can be prepared and presented to the Planning Commission for approval. CM Waldo agreed, and observed that in the case of appeals, detailed minutes of that particular section of the meeting can be prepared.

CM Bologoff asked what kind of minutes were legally required. City Attorney Baird advised that the City is only required to keep minutes, and the level of detail is up to the City. He said action minutes would suffice, along with back-up audio tapes or DVD's in case there are appeals.

CM Waldo made a motion, seconded by CM Barnes, to prepare action minutes and make DVD's of Planning Commission meetings, but not to televise them. The motion was carried unanimously by all present.

CM Conway proposed focusing on overall policy direction. CM Barnes observed that the staff report identifies a series of policy decisions for the Council. He suggested letting the subcommittee handle issues like which City contributions and memberships should be continued.

City Manager Holstine encouraged the City Council to discuss the budget as a whole and to identify items to be referred to the subcommittee.

With respect to the possibility of extending the redevelopment agency into the downtown district, CM Barnes recommended that the Finance Subcommittee investigate the potential future cost savings to the general fund. He observed that it might not make sense to pursue this idea if there is no real cost benefit.

CM Conway emphasized the need to involve the community in discussions of extending the redevelopment agency. He expressed a willingness to consider this possibility and suggested that the Finance Subcommittee come up with a plan for a public process. CM Barnes agreed that a public process was essential. He clarified that he would like more information about the costs and benefits before proceeding.

CM Barnes remarked that the staff report does not include discussion of the costs of the Open Space and Ecology Committee and its staff. He observed that it might be prudent to think about reducing the staff support for that committee. He noted the Bicycle and Pedestrian Advisory Committee meets infrequently, but that committee is required for funding eligibility.

Mayor Richardson suggested that the Finance Subcommittee look at committee staffing in general. She asked how much of the Assistant to the City Manager's time is spent on Open Space and Ecology Committee activities.

Administrative Services Director Schillinger explained that staffing costs are included in the departments where they spend the most time rather than apportioning them among different departments. City Manager Holstine estimated that Assistant to the City Manager Smith spends about one quarter of his time on Open Space and Ecology Committee activities.

Mayor Richardson noted there are no travel and office expenses listed for the Open Space and Ecology Committee. Administrative Services Director Schillinger said the committee spends a minimal amount on office expenses and supplies, and those items are typically charged to other departments. He noted that a small amount is set aside for committee members to attend conferences and training sessions.

CM Barnes recommended that the Finance Subcommittee look at the total costs of the Open Space and Ecology Committee. Mayor Richardson commented that it would make sense to consider the costs of all committees and commissions.

CM Conway said he would prefer to focus on overall policy rather than discussing cuts to any particular programs at this time. He asked the staff to provide updated estimates of City reserves and fund balances.

City Manager Holstine stated that overall reserves will remain at 50 percent, consistent with the City Council's midyear budget guidance.

CM Barnes noted that the charts show four-year projections, and he recommended providing five-year projections. City Manager Holstine indicated that the staff will prepare updated estimates going out five years.

CM Conway asked what would happen in two years after the fringe benefit fund is depleted. Administrative Services Director Schillinger said the deficit will increase, as reflected in the staff's projections. He noted that some of the deficit can be offset from savings in other areas, so the 50 percent reserve target will still be maintained through the general fund and rainy-day fund reserves. He recommended that the City Council consider to replenish the fringe benefit fund in several years when economic conditions improve.

Administrative Services Director Schillinger observed that the City was prudent when it established the fringe benefit fund to help mitigate the impact of rising Public Employee Retirement System costs and to maintain public services without drastic cuts. He commended the City for this forward-thinking approach to dealing with fiscal uncertainties, and noted that the cushion has come in handy in dealing with the current economic downturn and decreased revenues.

Mayor Richardson asked if there were any other items the Council wanted to refer to the Finance Subcommittee. Councilmembers had no other suggestions.

Mayor Richardson thanked Administrative Services Director Schillinger and the staff for their hard work.

CM Barnes questioned whether the measure of success should be whether the City was meeting the expectations of the community. He noted that some members of the public might have unrealistic ideas about maintaining services. Administrative Services Director Schillinger suggested setting a goal for the next five years of maintaining the 50 percent reserve target and balancing the budget. Councilmembers recommended that the Finance Subcommittee consider this approach.

**B. Review proposed Baylands Alternatives Process and schedule a Council Workshop for Monday, June 8, 2009**

Community Development Director Prince noted that the City has been engaged in an ongoing public input process to arrive at consensus-based alternatives to the Baylands Specific Plan. He said the City hired consultants to meet with the public and stakeholder groups to identify the features and facilities that should be included in alternatives, and those consultants developed three alternatives for the City to consider. Consultant Peter Dangermond's group was engaged to assist with planning the open space and public space component of the Baylands, and Mr. Dangermond recently presented his findings and recommendations to the City Council. Community Development Director Prince stated that the next step in the process will be for the City Council to select which features from the three alternatives should be incorporated in the community's preferred alternative to be studied in the environmental impact report (EIR) along with the developer's Specific Plan for the Baylands. He recommended scheduling a Council workshop on June 8 for this purpose.

CM Waldo made a motion, seconded by CM Barnes, to schedule a workshop on June 8 as recommended. The motion was carried unanimously by all present.

**C. Consider approving the installation of security bollards on the Crocker Park Recreational Trail**

Parks and Recreation Director Skeels recommended that the City Council consider two possible solutions recent security problems on the Crocker Park Recreational Trail. He reported that at least two vehicles have accessed a portion of the trail from the parking lot behind the Datalok, and people had dumped trash and stolen a park bench. He said that when the trail was constructed, bollards were installed at five different intersections, and they seem to have been effective in blocking vehicle access at those points.

Parks and Recreation Director Skeels described two options to prevent further incidents: installing steel bollards with reflective tape near the Datalok parking lot, shown in Attachment B to the staff report; or installing five or six K-rails with a narrow opening for pedestrians. He said both options would prevent vehicles from gaining entry to the trail. He noted that staff recommends bollards because they would have less visual impact than K-rails. He advised that the K-rails could be painted to help them blend in better with their surroundings. He estimated the cost of bollards would be \$4,800, and the cost of K-rails would be about \$1,200. Parks and Recreation Director Skeels added there are no funds budgeted for either option.

CM Conway asked about the possibility of plastic K-rails like those used by the Public Works Department. Parks and Recreation Director Skeels said he was not sure whether the plastic K-rails filled with water had been rented or purchased. CM Conway advocated the least expensive alternative.

CM Bologoff recalled that this item had appeared on the Consent Calendar at a previous meeting. Parks and Recreation Director Skeels said the item had been pulled to allow Council discussion.

CM Bologoff asked why it had taken so long to propose a solution to the illegal dumping. City Manager Holstine said the staff originally proposed bollards, but then looked at other alternatives and determined that K-rails would be less expensive. He noted the Council needs to decide whether to opt for better aesthetics or lower cost.

CM Waldo made a motion, seconded by CM Bologoff, to approve installation of K-rails. The motion was carried unanimously by all present.

## **STAFF REPORTS**

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

City Manager Holstine said he had nothing to report.

## **MAYOR/COUNCIL MATTERS**

### **A. Subcommittee Reports**

- **Cost of Services**

Mayor Richardson recalled that the Cost of Services Subcommittee had met since the last meeting. City Manager Holstine advised that the results of the cost of services study will be presented to the entire Council.

- **Water and Sewer**

Administrative Services Director Schillinger stated that the subcommittee provided direction on water and sewer rates, and the staff will be making a presentation in conjunction with the budget adoption.

### **B. League of California Cities Sample Resolution declaring Severe Fiscal Hardship**

Mayor Richardson drew attention to the sample resolution provided by the League of California Cities objecting to proposed state cuts in vital services and borrowing from local governments. She read excerpts from the resolution emphasizing the severity of the economic crisis cities in California are facing. She said over a hundred cities have already signed the resolution.

CM Waldo stated that he was not comfortable approving the resolution. He expressed his opinion that the resolution would have no effect on the governor's actions, and he recommended not wasting time on such a futile effort.

CM Conway said he understood the League of California Cities wants cities to take a unified stance against the budget cuts. He observed that the resolution might have more impact on legislators than on the governor. CM Waldo agreed that it would make more sense to send the message to the legislature than to the governor.

CM Waldo pointed out grammatical errors in the resolution and asked that the staff proofread the document before the Council considers it.

City Manager Holstine said the staff can correct the errors, direct the resolution to the legislature, and bring it back for the Council's consideration on June 1.

CM Barnes observed that the real problem is not determining where reductions will be made. He said the legislature needs to set a responsible policy for the state and establish priorities rather than trying to please everyone and failing to act. He noted the resolution says nothing about addressing state budget policies. Councilmembers asked the staff to insert language conveying this message.

**C. Set Tuesday, June 23, for Council Meeting and Budget Adoption**

CM Waldo made a motion, seconded by CM Conway, to schedule a meeting for budget adoption on Tuesday, June 23, 2009. The motion was carried unanimously by all present.

**ORAL COMMUNICATIONS NO. 2**

There were no members of the public who wished to address the City Council.

**ADJOURNMENT**

There being no further business, CM Waldo made a motion, seconded by CM Conway, that the meeting be adjourned. The motion was carried unanimously by all present and the meeting was adjourned at 9:03 p.m. with no announcements.

ATTEST:

Sheri Spediacci  
City Clerk