



**BRISBANE CITY COUNCIL**

**ACTION MINUTES**

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**CITY COUNCIL MEETING**

**THURSDAY, APRIL 20, 2023**

*HYBRID MEETING, 50 PARK PLACE, BRISBANE, CA 94005*

**CALL TO ORDER AND PLEDGE OF ALLEGIANCE**

Mayor Davis called the meeting to order at 7:31 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, Parks and Recreation Director Leek, City Engineer Breault, Police Chief Macias, Communications Manager Cheung, 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 OF CLOSED SESSION**

City Attorney McMorrow reported that direction was given to staff pertaining to the liability claim.

**ADOPTION OF AGENDA**

Councilmember Mackin made the request to adjourn the meeting in memory of Anita Collar and to recognize City Clerk Padilla and Deputy City Clerk Ibarra for Municipal Clerk's Week on April 30<sup>th</sup> to May 6<sup>th</sup>, 2023. Councilmember Lentz made a motion, seconded by Councilmember Cunningham, to adopt the agenda as amended. The motion was carried unanimously by all present.

Ayes: Councilmembers Cunningham, Lentz, Mackin, O'Connell and Mayor Davis  
Noes: None  
Absent: None  
Abstain: None

#### **ORAL COMMUNICATIONS NO. 1**

No member of the public wished to make public comment.

#### **CONSENT CALENDAR**

- B. Approve Minutes of City Council Meeting of March 2, 2023**
- C. Approve Minutes of City Council Closed Session Meeting of April 6, 2023**
- D. Approve the Tai Chi Chuan Workshop featuring Master Yang Jun as a Co-sponsored Event**
- E. Adopt a Resolution Setting the Dates of Regular Meetings of the Brisbane/Guadalupe Valley Municipal Improvement District Financing Authority for Fiscal Year 2022/23**
- F. Adopt an Ordinance, Waiving Second Reading, Amending Various Sections of the Brisbane Municipal Code Concerning Building Efficiency Program**

**(It is being recommended to adopt an Ordinance Amending Various Sections of Chapter 15.77 of the Brisbane Municipal Code Concerning Building Efficiency Program, including the finding that the introduction and adoption of the Ordinance is not subject to further review under the California Environmental Quality Act (CEQA) because it is not a "project". (CEQA Guidelines, Section 15378 (b)(2))**

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

Ayes: Councilmembers Cunningham, Lentz, Mackin, O'Connell and Mayor Davis  
Noes: None  
Absent: None  
Abstain: None

#### **CONTINUED PUBLIC HEARING**

- G. Consider Adoption of a Resolution for Water and Sewer Rate Increase**

**(This public hearing was continued from the City Council Meeting of April 6, 2023. To view the April 6<sup>th</sup> City Council Meeting and the corresponding staff presentation, visit: <https://www.youtube.com/watch?v=BZNxoQ5MyoY>. Council will consider a Resolution increasing the charges for water and sewer services and setting the discount rate for the city's low-income rate assistance plan at 25% for all services.)**

Finance Director Yuen noted that on April 3, 2023, a public hearing was held to discuss the proposed increases to the water and sewer rates. The school district within the City was on spring break and other religious holidays were being observed the week of the initial public hearing. The Council wanted to provide residents and property owners an additional opportunity to express their views and ask questions, and therefore continued the public hearing to April 20,

2023. Catherine Tseng of Lechowicz & Tseng Municipal Consultants provided a brief overview of the water and sewer services and the low income rate assistance plan.

After some council questions, Mayor Davis reopened the public hearing. No public comments were received.

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

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

Noes: None

Absent: None

Abstain: None

After some Council discussion, Councilmember O'Connell made a motion, seconded by Councilmember Mackin, to adopt a Resolution increasing the charges for water and sewer services and setting the discount rate for the city's low-income rate assistance plan at 25% for all services. The motion was carried unanimously by all present.

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

Noes: None

Absent: None

Abstain: None

## **NEW BUSINESS**

### **H. Consider Introduction of an Ordinance Conforming Sewer Service and Water Service Charges to Charges Approved by City Council on April 20, 2023**

Finance Director Yuen reported that on the prior agenda item, Council adopted a resolution establishing revised sewer service and water service charges for the next five years. Staff is recommending Council now introduce an ordinance conforming provisions in the Brisbane Municipal Code to the charges Council approved in the resolution including an annual 9% increase of 9% through fiscal year 2027/2028 in the fixed water charge, an annual increase of 7% through fiscal year 2027/2028 in the water usage rate, a 25% annual increase through 2027/2028 in sewer service charge, and setting the discount rate for the City's Low income Rate Assistance Plan at 25% for all services.

She added that under the Ordinance, Council may by resolution reduce or cancel the rate increase for any particular year without jeopardizing the approved rate increase for the following year. The Ordinance, if introduced this evening, will have a second reading on May 4 but the charges will not go into effect until June 15, 2023, consistent with the effective date of the new charges set forth in the resolution.

After no public comment, Councilmember O'Connell made a motion, seconded by Councilmember Cunningham, to introduce an Ordinance Conforming Sewer Service and Water Service Charges to Charges Approved by City Council on April 20, 2023. The motion was carried unanimously by all present.

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

Noes: None

Absent: None

Abstain: None

## STAFF REPORTS

### I. City Manager's Report on Upcoming Activities

City Manager Holstine invited the Council and the public to upcoming City events.

## MAYOR/COUNCIL MATTERS

### J. Countywide Assignments and Subcommittee Reports

- Fiscal & Administrative Polices Subcommittee	Monday 4/3	Cunningham, O'Connell
- Affordable Housing Subcommittee	Monday 4/10	Davis, Lentz

Council reported on their latest subcommittee meetings and activities in their Countywide assignments. Council also wanted a staff update on housing Senate Bill 423.

### K. Written Communications

Council received the following written correspondence between April 7<sup>th</sup> through April 20<sup>th</sup>, 2023:

Rory Wilberg (4/11) Noise Pollution  
Mea Christie (4/12) Letter to City Council  
Myovant Sciences (4/18/23) Warn Layoff Notice

## ORAL COMMUNICATIONS NO. 2

No member of the public wished to make public comment.

## ADJOURNMENT

Mayor Davis adjourned the meeting at 8:32 P.M. in memory of Anita Collar and to recognize City Clerk Padilla and Deputy City Clerk Ibarra for Municipal Clerk's Week.

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Ingrid Padilla, City Clerk