



**BRISBANE CITY COUNCIL**

**ACTION MINUTES**

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**CITY OF BRISBANE CITY COUNCIL  
THURSDAY, NOVEMBER 16, 2017  
BRISBANE CITY HALL, 50 PARK PLACE, BRISBANE**

**7:00 P.M. CLOSED SESSION**

- A. Approval of the Closed Session Agenda**
- B. Public Comment. Members of the public may address the Council on any item on the closed session agenda.**
- C. Adjournment into Closed Session**
- D. Conference with Legal Counsel regarding pending litigation; SFPP, LLC vs. City of Brisbane, pursuant to Government Code Section 54956.9**

**CLOSED SESSION REPORT BACK**

Deputy City Attorney Delventhal reported that the City Council met in closed session to discuss pending litigation, SFPP v. City of Brisbane. Council provided direction to its counsel, but took no action concerning the litigation.

**7:30 P.M. CALL TO ORDER– PLEDGE OF ALLEGIANCE**

The meeting was called to order at 7:33pm and Mayor Liu led the Pledge of Allegiance.

**ROLL CALL**

Councilmembers present: Conway, Davis, Lentz, O’Connell and Mayor Liu  
Councilmembers absent: None  
Staff present: City Clerk Padilla, City Manager Holstine, Administrative Services Director Schillinger, Deputy City Attorney Delventhal, Community Development Director Swiecki, Senior Planner Johnson, and Police Chief Macias

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

CM Davis said she received a request to move Mayor and Council Matters Item A regarding the G3 project. CM O'Connell suggested to discuss the item after the Consent Calendar items.

CM Conway made the motion, seconded by CM Davis, to approve the agenda as amended. The motion was carried unanimously by all present.

## **ORAL COMMUNICATIONS NO. 1**

Alie Kadlac thanked Mayor Liu and Councilmembers for their support of HIP Housing programs. She shared that as a token of their appreciation she brought 2018 HIP Housing calendars.

## **CONSENT CALENDAR**

### **B. Approve City Council Minutes of October 26, 2017**

**C. Adopt Ordinance No. 622 (Zoning Text Amendment RZ-2-17) - Zoning text amendments to implement Housing Element Program H.B.1.g, clarify existing definitions related to office uses, and streamline rooftop solar energy system installations.**

CM O'Connell made a motion, seconded by CM Conway to approve Consent Calendar Items B & C. The motion was carried unanimously by all present.

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

### **A. Approve City Council Minutes of October 16, 2017**

CM O'Connell made a request to amend the text on the third page to clearly state that all the buildings in the entire project must be 3 stories or less.

CM O'Connell made a motion, seconded by CM Conway, to approve Consent Calendar Item A as amended. The motion was carried unanimously by all present.

Ayes: Councilmembers Conway, Davis, Lentz, O'Connell and Mayor Liu  
Noes: None  
Absent: None

## **MAYOR/COUNCIL MATTERS (Out of Order)**

### **A. Funding Projects of Community Volunteer Group G3**

CM O'Connell said she would like to see the group having more autonomy with their projects and how they spend the funds.

Administrative Services Schillinger that according to the G3 members he spoke with, the group would like financial support for the supplies needed to complete their projects, particularly the mural project at Julie's Deli. He added that the members liked the idea of a \$150 month to month credit at the Brisbane Hardware store and a \$1,000 donation for supplies they cannot purchase at the Hardware store.

After further question of staff and Deputy City Attorney Delventhal, G3 Member Sue Cochran shared that the group would love support. She added that G3's mission is to keep our streets and our main downtown beautiful and charming. She added that all of the labor is free.

After further Council questions and clarifications, CM Davis requested a subcommittee meeting on painting utility boxes.

Renee Marmion asked if G3 can put up planter boxes on the Senior Housing's Visitacion Avenue side.

Sue Cochran clarified that the G3 is no longer seeking volunteers but they welcome monetary donations.

City Manager Holstine shared that he will bring back the item for discussion during the mid-year budget. Staff will administratively work with the Brisbane Hardware store for the credit.

## **PUBLIC HEARING**

**A. Consider adoption of Resolution No. 2017-51 amending the Land Use Element of the General Plan and introduction of draft Ordinance No. 623 to amend the zoning ordinance to be consistent with the revised General Plan. General Plan Amendment GPA-1-17 & Zoning Text and Map Amendment RZ-1-17: To amend the Northwest Bayshore Subarea General Plan Land Use Designation and amend the zoning ordinance to achieve consistency with the updated Northwest Bayshore Subarea. City of Brisbane, applicant; Northwest Bayshore Subarea in its Entirety.**

Senior Planner Johnson reported that the purpose of this item is to achieve consistency between the adopted General Plan and zoning within the Northwest Bayshore subarea.

Staff provided a supplemental memorandum recommending revisions to the draft ordinance 623 as a response to PG&E's request to make several minor text changes as outlined in their attached comment letter of November 9<sup>th</sup>.

After some questions of staff and Deputy City Attorney Levanthal, CM O'Connell made the following recommendations:

- Clarify the statement "revenues have declined" on page 32

- Clarify the Water Distribution study results and add if the current status meets fire protection standards on page 33
- Clarify if CNEL 65 dB- is still current on page 33
- Clarify results of the study regarding contaminates on PG& E property and provide more definitive language of final action regarding remediation on page 34
- Make edits to Chapter 5 to be editorially consistent
- Clarify definition of a SCRO district

After further Council questions and clarifications of staff, Mayor Liu opened the public hearing.

Bill Chiang spoke on behalf of PG&E and thanked staff for the collaboration and allowing PG&E to submit the edits.

CM Conway made a motion, seconded by CM Davis to close the public hearing. The motion was carried unanimously by all present.

CM Lentz made a motion, seconded by CM Conway, to introduce Ordinance 623 and bring back Resolution 2017-53 for further discussion at another meeting. The motion was carried unanimously by all present.

Ayes: Councilmembers Conway, Davis, Lentz, O'Connell and Mayor Lori Liu

Noes: None

Absent: None

## **OLD BUSINESS**

### **A. Provide an update from Jefferson Union High School District on School Bus for 2017/18 and 2018/19**

Administrative Services Director Schillinger reported that the Jefferson Union High School District will not continue providing bus service to high school students from Brisbane to Terra Nova and Oceana High Schools for the 2018-19 school year.

CM Conway urged parents to pressure the new superintendent and the Jefferson Union High School District board members to find a bus for our students. He also added that he is interested in meeting with parents and wants a 2x2 Subcommittee Meeting scheduled.

Mayor Liu urged parents to attend the school board meeting on December 5<sup>th</sup>.

CM Davis would like to be on the 2x2 School Subcommittee and work on this issue.

CM O'Connell emphasized that parents and students must be informed.

Barbara Ebel stated that she is saddened that the Council does not want to get involved.

Jolene Rodriguez said that the solution can be bringing two-part time drivers to do this bus route.

After further questions and Council discussion, CM Conway said he will connect with the parents who want to get involved.

**B. Consider Approval of Agreement with Manatt, Phelps, and Phillips to provide Legislative Assistance related to public policy and regulatory developments by the State of California as it relates to the Brisbane Baylands**

Administrative Services Director Schillinger explained that it is being recommended to the Council to consider approval of the extension of the agreement with Manatt, Phelps and Phillips, LLP for services related to the Brisbane Baylands for \$330,000 up to March 2018.

After some question and clarifications with Administrative Services Director Schillinger, CM Conway made a motion, seconded by CM Davis, to approve agreement with Manatt, Phelps, and Phillips to provide legislative assistance.

**NEW BUSINESS**

**A. Discuss and Consider City Hourly Employee Pay Schedule**

Administrative Services Director reported that the purpose of this item is to receive direction from the Council regarding the method which the Council would like to recognize long-term part-time staff, if any. He added that based on Council direction, staff will bring back the change to a future Council meeting with a more exact estimate of the cost. Some of the options for recognizing long term staff are increase number of steps for salary, raise salaries, and offer health care.

CM O'Connell stated she wants long term part time employees to grow in their jobs.

CM Davis directed staff to come back with information on the number of long term employees and the number of hours they work on average.

CM O'Connell directed staff to provide the Council more information on the budgetary effect of the different options and with the most equitable scenario as possible for our part time staff.

CM Conway wants these items to be revisited during the City Council budget discussion.

**STAFF REPORTS**

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

No report was made at this time.

## **MAYOR/COUNCIL MATTERS**

### **B. Consider Support for Senate Bill 705 to Phase Out Polystyrene Food Take Out Containers Statewide**

City Manager Holstine reported that Mayor Liu received a letter from California State Senator Ben Allen from the 26<sup>th</sup> Senate District to help support Senate Bill 705 (Allen) to phase out polystyrene food take out containers in the entire State. The bill is also sponsored by Senator Jerry Hill.

After further Council discussion, CM Lentz agreed that the bill is consistent with the City's goals for ecological sustainability and safe communities and our current Municipal Code. CM Lentz made a motion, seconded by CM Madison, to direct staff to return with a resolution in support of SB 705.

### **C. Recruitment for Commission and Committee Vacancies**

CM O'Connell stated that the recruitment for the vacancies should start immediately. Administrative Services Director Schillinger added that vacancies in the newly created Public Art Advisory Committee should also be publicized.

### **D. County-wide Assignments/Subcommittees Reports**

CM Lentz reported on his CCAG meeting and Mayor Liu reported on a meeting she attended which was sponsored by San Mateo County Board of Supervisor Canepa regarding age-friendly Cities.

### **E. City Council Meeting Schedule**

There is a scheduled City Council Workshop, Housing Authority Closed Session and City Council Closed Session on Tuesday, November 21, 2017 commencing at 6:30 p.m. in the Large Conference Room.

Council also agreed to hold a Council Meeting on January 16, 2018 and cancel the City Council Meeting of January 4, 2018 and January 18, 2016.

### **Written Communications**

Non-Baylands written correspondences were received from the following members of the public:

- David Thomas, Pacific Gas and Electric Company (11/9/17)
- Karen Cunningham (11/15/17)
- Michael Abney (11/16/17)

### **ORAL COMMUNICATIONS 2**

No member of the public wished to speak.

**ADJOURNMENT**

CM Conway made a motion, seconded by CM Davis, to adjourn the meeting. The motion was carried unanimously by all present. The meeting was adjourned at 10:16pm.



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Ingrid Padilla, City Clerk