



BRISBANE CITY COUNCIL

ACTION MINUTES

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JANUARY 13, 2013

*BRISBANE CITY HALL, 50 PARK PLACE, BRISBANE*

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

**ROLL CALL**

Councilmember's present: Lentz, Liu, Miller, O'Connell, and Mayor Conway  
Councilmember's absent: None  
Staff present: City Manager Holstine, City Clerk Spediacci, Finance Director Schillinger, City Attorney Kahn, Community Development Director Swiecki, Police Chief Macias, Principal Management Analyst Saguisag-Sid

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

Mayor Conway suggested adding a discussion of the Council of Cities ABAG appointments under Mayor Council Matters – Written Communications.

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

**RECOGNITION & PRESENTATION**

**A. Measure T Proponents**

Mayor Conway and Councilmembers thanked the many proponents for their hard work and important achievement for the City of Brisbane in prevailing to pass Measure T, a tax increase on liquid storage facilities in Brisbane.

**B. Police Chief Macias – Loose Dog and Leash Law Violations**

Police Chief Macias provided an overview of how the police department handles loose dogs, the leash laws in Brisbane, and the enforcement efforts. She also talked about the citation and infraction process and when dogs are deemed to be vicious and in need of special permits.

Councilmembers thanked her for the informative information and asked that the information be disseminated to the citizens via the website and newsletters.

## **ORAL COMMUNICATIONS NO. 1**

Former Mayor Sepi Richardson gave an update on her position on the Bay Area Water supply Conservation Agency and asked to be able to continue to serve the City of Brisbane as a Boardmember of that organization.

Councilmembers thanked her for her presentation and asked that she report the Agency's news and actions to them on a regular basis.

## **CONSENT CALENDAR**

CM Miller asked that Consent Calendar Item G be removed.

- A. Approve City Council Minutes of November 4, 2013**
- B. Approve City Council Minutes of November 18, 2013**
- C. Approve City Council Workshop Minutes of November 18, 2013**
- D. Approve City Council Minutes of December 3, 2013**
- E. Receive Monthly Investment Report as of November 30, 2013**
- F. Approve a supplemental appropriation of \$40,381.58 to purchase a police patrol vehicle that was taken out of service as a result of a collision and that was fully reimbursed by insurance**

CM O'Connell made a motion, seconded by CM Liu, to adopt Consent Calendar Items A-F as proposed. The motion was carried unanimously by all present.

- G. Adopt Ordinance No. 583, waiving second reading, amending Chapter 15.04, adoption of construction codes, Chapter 15.08, organization and enforcement, and Chapter 15.44, Fire Prevention Code, and repealing Chapter 15.41, abatement of dangerous buildings code in Title 15, Buildings and Construction, of the Municipal Code**

CM Miller explained the he had concerns about the 50% rule on replacement of housing and over the fire code section that deals with storage of fossil fuels close to residential areas.

After questions of staff and Council discussion, it was the consensus of the Council to send the Ordinance to the Council Planning Issues Subcommittee to re-work the language to deal with the concerns raised.

## **NEW BUSINESS**

**A. Consider adoption of Resolution No. 2014-01 authorizing the application and designation of signatory for funding towards retrofitting Bicentennial Walkway through San Mateo County's Department of Housing 2014-15 Community Development Block Grant (CDBG) program**

Administrative Analyst Cheung explained that the resolution is a requirement in the grant application that is being sent to the San Mateo County's Department of Housing. She said that if the City was successful in receiving the grant funds, they would be used to provide lighting and handrails on the City's Bicentennial Walkway. She indicated that the project estimate would be approximately \$50,000 and the City would need to provide matching funds for half of that amount.

After Councilmember questions and clarifications, CM Miller made a motion, seconded by CM Lentz, to adopt the resolution as proposed. The motion carried unanimously by all present.

Councilmembers also asked that the proposed lighting keep the ambience of the area and not be too bright or glaring.

**B. Consider approval of a supplemental appropriation of \$137,023 for the upgrade of the current Police Department Records Management Service from Sun Ridge Systems, Inc. and authorize the Mayor to execute the contract**

Police Commander Meisner gave the background of contracting out dispatch services with the City of San Mateo and the advantage of sharing data with other agencies. He said that the current records system is no longer meeting the needs of the department and that every other agency in San Mateo County would be using the proposed new system by the end of 2014. He talked about the monthly maintenance fees, hardware costs, the new citizen access system, and converting from the old system to the new one.

After Councilmember questions and discussion, CM Miller made a motion, seconded by CM Lentz, to authorize the Mayor to sign the contract and approve the supplemental appropriation of \$137,023, with staff looking at the Mid-year budget projections and how this can be added into the fund balance. The motion passed unanimously by all present.

**C. Consider authorizing the Mayor to execute an encroachment agreement with opticAccess, LLC for the installation of fiber optic facilities within the public right-of-way**

Public Works Director Breault said that there are multiple conduits of fiber optic cables installed in Bayshore Boulevard under earlier agreements. He said that staff was recently approached by one of the owners of said cables, who is in discussion with KTSF to provide telecommunications services over fiber optic lines to their business located at 100 Valley Drive. He then explained the need for the encroachment agreement which is required for approval of the project.

After Councilmember questions and clarifications, CM Miller made a motion, seconded by CM O'Connell, to authorize the Mayor to execute the agreement as proposed. The motion carried unanimously by all present.

**D. Review the Draft Public Art Ordinance and direct staff to bring it before the Planning Commission**

Administrative Services Director Schillinger said that the Parks and Recreation Commission had been working on this issue since 2012 when they created a Public Art Funding Subcommittee. He said that in November, 2012 the City Council directed the Parks and Recreation Commission to draft an ordinance which would implement being able to either have public art as part of new development or to have developers pay an in-lieu fee.

Mr. Schillinger explained that the draft ordinance before the Council at this meeting outlines proposed contribution requirements for various size projects as well as the creation of Implementation Guidelines for the Art in Public Places Program.

Parks and Recreation Commissioner Fryer talked about the subcommittees work in drafting the proposed ordinance and the work in gathering samples from over 20 other cities. He answered questions from the Council.

Mr. Schillinger explained that the next step in the process was to bring the draft ordinance to the Planning Commission for their review and recommendation to the Council.

After Councilmember questions, clarifications, and discussion, it was the consensus to refer the ordinance to the Planning Commission as proposed with input from the Council Arts Subcommittee.

**STAFF REPORTS**

**A. City Manager's Report on upcoming activities  
- Update on Baylands Soil Processing**

City Manager Holstine reported that an interim agreement on this issue would be coming before the Council at its February meeting.

**MAYOR/COUNCIL MATTERS**

**A. County-wide Assignments/Subcommittee Reports  
- Update on Meeting with FAA**

CM Lentz reported on a recent meeting regarding the implantation of the metroplex project and on the upcoming Airport Roundtable meeting scheduled for February 29, 2013.

**B. Written Communications**

Councilmembers noted the receipt of letters of interest for the upcoming appointments on ABAG at the City Selection Committee Meeting and discussed their support of Wayne Lee.

**C. Discuss planning the Recognition of the Baylands Citizens Committee**

Councilmember discussed recognizing the Committee members at their first meeting in March.

**D. Set dates for the upcoming Re-openings/Dedications**

- Community Day at the Fire Station (Propose Feb. 1<sup>st</sup>)
- Zipcar Ribbon Cutting (Propose Feb. 1<sup>st</sup> in conjunction with above)
- Re-opening of Community Center Park (To be determined upon completion date)

Councilmembers concurred on the selection of February 1<sup>st</sup> for the Fire Station and Zipcar Dedication and February 22<sup>nd</sup> as the date for the Community Center Park dedication.

**E. Review of upcoming Council meeting schedule**

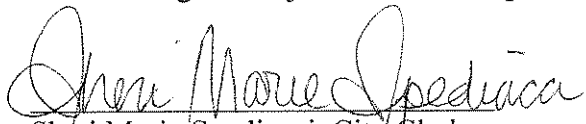
After some discussion, it was decided to cancel the City Council meeting of February 18<sup>th</sup> and to set February 22<sup>nd</sup> as a Council Goal Setting Workshop.

**ORAL COMMUNICATIONS 2**

There were no members of the public wishing to speak.

**ADJOURNMENT**

The meeting was adjourned at 10:55 p.m.

  
Sheri Marie Spediacci, City Clerk