



**BRISBANE CITY COUNCIL**

**ACTION MINUTES**

---

**CITY COUNCIL MEETING**

**THURSDAY, MAY 5, 2022**

*VIRTUAL MEETING*

**CALL TO ORDER AND PLEDGE OF ALLEGIANCE**

Mayor Mackin called the meeting to order at 7:37 P.M. and led the Pledge of Allegiance.

**ROLL CALL**

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

Councilmembers absent: Councilmember Davis (note: CM Davis was present at the Closed Session Meeting of May 5, 2022)

Staff Present: City Manager Holstine, City Clerk Padilla, City Attorney McMorrow, Assistant City Manager Schillinger, Finance Director Yuen, City Engineer Breault, Community Development Director Swiecki, Contract Senior Planner Beggs, Communications Manager Cheung, Deputy City Clerk Ibarra, Police Chief Macias and Public Works staff members.

**REPORT OUT OF CLOSED SESSION**

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

**ADOPTION OF AGENDA**

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

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

Noes: None

Absent: Councilmember Davis

Abstain: None

## **AWARDS AND PRESENTATIONS**

### **A. Proclaiming May 15-21, 2022 as National Public Works Week**

Mayor Mackin designated May 15–21, 2022 as National Public Works Week. City Engineer Breault thanked the Mayor and Council and accepted the proclamation on behalf of the Public Works Department. Mayor and Council thanked the Public Works Department staff members, many of whom were in attendance, for their hard work and service. Mayor and Council commended City Engineer Breault for his leadership.

### **B. Proclaiming May 15-21, 2022 as Emergency Medical Services Week**

Mayor Mackin proclaimed the week of May 15<sup>th</sup> to the 22<sup>nd</sup>, as EMERGENCY MEDICAL SERVICES WEEK, and extended her deepest appreciation from our community to the professionals of the North County Fire Authority and emergency medical service providers. Battalion Chief and Emergency Medical Services Chief Matt Powers accepted the proclamation and thanked the Mayor and Council for their recognition.

### **C. Proclaiming May 2022 as Wildfire Preparedness Month**

Mayor Mackin proclaimed May 2022 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.

Battalion Chief Matt Powers accepted the proclamation and encouraged the public to be prepared for wildfires year round.

## **ORAL COMMUNICATIONS NO. 1**

No member of the public wished to speak.

## **CONSENT CALENDAR**

- D. Approve Minutes of City Council Meeting of April 7, 2022
- E. Approve Minutes of City Council Closed Session Meeting of April 7, 2022
- F. Approve Minutes of City Council Meeting of April 21, 2022
- G. Approve Minutes of City Council Closed Session Meeting of April 21, 2022
- H. Adoption of a Resolution Declaring the Continued Need to Conduct City Council, Commission and Committee Meetings Remotely Due to Health and Safety Concerns for the Public

Councilmember O’Connell asked for Items D and F be removed for discussion. CM O’Connell made a motion, seconded by CM Cunningham, to approve Consent Calendar Items E, G and H. The motion was carried

unanimously by all present.

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

Noes: None

Absent: Councilmember Davis

Abstain: None

Councilmember O'Connell requested to correct the clerical error in the roll call section of the City Council Meeting Minutes of April 7 and April 21, 2022. CM Cunningham made a motion, seconded by CM O'Connell, to approve Consent Calendar Items D and F as amended. The motion was carried unanimously by all present.

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

Noes: None

Absent: Councilmember Davis

Abstain: None

## **PUBLIC HEARING**

### **I. Consider Introduction of an Ordinance to amend Brisbane Municipal Code Title 17 (Zoning Ordinance) to achieve consistency with housing-related state legislation**

**(Proposed amendments include: establishing objective design and development standards for housing development projects; allowing multiple family dwellings in the SCRO-1 District by right; and establishing procedures and requirements for an administrative Housing Development Permit for qualifying housing development projects. This Ordinance has been revised to eliminate proposed amendments to the NCRO-2 District.)**

Community Development Director introduced Contract Senior Planner Beggs of Good City Company. Contract Senior Planner Beggs, reported the purpose of this public hearing item is to comply with state housing law by amending the Brisbane Municipal Code (BMC) to establish objective design and development standards for housing development projects; allow multiple family dwellings in the SCRO-1 District by right; and establish procedures and requirements for an administrative Housing Development Permit for qualifying housing development projects. The draft Ordinance was revised to eliminate proposed amendments to the NCRO-2 District.

She added that City Council considered the draft ordinance on January 20, 2022, and continued the item off Calendar and brought back before the City Council Planning Subcommittee.

After some council questions, Mayor Mackin opened the public hearing. Barbara Ebel, commended the draft ordinance's revision.

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

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

Noes: None

Absent: Councilmember Davis

Abstain: None

Councilmember Lentz, made a motion, seconded by Councilmember Cunningham, to introduce an Ordinance to amend Brisbane Municipal Code Title 17 (Zoning Ordinance) to achieve consistency with housing-related state legislation. The motion was carried unanimously by all present.

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

Noes: None

Absent: Councilmember Davis

Abstain: None

## NEW BUSINESS

### **J. Reject all bids received April 21, 2022 for the 18 Solano Street Retaining Wall Project, Job No. 922B.**

City Engineer Breault reported that in an effort to obtain bids from the maximum number of willing contractors, staff is recommending that Council reject all bids received on April 21, 2022 for the 18 Solano Street Retaining Wall Project. Staff will readvertise the project for a new bid date and project will still be completed within the same time period.

After some clarifying questions and no public comment, Councilmember O'Connell made a motion, seconded by Councilmember Lentz, to reject all bids received April 21, 2022 for the 18 Solano Street Retaining Wall Project, Job No. 922B. The motion was carried unanimously by all present.

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

Noes: None

Absent: Councilmember Davis

Abstain: None

### **K. Receive Solid Waste Collection Rate Adjustment**

#### **(The Council will receive South San Francisco Scavenger's 2022 rate increase of 5.19%)**

City Engineer Breault reported that the city has two Franchise Agreements for the provision of waste collection services, one with South San Francisco Scavenger Company and one with Recology Brisbane. Both agreements have language specifying under what conditions a rate increase may occur. South San Francisco Scavengers did submit a request for rate increase of 5.19% and their proposed rates were reviewed by staff and found to be in accordance with their franchise agreement.

After some clarifying questions and no public comment, Councilmember Lentz commended the good partnership between the City and South San Francisco Scavenger Company.

Mayor Mackin thanked staff for the report and update on the solid waste collection rate adjustment.

## STAFF REPORTS

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

City Manager Holstine reported on the latest City news and upcoming events.

## **MAYOR/COUNCIL MATTERS**

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

Councilmembers reported on their recent subcommittee meetings and countywide assignments. Councilmember Cunningham reported on the Progress Seminar. Councilmembers wanted to revisit the subcommittee assignments. City Manager Holstine said the discussion can be scheduled for a future meeting.

### **N. Written Communications**

Mayor and Council received the following written correspondences from April 22-May 5, 2022:

- YIMBY Law and Greenbelt Alliance (April 24, 2022) Letter re. Brisbane's 6th Cycle Housing Element
- Sierra Club, Loma Prieta Chapter ( May 2, 2022) Sierra Club Loma Prieta Chapter comment letter re: Planning Review and Entitlements of Biotech Developments
- Ronald L. Kirkish (May 5, 2022) [Fentanyl] Letter from Virginia Bass, Chair for the Humboldt County Board of Supervisors, to San Francisco District Attorney Chesa Boudin

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

No member of the public wished to speak.

### **ADJOURNMENT**

Mayor Mackin adjourned the meeting at 8:44 P.M.

---

Ingrid Padilla, City Clerk