



**BRISBANE CITY COUNCIL**

**ACTION MINUTES**

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**CITY OF BRISBANE CITY COUNCIL  
REGULAR MEETING AGENDA  
THURSDAY, APRIL 19, 2018  
*BRISBANE CITY HALL COMMUNITY MEETING ROOM  
50 PARK PLACE, BRISBANE***

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

Mayor Conway called the meeting to order at 7:33 p.m.

**ROLL CALL**

Councilmembers present: Councilmembers Davis, Lentz, O’Connell, and Mayor Conway  
Councilmembers absent: Councilmember Cunningham  
Staff present: City Clerk Padilla, City Manager Holstine, Administrative Services  
Director Schillinger, City Attorney Roush, Community Development  
Director Swiecki, City Engineer Breault, Police Chief Macias and  
Associate Planner Capasso

**ADOPTION OF AGENDA**

CM O’Connell made a motion, seconded by CM Davis, to adopt the agenda as it stands. The motion was carried unanimously by all present.

**ORAL COMMUNICATIONS NO. 1**

No member of the public wished to speak.

**PRESENTATION & PROCLAMATION**

**A. Proclamation Recognizing April 22-28, 2018 as Mosquito Awareness Week**

Mayor Conway read a Proclamation recognizing April 22 through April 28, 2018 as Mosquito Awareness Week. Carolyn Parker, the City of Brisbane’s appointed representative on the San Mateo County Mosquito and Vector Control District Board, received the proclamation and introduced Megan Sebay. Ms. Sebay, the Public Health Education and Outreach Officer gave a brief update on the activities of the District. Ms. Sebay also invited the community to the District’s Open House event on April 26, 2018.

**B. Voter's Choice Act Presentation by Elections Manager / Deputy Assessor-County Clerk-Recorder Diana Izaguirre**

Diana Izaguirre, Elections Manager/Deputy Assessor-County Clerk-Recorder of San Mateo County, gave a presentation on the California Voter's Choice Act or VCA. VCA was signed into law on September 29, 2016, authorizing 14 counties, including San Mateo County, to conduct any election as an All-Mailed Ballot/Vote Center election commencing in 2018. VCA was designed to increase voter participation, increase voter engagement and expand voting options. Ms. Izaguirre also added that for the June 5<sup>th</sup> Election, ballots will be mailed on May 7, 2018 and the City of Brisbane will have One Vote Center located in the City Hall's Community Meeting Room and will be open three days before Election Day and on Election Day from June 2<sup>nd</sup> to June 5<sup>th</sup>, 2018.

**CONSENT CALENDAR**

**A. Adopt City Council Minutes of March 22, 2018**

**B. Adopt City Council Minutes of April 5, 2018**

**E. Approve Resolution No. 2018-30, amending the City's FY 2018-2019 Capital Improvement Program to Include the Crack Seal of Various City Streets Project**

**F. Approve Resolution No. 2018-31 Authorizing to Execution of Clean Vessel Act Grant Agreements With the State of California**

**G. Adopt Resolution 2018-26 for Open Space and Ecology Committee Appointment for a term through January 2022**

CM O'Connell made a request to pull Consent Calendar Items C and D for further discussion.

CM O'Connell made a motion, seconded by CM Davis, to close approve Closed Session Items A, B, E, F, and G. The motion was carried unanimously by all present.

Ayes: CM Davis, Lentz, O'Connell and Mayor Conway

Noes: None

Absent: CM Cunningham

Abstain: None

**C. Adopt Resolution 2018-27 to become an Associate Member of the California Enterprise Development Association JPA, and consenting to the inclusion of properties within the City's jurisdiction in the Figtree Property Assessed Clean Energy (PACE) Financing Program.**

The Figtree Property Assessed Clean Energy (PACE) Financing Program establishes an additional program within the city that allows homeowners to enter voluntarily into property-based assessment financing for energy and water efficiency projects for their real property.

CM O'Connell raised question about Section 9 of Resolution 2018-27 regarding foreclosures and the program's definition of accelerated foreclosure.

Charles Ward, Regional Director of Government Relations of Dividend Finance, responded to CM O'Connell's question and explained that foreclosures will be permitted in the event there is a default in the payment of assessments due on a property.

Eve Perez, Director of Government Relations for Ygrene Energy Fund, added that foreclosure of properties within the PACE Program is extremely rare because of the California Governor's PACE Loan Loss Reserve Program.

After further City Council discussion and questions with staff, Council directed City Attorney to review Section 9 of Resolution 2018-27 and provide more program details regarding the accelerated foreclosures at a future City Council meeting. This matter will be continued to a subsequent City Council meeting.

**D. Adopt Resolution 2018-28 to become an Associate Member of the Golden State Finance Authority, and consenting to the inclusion of properties within the City's jurisdiction in the Community Facilities District No. 2014-1 and Adopt Resolution 2018-29 to become an Associate Member of the Golden State Finance Authority, and consenting to the inclusion of properties within the City's jurisdiction in the Authority's Property Assessed Clean Energy (PACE) Financing Program.**

There are two programs under the Ygrene Property Assessed Clean Energy (PACE) Financing Program, one under SB 555 and the other under AB 811. If the City were to participate in these programs, Brisbane property owners would have the option to finance improvements for energy efficiency, water conservation and renewable energy.

After City Council questions with staff and Eve Perez, Director of Government Relations for Ygrene Energy Fund, Councilmember O'Connell asked City Attorney Roush to return to a future City Council meeting and provide more information regarding the following issues:

- 1) As part of the development project, could the owner utilize these programs to finance the construction of these kinds of improvements?
- 2) Although the programs allow for these types of improvements to be installed on public and private buildings, how would the cost be repaid by the City if it does not pay real property taxes on property it owns?

**SWEARING IN**

**A. Administer Oath of Office to Newly Appointed City Committee Member**

City Clerk Padilla administered the Oath of Office to newly appointed Open Space and Ecology Committee Member Ross Dykes.

## **PUBLIC HEARING**

**A. Introduce Ordinance 626 to amend Chapters 17.02, 17.08, 17.10, 17.12, 17.16, and 17.43 of Title 17, Zoning, of the Brisbane Municipal Code to update accessory dwelling unit regulations in the R-BA, R-2, R-3, and SCRO-1 zoning districts consistent with current State law.**

Community Development Director Swiecki reported that the purpose of Ordinance 626 is to update accessory dwelling unit regulations in the R-BA, R-2, R-3 and SCRO-1 zoning districts consistent with current State Law.

After some Council questions and discussion with staff, Mayor Conway opened the public hearing and no member of the public wished to speak.

CM Lentz made a motion, seconded by CM O'Connell, to close the public hearing. The motion was carried unanimously by all present.

After questions and discussion regarding the lot size requirement in the R-BA district, CM O'Connell made a motion to introduce Ordinance 626 as it stands. The motion of CM O'Connell failed due to a lack of second.

CM Lentz made a motion, seconded by CM Davis, to introduce Ordinance 626 with the amendment of eliminating the lot size requirement for new accessory dwelling units on substandard lots in the R-BA district. The motion was carried by a 3-1-1 vote.

Ayes: CM Davis, Lentz, and Mayor Conway

Noes: CM O'Connell

Absent: CM Cunningham

Abstain: None

## **OLD BUSINESS**

**A. Discussion about Revising the Public Art Implementation Guidelines (*Continued from the City Council Meeting of April 5, 2018*)**

Administrative Services Director Schillinger shared the newly revised Public Art Implementation Guidelines based on the direction provided by Council at the City Council Meeting of April 5, 2018. He added that if the Council approves the guidelines a third community member can be added to the Public Art Advisory Committee and the Public Art Selection Committee's membership will be the same as the Public Art Advisory Committee with the addition of 1 or 2 members from the neighborhood where the public art was to be located.

CM O'Connell stated that choosing additional community members who are within ¼ mile of the site of the public art piece is too limiting.

After further Council discussion, CM O'Connell made a motion, seconded by CM Davis, to approve the Public Art Implementation Guidelines with the amendment of eliminating the requirement for the additional community one or two members of the Public Art Selection Committee to live ¼ mile requirement. The motion was carried unanimously by all present.

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

## **STAFF REPORTS**

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

City Manager Holstine reported on the following activities:

- Habitat Restoration Event on April 21<sup>st</sup>
- South San Francisco Scavengers Event on April 21<sup>st</sup>
- County Coroner's Office's Missing Persons Day on April 21<sup>st</sup>
- San Mateo County Mosquito Abatement District's Open House on April 26<sup>th</sup>
- The Emergency Preparedness Fair at Skyline College on April 30th

## **MAYOR/COUNCIL MATTERS**

### **A. Discuss possible appointment to the Public Art Advisory Committee**

CM O'Connell made a motion, seconded by CM Lentz, to appoint Daniel Carter to the Public Art Advisory Committee. The motion was carried unanimously by all present.

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

### **B. Countywide Assignments/Subcommittee Reports**

Councilmembers reported on their activities on the Peninsula Traffic Congestion Relief Alliance, the Economic Development Subcommittee, Public Information/Technology Subcommittee, Peninsula Clean Energy JPA, and Infrastructure, Utilities and Franchise Subcommittee.

City Manager Holstine asked which Councilmembers would like to be a member of the City Council Planning Issues Subcommittee, Councilmember O'Connell stated she was interested. Council asked if staff can inquire whether Councilmember Cunningham would be interested. In the case that Councilmember Cunningham is not interested, then Councilmember Lentz would be the second member of the Planning Issues Subcommittee.

**C. City Council Meeting Schedule**

Council scheduled a Special Closed Session Meeting on May 24<sup>th</sup> at 7:30 p.m.

**D. Written Communications**

Non-Baylands related written communication was received from Cathy Zhu (4/6/18) and Becky Dodson on behalf of the Citizens for a San Mateo County Gun Buyback (4/9/18).

**ORAL COMMUNICATIONS NO. 2**

No member of the public wished to speak

**ADJOURNMENT**

Mayor Conway adjourned the meeting at 9:00 p.m.



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Ingrid Padilla  
City Clerk