



BRISBANE CITY COUNCIL

ACTION MINUTES

CITY COUNCIL MEETING AGENDA THURSDAY, MAY 15, 2025

HYBRID MEETING, 50 PARK PLACE, BRISBANE, CA 94005

6:30 P.M. CALL TO ORDER – PLEDGE OF ALLEGIANCE

Mayor Lentz called the meeting to order at 6:32 P.M. and led the Pledge of Allegiance.

ROLL CALL

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

No Councilmembers made a request under Roll Call Item A.

Councilmembers Present: Councilmembers Davis, Kern, Mackin, O’Connell and Mayor Lentz

Councilmembers Absent: None

Staff Present: City Manager Dennis, City Clerk Padilla, City Attorney McMorrow, Legal Counsel Roush, Principal Planner Ayres, Assistant City Manager Fernandez, Finance Director Yuen, Deputy Fire Chief Abelson, Management Analyst Brown, Economic Development Director Bull, Police Commander Garcia, Police Chief Macias, Deputy Public Works Director Kinser, Deputy Public Works Director Flanagan, Public Works Staff Members and Administrative Management Analyst Ibarra

REPORT OUT OF CLOSED SESSION

City Attorney McMorrow reported that Councilmembers did not take any action and provided directions to staff on the Real Property Negotiation Item D and Anticipated Litigation Item E.

ADOPTION OF AGENDA

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

Ayes: Councilmembers Davis, Kern, Mackin, O’Connell and Mayor Lentz

Noes: None

Absent: None

Abstain: None

AWARDS AND PRESENTATIONS

B. Proclaiming May 18–24, 2025 as Public Works Week

Mayor Lentz designated the week of May 18–24, 2025, as National Public Works Week. He urged all community members to pay tribute to our public works professionals, engineers, managers, and employees and to recognize the substantial contributions they make to protect our national health, safety, and advancing quality of life for all.

Karen Kinser, Deputy Director of the Public Works Department and Jerry Flanagan, Deputy Director of Public Works - Utilities presented a video highlighting how the Public Works Department serves the community. They also accepted the proclamation on behalf of the Public Works Department.

C. Life Saving Award Commendations

Mayor Lentz honored 5 Community Members with well-deserved Life-Saving Commendations for saving a resident's life through their bravery and quick actions taken on April 18th. All honorees played key roles in saving the driver from a burning vehicle on Visitacion Avenue. The recipients of the commendations were:

1. Sergeant Giovanni Perez
2. Marcos Silva
3. Joel Diaz
4. Alfred Ramos
5. Romale Johnson

ORAL COMMUNICATIONS NO. 1

Michael Barnes expressed concern that the City may lose the \$1.5 million funds for a park at Sierra Point. He added that the funds were given to develop a park at Sierra Point. Citizens, seniors and the Sierra Point Yacht Club are all in favor of a small park at Sierra Point.

Linda Salmon spoke about the need for city staff to be educated about native plants and the need to show all the information and contents of all the items on the agenda.

Tiffany Meyers spoke against the parking permit program at Thomas Avenue. She added that no one should be ticketed in front of their home and this is not San Francisco.

After staff questions, Councilmember Davis advised Ms. Meyers to speak with City Manager Dennis and to find out when the parking permit program will be discussed again at a future Council Meeting.

Michele Salmon commented that the City should push back on the determination of the Fire Hazard Severity Zone in the City since many insurance policies are being denied for renewal.

Linda Salmon commented that she did not receive notice about the agenda items and requested more information about Consent Calendar Items M, N, and L.

CONSENT CALENDAR

- D. Approve Minutes of City Council Meeting of May 1, 2025**
- E. Approve Minutes of Closed Session City Council Meeting of May 1, 2025**
- F. Approve Co-sponsorship of Friends of the Brisbane Library City-Wide Yard Sale**
- G. Approve Co-sponsorship of Bright Minds Africa Swim-a-Thon Event**
- I. Introduce an Ordinance Amending the Municipal Code Concerning Notices of Violations**

(There is no fiscal impact in introducing, and then adopting, this Ordinance. Council has adopted a fee schedule that provides a fee for processing and administering these types of appeals.)

- J. Adopt a Resolution Approving One Project, the Overlay of Klamath Street between Visitacion Avenue and San Bruno Avenue, as Intended Use of the Fiscal Year 2025-26 Road Maintenance and Rehabilitation Account Funding**

(For the fiscal impact of this item, the engineer's estimate is \$215,000. The City will receive an estimated \$127,270 to partially fund the cost of this work. The remaining expenses for the project will be funded using Measure A Sales Tax and State Gas Tax revenues. This work is categorically exempt from provisions of CEQA.)

- K. Receive Open Space and Ecology Committee 2025 Workplan**

(The purpose of this item is to review this year's goals for the Open Space and Ecology Committee (OSEC), a Council-appointed citizen advisory committee.)

- L. Brisbane Lagoon Watershed Sea Level Rise Adaptation Plan**

(It is being recommended to authorize the City Manager to sign an Agreement for Professional Services with Schaff & Wheeler to study the impact of sea level rise on the Lagoon and the adjoining roads of Sierra Point Parkway and U.S. 101 for the amount of \$293,340 which is primarily funded by a California Adaptation Grant.)

- M. Zoning Text Amendment 2025-RZ-01-- Adopt an Ordinance, Waiving Second Reading, to Update the City's Density Bonus and Inclusionary Housing Ordinance**

(Staff is recommending to adopt an ordinance to amend the zoning ordinance's inclusionary housing and density bonus regulations, currently located in BMC Ch. 17.31, to comply with current State law and implement the Housing Element. This item is exempt from CEQA pursuant to CEQA Guidelines §15061(b)(3) because it involves adoption of policies and programs that would not cause a significant effect on the environment.)

- N. Adopt a Resolution Establishing the 2025 Business License Tax for Liquid Storage Facilities as to Kinder Morgan/SFPP**

Councilmember Davis made a request to pull Item H for more discussion.

Councilmember O'Connell made a motion, seconded by Councilmember Kern, to adopt the Consent Calendar Items D-G and Items I-N. The motion was carried unanimously by all present.

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

Noes: None

Absent: None

Abstain: None

H. Adopt an Ordinance, Waiving Second Reading, Designating the Fire Hazard Severity Zone in the City

After Council questions with staff, Michele Salmon asked how the Fire Hazard Severity Zone designations were determined because looking at the map, the designations looked arbitrary to her.

The Council directed staff to draft a letter to the State Department of Forestry and Fire Protection expressing the City's disappointment that more opportunities for input were not afforded to the City and its desire for future opportunities to collaborate on Fire Severity Zone maps. Councilmembers directed staff to discuss the contents of the letter with Fire Chief Myers and will bring back a letter at a future Council Meeting for Council's review.

Councilmember O'Connell made a motion, seconded by Councilmember Mackin, to adopt the Consent Calendar Items H. The motion was carried unanimously by all present.

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

Noes: None

Absent: None

Abstain: None

PUBLIC HEARING

O. Receive Information on Compliance with Assembly Bill 2561/Government Code Section 3502.3 Regarding Vacancies, Recruitment and Retention Efforts

Human Resources Director Partin reported that new state legislation AB 2561 now requires staff to present an annual update on vacancy status and recruitment and retention efforts. The City has long prioritized filling vacancies as quickly as reasonably possible. Throughout calendar year 2024, the City maintained an average vacancy rate of 2.4% across all bargaining units. This rate is calculated monthly by dividing the number of vacant positions by the total number of authorized positions. Additional disclosures are required if the number of job vacancies within a single bargaining unit exceeds 20 percent of the total number of full-time positions. None of the City's bargaining unit vacancy percentages trigger this requirement.

After council questions, Mayor Lentz opened the public hearing. No members of the public wished to make public comment.

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

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

Noes: None

Absent: None

Abstain: None

The Council received the information and thanked Human Resources Director Partin for her report.

P. Consider Adoption of Resolution Amending the Master Fee Schedule per Section 3.32.040 of the BMC to Adopt New Inclusionary In-Lieu Fees and Other Administrative Fees to Implement the Ordinance

Principal Planner Ayres reported that the purpose of this item is to amend the City's Master Fee Schedule to adopt inclusionary in-lieu fees required by amendments to the City's inclusionary housing ordinance, and to adopt other administrative fees to ensure that the City's costs for implementing the updated inclusionary housing and density bonus regulations are recovered. In-lieu fees will be maintained in the City's Low and Moderate Income Housing Fund.

After Council questions, Mayor Lentz opened the public hearing. Michele Salmon asked whether in-lieu fees are mandated. She added that the City should not allow developers not to develop inclusionary housing.

After more council questions, Michele Salmon added that she's concerned that Bayland developers can just pay in-lieu fees and not build inclusionary housing.

After a clarifying question with legal counsel, Councilmember O'Connell made a motion, seconded by Councilmember Davis, to close the public hearing. The motion was carried unanimously by all present.

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

Noes: None

Absent: None

Abstain: None

After council discussion, Councilmember Davis made a motion, seconded by Councilmember Mackin, to adopt a resolution amending the Master Fee Schedule per Section 3.32.040 of the BMC to adopt new inclusionary in-lieu fees and other administrative fees to implement the Ordinance. The motion was carried unanimously by all present.

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

Noes: None

Absent: None

Abstain: None

NEW BUSINESS

Q. Receive an Update from the Economic Development Department- "Economic Vitality"

Economic Development Director Bull reported staff is recommending Council to approve a rebranding of the current Economic Development Department into the Economic Vitality Office (EVO). He added that the EVO

will continue to be the primary point of contact for businesses and entrepreneurs looking to do business in the city. Staff will continue to provide the necessary information and connections to city staff and resources throughout the county and state. Economic Development Director Bull ended his report with a new “Welcome to Brisbane” Video, a video recently produced by staff, intended to provide businesses with key information about why Brisbane is an ideal location to locate their activities.

After council questions, Chris Florkowski commented that the City should target sustainable businesses and look at public transportation improvements. Linda Salmon commented that the City should plant native plants and improve transportation to link us back to San Francisco.

Councilmembers received the update from staff and took a brief break.

R. City Attorney Recruitment Discussion

City Manager Dennis reported that the City Council created an ad hoc subcommittee to provide recommendations for recruiting a new City Attorney. The Subcommittee recommended that in-house support be utilized for the initial city attorney recruitment. Should the in-house process not result in the Council’s selection of a new City Attorney, the Subcommittee recommended reconsidering retaining a professional recruiter. The Subcommittee also recommended that consideration be given first to firms that are regionally located that can provide their services in person, when appropriate.

After no Council questions, Michele Salmon commented that the new city-attorney be well versed in California Environmental Law.

Staff were given directions to secure the Request for Proposal (RFP) from the previous 2012 City Attorney recruitment, draft the RFP with the assistance of the ad hoc subcommittee as needed and refine the RFP during a closed session meeting.

STAFF REPORTS

S. City Manager’s Report- City Updates and Upcoming Activities

City Manager Dennis announced the upcoming City activities and events over the course of the next two weeks.

MAYOR/COUNCIL MATTERS

T. Mayor Lentz’s Request to Have the Mayor, Mayor Pro Tem and Staff Meet with Mayor Lurie to Establish a Relationship with the Mayor’s Office to Support Common Goals Such as Sea Level Rise Resilience, Efficient Public Transportation, and Bringing Beneficial Amenities to the Region

Mayor Lentz is making a request to have the Mayor, Mayor Pro Tem and Staff meet with newly elected San Francisco Mayor Lurie to support common issues such as sea level rise resilience, public transportation and bringing amenities to the region.

After council questions and discussion, Councilmember O’Connell made a motion, seconded by Councilmember Davis, to extend the meeting until 10:00 PM. The motion was carried unanimously by all

present.

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

Noes: None

Absent: None

Abstain: None

Councilmembers deferred scheduling the requested meeting and tabled the discussion. Councilmembers would prefer future meeting requests to include a meeting agenda that the public can weigh in on.

Councilmember O'Connell provided a handout about the role, responsibilities and authority of the City Councilmembers to be considered by Council.

U. Countywide Assignments and Subcommittee Reports

i. Report Out on Subcommittee Meetings

ii. Upcoming Subcommittee Meetings

Councilmembers reported on their subcommittee and County Assignments.

Councilmember O'Connell reminded Council that she provided a handout about the role, responsibilities and authority of the City Councilmembers to be considered for a future topic of a Subcommittee meeting.

V. Written Communications

The following written correspondences were received by Council:

- Cunningham (04-10-2025) Silverspot
- Tsang (05-02-2025) Quarry
- Yawata (05-01-2025) Silverspot
- Casey (05-06-2025) Quarry
- Brown-Stevens (05-12-2025) Greenbelt Awards
- Daly City Resident (04-30-2025) Quarry
- Kureshi (05-15-2025) Quarry
- Solorio (05-25-2025) Quarry
- Daly City Resident (04-30-2025) Quarry

ORAL COMMUNICATIONS NO. 2

Linda Salmon commented that due to the shared environmental concerns, Brisbane has to talk with our neighbors and San Francisco's leaders. We should ask the public though about the agenda.

Michele Salmon commented that Measure JJ was not a landslide seven years ago and was a result of being bullied by San Francisco.

Chris Florkowski thanked Council for their thoughtful conversation around the proposed meeting with SF Mayor Lurie and she also appreciated the feedback given to Mayor Lentz.

ADJOURNMENT

Mayor Lentz adjourned the meeting at 10:05 P.M.

Ingrid Padilla
City Clerk