



BRISBANE CITY COUNCIL

ACTION MINUTES

CITY COUNCIL MEETING

THURSDAY, APRIL 6, 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, Community Development Director Swiecki, City Engineer Breault, Deputy Public Works Director Kinser, Police Commander Garcia, Communications Manager Cheung, Human Resources Administrator Partin, Assistant Engineer Santoyo-Velasquez, 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 updates were provided to Council, legal counsel was given direction and no action was taken at Closed Session regarding Item D.

ADOPTION OF AGENDA

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

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

Noes: None

Absent: None

Abstain: None

ORAL COMMUNICATIONS NO. 1

Michael Barnes spoke about the need to change the implementation guidelines of the Public Art Advisory Committee and to remove elected officials from the committee as a best practice.

CONSENT CALENDAR

- B. Approve Minutes of City Council Meeting of March 2, 2023**
- C. Approve Minutes of City Council Meeting of March 16, 2023**
- D. Approve Minutes of City Council Special Meeting of March 21, 2023**
- E. Accept Investment Report as of January 2023**
- F. Accept Investment Report as of February 2023**
- G. Approve Resolutions Establishing the Classification of Building Permit Technician and Amending the Master Pay Schedule**
- H. Approve the Settlement Agreement with BRE SH Brisbane Owner LLC (the operator of the Homewood Suites Hotel in Sierra Point)**
- I. Adopt Resolutions for Inclusion, Diversity, Equity and Accountability Committee and the Public Art Advisory Committee Appointments**
- J. Approve a Resolution in Support of SB 252 (Gonzalez) Fossil Fuel Divestment Act**
- K. Introduce an Ordinance, Waiving First Reading, Amending Various Sections of the Brisbane Municipal Code Concerning Building Efficiency Program**

(It is being recommended to introduce 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 Mackin asked staff to bring back Consent Calendar Item B for minor revisions.

Councilmember O'Connell made a motion, seconded by Councilmember Cunningham to adopt Consent Calendar Items C-K. The motion is carried unanimously by all present.

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

Noes: None

Absent: None

Abstain: None

AWARDS AND PRESENTATIONS

L. Administering the Oath of Office for Newly Appointed City Committee Members

City Clerk Padilla administered the oath of office for the newly appointed committee members, namely: Inclusion, Diversity, Equity and Accountability Committee: Miyoko Nida, Anna Dennis and Ashley Budelli
Public Art Advisory Committee: Camille Salmon, Diane Glazman and Danielle Kellstedt.

PUBLIC HEARING

M. Consider Adoption of a Resolution for Water and Sewer Rate Increase

(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.)

Carolina Yuen, Finance Director and Catherine Tseng, from Lechowicz and Tseng Municipal Consultants—the City's water and sewer rates study consultants, presented on the background of the policy and how the City arrived at the water and sewer service rate increases and setting the discount rate for the city's low-income rate assistance plan at 25% for all services. At the time of the hearing 12 protests letters were received by staff.

After council questions, Mayor Davis opened the public hearing noting that Council will consider continuing the public hearing to April 20 but will allow anyone who is here to speak on the item or to turn in written protests to do so.

Deb Horen commented that this type of fee extension should trigger a vote

Diana Sosa shared that it will be helpful to see monthly charge and expressed that community members are experiencing sticker shock.

Prem Lall commented that it is unacceptable that protests were not accepted via emails or faxes.

Michele Salmon commented that no one wants this increase but understands why we have to bite the bullet this time.

Deb Horen asked the Council to look at that flat charge and reconsider the increase.

Mayor Davis made a motion, seconded by Karen Cunningham, to continue the public hearing to April 20. The motion is carried unanimously by all present.

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

Noes: None

Absent: None

Abstain: None

Mayor Davis added that protests concerning the rate increase must be in writing and must be delivered in person or be sent by mail to the City of Brisbane City Clerk, 50 Park Place, Brisbane, CA 94005. All written protests must be received by the City before the close of the public hearing. No protests will be accepted if sent via email, text, fax or other electronic means.

NEW BUSINESS

N. Update on Proposed Residential Parking Permit Program for Central Brisbane

(The purpose of this item is to present Council with Complete Streets Safety Committee's (CSSC) residential parking permit program recommendation to address the complex parking scarcity issue in Central Brisbane. It is being recommended to adopt CSSC recommended parking permit program guidelines and/or provide direction to staff.)

Karen Kinser, Deputy Director of Public Works, and Tomas Santoyo, Assistant Engineer, reported on the Complete Streets Safety Committee's (CSSC) residential parking permit program recommendation in Central Brisbane. The discussion items included:

- The program will be in effect throughout Central Brisbane, including Visitacion Ave., excluding private roads and the backside of San Bruno Ave, for which no street parking exists.
- Each household (address) may apply for and receive up to two permits. Accessory dwelling units (ADUs) may be issued one additional permit.
- Guest parking should be included in a program, but CSSC did not decide upon a specific recommendation on the number to be allowed. Staff suggests 14 permits per year per household, and 7 per year for ADUs. Guest parking would be allowed whether the household obtains year-round parking permits or not.
- The permit program hours are recommended to be between 10PM-7AM, Sunday-Thursday. The program will also not be enforced on City recognized holidays.
- The program would include a reduced permit fee for qualifying low-income residents. The first year of the program is recommended to be free of charge.
- Implementation of a parking permit program should be subject to a public advisory vote.

After council questions, members of the public were invited to make public comment:

Clerk Padilla read Sherry Goodwin's correspondence stating that she is against the parking permit program.

Michele Salmon is not in favor of the parking permit program. We have not done a good job in enforcing parking for the 72 hour rule.

Deb Horen shared that enforcing the rules we do have does not work because sometimes you get harassed. There are many options.

Mike Chandlee objects to selective enforcement and noncodified exceptions.

Leslie Davis is opposed to this parking permit program one reason that it hurts multigenerational f

Diana Sosa commented that every other weekend she sees people using Brisbane for long term airport parking.

Michele Salmon asked how long it takes to run a license plate to cut down on airport parking.

Linda Dettmer commented via text that the first year is a way to find the glitches and considered a living roll out.

During council discussion, Leesa Greenlee commented that we need signage for and like the sticker approach. This hurts multigenerational families.

After further Council discussion, Mayor Davis made a motion, seconded by Councilmember O'Connell, to extend the meeting until 10:50 pm. The motion is carried unanimously by all present.

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

Noes: None

Absent: None

Abstain: None

Council directed staff to return to a future council meeting, after discussion with Complete Streets Safety Committee, and provide more information to the Council particularly about the public advisory vote.

STAFF REPORTS

O. City Manager's Report on Upcoming Activities

i. Update on Tree Maintenance Program

Due to the lateness of the hour, the City Manager report was moved to a future City Council meeting.

MAYOR/COUNCIL MATTERS

P. Countywide Assignments and Subcommittee Reports

-Public Art Advisory Committee	Monday, 3/20 4:30pm	Cunningham, Davis
-Infrastructure Subcommittee	Tuesday, 3/21 2:30pm	Lentz, Mackin

Councilmembers reported on their latest county assignment meeting and subcommittee activities.

Q. Written Communications

Council received the following written correspondence between 3/17/23-4/6/23:

- Prem Lall (4/5/23) False Citation of Proposition 218 by the City of Brisbane (correspondence for 4/6/2023 City Council Meeting)
- Beth Grossman and Storrs Hoen (4/5/23) Water Bill Increases on the Agenda this Week
- Prem Lall (3/29/23) Objection to holding a Public Hearing on Water and Sewer Rates on April 6, 2023
- Michele Salmon (3/29/23) Objection to holding a Public Hearing on Water and Sewer Rates on April 6, 2023
- Prem Lall (3/29/23) Response to Objection to holding a Public Hearing on Water and Sewer Rates on April 6, 2023
- Jeffrey Tong (3/29/23) HYPOCRISY of San Mateo County - Sustainable San Mateo County / Earth Year 2023
- Clara Johnson (3/29/23) Objection to holding a Public Hearing on Water and Sewer Rates on April 6, 2023
- Michael Barnes (3/20/23) On-line agendas
- Jeffrey Tong (3/18/23) Spring 2023 is here
- Clara Johnson (3/17/23) Correction to "Inaccurate description of posting of Baylands Specific Plan," draft

ORAL COMMUNICATIONS NO. 2

No members of the public wished to speak.

ADJOURNMENT

Mayor Davis adjourned the meeting at 11:51 P.M.

Ingrid Padilla, City Clerk