



BRISBANE CITY COUNCIL

ACTION MINUTES

BRISBANE CITY COUNCIL MEETING AGENDA

THURSDAY, NOVEMBER 18, 2021

VIRTUAL MEETING

CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Mayor Cunningham called the meeting to order at 7:44 P.M. and led the Pledge of Allegiance.

ROLL CALL

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

Councilmembers absent: None

Staff Present: City Manager Holstine, City Clerk Padilla, City Attorney McMorrow, Assistant City Manager Schillinger, Finance Director Yuen, Community Development Director Swiecki, City Engineer Breault, Administrative Management Analyst Ibarra, and Police Commander Garcia

REPORT OUT OF CLOSED SESSION

City Attorney McMorrow reported that council gave direction to staff on Closed Session Item D. No action was taken.

ADOPTION OF AGENDA

Councilmember O'Connell made a motion, seconded by Councilmember Davis to adopt the agenda as it stands. Motion passes unanimously by all present.

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

Noes: None

Absent: None

Abstain: None

ORAL COMMUNICATIONS NO. 1

Michele Salmon commented that concrete bollards on Tunnel Avenue present a real danger.

Mary Rogers requested the removal of the concrete bollards on Tunnel Avenue

Roland Lebrun commented on the need for closed captioning during the Planning Commission Meeting, and members of the public who make public comment should not be required to introduce themselves by their first and last names.

CONSENT CALENDAR

- A. Approve Minutes of City Council Meeting of October 7, 2021**
- B. Approve Minutes of City Council Closed Session Meeting of October 7, 2021**
- C. Approve Minutes of City Council Meeting of October 21, 2021**
- D. Approve Minutes of City Council Closed Session Meeting of October 21, 2021**
- E. Approve Minutes of City Council Workshop of October 24, 2021**
- F. Approve Minutes of City Council Meeting of November 4, 2021**
- G. Approve Resolution No. 2021-70, Authorizing the Adoption of the San Mateo County Multijurisdiction Local Hazard Mitigation Plan**
- H. Adopt Resolution No. 2021-71 to Continue Conducting City Council and Commission Meetings Remotely Due to Health and Safety Concerns for the Public**
- I. Adopt Resolution No. 2021-72 Declaring the Continued Existence of a Local Emergency in the City of Brisbane in Response to the COVID-19 Pandemic**
- J. Adopt Resolution No. 2021-73 to Approve the Second Amendment to and Restatement of the Joint Powers Agreement Establishing the Peninsula Traffic Congestion Relief Alliance**

Councilmember O'Connell made a motion, seconded by Councilmember Davis to approve Consent Calendar Items A-J. Motion passes unanimously by all present.

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

Noes: None

Absent: None

Abstain: None

OLD BUSINESS

- K. Consider Contract Renewal with Granicus (Host Compliance)- Short Term Rental Monitoring and Permitting**

Community Development Director Swiecki reported that the purpose of this item is for the City Council to

consider a one-year renewal of the City's current agreement with Granicus (Host Compliance) to provide short term rental (STR) monitoring and permitting services. The cost of renewing the service agreement through December 2022 will be \$11,247.00. The agreement cost for 2021 was \$10,511.

After some Council questions and no discussion, Councilmember Davis made a motion, seconded by Councilmember O'Connell to approve contract renewal with Granicus for short term rental monitoring and permitting. Motion passes unanimously by all present.

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

Noes: None

Absent: None

Abstain: None

L. Consider Introduction of Ordinance No. 668 Ordinance to Impose Higher Administrative Citation Fines for Violations of the City's Short Term Residential Rental Ordinance

Legal Counsel Roush reported that this Ordinance for consideration will impose higher administrative citation fines for violation of the City's Short Term Residential Rental Ordinance. The draft ordinance imposes fines of \$1500 for the first offense, \$3000 for the second offense, and \$5000 for the third and any subsequent offense. In considering whether to introduce/adopt this Ordinance, Council has the discretion to reduce these amount of fines for the various offenses. For example, Council could impose a \$500 fine for the first offense, a \$1500 fine for the second offense, but leave the \$5000 fine for the third and subsequent offenses. staff recommends that Council adopt higher fines for these violations. Facing the prospect of higher fines will undoubtedly motivate most property owners to comply with the STR ordinance.

It was noted for the record that written public comment was received from John Skeer and residents of the 200 block of Humboldt (namely: Nancy Lacsamana, Sharon Boggs, Leeanne Borghesi and Jodi Borghesi) regarding this item.

Mayor Cunningham wanted an emergency ordinance for the policy to be enacted before January 20, 2022.

After council questions, Michele Salmon commented it's time to play hard ball. New residents can be informed by a note in every water bill. Barbara Ebel commented that this is also a protection for the City's long-term tenants.

After some Council discussion, Councilmember O'Connell made a motion, seconded by Councilmember Davis, to adopt an Emergency Ordinance to Impose Higher Administrative Citation Fines for Violations of the City's Short Term Residential Rental Ordinance. Motion passes unanimously by all present.

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

Noes: None

Absent: None

Abstain: None

Councilmember O'Connell made a motion, seconded by Mayor Cunningham, to introduce an Ordinance to Impose Higher Administrative Citation Fines for Violations of the City's Short Term Residential Rental Ordinance. Motion passes unanimously by all present.

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

Noes: None

Absent: None

Abstain: None

NEW BUSINESS

M. Guadalupe Quarry Redevelopment Environmental Impact Report Consultant Selection

(It is being recommended that the City Council authorize the City Manager to execute a professional services agreement with Panorama Environmental, Inc. to prepare an EIR for the proposed redevelopment of the Guadalupe Quarry.)

Community Development Director Swiecki reported that is being recommended that the City Council authorize the City Manager to execute a professional services agreement with Panorama Environmental, Inc. to prepare an EIR for the proposed redevelopment of the Guadalupe Quarry. And that the cost of EIR preparation (not to exceed \$468,266.20, including an \$18,000 contingency fund) will be funded by the Applicant through a reimbursement agreement which was approved by the City Council and executed on June 8, 2021.

After some Council questions with staff and Angie Alexander of Panorama Environmental, Michele Salmon commented whether impacts on hydrology, light pollution, and sensitive habitat will be addressed.

Roland Lebrun made a comment on CPUC 5032 Subsection B and will continue comment during Oral Communication 2.

After some council discussion, Council Mackin made a motion, seconded by Councilmember Lentz to authorize the City Manager to execute a professional services agreement with Panorama Environmental, Inc. to prepare an EIR for the proposed redevelopment of the Guadalupe Quarry. Motion passes unanimously by all present.

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

Noes: None

Absent: None

Abstain: None

N. Consider Adoption of Resolution No. 2021-74 Accepting the Donation of 650 Harold Drive APN 007-570-220 Located within the Brisbane Acres

Assistant City Manager Schillinger reported that a property owner reached out to the City to donate his parcel to the City at the anticipated appraised value of \$70,000. After no council questions and discussion, Councilmember Davis made a motion, seconded by Councilmember O'Connell to adopt Resolution No. 2021-74 approving a donation agreement for real property, accepting the real property as a donation to the City, authorizing the mayor and or city manager to sign all documents necessary to transfer the property to the City and accept the property as a donation, and authorizing the City Clerk to record a deed with the county recorder to transfer the property. Motion passes unanimously by all present.

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

Noes: None

Absent: None

Abstain: None

STAFF REPORTS

O. City Manager's Report on upcoming activities

City Manager Holstine updated the Council on the latest City news and events.

i. Appointment of Council members to an ad-hoc committee to review Community Garden Rules

After Council discussion and questions, Councilmember Mackin made a motion, seconded by Councilmember O'Connell to create an ad-hoc committee to review Community Garden Rules and appoint Mayor Cunningham and Councilmember Davis to the ad hoc committee. Motion passes unanimously by all present.

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

Noes: None

Absent: None

Abstain: None

MAYOR/COUNCIL MATTERS

O. Countywide Assignments and Subcommittee Reports

The members of the Council reported on their activities with their Countywide assignments and subcommittees.

Q. City Council Meeting Schedule

The next City Council is a Special meeting is scheduled for December 9, 2021.

The City Council Meetings of December 2, December 16th, and January 6th have been cancelled.

R. Written Communications

The Council received the following correspondence between November 4, 2021 through November 18, 2021:

- Barbara Ebel (11/5/21) Business Grants
- Karen Lentz (11/6/21) New Committee
- Jason Nunan (11/6/21) Thank you for Brisbane 101
- C. John Skeer (11/18/21) Brisbane City Council Meeting, November 18, 2021
- Nancy Lacsamana, Sharon Boggs, Leeanne Borghesi, Jodi Borghesi, Residents 200 block of Humboldt (11/18/21) City Council Meeting 11.18 Ordinance #668

ORAL COMMUNICATIONS NO. 2

Roland Lebrun commended Caroline Cheung's work as Communication Manager. He also provided comment on High Speed Rail Authority and Link21.

Michele Salmon thanked the Council for being the most cohesive council around environmental policy

ADJOURNMENT

The meeting was adjourned at 9:41 p.m.