



BRISBANE CITY COUNCIL

ACTION MINUTES

CITY COUNCIL MEETING

THURSDAY, MAY 4, 2023

HYBRID MEETING, 50 PARK PLACE, BRISBANE, CA 94005

CALL TO ORDER AND PLEDGE OF ALLEGIANCE

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

ROLL CALL

Councilmembers present: Councilmembers Cunningham, Lentz, Mackin, O'Connell and Mayor Davis

Councilmembers absent: None

Staff Present: City Manager Holstine, City Clerk Padilla, City Attorney McMorrow, Finance Director Yuen, City Engineer Breault, Police Commander Garcia, Communications Manager Cheung, Senior Management Analyst Velilla, NCFAs Assistant Fire Marshal Wittner, NCFAs Safety Inspector Adams and Administrative Analyst Ibarra

A. Consider any request of a City Councilmember to attend the meeting remotely under the "Emergency Circumstances" of AB 2449

No Councilmembers made any requests at this meeting.

REPORT OUT FROM CLOSED SESSION

City Attorney McMorrow reported that updates were provided to Council and direction was given to staff pertaining to the two pending litigation items.

ADOPTION OF AGENDA

Councilmember O'Connell requested to amend the agenda and adjourn the meeting in memory of resident and community leader Dan Sorrentino. Councilmember O'Connell made a motion, seconded by Councilmember Lentz, to adopt the agenda as amended. The motion passed unanimously by all present.

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

Noes: None

Absent: None

Abstain: None

AWARDS AND PRESENTATION

B. Proclaiming May as Asian American Pacific Islander Heritage Month

Mayor Davis recognized May 2023 as Asian American and Pacific Islander Heritage Month in the City of Brisbane. She called upon all community members to learn more about the history of Asian Americans, Native Hawaiians, and Pacific Islanders, and to observe this month supporting local programs and activities.

Committee Member Diane Oseto from the Inclusion, Diversity, Equity and Accountability Committee accepted the Proclamation and invited the City to attend the Asian American Pacific Islander Heritage Month Celebration on May 20th, 2023 in the Community Park

C. Proclaiming May as Wildfire Preparedness Month

Mayor Davis proclaimed May 2023 as Wildfire Preparedness Month and encouraged all Brisbane residents to increase their knowledge and awareness of proper safety measures to protect themselves from the devastating effects of wildfires.

Safety Inspector Adams accepted the proclamation on behalf of North County Fire Authority.

ORAL COMMUNICATIONS NO. 1

Brisbane Library Manager Cary Mossing introduced herself to the Mayor and City Council.

CONSENT CALENDAR

D. Approve Minutes of City Council Meeting of April 6, 2023

E. Approve Minutes of City Council Closed Session Meeting of April 20, 2023

F. Adopt an Ordinance, Waiving Second Reading, Conforming Sewer Service and Water Service Charges to Charges Approved by City Council on April 20, 2023

I. Approve the Guadalupe Valley Municipal Improvement District Board of Director's appointment to the Bay Area Water Supply & Conservation Agency (BAWSCA) and Bay Area Regional Water System Financing Authority (RFA) Boards

J. Approve a resolution adopting the slurry seal of various city streets for fiscal year 2023-2024 funded by Senate Bill 1 (SB 1), the Road Repair and Accountability Act of 2017.

K. Approve Construction Contract for Crocker Trail Resurfacing (Project No. 921S)

(Award the construction contract for the Crocker Trail Resurfacing to E.E. Gilbert Construction in the amount of \$795,510.15 and authorize the mayor to sign the Agreement on behalf of the City.)

Consent Calendar Items G and H are pulled for further discussion.

Councilmember O'Connell made a motion, seconded by Councilmember Mackin, to approve Consent Calendar Items D-F and I-K. The motion passed unanimously by all present.

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

Noes: None

Absent: None

Abstain: None

G. Adopt Resolution Establishing the 2023 Business License Tax for Liquid Storage Facilities as to Kinder Morgan/SFPP

After some clarifying questions, Councilmember O'Connell made a motion, seconded by Councilmember Lentz, to approve Consent Calendar Items G. The motion passed unanimously by all present.

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

Noes: None

Absent: None

Abstain: None

**H. Approve Solid Waste Collection Rate Adjustment – South San Francisco Scavenger Company
(It is being recommended to receive So. San Francisco Scavenger's 2023 rate increase of 3.90%.)**

Mayor Davis recused herself from this discussion and left the room. After some clarifying questions, Councilmember Lentz made a motion, seconded by Councilmember Mackin, to approve Consent Calendar Item H. The motion passed unanimously by all present.

Ayes: Councilmembers Cunningham, Lentz, Mackin, and O'Connell

Noes: None

Absent: None

Abstain: None

Recused: Mayor Davis

NEW BUSINESS

L. Receive Mid-Year FY23 Budget Report and Consider Adoption of Resolution to Amend the FY 2022/23 Budget

Finance Director Yuen reported that the City is expected to experience an overall net savings of \$670,395 compared to the FY23 budget. Any savings will be rolled over to be considered for the FY24 budget and be used to pay for the level of services requested by the Council.

On June 16, 2022, City Council adopted the FY 2022/23 budget. The budget projected General Fund Revenues at \$21,816,001, including Transfers In. General Fund Expenditures were projected at \$25,013,662 including Transfers Out. The beginning fund balance was estimated at \$7,844,312 and ending fund balance of \$4,646,651. Our actual General Fund non-committed Balance as of July 1, 2022, was \$6,762,378, representing \$1,081,935 less than anticipated.

Finance Director Yuen then provided an update on the Mid-Year FY 23 anticipated revenues and expenses. After council questions and discussion, and no public comment, Councilmember O'Connell made a motion, seconded by Councilmember Lentz, to adopt resolution to amend the FY 2022-23 Budget. The motion passed unanimously by all present.

Ayes: Councilmembers Cunningham, Lentz, Mackin, and O'Connell

Noes: None

Absent: None

Abstain: None

Recused: Mayor Davis

M. Review of Marina Enterprise Fund, Sierra Point Lighting and Landscaping District & Park Planning and Development Funds

Finance Director Yuen provided an overview of how the Marina Enterprise Fund, Sierra Point Lighting & Landscaping District and Park Planning and Development Funds are funded and what expenses are covered.

After Council questions and no public comment Council thanked staff for the presentation.

N. Receive Report on Measure K Funds from San Mateo County and Provide Directions to Staff on Next Steps

City Manager Holstine reported that he met with our County Supervisor, David Canepa regarding funding for a Brisbane project. Each Supervisor is allotted up to \$1m a year to support projects in their District. He indicated that a project of approximately 150k to 200k with City match would be of interest to him.

After some council questions and no public comment, Council directed staff to return to a future Council Meeting provide a short list of capital improvement projects that would meet the Supervisor's criteria.

O. Consider City appointment to the Bay Area Water Supply & Conservation Agency (BAWSCA) and Bay Area Regional Water System Financing Authority (RFA) Boards

City Engineer Breault asked for direction regarding the City appointment to the Bay Area Water Supply & Conservation Agency (BAWSCA) and Bay Area Regional Water System Financing Authority (RFA) Boards. The current representative is Sepi Wood. She will resign by May 19th, 2023.

After some council questions and no public comment, Council directed staff to return to a future City Council Meeting and come back with a list of prospective appointments.

STAFF REPORTS

P. City Manager's Report on Upcoming Activities

No report was given. City Manager Holstine introduced newly hired Senior Management Analyst Rose Velilla

MAYOR/COUNCIL MATTERS

Q. Briefing on Senate Bill 423 (2023)

City Attorney briefed the Council on Senate Bill 423. No position was taken by Council.

R. Countywide Assignments and Subcommittee Reports

- Public Art Advisory Committee (4/17) Cunningham, Davis

Councilmembers reported on their subcommittee meetings and county wide assignments.

S. Written Communications

Between April 21st through May 4, 2023, Council received the following written communications:

- Sangamo (4/26/23) California WARN Act Notice of Mass Layoff
- Leonard Cisneros (5/1/23) Fentanyl/homelessness in San Jose

ORAL COMMUNICATIONS NO. 2

No member of the public wished to make public comment.

ADJOURNMENT

Mayor Davis adjourned the meeting at 9:38 P.M. in memory of Dan Sorrentino.

Ingrid Padilla, City Clerk