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BRISBANE CITY COUNCIL  
SUMMARY MINUTES

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**SPECIAL MEETING TO DISCUSS THE BAYLANDS  
THURSDAY, JANUARY 24, 2017  
BRISBANE CITY HALL, 50 PARK PLACE, BRISBANE**

**CALL TO ORDER – PLEDGE OF ALLEGIANCE**

Mayor Liu called the meeting to order at 7:33 p.m. and led the flag salute.

**ROLL CALL**

Councilmembers present: Conway, Davis, Lentz, O'Connell, and Mayor Liu  
Councilmembers absent: None  
Staff present: City Manager Holstine, Interim City Clerk Padilla, Administrative Services Director Schillinger, Community Development Director Swiecki, City Engineer Breault

**ADOPTION OF AGENDA**

CM O'Connell made a motion, seconded by CM Conway, to adopt the agenda with a modification to agenda item VII, Adjournment, to adjourn in memory of Louise Busse. The motion was approved 5-0.

**PUBLIC HEARING**

**A. Brisbane Baylands Planning Applications (Baylands Concept Plans, Brisbane Baylands Specific Plan Case SP-01-06, General Plan Amendment Cases GP-01-06/GP-01-10) and related Final Environmental Impact Report (SCH##2006022136). Specific topics include Traffic, Noise, Air Quality Greenhouse Gas (GHG) emissions, and related policy issues; Universal Paragon Corporation, applicant; Owners: various; APN: various.**

Director Swiecki introduced Lloyd Zola of Metis Environmental Group and Steve Crosley of Fehr & Peers Transportation Consultants, consultants to the City. Mr. Crosley and Mr. Zola gave the staff presentation [Note: the presentation is available on the City's website].

CM Lentz asked if the EIR assumed the Caltrain station would move closer to the proposed bus rapid transit (BRT) line along Geneva Avenue.

Mr. Crosley said that was the assumed condition when the environmental impact report (EIR) process began in 2011 and 2012, which was the best information available at that time. The Geneva Avenue BRT is a signature part of the Hunters Point project EIR. The Bayshore Intermodal Station study considered moving the station south to better match with the Geneva Avenue extension. He said whether or not the station moves to the south would not make a substantial difference in the EIR's projection of transit usage.

CM O'Connell asked why the Hunters Point project was underway, even though the Geneva Avenue BRT was not in place.

Mr. Crosley said BRT service was projected to begin in 2022 or 2023. San Francisco is currently engaged in environmental review and design for different alignments north of Geneva Avenue.

CM Davis asked why so much effort was necessary to move the Bayshore station only 150 feet.

Mr. Crosley said the relocation was considered in the Bi-County Transportation Study (2013) and the Bayshore Intermodal Station Access Study (2012). The relocation would better connect the station platform to the elevated Geneva Avenue extension. He thought transit use would match their expectations with or without the relocation.

CM Davis said it made more sense to keep the station in its current location.

Mr. Crosley said changes to the Schlage Lock development may have impacted the station location. He could follow up on that.

CM Conway said the station had been moved north about 20 years ago to accommodate Caltrain's Baby Bullet service, at the request of the State legislature.

CM Lentz asked about light rail terminating at the Schlage Lock site.

Mr. Crosley said the concept in 2012 was to extend the Muni T-Third light rail line from its current terminus to the Bayshore station. He understood that was no longer on the table.

CM O'Connell asked if the Baylands EIR would be better served by reflecting the current proposal for station relocation.

Mr. Crosley said he did not believe moving the station to the south would impact the transit ridership patterns projected in the EIR.

CM O'Connell said the Geneva Avenue extension played a large role in traffic assumptions.

Mr. Crosley agreed.

CM O'Connell asked if the Geneva Avenue extension project was funded.

Mr. Crosley said it was not.

Mayor Liu asked Mr. Crosley to explain the concept of "internal capture."

Mr. Crosley said the Baylands would have many internal intersections that could not be impacted in the EIR analysis, since they have yet to be built. People driving within the internal circulation network between the retail, office, and housing uses would not contribute to congestion in the external network.

CM O'Connell asked about "non-home based trips."

Mr. Crosley said that 39% of trips would not begin or end at home, but rather the place of work or other non-residential uses in the development.

Mayor Liu asked how much BART ridership would increase.

Mr. Crosley did not have that information on hand but said it was available in the EIR.

CM Lentz asked if the LOS standards in the General Plan were hard set or if they could be exceeded.

Mr. Crosley said LOS standards are based on community values and can be set based on what the community finds acceptable for traffic levels.

Director Swiecki said LOS C is free flowing and it was fairly unusual to maintain that level as an objective or goal. To achieve that standard, traffic engineers would look at improving the intersection function through widening, signal timing, or other modifications.

CM Lentz said a 14 of 18 intersections studied would fail to achieve the LOS standard by 2030 even in the no development alternative. He asked if the LOS standards could be modified.

Director Swiecki said it was the City's discretion to modify the City's LOS standards, through a public process to amend the General Plan. Whether it is feasible to achieve the LOS standards that currently exist is another matter for the Council to determine. LOS is oriented toward moving vehicles, not necessarily pedestrians or bicyclists.

CM Lentz said even with no development, the other projects on the City's border would result in intersections within Brisbane failing to meet LOS standards.

Mr. Crosley said they looked at specific projects proximate to the Baylands in adjacent jurisdictions in calculating anticipated traffic counts.

CM Lentz asked what types of public transit options were considered for the big projects in adjacent jurisdictions to ease traffic congestion and move people efficiently, other than BRT.

MR. Crosley said Geneva BRT is the premier project for Hunters Point, as well as bus line extensions, and express bus lines to downtown San Francisco. Schlage Lock would rely on Geneva Avenue BRT. Once there is development and sufficient demand, Caltrain would increase service. Currently the 292 Samtrans line is the only bus connection between San Mateo County and San Francisco.

CM Lentz asked if the Baylands project mitigations were used by the adjacent large projects in their mitigation assumptions.

Mr. Crosley said those projects were analyzed prior to the Baylands proposal.

CM Lentz said the multi-modal station would have Muni light rail, BRT, Caltrain, and shuttles to BART. It seemed that station could potentially have a significant reduction in traffic because it is a more efficient transit destination to go anywhere in the area.

Mr. Crosley agreed. He said transit mode assumptions are projections. If Caltrain offered 4-5 trains per hour, and improved the capacity, it could have a dramatic effect.

CM Lentz said the different scenarios were developed without looking at a full multi-modal station.

Mr. Crosley said the cumulative scenario for 2030 assumed the Geneva Avenue extension, Geneva Avenue BRT, and a station at the overpass. The EIR assumed a robust and accessible transit network.

CM Lentz said the Muni T-Third Street light rail would not go directly to the station.

Mr. Crosley said the Intermodal Station Access Study recommended the T-Third deviating into the Schlage Lock site.

CM Lentz said stations in Europe and Japan had different forms of public transit integrated into one. He thought that should be the model for the multi-modal station, because efficiency is the key to encourage public use.

Mayor Liu agreed with CM Lentz and asked if the study looked at the feasibility of whether people would be likely to walk if there were grade separated pedestrian pathways between the different transit modes.

Mr. Crosley said he understood the current assumption was a fixed station location in its present location. If and when Geneva Avenue extension was built, moving the station south would improve the BRT connection. It was assumed there would be a grade separated, sheltered connection from the BRT on Geneva Avenue to the Caltrain station. There are physical and engineering limitations to be considered. The Baylands project took into account the Intermodal Station Access Study. The Metropolitan Transportation Commission (MTC) is moving forward with Geneva Avenue BRT, but no specific alignment has been agreed upon.

CM Lentz asked for an estimate of the Geneva Avenue extension and highway interchange.

City Engineer Breault said the project would cost about \$300 million. MTC directs Federal and State transportation funds, prioritizing Priority Development Areas, with dense projects that reduce vehicle miles traveled (VMT).

CM Lentz asked if the availability of funding would be determined on how the site is zoned.

City Engineer Breault said it would.

CM Lentz asked if the mitigation measures, as drafted, would obligate Brisbane to contribute to development outside of Brisbane.

City Engineer Breault said the Geneva Avenue extension project had originated from the Bi-County Transportation Study and would primarily be a Brisbane project with some assistance from Daly City. When the study was done, fair share costs for each project for each jurisdiction were calculated based on the increased trips. The mitigation measure requires the City of Brisbane to continue participating in the Bi-County Study, but does not commit the City to funding any projects. The funding will be determined through agreements with the developer and any additional outside sources from MTC.

CM Lentz said he wanted the Bayshore station moved south so that a variety of uses would be within a quarter mile.

Mr. Crosley said with limited service at the Bayshore station, the utility of a shuttle is low, but more development would generate demand for more train service and lead to a domino effect for shuttles to downtown Brisbane. Providing transit accessibility to areas outside that quarter mile walk the shuttle would provide that last mile.

CM Lentz said bicycle use was growing and asked how bicycle use could reduce VMT.

Mr. Crosley said the EIR projected bicycle use using 2012 data, which could be different today. Bike share or car sharing at the Bayshore station could be considered. In a programmatic EIR, much of the project level data is not developed. When individual projects are brought forward, their specific impacts would be looked at.

CM Lentz said concerns were raised that placing housing near jobs would not guarantee that the residents would be employed locally and therefore drive less. Was that the position of the Planning Commission or comments from the public?

CM O'Connell said she understood the EIR found only 5% of new employees were likely to live within the development in the best case scenario.

Mr. Crosley said there was no guarantee, but it was likely. The mixed-use trip generation model used for the EIR was peer reviewed by the Environmental Protection Agency (EPA) and based on data collected from over 250 projects.

CM Lentz asked if the Planning Commission considered workforce housing.

Mr. Zola said the Commission looked at the applicant's proposal and the EIR. The Commission determined residential wouldn't be appropriate for a number of reasons. They didn't look at potential requirements for workforce housing related to specific users of the site.

CM Lentz asked if workforce housing was developed on the site, would it result in 100% internal capture?

Mr. Crosley said that is a safe assumption, but there could be loss from normal events like job loss or relocation.

CM Lentz said workforce housing could also be affordable.

Mr. Zola said it could be, but that is beyond what the EIR examined. The EIR analyzed the proposed project at a General Plan and specific plan level. A large-scale single user campus could be very different than a typical multi-tenant office complex.

CM O'Connell said many campuses provide lunch, laundry, and/or daycare services. People may not go off campus as much if amenities are free or subsidized by the company. However, it could not be assumed that all household members would work at the company too.

CM Lentz agreed but said that's where efficient transit options would come into play. He said housing options may change the trip generation and resulting LOS intersection impacts.

Mr. Crosley agreed, but said the EIR had to be conservative and was based on published data. If a specific project was proposed and the City asked the consultant to consider the specialized development type in a transportation analysis, that could have different results.

CM Lentz said the City could impose parking restrictions. A workforce housing site could have only car share vehicles with zero emissions to reduce the amount of cars driven by the residents.

Mr. Crosley said the City could impose those types of requirements.

CM Davis asked if Brisbane cannot compel other cities to implement identified improvements, what happens if those improvements aren't made?

Mr. Zola said if the City approved the developer sponsored plan (DSP) and Specific Plan subject to the EIR's mitigation measures, the City would require that those improvements be offered to San Francisco and Daly City by the developer and to work with those jurisdictions to get their concurrence. If the jurisdictions accept those improvements, then the applicant would implement the mitigation measure. If the jurisdictions declined, then it would result in a significant unavoidable impact approved by the City Council and the project would be allowed to go forward. The City could stipulate that should those two cities not accept the necessary improvements, then the City would not allow development to move forward. That could be added to development approval, Specific Plan, or development agreement.

CM Davis asked if the Planning Commission had recommended that contingency.

Mr. Zola said the Planning Commission's recommendation was that, due to the uncertainty of other jurisdictions making those improvements, the City would be better off not approving that level of development. They recommended a reduced amount of development in the Baylands, similar to what is provided in the General Plan.

CM Davis said the intersections would fail regardless of Baylands development. It would be more difficult for the City to require a developer to mitigate level of service failure because the intersections would fail anyway.

Mr. Zola said typically the project would be required to mitigate their portion of the total amount of new traffic at every intersection.

CM Davis asked if that could be added as a contingency even if development intensity was reduced.

Mr. Zola said even reduced development would impact the intersections and would have to be mitigated.

CM O'Connell asked if the City could limit development on the site until such a time as the Geneva Avenue Extension and interchange are built?

Mr. Zola said the City could allow a certain amount of development in the Baylands prior to the funding and completion of those improvements as long as current LOS standards are being met. Once the standards are not met, then the City can limit further development on the site.

CM O'Connell asked what mitigation measures for the approved and under construction major projects in the vicinity have actually been implemented within the sphere of intersections studied under the Baylands EIR. The mitigation measures included in the Baylands EIR seem much more infrastructure-based than the mitigation measures for those other projects, which are more focused on increasing transit service.

Mr. Zola said staff could prepare a matrix showing each project, improvements required and fair-share funding, and what mitigation measures have been implemented.

CM O'Connell asked for a percentage comparing the intensity of the other major developments in comparison to the intensity of the Baylands proposal. She shared that the Highway 101-Burlingame intersection revamp was budgeted at \$51.6 million, of which \$32 million was from SM Co, \$11 million from the State, \$3.6 million from the Federal government, and \$5 million from the City of Burlingame.

Mayor Liu opened the floor to public comment.

James Ruigomez, San Mateo Build and Trade Council, said his organization would work to ensure that construction traffic did not disrupt local circulation and to minimize air quality



impacts from site construction. He said their members were leaders in green building and committed to building housing on the site to help the region at large and individual members who have been priced out of the County.

Paul Krupka said he was a registered civil and traffic engineer with years of experience in the Bay Area and San Mateo County. He said the developer had proposed a robust transportation demand management program and opportunities for multi-modal transportation options, including public transit, private shuttles, car-sharing, unbundled parking options, and bicycle parking. He said mixed-use development maximized internal trip capture and minimized greenhouse gas emissions. He said CEQA would no longer use level of service standards to analyze environmental impacts of traffic. He urged the Council to support the developer's proposal.

Barbara Ebel presented a PowerPoint presentation regarding the transportation decisions that people make based on their lifestyle preferences and other considerations that do not relate to proximity to work. She said many models do not take into account the CO2 emissions of the public transit itself. She said city dwellers have a larger carbon footprint due to higher disposable incomes. She thought the developer's transportation demand management plan was inadequate. She recommended a trip cap of no additional trips in the Baylands. She found the EIR's assumptions for the decrease in greenhouse gas emissions difficult to believe. Assuming 20% of people opt not to drive, traffic would actually increase. (Note: Ms. Ebel's presentation is attached to these minutes).

Anja Miller read from a prepared statement (Note: Mrs. Miller's comments are attached to these minutes).

Arielle Fleisher, transportation associate with SPUR, shared her organization's support for the developer sponsored plan. She said placing housing near transit reduces greenhouse gas emissions. SPUR supported the transportation demand management program and multi-modal transportation network proposed by the developer. SPUR asked the Council to work with the developer to approve a feasible plan.

Adina Levin, Friends of Caltrain, made a PowerPoint presentation about how cities are addressing traffic and greenhouse gas emissions that may be relevant to Brisbane. (Note: Ms. Levin's presentation is attached to these minutes.)

Karen Cunningham said the Baylands does not have any existing infrastructure, and examples in Palo Alto or other cities are not comparable or applicable to the Baylands. She said service on Bayshore Boulevard had degraded to an "F," and accidents were increasing. She asked if the City could provide a list of acronyms to the public.

Deb Horen thanked the Council for their service. She said the assumed transportation improvements were limited to “when feasible” and lacked dedicated funding sources. She said in her work with the MTA, she became familiar with the transportation planning process. She asked the Council to make sure that the transportation plan is in place, and that the funding is identified and committed to for the different extensions of public transportation. She uses Caltrain and the Bayshore station had inadequate bike parking, and often had no seats during commute time. Caltrain is overburdened as is Muni.

Michael Barnes said the Bay Area was changing and even if the Baylands project is not approved, the level of service of roadways would continue to degrade. He said that congestion will lead to improved transit solutions, citing the recent implementation of an on-call shuttle to serve Brisbane residents. The City Council will have to amend the General Plan to change the level of service thresholds. He encouraged the Council to eliminate the General Plan prohibition on housing in the Baylands. He cited tech companies in Silicon Valley building housing for their employees and said companies in the Baylands may follow suit. He said the One Planet Living model had developed a project without any private cars allowed and recommended that model for the Baylands.

Corey Smith, San Francisco Housing Action Coalition, said he valued living close to work. He discussed the jobs-housing imbalance in the Bay Area and shared studies documenting how many solo drivers commute into the Bay Area. He said with future job growth, housing will have to be accommodated somewhere. He recommended incorporating carshare memberships, Muni and Caltrain passes, electric shuttles and buses into projects to benefit the existing community and future residents.

Dr. John Christopher Burr, Esquire said the outside experts were less qualified to discuss the status of the Baylands than lifelong Brisbane residents. He said there was inadequate information on the site’s contamination. He said housing should never be allowed on the Baylands. He said Tuntex should clean the land and return it to the Bay. He said there was danger to pregnant mothers and young children for mutations and health complications. He said the City Council should not be pressured by outsiders. He asked if the transportation plan accounted for protection from sea level rise, or if it identifies scheduling and cost of the required mitigation measures. He said the developer, not the public, should pay for the infrastructure improvements. He said increasing housing supply would not solve the housing program. He said the City should require developers to cap their profits from housing development and adopt rent control to achieve affordable housing. He said the issue must be put on the ballot for the citizens of Brisbane.

Greg Anderson said he was speaking for himself and not for the Planning Commission. He reviewed the Planning Commission’s process for reviewing the EIR’s transportation analysis and

mitigation measures. He said the Commission agreed with the qualitative results of the transit study, but did not agree with the quantitative analysis. They did not recommend further study because they did not support the level of development proposed by the developer. He said there are more studies that the applicant should prepare to improve the transit systems proposed in the developer's proposal.

Joel Diaz shared his concern for gridlock and quality of life in Brisbane. He said the developer's proposal was too intense and would result in significant unavoidable impacts and should be scaled back. He asked for a visual representation of trip generation figures for both the Baylands and major projects in the vicinity. He referred to congestion during football games at Candlestick Park as a comparison. He said that development must be scaled down if other cities do not commit to completing their portions of the infrastructure improvements. He didn't think comparisons to larger cities like Tokyo were appropriate for Brisbane. He wanted what was fair for the community. He did not believe the internal trip capture calculation was accurate because the project was phased. He said if housing was allowed, all improvements and money should be tied to the granting of use rights on the west side.

John Burr said some consultants that have worked in town misrepresented their expertise and their opinions were for sale. He said the Navy likely dumped radioactive waste in Brisbane's dump. He said the Hunters Point consultants falsified their test data, which is a felony, to push housing on polluted sites. He said Brisbane should advocate for light rail along Mission Street.

Mayor Liu announced a five minute break.

The Council reconvened and Mayor Liu asked staff to discuss alternate hearing dates considering the lateness of the hour.

After discussion with staff, it was the consensus of the Council to continue the discussion to February 16th, and schedule a special meeting on February 21st for the topics originally proposed to be discussed on February 16th. The Council would consider at their February 2nd meeting whether to also schedule a study session prior to the February 21st special meeting.

## **MAYOR/COUNCIL MATTERS**

### **A. Discuss City Selection Committee Appointments**

It was the consensus of the Council to vote for Carlos Romero for ABAG Alternate Member.

It was the consensus of the Council to vote for Diane Howard for the HEART board of directors.

The Council agreed that Mayor Liu would retain discretion for nominations on the floor.

## **WRITTEN COMMUNICATION**

### **A. Acknowledge receipt of written communication regarding the Brisbane Baylands Project**

Mayor Liu acknowledged written communications received since the last meeting from Adina Levin, Anke Ente, Ihsan Nijem, and Todd David.

## **ADJOURNMENT**

CM Conway motioned and CM O'Connell seconded to adjourn the meeting in memory of Louise Busse. The motion was approved 5-0 and the meeting adjourned at 10:23 p.m.



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Ingrid Padilla, Interim City Clerk