



**BRISBANE CITY COUNCIL**

**ACTION MINUTES**

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**BRISBANE CITY COUNCIL MEETING AGENDA**

**THURSDAY, OCTOBER 21, 2021**

*VIRTUAL MEETING*

**CALL TO ORDER AND PLEDGE OF ALLEGIANCE**

Mayor Cunningham called the meeting to order at 7:34 P.M. and led the Pledge of Allegiance.

**ROLL CALL**

Councilmembers present: Councilmembers Davis, Lentz, Mackin, O'Connell and Mayor Cunningham  
Councilmembers absent: None

Staff Present: City Manager Holstine, Assistant City Manager Schillinger, City Clerk Padilla, City Attorney McMorrow, Finance Director Yuen, Community Director Swiecki, City Engineer Breault, Police Commander Garcia, and Administrative Management Analyst Ibarra

**REPORT OUT OF CITY COUNCIL CLOSED SESSION**

City Attorney McMorrow reported that no action was taken and direction was given to staff regarding Items D and E.

**ADOPTION OF AGENDA**

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

Ayes: CM Davis, Lentz, Mackin, O'Connell and Mayor Cunningham.

Noes: None

Absent: None

Abstain: None

**AWARDS AND PRESENTATIONS**

**A. Volunteer of the Year Presentation**

Mayor Cunningham read a Proclamation honoring Sharon Boggs as Volunteer of the Year for her many decades of dedicated volunteering.

Councilmembers shared their gratitude for her tireless spirit. Sharon Boggs graciously accepted the award adding that being honored makes her want to give back more.

## **ORAL COMMUNICATIONS NO. 1**

Roland Lebrun thanked the City Council for turning on the transcription. He asked if the Council workshop would be broadcasted and he made a request to make the transcripts downloadable also.

## **CONSENT CALENDAR**

- B. Approve Minutes of City Council Meeting of June 17, 2021**
- C. Approve Minutes of City Council Meeting of July 15, 2021**
- D. Approve Minutes of City Council Closed Session Meeting of September 23, 2021**
- E. Adopt Ordinance No. 667, Waiving Second Reading, Amending Chapter 13.04 of the Brisbane Municipal Code pertaining to "Sewer System"**
- F. Adopt Resolution No. 2021-69 to Continue Conducting City Council and Commission Meetings Remotely Due to Health and Safety Concerns for the Public**

CM O'Connell made a motion, seconded by CM Davis, to approve Consent Calendar Items B-F. The motion was carried unanimously by all present.

Ayes: CM Davis, Lentz, Mackin, O'Connell and Mayor Cunningham.

Noes: None

Absent: None

Abstain: None

## **PUBLIC HEARING**

- G. Consider Introduction of Ordinance No. 665 to amend Brisbane Municipal Code Title 17 (Zoning Ordinance) to Allow Large Family Daycare Homes by Right in Zoning Districts That Permit Residential Uses, Consistent with the Requirements of State Law**

Community Development Director reported that the purpose of this Ordinance is to amend Title 17 of the Brisbane Municipal Code (BMC) consistent with the requirements of state law to permit large family day care homes consistent with how single family residences are permitted in those zoning districts which allow residential uses.

After Council questions, Mayor Cunningham opened the public hearing. No members 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.

Ayes: CM Davis, Lentz, Mackin, O'Connell and Mayor Cunningham.

Noes: None

Absent: None

Abstain: None

After no Council discussion, CM Lentz made a motion, seconded by CM Mackin, to introduce Ordinance No. 665 to amend Brisbane Municipal Code Title 17 (Zoning Ordinance) to allow large family daycare homes by right in zoning districts that permit residential uses, consistent with the requirements of State law. The motion was carried unanimously by all present.

Ayes: CM Davis, Lentz, Mackin, O'Connell and Mayor Cunningham.

Noes: None

Absent: None

Abstain: None

## **OLD BUSINESS**

### **H. Short Term Rental Ordinance Implementation Update**

Community Development Director Swiecki reported that the City of Brisbane adopted an ordinance which took effect in summer 2020 permitting short term rentals (STR) subject to a number of operational and performance standards. In early 2021 the City entered into a contract with a vendor, Host Compliance, to automate the STR permit process and monitor STR activity on multiple listing sites, allowing the City to initiate code enforcement as needed and pursue the collection of transient occupancy tax (TOT). He added that the system went live in early summer 2021 and the City has been systematically and proactively monitoring STR rental listings, initiating code enforcement and TOT collection as warranted. As of September, the City has collected approximately \$4,500 in TOT from STRs.

After some council questions and discussion, Council received the report and thanked staff for the update.

## **NEW BUSINESS**

### **I. Update on Committee By-Laws**

CM Holstine reported that Council liaisons to Complete Streets Safety Committee were concerned that having items heard and discussed when quorums are not achieved may be confusing to the public. It is

being recommended that Committee By-laws to restrict meetings so that only meetings that achieve a quorum may continue. It is also being recommended to add language to the "Rules and Procedures for City of Brisbane Commissions and Committees" that governs all of our Commissions and Committees. After Council questions, Barbara Ebel commented that this is good practice for committees and staff should communicate with committee members and commissioners about these recommendations.

Council directed staff to return with amended by-laws and Rules and Procedures for City of Brisbane Commissions and Committees that restrict meetings so that only meetings that achieve a quorum may continue.

## **STAFF REPORTS**

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

City Manager Holstine reported on the latest City news and special events in the City.

## **MAYOR/COUNCIL MATTERS**

### **K. Countywide Assignments and Subcommittee Reports**

Councilmembers reported on their assignments and subcommittee activities.

### **L. City Council Meeting Schedule**

There is a City Council Workshop scheduled on October 24, 2021 and a regular meeting on November 4, 2021.

### **M. Written Communications**

There were no written communication received by Council between October 7, 2021 through October 21, 2021.

### **ORAL COMMUNICATIONS NO. 2**

No member of the public wished to speak.

### **ADJOURNMENT**

The meeting was adjourned by Mayor Cunningham at 8: 25 P.M.