



CITY of BRISBANE

Open Space and Ecology Committee Meeting Minutes

Wednesday, January 25, 2023 at 6:30 P.M. • Hybrid Meeting

MEETING SETUP AND INTRODUCTION

CALL TO ORDER – 6:32 PM

ROLL CALL

Committee members present: Becker, Calmes, Ebel, Fieldman, Rogers, Salmon

Staff members present: Deputy Director of Public Works, Kinser; Sustainability Manager, Etherton; Sustainability Assistant, Regan; City Clerk, Padilla

ADOPTION OF THE AGENDA

Etherton proposed a change to the order of the agenda items to move up Padilla's presentation.

Salmon moved to adopt the agenda with the proposed change and Fieldman seconded; the motion was adopted by roll call vote with Becker abstaining.

ANNOUNCEMENTS – Salmon announced San Bruno Mountain Watch event: Winter Plant Sale at Mission Blue Nursery scheduled for Saturday January 28, 2023 from 10am-3pm.

ORAL COMMUNICATIONS – None.

APPROVAL OF THE MINUTES – Becker moved to approve the minutes and Salmon seconded. Adopted unanimously by roll call vote.

NEW BUSINESS

D. Review of New Brown Act Provisions

City Clerk Padilla walked the committee through upcoming changes to meeting format under SB 2449, including the table and frequently asked questions (FAQ) document attached below, and responded to questions. Committee members are generally concerned that in-person meeting requirements will discourage participation and cause business items to take longer. Padilla offered to pass along opportunities for advocacy.

C. Dark Skies Certification Discussion

Etherton introduced staff perspective on why pursuing dark skies certification would be overly onerous and explained why staff is recommending foregoing certification and focusing on an effective localized ordinance. Etherton noted that the OSEC City Council liaisons will be attending the February meeting.

Dark Skies subcommittee members (Ebel, Becker, Salmon) added their feedback, and the committee reached a general consensus that certification is not the goal, but instead a strong locally-appropriate ordinance that gets as close to “certifiable” as possible while still being achievable for staff to implement. The group still wished to discuss with the City Council liaisons at the next meeting.

OLD BUSINESS

B. 2023 OSEC Work Plan

Etherton introduced the draft work plan which had been revised per previous discussion to categorize items as: priority projects, routine/ongoing efforts, or long-term policy issues (to be addressed if/when they arise).

Committee members asked about providing input on the development proposal for the Quarry. Since OSEC input on development is only when specifically requested by Council, we will add this under a new category for requested items.

The committee will discuss with City Council liaisons at the February meeting before it is presented to the full council for approval.

STAFF UPDATES

Etherton:

- Weed Management Area: Didn't get funding for a 'burn box' but State Parks recently acquired one that may be loanable. Staff from City of South San Francisco will take a turn as the urban representative on the Steering Committee (a role Bob Sage had previously filled). The group approved the WMA's 2023-27 Strategic Plan after an interesting presentation from the Resource Conservation District's biologist, Cleo Tудay. Since she is also working on our frog habitat project, we may be able to get a presentation later.
- EV charging: 10 L2 chargers being installed, 7 for the public and 3 for Brisbane PD fleet, at City Hall, with 10 additional public chargers each at Mission Blue Center and Bayshore Park & Ride coming later. Brisbane Village L3 charger is out of service until a replacement can be found; the first generation ChargePoint model is reaching end-of-life in March 2023. Staff is looking for grants and other options to replace it.
- Heat pump water heaters: program for public facilities is continuing and did a couple site visits. Looks like Mission Blue Center may receive a replacement soon; likely at no cost to the City.

Regan:

- Brisbane Building Efficiency Program is preparing for audit requirements for commercial buildings (about 30 out of 100 total buildings on the roster). Starting this year, in addition to annual energy & water reporting requirements, commercial buildings must

show that they are high-performing or conduct an audit and take steps to improve the building.

SUBCOMMITTEE REPORTS AND REORGANIZATION

- Climate Action Plan (Becker, Ebel, Fieldman) – disband until we can work on a Climate Action Plan update. Add an ad hoc subcommittee to work on reach codes.
- *Crocker Trail Frog Habitat (Rogers, Salmon, Calmes) – Nunan will replace Salmon
- *Sierra Point Park Planning (Ebel) – at the last meeting, consultant CMG presented three different plans. Ebel & Kinser report that there was conversation about layered usages, costs, impact from sea level rise. Plans will be open for public engagement on Jan 31, see city calendar for event information.
- *Lipman Science Fair Judging (Ebel, **Rogers**) – Judges night is Feb 13 from 7-8pm, event is Feb 16 from 6-8pm

CALENDAR ITEMS – Planting day on Feb 4th in Northeast Ridge. Day in the Park is October 7th.

CHAIR AND COMMITTEE MEMBER MATTERS – Becker expressed thanks to city staff for work during recent storms.

NEXT MEETING: February 22

ADJOURNMENT – 8:46 PM

Supplemental Information: SB 2449

Ways Members of the Legislative Body Can Participate after 2/28/23

Our current understanding of the guidelines based on SB 2449

	Notes for Members	Notes for Staff
In Person	Meetings held in person at Brisbane City Hall 50 Park Place, Brisbane	If a meeting of a legislative body of a local agency lacks a quorum, it does not constitute a meeting under the Brown Act. Cal. Gov't Code § 54952.2.
No Show	Check bylaws about attendance	Check bylaws about attendance
Virtual <u>using Just Cause Clause</u>	<p>child care or caregiving of a child, parent, grandchild, grandparent, sibling, spouse or domestic partner; a contagious illness; a need related to physical or mental disability; or travel on business of the local agency</p> <p>The member must <u>notify</u> the legislative body at the earliest opportunity and provide a general description of the circumstances above</p> <p>Email Notice- chair, clerk or staff lead provide a general description of the circumstances <u>above</u></p> <p>Limited 2 per year (per legislative body)</p>	<p>There has to be an in-person <u>quorum</u></p> <p>Email Notice- chair, clerk or staff lead provide a general description of the circumstances above</p>
Virtual <u>using Emergency Clause</u>	<p>No limit there has to be a true emergency such as a physical or family medical emergency that prevents a member from attending a meeting in <u>person</u></p> <p>Email request- chair, clerk or staff lead provide a general description of the circumstances <u>above</u></p>	<p>There has to be an in-person <u>quorum</u></p> <p>In the agenda have a standing item under Consent Calendar for <u>Emergency Clause</u></p>

	Legislative body must consider the request at the earliest possible time and must approve the request if the member is to be allowed to participate <u>remotely</u>	
Teleconferencing (<u>Only Audio (in Zoom only audio); can't turn on video</u>)	The Brown Act allows teleconference meetings if they comply with the following specifications: The teleconference location is accessible to the <u>public</u> and it is noted in the agendas; The meeting is useful to the public and the legislative body; Post meeting notice on the door	There has to be an in-person <u>quorum</u> Post location in the agenda

FAQs

1. Are these the same procedures for attending Subcommittee meetings?

The requirements of the Brown Act apply to “legislative bodies” of **local governmental agencies**. The term “legislative body” is defined to include the governing body of a local agency (e.g., the city council) and any commission, committee, board or other body of the local agency, whether permanent or temporary, decision-making or advisory, that is created by formal action of a legislative body (Section 54952). This includes subcommittee meetings but not ad hoc subcommittees.

2. What happens if there are technical difficulties during the meeting?

As long as interactive audio is maintained (i.e., even when the live stream and/or cable channel is down)— the meeting can continue and legislative can vote on an item.

If there is no longer interactive audio (i.e., Zoom is no longer working), legislative bodies can not vote on an item, however, the members of the legislative body can continue discussing and asking questions.

If technology come back on, legislative body can have more public comment on that item and then vote on the item.