



CITY of BRISBANE

City Council Meeting Agenda

Thursday, April 7, 2022 at 7:30 PM • Virtual Meeting

This meeting is compliant with the Ralph M. Brown act as amended by California Assembly Bill No. 361 effective September 16, 2021 providing for a public health emergency exception to the standard teleconference rules required by the Brown Act. The purpose of this is to provide a safe environment for the public, staff and Councilmembers, while allowing for public participation. The public may address the Council using exclusively remote public comment options. The Council may take action on any item listed in the agenda.

PUBLIC MEETING VIDEOS

Members of the public may view the City Council Meeting by logging into the Zoom Webinar listed below. City Council Meetings can also be viewed live and/or on-demand via the City's YouTube Channel, www.youtube.com/brisbaneca, or on Comcast Channel 27. Archived videos can be replayed on the City's website, <http://brisbaneca.org/meetings>.

TO ADDRESS THE COUNCIL

The City Council Meeting will be an exclusively virtual meeting. The agenda materials may be viewed online at www.brisbaneca.org at least 24 hours prior to a Special Meeting, and at least 72 hours prior to a Regular Meeting.

Remote Public Comments:

Meeting participants are encouraged to submit public comments in writing in advance of the meeting. Aside from commenting while in the Zoom webinar the following email and text line will be also monitored during the meeting and public comments received will be noted for the record during Oral Communications 1 and 2 or during an Item.

Email: ipadilla@brisbaneca.org

Text: 628-219-2922

Join Zoom Webinar: zoom.us (please use the latest version: zoom.us/download)
brisbaneca.org/cc-zoom

Webinar ID: 991 9362 8666

Passcode: 123456

Call In Number: 1 (669) 900 9128

SPECIAL ASSISTANCE

If you need special assistance to participate in this meeting, please contact the City Clerk at (415) 508-2113. Notification in advance of the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

WRITINGS THAT ARE RECEIVED AFTER THE AGENDA HAS BEEN POSTED

Any writings that are received after the agenda has been posted but before 2 p.m. of the day of the meeting will be available for public inspection at the front lobby in City Hall and on the internet (www.brisbaneca.org/meetings). Any writings that are received after the agenda has been posted but after 2 p.m. of the day of the meeting will be available on the internet at the start of the meeting (www.brisbaneca.org/meetings), at which time the materials will be distributed to the Council.

1. 7:30 P.M. CALL TO ORDER – PLEDGE OF ALLEGIANCE

2. ROLL CALL

3. ADOPTION OF AGENDA

4. AWARDS AND PRESENTATIONS

A. Proclaiming April as National Poetry Month

5. ORAL COMMUNICATIONS NO. 1

6. CONSENT CALENDAR

B. Approve Minutes of City Council Meeting of January 20, 2022

C. Approve Minutes of City Council Meeting of February 3, 2022

D. Approve Minutes of City Council Closed Session Meeting of February 17, 2022

E. Approve Minutes of City Council Meeting of February 17, 2022

F. Accept Investment Report as of February 2022

G. 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

H. Authorize publication of the Notice Inviting Bids for Sierra Point Parkway Cape Seal Project No. 922D

(The purpose of this project is to provide preventative maintenance and repair along Sierra Point Parkway. The engineer's estimate for this project including contingency is \$240,144.)

7. NEW BUSINESS

I. City Manager Salary Adjustment and Contract Modification

(The Council will consider Adoption of Resolution Approving the Third Amendment to the City Manager's Employment Agreement)

J. Consider Adoption of Resolution to Amend the Master Pay Schedule

(The purpose of this new resolution is to update the master pay schedule to reflect the City Manager's new hourly rate)

K. Plan to Improve Parking Issues in Central Brisbane

(The purpose of this item is to receive Council feedback on a proposed plan to improve street parking availability in Central Brisbane)

9. STAFF REPORTS

L. City Manager's Report on upcoming activities

10. MAYOR/COUNCIL MATTERS

M. Countywide Assignments and Subcommittee Reports

N. Written Communications

11. ORAL COMMUNICATIONS NO. 2

12. ADJOURNMENT

B.

File Attachments for Item:

B. Approve Minutes of City Council Meeting of January 20, 2022



BRISBANE CITY COUNCIL

ACTION MINUTES

JOINT CITY COUNCIL AND BRISBANE-GUADALUPE VALLEY

MUNICIPAL IMPROVEMENT DISTRICT FINANCING AUTHORITY

MEETING

THURSDAY, JANUARY 20, 2022

VIRTUAL MEETING

CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Mayor Mackin called the meeting to order at 7:38 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, Contract Senior Planner Beggs, City Engineer Breault, Deputy Director of Public Works Kinser, Economic Development Director Bull, Administrative Management Analyst Ibarra, Parks and Recreation Director Leek, Fire Chief Myers, Deputy Fire Chief Pomicpic, Deputy Fire Chief Kavanaugh and Police Chief Macias

ADOPTION OF AGENDA

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

Consent Calendar Item I will be pulled for discussion.

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

Noes: None

Absent: None

Abstain: None

AWARDS AND PRESENTATIONS

- A. Proclaiming January 2022 as Human Trafficking Prevention Month in the City of Brisbane

Mayor Mackin proclaimed January 2022 as Human Trafficking Prevention Month. Attorney Ruth Robinson accepted the Proclamation on behalf of the San Mateo County Human Trafficking Initiative.

- B. Brisbane Library Annual Presentation

Tomika J Price, Brisbane Library Manager, presented the Brisbane Library Annual Report. Councilmembers thanked for the outstanding work and activities in the new Brisbane Library.

ORAL COMMUNICATIONS NO. 1

Anja Miller asked via email why the Covid-Testing Vehicle was not in the park today.
Barbara Ebel asked to move Old Business Item M earlier in the agenda for discussion.

CONSENT CALENDAR

- C. Approve Minutes of City Council Meeting of November 18, 2021
- D. Approve Minutes of City Council Meeting of December 9, 2021
- E. Approve Minutes of City Council Closed Session Meeting of December 9, 2021
- F. Accept Investment Report as of November 2021
- G. Adopt Resolutions to Establish the Classification of Assistant Fire Marshal and Amend the Master Pay Schedule
- H. Adopt Ordinance No. 670, waiving second reading, to Amend Section 1.16.060 of the Brisbane Municipal Code Concerning the Amount of Administrative Fines for Violations Of The City's Short Term Residential Rental Ordinance
- J. Adopt a Resolution Ratifying the Proclamation Declaring the Continued Existence of a Local Emergency in the City of Brisbane in Response to the COVID-19 Pandemic and Confirming and Declaring the Continued Existence of a Local Emergency in the City of Brisbane in Response to the COVID-19 Pandemic
- K. Adopt a Resolution Ratifying Proclamation of the Director of Emergency Services to Continue Conducting City Council, Commission and Committee Meetings Remotely Due to Health and Safety Concerns for the Public, and Declaring the Continued Need to Conduct Such Meetings Remotely Due to Health and Safety Concerns for the Public

CM Cunningham made a motion, seconded by CM O'Connell to approve Consent Calendar Items C-H and J-K. The motion passed unanimously by all present.

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

Noes: None

Absent: None

Abstain: None

I. Adopt a Resolution Setting the Dates of Regular Meetings of the Brisbane/Guadalupe Valley Municipal Improvement District Financing Authority

Assistant City Manager Schillinger asked to amend the Resolution to set the meeting date of the Brisbane/Guadalupe Valley Municipal Improvement District Financing Authority from February 3, 2022 to March 3, 2022.

CM Cunningham made a motion, seconded by CM O'Connell to approve Consent Calendar Item I. The motion passed unanimously by all present.

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

Noes: None

Absent: None

Abstain: None

PUBLIC HEARING

L. Consider Introduction of an Ordinance to amend Brisbane Municipal Code Title 17 (Zoning Ordinance) to achieve consistency with housing-related state legislation passed in 2017 and after.

(Proposed amendments include: establishing objective design and development standards for housing development projects; allowing multiple family dwellings in the SCRO-1 District by right; allowing multiple family dwellings as part of a mixed use in the NCRO-2 Zoning District by right; establishing residential density requirements for the NCRO-2 Zoning District; reducing guest parking requirements; and establishing procedures and requirements for an administrative Housing Development Permit for qualifying housing development projects.)

Community Development Director Swiecki introduced Aaron Aknin, Principal of Good City Company and Contract Senior Planner Beggs to present the objective design and development standards for housing development projects and the draft Ordinance to amend Brisbane Municipal Code Title 17 (Zoning Ordinance) to achieve consistency with housing-related state legislation passed in 2017 and after. According to Principal Aknin and Contract Senior Planner Beggs, the draft ordinance would:

- establish objective design and development standards for housing development projects;
- establish procedures and requirements for an administrative Housing Development Permit for qualifying housing development projects.

- allow multiple family dwellings in the SCRO-1 District by right; allow multiple family dwellings as part of a mixed use in the NCRO-2 Zoning District by right;
- and establish residential density requirements for the NCRO-2 Zoning District.

After some Council questions, Mayor Mackin opened the public hearing.

Barbara Ebel, commented that the City could choose to make Visitacion Avenue a historic district.

CM Cunningham made a motion, seconded by CM Lentz to approve close the public hearing. The motion passed unanimously by all present.

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

Noes: None

Absent: None

Abstain: None

After some Council discussion about the timeline of the decision making process, CM O'Connell made a motion, seconded by CM Cunningham to postpone the introduction of the Ordinance and hold a land use discussion a couple of months down the line. The motion passed unanimously by all present.

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

Noes: None

Absent: None

OLD BUSINESS

M. Covid-19 Small Business Grant Program

(It is being recommended to approve the Economic Development Subcommittee recommendation to decrease the 2020 compared to 2019 loss to 15% from 20% in existing program and to allocate funds to businesses that began in 2020 which have a physical location in Brisbane with a signed lease and business license. The fiscal impact to the General Fund will depend on if the City Council will allocate more than the original \$200,000.)

Assistant City Manager Schillinger reported that on December 2, 2021 the Economic Development Subcommittee discussed the criteria for the remaining \$38,000 and the desire of the City Council to assist businesses with a lower loss than 25% in 2020 and new start-ups in 2020.

He added, the Subcommittee recommends opening up the Small Business Grant Assistance program to businesses with gross revenues of \$5,000,000 or less that can show a loss of revenues greater than 15% between 2019 and 2020. The Subcommittee further recommends that the Small Business Grant Assistance program be opened up to businesses that began operations during 2020.

After Council questions, Barbara Ebel wanted the grant program to consider businesses who opened in 2020 for the grant program.

After Council discussion, CM O'Connell made a motion, seconded by CM Lentz to equally distribute the

\$38,000 in grant funds among qualified applications with the criteria of a lower loss than 25% in 2020 and new start-ups in 2020. The motion passed unanimously by all present with Councilmember Davis recusing herself.

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

Noes: None

Absent: None

Abstain: None

Recusal: Councilmember Davis

NEW BUSINESS

N. Capital Improvement Plan Amendment

(The fiscal impact of the priority projects at this time total \$971,046, for which \$550,200 is being requested from the General Fund.)

Council reviewed the list and no action was taken. Staff will return next year for review. City Engineer Breault reported that there were no safety hazard issues on all these items. No members of the public wished to make public comment on this item.

O. Consider Adoption of a Resolution Authorizing (A) the Transfer of \$2,035,060 from the City's Facility Fund to the City's Capital Fund, (B) the Use of the Capital Improvement Portion of the City's Business License Tax Revenues (1) to Reimburse the City's General Fund for the Loss of Property Tax Revenues that the City Would Otherwise Receive from the County of San Mateo that the County Withholds to Pay Off a Loan the City Obtained to Help Construct the New Library , and (2) to Reimburse the City's General Fund for the Funds It Advanced to the Capital Fund to Pay for the Public Library

Assistant City Manager reported that it is being recommended to approve the resolution which allows for the Capital Improvement Portion of the Business License Tax to reimburse the City's General Fund for the repayment of the \$1,700,000 County Loan and \$4,606,601 advance made for the completion of the new Public Library. Additionally, the Resolution approves the use of \$2,035,060 in the Facility Fund for the Library project.

After some clarifying questions with staff, and after no comments were made by members of the public, CM O'Connell made a motion, seconded by CM Davis, to adopt a Resolution Authorizing (A) the Transfer of \$2,035,060 from the City's Facility Fund to the City's Capital Fund, (B) the Use of the Capital Improvement Portion of the City's Business License Tax Revenues (1) to Reimburse the City's General Fund for the Loss of Property Tax Revenues that the City Would Otherwise Receive from the County of San Mateo that the County Withholds to Pay Off a Loan the City Obtained to Help Construct the New Library , and (2) to Reimburse the City's General Fund for the Funds It Advanced to the Capital Fund to Pay for the Public Library. The motion passed unanimously by all present.

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

Noes: None

Absent: None

P. Community Park Festival Tree Replacement

(The fiscal impact will depend upon the number of trees and locations planted, costs could range from \$2,000 for two trees up to \$20,000 for four trees because of modifications needed to park infrastructure)

After a report from Deputy Director of Public Works Kinser regarding the replacement of the community park festival tree and some Council question and discussion, CM Davis made a motion, seconded by CM O'Connell to replace the festival tree with one holiday tree, and directed staff to work with a new arborist on the proper species and placement of the tree. The motion passed unanimously by all present.

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

Noes: None

Absent: None

9. STAFF REPORTS

Q. City Manager's Report on upcoming activities

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

10. MAYOR/COUNCIL MATTERS

R. Consider Donation to Fire in the Ring Boxing Inc. a Non-profit Youth Boxing Program

After some council questions, Dan Carter sent a text and made public comment asking the Council to consider donating to Fire in the Ring Boxing Inc.

CM Cunningham made a motion, seconded by CM Davis, to extend the meeting after 10:30 p.m. for an additional 15 minutes. The motion passed unanimously by all present.

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

Noes: None

Absent: None

Mayor Mackin made a motion, seconded by CM Davis, to authorize the City Manager to determine the Fire in the Ring Boxing Inc. donation based on previous donations made by the City.

S. Update on Commission and Committee Recruitment

City Clerk Padilla provided an update on the Commission and Committee Recruitment and will schedule two interview dates. She added she received one late application from current Committee Member Ross Dykes. CM Davis made a motion, seconded by CM Cunningham to accept Committee Member Ross Dykes' application and schedule interviews for the applicants.

Ayes: Councilmembers Cunningham, Davis, Lentz, O'Connell and Mayor Mackin
Noes: None
Absent: None

T. Countywide Assignments and Subcommittee Reports

Councilmembers reported on out on their activities in Subcommittees and Countywide assignments.

U. City Council Meeting Schedule

The next City Council Meeting is scheduled for February 3, 2022.

V. Written Communications

The following written communication were received by the Council:

- Meena Motwani (12/16/21) Scholarship for Black Students
- Howard Wong (1/10/22) Happy Transit 2022

ORAL COMMUNICATIONS NO. 2

No member of the public wished to make public comment.

ADJOURNMENT

Mayor Mackin adjourned the meeting at 10:54 p.m.

Ingrid Padilla, City Clerk

C.

File Attachments for Item:

C. Approve Minutes of City Council Meeting of February 3, 2022



BRISBANE CITY COUNCIL**ACTION MINUTES**

CITY COUNCIL MEETING**THURSDAY, FEBRUARY 3, 2022***VIRTUAL MEETING***CALL TO ORDER AND PLEDGE OF ALLEGIANCE**

Mayor Mackin called the meeting to order at 8:34 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, City Engineer Breault, Deputy Director of Public Works Kinser, Sustainability Manager Etherton, Communications Manager Cheung, Communications & Digital Media Coordinator Ordon, Deputy City Clerk Ibarra, and Police Chief Macias

ADOPTION OF AGENDA

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

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

Noes: None

Absent: None

Abstain: None

ORAL COMMUNICATIONS NO. 1

No member of the public wished to speak.

CONSENT CALENDAR

- A. Approve Minutes of City Council Workshop of January 20, 2022**
- B. Accept Investment Report as of December 2021**
- C. Adopt Resolution for Funding from the Forest Health Grant Program as Provided Through California Climate Investments**
- D. Acknowledge that North County Fire Authority Has Completed Required Annual Mandated Fire and Life Safety Inspections within the City of Brisbane**

Staff wanted to pull Consent Calendar Item E to amend the resolution.

CM O'Connell made a motion, seconded by Davis to approve Consent Calendar Item A-D. The motion passed unanimously by all present.

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

Noes: None

Absent: None

Abstain: None

- E. Adopt a Resolution Formally Creating the Inclusion, Diversity, Equity and Accountability (IDEA) Committee**

Assistant Manager Schillinger reported that after meeting with the subcommittee, it is being recommended to change the membership to a 5-7 member committee and changing the length of terms to a one or two year initial term with an option for a 2 year reappointment after the initial term.

After council questions and discussion, CM Cunningham made a motion, seconded by Lentz to approve Consent Calendar Item E. The motion passed unanimously by all present.

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

Noes: None

Absent: None

Abstain: None

NEW BUSINESS

- F. Receive Open Space and Ecology Committee 2022 Workplan and Report of 2021 Accomplishments**

Sustainability Manager Etherton presented Open Space and Ecology Committee 2022 Workplan and Report of 2021 Accomplishments.

Committee Members Michele Salmon, Glenn Fieldman and Barbara Ebel thanked Council and staff for their

After council discussion, Council thanked the committee members for their dedication and work.

G. Receive Complete Streets Safety Committee 2022 Workplan and Report of 2021 Accomplishments

Deputy Director of Public Works Kinser presented Complete Streets Safety Committee 2022 Workplan and Report of 2021 Accomplishments.

Committee Members Linda Dettmer and Alex Lau thanked Council and staff for their support.

After clarifying questions and council discussion about their priorities, Linda Dettmer commented on the importance of safety around the mobile home park and Michele Salmon commented she was concerned about the dangerous concrete blocks and speeding on Bayshore Boulevard.

Council thanked the committee members for their dedication and work.

H. Communications Program Update

Communications Manager Cheung introduced newly hired staff member Communications & Digital Media Coordinator Ordon and provided an update on the City's communications program.

Council directed staff to continue using the City letterhead and improving the City's branding.

STAFF REPORTS

I. City Manager's Report on upcoming activities

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

MAYOR/COUNCIL MATTERS

J. Countywide Assignments and Subcommittee Reports

Council members reported on their County assignments and Subcommittee activities.

K. City Council Meeting Schedule

The next City Council Meeting is scheduled for February 17, 2022.

K. Written Communications

The following written correspondence was received by the Council:

- Dennis Busse (2/2/22) Complete Streets Safety Committee
- William Lok (2/2/22) Council Commission and Committee seats

ORAL COMMUNICATIONS NO. 2

No member of the public wished to make public comment.

ADJOURNMENT

Mayor Mackin adjourned the meeting at 10:31 p.m.

Ingrid Padilla, City Clerk

D.

File Attachments for Item:

D. Approve Minutes of City Council Closed Session Meeting of February 17, 2022



BRISBANE CITY COUNCIL

ACTION MINUTES

BRISBANE CITY COUNCIL CLOSED SESSION MEETING

THURSDAY, FEBRUARY 17, 2021

VIRTUAL MEETING

1. 6:30 P.M. CLOSED SESSION

A. Approval of the Closed Session Agenda

Can I get a first and a second approve the agenda as it stands?

B. Public Comment. Members of the public may address the Councilmembers on any item on the closed session agenda

Is there a member of the public wishing to make public comment?

C. Adjournment into Closed Session

D. Employee Performance Evaluation under Government Code, Section 54957 (b)(1)

Title: City Manager

2. ADJOURNMENT

Mayor Mackin called the meeting to order at 6:37 p.m.

No members of the public were in attendance virtually and no public comment was received.

Mayor Mackin adjourned the meeting into closed session.

REPORT OUT CLOSED SESSION

City Attorney McMorow reported that direction was given to staff to create an ad hoc committee will be formed to follow up on City Manager contract but no action was taken at Closed Session.

ADJOURNMENT

The meeting was adjourned at 7:26 p.m.

Ingrid Padilla, City Clerk

E.

File Attachments for Item:

E. Approve Minutes of City Council Meeting of February 17, 2022



BRISBANE CITY COUNCIL

ACTION MINUTES

CITY COUNCIL MEETING

THURSDAY, FEBRUARY 17, 2022

VIRTUAL MEETING

CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Mayor Mackin called the meeting to order at 7:39 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, Parks and Recreation Director Leek, Recreation Coordinator Franco, Economic Development Director Bull, Communications Manager Cheung, Deputy City Clerk Ibarra, Police Chief Macias and Police Commander Garcia

ADOPTION OF AGENDA

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

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

Noes: None

Absent: None

Abstain: None

AWARDS AND PRESENTATIONS

A. Proclamation Declaring February as Black History Month

Mayor Mackin proclaimed that the Brisbane City Council takes pleasure in celebrating the accomplishments of African Americans and proclaimed February 2022 as Black History Month.

Brisbane Library Branch Manager Tomika Price accepted the proclamation in honor of Black History Month and recognized that there are many African Americans working through out Brisbane to strengthen the community.

REPORT OUT OF CLOSED SESSION

City Attorney McMorrow reported that direction was given to staff to create an ad hoc committee will be formed to follow up on City Manager contract but no action was taken at Closed Session.

ORAL COMMUNICATIONS NO. 1

No member of the public wished to make public comment.

CONSENT CALENDAR

- B. Approve Minutes of City Council Special Meeting of February 3, 2022
- C. Approve Minutes of City Council Special Meeting of February 10, 2022
- D. Adopt a Resolution Declaring the Continued Need to Conduct City Council, Commission and Committee Meetings Remotely Due to Health and Safety Concerns for the Public
- E. Request to seek Donations/Sponsorships for the 2022 Summer Concerts in the Park series
- F. Adopt Resolutions to Appoint Members of the Parks and Recreation Commission, Planning Commission, Complete Streets Safety Committee, Open Space and Ecology Committee, and the Inclusion, Diversity, Equity, and Accountability Committee
- G. Adopt Resolution to appoint Wendy Frisk as the Garden Steward through January 2026

CM Davis made a motion, seconded by CM O'Connell to approve Consent Calendar Items B-G. The motion was passed unanimously by all present.

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

Noes: None

Absent: None

Abstain: None

AWARDS AND PRESENTATIONS CONTINUED

H. Administer Oath of Office to Newly Appointed Commissioners and Committee Members

- Alex Lau, Planning Commission for a term through January 2026
- Sandip Patel, Planning Commission for a term through January 2026
- Linda Dettmer, Complete Streets Safety Committee for a term through January 2026
- Dariusz Wodziak, Complete Streets Safety Committee for a term through January 2026
- Erin Becker, Open Space and Ecology Committee for a term through January 2026

- Shanna Calmes, Open Space and Ecology Committee for a term through January 2026
- Glenn Fieldman, Open Space and Ecology Committee for a term through January 2026
- Mary Rogers, Open Space and Ecology Committee for a term through January 2026
- Michele Salmon, Open Space and Ecology Committee for a term through January 2026
- Renee Commerford, Parks and Recreation Commission for a term through January 2026
- Trudi Davis, Parks and Recreation Commission for a term through January 2026
- Natalie Ocampo, Parks and Recreation Commission for a term through January 2026
- Tom Seawell, Parks and Recreation Commission for a term through January 2025
- William Lok, Inclusion, Diversity, Equity and Accountability Committee for an initial term through January 2024
- Alexandra Horton, Inclusion, Diversity, Equity and Accountability Committee for an initial term through January 2024
- Mangesh Kohlatkar, Inclusion, Diversity, Equity and Accountability Committee for an initial term through January 2024
- Dianne Oseto, Inclusion, Diversity, Equity and Accountability Committee for an initial term through January 2024

City Clerk Padilla administered the Oath of Office to all appointees except for Erin Becker who was unable to attend the meeting and will be sworn in for a four year term for the Open Space and Ecology Committee on February 18, 2022.

NEW BUSINESS

I. Receive Developer (Universal Paragon Corporation) Presentation- Proposed Hotel/Life Science Project at Sierra Point

After receiving a presentation from Brisbane Development Inc.'s Sean Gallivan, Greg Vilkin and Anthony Chen on the proposed Hotel/Life Science Project at Sierra Point and questions from Council, Michele Salmon commented that there is too much development for that area, and Alex Lau asked about parking, rooms, impact on the Marina and residential development.

After some clarifying questions, Mayor Mackin thanked the presenters.

STAFF REPORTS

J. City Manager's Report on upcoming activities

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

10. MAYOR/COUNCIL MATTERS

K. Countywide Assignments and Subcommittee Reports

Councilmembers reported on their latest activities within their Countywide assignments and subcommittees.

L. City Council Meeting Schedule

CM Davis made a motion, seconded by CM Cunningham to approve City Council Meeting Schedule. The motion was

passed unanimously by all present.

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

Noes: None

Absent: None

Abstain: None

M. Written Communications

No written communication was received by the Council during February 3 through February 17, 2022.

ORAL COMMUNICATIONS NO. 2

Michele Salmon spoke on not putting pet waste in the green waste bin, keeping dogs on leash on the mountain, and not agreeing with having too many cancelled city council meetings.

ADJOURNMENT

The City Council meeting of February 17, 2022 was adjourned by Mayor Mackin at 8:43 p.m.

Ingrid Padilla, City Clerk

F.

File Attachments for Item:

F. Accept Investment Report as of February 2022

CITY OF BRISBANE
CASH BALANCES & INVESTMENTS
SOURCE OF FUNDING
February 28, 2022

NAME OF DEPOSITORY	INVESTMENT TYPE	DATE OF INVESTMENT	FACE VALUE OF INVESTMENT	CARRY VALUE OF INVESTMENT	MARKET VALUE OF INVESTMENT	COUPON INTEREST RATE %	MATURITY DATE	RATING/ COLLATERAL
WELLS FARGO	Checking A/C		\$ 3,235,129	\$ 3,235,129	\$ 3,235,129	0.000		
STATE FUND (LAIF)	Deposit on call	continuous	\$ 16,627,685	\$ 16,627,685	\$ 16,627,685	0.260	on call	no rating
Other Investments								
	Sallie Mae Bank	5/9/2019	\$ 245,000	\$ 245,000	\$ 246,017	2.550	05/09/2022	
	Morgan Stanley	6/6/2019	\$ 245,000	\$ 245,000	\$ 246,343	2.550	06/06/2022	
	Comenity Capital Bank	4/28/2019	\$ 248,000	\$ 248,000	\$ 251,780	2.650	04/28/2023	
	Morgan Stanley	5/2/2019	\$ 245,000	\$ 245,000	\$ 248,754	2.650	05/02/2023	
	Goldman Sachs	5/1/2019	\$ 246,000	\$ 246,000	\$ 251,809	2.750	05/01/2024	
	FHLB	12/31/2021	\$ 1,000,000	\$ 1,000,000	\$ 987,890	1.000	09/30/2024	
	FHLB	12/31/2021	\$ 1,000,000	\$ 1,000,000	\$ 985,290	1.300	09/30/2025	
BNY Mellon	Treasury Obligations	continuous	\$ 6,427,211	\$ 6,427,211	\$ 6,427,211	0.010	on call	110% collateral
Sub-total			\$ 9,656,211	\$ 9,656,211	\$ 9,645,094			
U.S. Bank	2014 BGPGA Bond (330)	Improvements	Fed Treas Obl		10031			
		Reserve Fund	Fed Treas Obl	\$ 1	10032			
		Revenue Fund	Fed Treas Obl	\$ -	10034			
		Expense Fund	Fed Treas Obl	\$ -	10035			
		Principal	Fed Treas Obl	\$ 1	10036			
		Interest Fund	Fed Treas Obl	\$ 0	10037			
U.S. Bank	2015 Utility Capital (545)	Improvements	Fed Treas Obl	\$ 0	10031			
		Reserve	Fed Treas Obl	\$ 116,700	10032			
		Expense Fund	Fed Treas Obl	\$ 0	10035			
PARS	OPEB Trust	Trust Cash	Investments	\$ 3,909,299	13050			
PARS	Retirement Trust	Trust Cash	Investments	\$ 1,368,739	13050			
Sub-total	Cash with Fiscal Agents			\$ 5,394,740				
Total other investments			\$ 9,656,211	\$ 15,050,950	\$ 9,645,094			
TOTAL INVESTMENTS & CASH BALANCES			\$ 29,519,024	\$ 34,913,764	\$ 29,507,907			

Outstanding Loans to Department Heads

	Date of loan	Amount	Amount Remaining	Interest Rate
Stuart Schillinger	4/1/2002	318,750	\$ 318,750	Based on Sales Price
Clay Holstine (1)	7/8/2008	300,000	\$ -	Paid off 12/28/2016
Clay Holstine (2)	9/10/2008	200,000	\$ 200,000	Secured by other funds
Randy Breault	10/22/2001	320,000	\$ 10,739	1.20%

FFCB - Federal Farm Credit Bank
FHLB - Federal Home Loan Bank
FHLM - Federal Home Loan Mortgage Corporation
FNMA -Federal National Mortgage Association

Two year Treasury	1.44%	
Weighted Interest	0.34%	
Weighted maturity	0.30	Years

TREASURER'S CERTIFICATE

These are all the securities in which the city funds, including all trust funds and oversight agencies funds, are invested and that (excluding approved deferred compensation plans) all these investments are in securities as permitted by adopted city policy.

It is also certified that enough liquid resources (including maturities and anticipated revenues) are available to meet the next six months' cash flow.

Carolina Yuen
CITY TREASURER

File Attachments for Item:

G. 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



CITY COUNCIL AGENDA REPORT

Meeting Date: April 7, 2022

From: Clay Holstine, City Manager

Subject: 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

COMMUNITY GOAL RESULTS

Safe Community

Ensuring Public Meetings Remain Open to the Public

RECOMMENDATION

Staff recommends that the City Council adopt a resolution declaring the need to continue conducting the meetings of the City Council, Commissions, and Committees remotely due to health and safety concerns.

BACKGROUND

In 2020 and 2021, the Governor signed various Executive Orders that allowed meetings of public agencies to be conducted remotely due to the COVID-19 pandemic and the need to protect the public and governmental officials. In addition, County Health Officers issued Health Orders requiring masks indoors in public places, regardless of vaccination status and that social distancing be observed. As a result, the City has been conducting its public meetings via zoom, thereby ensuring the right of the public to participate in public meetings but keeping the public, City Council, Committees, and Commissions, and City staff safe. There have been no cancelled meetings due to technical or related difficulties arising out of conducting meetings remotely.

Notwithstanding the availability of a vaccine and boosters, and the reduction of COVID related cases in the Bay Area and the State, COVID-19 variants (Delta and Omicron) have continued to spread and infect individuals. To address the need to continue to allow public agencies to conduct meetings remotely, in September 2021, AB 361 was enacted. AB 361 amends the Brown Act to permit local legislative bodies to continue to meet remotely until January 1, 2024 provided:

- The local legislative body is meeting during a declared state of emergency
- State or local health officials have imposed or recommended measures to promote social distancing
- The local legislative body has determined that there is a need to hold public meetings remotely due to imminent risks to the health or safety of attendees

In September, October and November 2021, and in January, February, and March 2022, the City Council found that the City met the requirements of AB 361, namely, the declared state of emergency proclaimed by the state (as well as one by the City) remained in place; state and local health officials continued to recommend that residents observe social distancing and take other protective measures, including requiring masks to be worn on public transportation and recommending masks be worn in confined spaces open to the public; and the City determined that there was a need to hold public meetings remotely due to imminent risks to the health and safety of attendees. The Council therefore adopted Resolutions directing that the City continue to conduct public meetings normally scheduled for City Hall via Zoom to protect the health and safety of the public.

The Brown Act as amended by AB 361 requires that every 30 days the City Council review its decision not to hold in-person public meetings at City Hall and to specifically determine whether holding remote and/or hybrid public meetings continues to meet the requirements of the Brown Act as amended.

City Council last made the necessary findings on March 17, 2022 and the Council's second meeting in April (the 21st) would be more than 30 days from March 17. Hence, this item is being placed on the Council's April 7, 2022 agenda for consideration.

DISCUSSION

Notwithstanding that masks are no longer required to be worn indoors in every situation, they are required to be worn in many venues and masks are recommended to be worn in enclosed public spaces. Moreover, members of the public are encouraged to social distance whenever possible and such social distancing is not possible with the Council dais set up as is. Therefore, the requirements to allow public meetings to be conducted remotely continue: there is a declared state of emergency; state and local officials have imposed measures to prevent the spread of the virus and to promote social distancing; and there continues to be a need to hold public meetings remotely due to imminent risks to the health and safety if Council meetings were not conducted remotely.

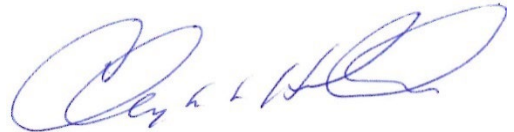
ACTION

Staff recommends that the City Council adopt the attached Resolution making the findings required under AB 361, to require the public meetings of the City Council, Commissions and Committees normally scheduled for City Hall through May 6, 2022 be held remotely or in a hybrid fashion to protect the health and safety of the public.

FISCAL IMPACT

There is no fiscal impact.

Attachment: 1. Resolution 2022-XX and 2. Assembly Bill 361



Clay Holstine, City Manager

RESOLUTION NO. 2022-XX

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRISBANE DECLARING THE NEED FOR THE CITY COUNCIL, COMMISSIONS AND COMMITTEES TO CONTINUE TO MEET REMOTELY IN ORDER TO ENSURE THE HEALTH AND SAFETY OF THE PUBLIC

WHEREAS, on March 4, 2020, Governor Newsom declared a State of Emergency to make additional resources available, formalize emergency actions already underway across multiple state agencies and departments, and help the State prepare for a broader spread of COVID-19; and

WHEREAS, on March 19, 2020, the City Council ratified and confirmed the Director of Emergency Service's proclamation of a local emergency which allowed staff to expeditiously respond to the emergency circumstances caused by the pandemic; and

WHEREAS, on March 17, 2020, in response to the COVID-19 pandemic, Governor Newsom issued Executive Order N-29-20 suspending certain provisions of the Ralph M. Brown Act in order to allow local legislative bodies to conduct meetings telephonically or by other means; and

WHEREAS, as a result of Executive Order N-29-20, staff set up Zoom meetings for all City Council, Committee and Commission meetings; and

WHEREAS, on June 11, 2021, Governor Newsom issued Executive Order N-08-21, which placed an end date of September 30, 2021, for agencies to meet remotely; and

WHEREAS, since issuing Executive Order N-08-21, the Delta and Omicron variant has emerged, causing a spike in COVID-19 cases throughout the state; and

WHEREAS, in 2021, in response to the Delta and Omicron variant, the San Mateo County Health Department ordered all individuals to wear masks when inside public spaces and maintain social distancing; and

WHEREAS, on September 16, 2021, Governor Newsom signed Assembly Bill 361 into law, amending the Brown Act to permit local legislative bodies, including the City Council, to meet remotely provided it is meeting during a declared state of emergency, state or local officials have imposed or recommended measures to promote social distancing, and the Council believes there is a need to meet remotely to protect against imminent risks to the health and safety of potential public attendees; and

WHEREAS, cases involving COVID 19, including the Delta and Omicron variant continue to exist, the City Council is concerned about and desire to protect the health and safety of individuals who might otherwise attend Council, Committee and Commission meetings;

WHEREAS, the City Council of the City of Brisbane adopted Resolutions in 2021 and in

January, February, and March 2022 declaring the need for the City Council, Committees, and Commissions to continue to meet remotely in order to ensure the health and safety of the public; and

WHEREAS, the City Council does hereby find that the above described conditions of serious threat to the public health, safety, and welfare continue at this time; and

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF BRISBANE
RESOLVES AS FOLLOWS:**

1. In compliance with AB 361, the City Council has reviewed and makes the following findings:
 - a. The state, San Mateo County and the City have each proclaimed a state of emergency due to the Coronavirus pandemic;
 - b. San Mateo County has issued a public health order requiring that individuals in many public spaces wear masks and socially distance and recommending that individuals in enclosed public spaces wear masks, but the City cannot maintain social distancing for the public, staff, councilmembers, commissioners, and committee members in its meeting spaces; and
 - c. The City Council has considered these circumstances and concludes that it, City Committees and City Commissions must meet remotely due to imminent risks to the health and safety of attendees if the Council, Committees or Commissions met in City facilities.
2. Based on the foregoing, the City Council declares that to protect the safety and health of the public, City Council, Committee and Commission meetings will continue to be conducted remotely for the next 30 days in compliance with AB 361.
3. The City Council will revisit the need to conduct public meetings remotely within 30 days of the adoption of this resolution.

Coleen Mackin, Mayor

PASSED, APPROVED AND ADOPTED by the Brisbane City Council at a regular meeting on April 7, 2022.

I hereby certify that the foregoing resolution was adopted by the City Council at a regular meeting held on April 7, 2022 by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Ingrid Padilla, City Clerk

Approved as to form:

A handwritten signature in blue ink, appearing to read "T. McMorrow", is written over a light blue horizontal line.

Thomas McMorrow, City Attorney



California

LEGISLATIVE INFORMATION

ENROLLED SEPTEMBER 15, 2021

PASSED IN SENATE SEPTEMBER 10, 2021

PASSED IN ASSEMBLY SEPTEMBER 10, 2021

AMENDED IN SENATE SEPTEMBER 03, 2021

AMENDED IN SENATE AUGUST 30, 2021

AMENDED IN SENATE JULY 06, 2021

AMENDED IN ASSEMBLY MAY 10, 2021

AMENDED IN ASSEMBLY APRIL 06, 2021

CALIFORNIA LEGISLATURE— 2021–2022 REGULAR SESSION

ASSEMBLY BILL

NO. 361

Introduced by Assembly Member Robert Rivas

February 01, 2021

An act to add and repeal Section 89305.6 of the Education Code, and to amend, repeal, and add Section 54953 of, and to add and repeal Section 11133 of, the Government Code, relating to open meetings, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

AB 361, Robert Rivas. Open meetings: state and local agencies: teleconferences.

(1) Existing law, the Ralph M. Brown Act requires, with specified exceptions, that all meetings of a legislative body of a local agency, as those terms are defined, be open and public and that all persons be permitted to attend and participate. The act contains specified provisions regarding the timelines for posting an agenda and providing for the ability of the public to directly address the legislative body on any item of interest to the public. The act generally requires all regular and special meetings of the legislative body be held within the boundaries of the territory over which the local agency exercises jurisdiction, subject to certain exceptions. The act allows for meetings to occur via teleconferencing subject to certain requirements, particularly that the legislative body notice each teleconference location of each member that will be participating in the public meeting, that each teleconference location be accessible to the public, that members of the public be allowed to address the legislative body at each teleconference location, that the legislative body post an agenda at each teleconference location, and that at least a quorum of the legislative body participate from locations within the boundaries of the local agency's jurisdiction. The act provides an exemption to the jurisdictional requirement for health authorities, as defined. The act authorizes the district attorney or any interested person, subject to certain provisions, to commence an action by mandamus or injunction for the purpose of obtaining a judicial determination that specified actions taken by a legislative body are null and void.

Existing law, the California Emergency Services Act, authorizes the Governor, or the Director of Emergency Services when the governor is inaccessible, to proclaim a state of emergency under specified circumstances.

Executive Order No. N-29-20 suspends the Ralph M. Brown Act's requirements for teleconferencing during the COVID-19 pandemic provided that notice and accessibility requirements are met, the public members are allowed to observe and address the legislative body at the meeting, and that a legislative body of a local agency has a procedure for receiving and swiftly resolving requests for reasonable accommodation for individuals with disabilities, as specified.

This bill, until January 1, 2024, would authorize a local agency to use teleconferencing without complying with the teleconferencing requirements imposed by the Ralph M. Brown Act when a legislative body of a local agency holds a meeting during a declared state of emergency, as that term is defined, when state or local health officials have imposed or recommended measures to promote social distancing, during a proclaimed state of emergency held for the purpose of determining, by majority vote, whether meeting in person would present imminent risks to the health or safety of attendees, and during a proclaimed state of emergency when the legislative body has determined that meeting in person would present imminent risks to the health or safety of attendees, as provided.

This bill would require legislative bodies that hold teleconferenced meetings under these abbreviated teleconferencing procedures to give notice of the meeting and post agendas, as described, to allow members of the public to access the meeting and address the legislative body, to give notice of the means by which members of the public may access the meeting and offer public comment, including an opportunity for all persons to attend via a call-in option or an internet-based service option, and to conduct the meeting in a manner that protects the statutory and constitutional rights of the parties and the public appearing before the legislative body. The bill would require the legislative body to take no further action on agenda items when there is a disruption which prevents the public agency from broadcasting the meeting, or in the event of a disruption within the local agency's control which prevents members of the public from offering public comments, until public access is restored. The bill would specify that actions taken during the disruption are subject to challenge proceedings, as specified.

This bill would prohibit the legislative body from requiring public comments to be submitted in advance of the meeting and would specify that the legislative body must provide an opportunity for the public to address the legislative body and offer comment in real time. The bill would prohibit the legislative body from closing the public comment period and the opportunity to register to provide public comment, until the public comment period has elapsed or until a reasonable amount of time has elapsed, as specified. When there is a continuing state of emergency, or when state or local officials have imposed or recommended measures to promote social distancing, the bill would require a legislative body to make specified findings not later than 30 days after the first teleconferenced meeting pursuant to these provisions, and to make those findings every 30 days thereafter, in order to continue to meet under these abbreviated teleconferencing procedures.

Existing law prohibits a legislative body from requiring, as a condition to attend a meeting, a person to register the person's name, or to provide other information, or to fulfill any condition precedent to the person's attendance.

This bill would exclude from that prohibition, a registration requirement imposed by a third-party internet website or other online platform not under the control of the legislative body.

(2) Existing law, the Bagley-Keene Open Meeting Act, requires, with specified exceptions, that all meetings of a state body be open and public and all persons be permitted to attend any meeting of a state body. The act requires at least one member of the state body to be physically present at the location specified in the notice of the meeting.

The Governor's Executive Order No. N-29-20 suspends the requirements of the Bagley-Keene Open Meeting Act for teleconferencing during the COVID-19 pandemic, provided that notice and accessibility requirements are met, the public members are allowed to observe and address the state body at the meeting, and that a state body has a procedure for receiving and swiftly resolving requests for reasonable accommodation for individuals with disabilities, as specified.

This bill, until January 31, 2022, would authorize, subject to specified notice and accessibility requirements, a state body to hold public meetings through teleconferencing and to make public meetings accessible telephonically, or otherwise electronically, to all members of the public

seeking to observe and to address the state body. With respect to a state body holding a public meeting pursuant to these provisions, the bill would suspend certain requirements of existing law, including the requirements that each teleconference location be accessible to the public and that members of the public be able to address the state body at each teleconference location. Under the bill, a state body that holds a meeting through teleconferencing and allows members of the public to observe and address the meeting telephonically or otherwise electronically would satisfy any requirement that the state body allow members of the public to attend the meeting and offer public comment. The bill would require that each state body that holds a meeting through teleconferencing provide notice of the meeting, and post the agenda, as provided. The bill would urge state bodies utilizing these teleconferencing procedures in the bill to use sound discretion and to make reasonable efforts to adhere as closely as reasonably possible to existing law, as provided.

(3) Existing law establishes the various campuses of the California State University under the administration of the Trustees of the California State University, and authorizes the establishment of student body organizations in connection with the operations of California State University campuses.

The Gloria Romero Open Meetings Act of 2000 generally requires a legislative body, as defined, of a student body organization to conduct its business in a meeting that is open and public. The act authorizes the legislative body to use teleconferencing, as defined, for the benefit of the public and the legislative body in connection with any meeting or proceeding authorized by law.

This bill, until January 31, 2022, would authorize, subject to specified notice and accessibility requirements, a legislative body, as defined for purposes of the act, to hold public meetings through teleconferencing and to make public meetings accessible telephonically, or otherwise electronically, to all members of the public seeking to observe and to address the legislative body. With respect to a legislative body holding a public meeting pursuant to these provisions, the bill would suspend certain requirements of existing law, including the requirements that each teleconference location be accessible to the public and that members of the public be able to address the legislative body at each teleconference location. Under the bill, a legislative body that holds a meeting through teleconferencing and allows members of the public to observe and address the meeting telephonically or otherwise electronically would satisfy any requirement that the legislative body allow members of the public to attend the meeting and offer public comment. The bill would require that each legislative body that holds a meeting through teleconferencing provide notice of the meeting, and post the agenda, as provided. The bill would urge legislative bodies utilizing these teleconferencing procedures in the bill to use sound discretion and to make reasonable efforts to adhere as closely as reasonably possible to existing law, as provided.

(4) This bill would declare the Legislature's intent, consistent with the Governor's Executive Order No. N-29-20, to improve and enhance public access to state and local agency meetings during the COVID-19 pandemic and future emergencies by allowing broader access through teleconferencing options.

(5) This bill would incorporate additional changes to Section 54953 of the Government Code proposed by AB 339 to be operative only if this bill and AB 339 are enacted and this bill is enacted last.

(6) The California Constitution requires local agencies, for the purpose of ensuring public access to the meetings of public bodies and the writings of public officials and agencies, to comply with a statutory enactment that amends or enacts laws relating to public records or open meetings and contains findings demonstrating that the enactment furthers the constitutional requirements relating to this purpose.

This bill would make legislative findings to that effect.

(7) Existing constitutional provisions require that a statute that limits the right of access to the meetings of public bodies or the writings of public officials and agencies be adopted with findings demonstrating the interest protected by the limitation and the need for protecting that interest.

This bill would make legislative findings to that effect.

(8) This bill would declare that it is to take effect immediately as an urgency statute.

DIGEST KEY

Vote: 2/3 Appropriation: no Fiscal Committee: yes Local Program: no

BILL TEXT

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1.

Section 89305.6 is added to the Education Code, to read:

89305.6.

(a) Notwithstanding any other provision of this article, and subject to the notice and accessibility requirements in subdivisions (d) and (e), a legislative body may hold public meetings through teleconferencing and make public meetings accessible telephonically, or otherwise electronically, to all members of the public seeking to observe and to address the legislative body.

(b) (1) For a legislative body holding a public meeting through teleconferencing pursuant to this section, all requirements in this article requiring the physical presence of members, the clerk or other personnel of the legislative body, or the public, as a condition of participation in or quorum for a public meeting, are hereby suspended.

(2) For a legislative body holding a public meeting through teleconferencing pursuant to this section, all of the following requirements in this article are suspended:

(A) Each teleconference location from which a member will be participating in a public meeting or proceeding be identified in the notice and agenda of the public meeting or proceeding.

(B) Each teleconference location be accessible to the public.

(C) Members of the public may address the legislative body at each teleconference conference location.

(D) Post agendas at all teleconference locations.

(E) At least one member of the legislative body be physically present at the location specified in the notice of the meeting.

(c) A legislative body that holds a meeting through teleconferencing and allows members of the public to observe and address the meeting telephonically or otherwise electronically, consistent with the notice and accessibility requirements in subdivisions (d) and (e), shall have satisfied any requirement that the legislative body allow members of the public to attend the meeting and offer public comment. A legislative body need not make available any physical location from which members of the public may observe the meeting and offer public comment.

(d) If a legislative body holds a meeting through teleconferencing pursuant to this section and allows members of the public to observe and address the meeting telephonically or otherwise electronically, the legislative body shall also do both of the following:

(1) Implement a procedure for receiving and swiftly resolving requests for reasonable modification or accommodation from individuals with disabilities, consistent with the federal Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12101 et seq.), and resolving any doubt whatsoever in favor of accessibility.

(2) Advertise that procedure each time notice is given of the means by which members of the public may observe the meeting and offer public comment, pursuant to paragraph (2) of subdivision (e).

(e) Except to the extent this section provides otherwise, each legislative body that holds a meeting through teleconferencing pursuant to this section shall do both of the following:

(1) Give advance notice of the time of, and post the agenda for, each public meeting according to the timeframes otherwise prescribed by this article, and using the means otherwise prescribed by this article, as applicable.

(2) In each instance in which notice of the time of the meeting is otherwise given or the agenda for the meeting is otherwise posted, also give notice of the means by which members of the public may observe the meeting and offer public comment. As to any instance in which there is a change in the means of public observation and comment, or any instance prior to the effective date of this section in which the time of the meeting has been noticed or the agenda for the meeting has been posted without also including notice of the means of public observation and comment, a legislative body may satisfy this requirement by advertising the means of public observation and comment using the most rapid means of communication available at the time. Advertising the means of public observation and comment using the most rapid means of communication available at the time shall include, but need not be limited to, posting such means on the legislative body's internet website.

(f) All legislative bodies utilizing the teleconferencing procedures in this section are urged to use sound discretion and to make reasonable efforts to adhere as closely as reasonably possible to the otherwise applicable provisions of this article, in order to maximize transparency and provide the public access to legislative body meetings.

(g) This section shall remain in effect only until January 31, 2022, and as of that date is repealed.

SEC. 2.

Section 11133 is added to the Government Code, to read:

11133.

(a) Notwithstanding any other provision of this article, and subject to the notice and accessibility requirements in subdivisions (d) and (e), a state body may hold public meetings through teleconferencing and make public meetings accessible telephonically, or otherwise electronically, to all members of the public seeking to observe and to address the state body.

(b) (1) For a state body holding a public meeting through teleconferencing pursuant to this section, all requirements in this article requiring the physical presence of members, the clerk or other personnel of the state body, or the public, as a condition of participation in or quorum for a public meeting, are hereby suspended.

(2) For a state body holding a public meeting through teleconferencing pursuant to this section, all of the following requirements in this article are suspended:

(A) Each teleconference location from which a member will be participating in a public meeting or proceeding be identified in the notice and agenda of the public meeting or proceeding.

(B) Each teleconference location be accessible to the public.

(C) Members of the public may address the state body at each teleconference conference location.

(D) Post agendas at all teleconference locations.

(E) At least one member of the state body be physically present at the location specified in the notice of the meeting.

(c) A state body that holds a meeting through teleconferencing and allows members of the public to observe and address the meeting telephonically or otherwise electronically, consistent with the notice and accessibility requirements in subdivisions (d) and (e), shall have satisfied any requirement that the state body allow members of the public to attend the meeting and offer public comment. A state body need not make available any physical location from which members of the public may observe the meeting and offer public comment.

(d) If a state body holds a meeting through teleconferencing pursuant to this section and allows members of the public to observe and address the meeting telephonically or otherwise electronically, the state body shall also do both of the following:

(1) Implement a procedure for receiving and swiftly resolving requests for reasonable modification or accommodation from individuals with disabilities, consistent with the federal

Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12101 et seq.), and resolving any doubt whatsoever in favor of accessibility.

(2) Advertise that procedure each time notice is given of the means by which members of the public may observe the meeting and offer public comment, pursuant to paragraph (2) of subdivision (e).

(e) Except to the extent this section provides otherwise, each state body that holds a meeting through teleconferencing pursuant to this section shall do both of the following:

(1) Give advance notice of the time of, and post the agenda for, each public meeting according to the timeframes otherwise prescribed by this article, and using the means otherwise prescribed by this article, as applicable.

(2) In each instance in which notice of the time of the meeting is otherwise given or the agenda for the meeting is otherwise posted, also give notice of the means by which members of the public may observe the meeting and offer public comment. As to any instance in which there is a change in the means of public observation and comment, or any instance prior to the effective date of this section in which the time of the meeting has been noticed or the agenda for the meeting has been posted without also including notice of the means of public observation and comment, a state body may satisfy this requirement by advertising the means of public observation and comment using the most rapid means of communication available at the time. Advertising the means of public observation and comment using the most rapid means of communication available at the time shall include, but need not be limited to, posting such means on the state body's internet website.

(f) All state bodies utilizing the teleconferencing procedures in this section are urged to use sound discretion and to make reasonable efforts to adhere as closely as reasonably possible to the otherwise applicable provisions of this article, in order to maximize transparency and provide the public access to state body meetings.

(g) This section shall remain in effect only until January 31, 2022, and as of that date is repealed.

SEC. 3.

Section 54953 of the Government Code is amended to read:

54953.

(a) All meetings of the legislative body of a local agency shall be open and public, and all persons shall be permitted to attend any meeting of the legislative body of a local agency, except as otherwise provided in this chapter.

(b) (1) Notwithstanding any other provision of law, the legislative body of a local agency may use teleconferencing for the benefit of the public and the legislative body of a local agency in connection with any meeting or proceeding authorized by law. The teleconferenced meeting or proceeding shall comply with all otherwise applicable requirements of this chapter and all otherwise applicable provisions of law relating to a specific type of meeting or proceeding.

(2) Teleconferencing, as authorized by this section, may be used for all purposes in connection with any meeting within the subject matter jurisdiction of the legislative body. All votes taken during a teleconferenced meeting shall be by rollcall.

(3) If the legislative body of a local agency elects to use teleconferencing, it shall post agendas at all teleconference locations and conduct teleconference meetings in a manner that protects the statutory and constitutional rights of the parties or the public appearing before the legislative body of a local agency. Each teleconference location shall be identified in the notice and agenda of the meeting or proceeding, and each teleconference location shall be accessible to the public. During the teleconference, at least a quorum of the members of the legislative body shall participate from locations within the boundaries of the territory over which the local agency exercises jurisdiction, except as provided in subdivisions (d) and (e). The agenda shall provide an opportunity for members of the public to address the legislative body directly pursuant to Section 54954.3 at each teleconference location.

(4) For the purposes of this section, "teleconference" means a meeting of a legislative body, the members of which are in different locations, connected by electronic means, through either audio or video, or both. Nothing in this section shall prohibit a local agency from providing the public with additional teleconference locations.

(c) (1) No legislative body shall take action by secret ballot, whether preliminary or final.

(2) The legislative body of a local agency shall publicly report any action taken and the vote or abstention on that action of each member present for the action.

(3) Prior to taking final action, the legislative body shall orally report a summary of a recommendation for a final action on the salaries, salary schedules, or compensation paid in the form of fringe benefits of a local agency executive, as defined in subdivision (d) of Section 3511.1, during the open meeting in which the final action is to be taken. This paragraph shall not affect the public's right under the California Public Records Act (Chapter 3.5 (commencing with Section 6250) of Division 7 of Title 1) to inspect or copy records created or received in the process of developing the recommendation.

(d) (1) Notwithstanding the provisions relating to a quorum in paragraph (3) of subdivision (b), if a health authority conducts a teleconference meeting, members who are outside the jurisdiction of the authority may be counted toward the establishment of a quorum when participating in the teleconference if at least 50 percent of the number of members that would establish a quorum are present within the boundaries of the territory over which the authority exercises jurisdiction, and the health authority provides a teleconference number, and associated access codes, if any, that allows any person to call in to participate in the meeting and the number and access codes are identified in the notice and agenda of the meeting.

(2) Nothing in this subdivision shall be construed as discouraging health authority members from regularly meeting at a common physical site within the jurisdiction of the authority or from using teleconference locations within or near the jurisdiction of the authority. A teleconference meeting for which a quorum is established pursuant to this subdivision shall be subject to all other requirements of this section.

(3) For purposes of this subdivision, a health authority means any entity created pursuant to Sections 14018.7, 14087.31, 14087.35, 14087.36, 14087.38, and 14087.9605 of the Welfare and Institutions Code, any joint powers authority created pursuant to Article 1 (commencing with Section 6500) of Chapter 5 of Division 7 for the purpose of contracting pursuant to Section 14087.3 of the Welfare and Institutions Code, and any advisory committee to a county-sponsored health plan licensed pursuant to Chapter 2.2 (commencing with Section 1340) of Division 2 of the Health and Safety Code if the advisory committee has 12 or more members.

(e) (1) A local agency may use teleconferencing without complying with the requirements of paragraph (3) of subdivision (b) if the legislative body complies with the requirements of paragraph (2) of this subdivision in any of the following circumstances:

(A) The legislative body holds a meeting during a proclaimed state of emergency, and state or local officials have imposed or recommended measures to promote social distancing.

(B) The legislative body holds a meeting during a proclaimed state of emergency for the purpose of determining, by majority vote, whether as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.

(C) The legislative body holds a meeting during a proclaimed state of emergency and has determined, by majority vote, pursuant to subparagraph (B), that, as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.

(2) A legislative body that holds a meeting pursuant to this subdivision shall do all of the following:

(A) The legislative body shall give notice of the meeting and post agendas as otherwise required by this chapter.

(B) The legislative body shall allow members of the public to access the meeting and the agenda shall provide an opportunity for members of the public to address the legislative body directly pursuant to Section 54954.3. In each instance in which notice of the time of the teleconferenced meeting is otherwise given or the agenda for the meeting is otherwise posted, the legislative body shall also give notice of the means by which members of the public may access the meeting and offer public comment. The agenda shall identify and include an opportunity for all persons to attend via a call-in option or an internet-based service option. This subparagraph shall not be construed to require the legislative body to provide a physical location from which the public may attend or comment.

(C) The legislative body shall conduct teleconference meetings in a manner that protects the statutory and constitutional rights of the parties and the public appearing before the legislative body of a local agency.

(D) In the event of a disruption which prevents the public agency from broadcasting the meeting to members of the public using the call-in option or internet-based service option, or in the event of a disruption within the local agency's control which prevents members of the public from offering public comments using the call-in option or internet-based service option, the body shall take no further action on items appearing on the meeting agenda until public access to the

meeting via the call-in option or internet-based service option is restored. Actions taken on agenda items during a disruption which prevents the public agency from broadcasting the meeting may be challenged pursuant to Section 54960.1.

(E) The legislative body shall not require public comments to be submitted in advance of the meeting and must provide an opportunity for the public to address the legislative body and offer comment in real time. This subparagraph shall not be construed to require the legislative body to provide a physical location from which the public may attend or comment.

(F) Notwithstanding Section 54953.3, an individual desiring to provide public comment through the use of an internet website, or other online platform, not under the control of the local legislative body, that requires registration to log in to a teleconference may be required to register as required by the third-party internet website or online platform to participate.

(G) (i) A legislative body that provides a timed public comment period for each agenda item shall not close the public comment period for the agenda item, or the opportunity to register, pursuant to subparagraph (F), to provide public comment until that timed public comment period has elapsed.

(ii) A legislative body that does not provide a timed public comment period, but takes public comment separately on each agenda item, shall allow a reasonable amount of time per agenda item to allow public members the opportunity to provide public comment, including time for members of the public to register pursuant to subparagraph (F), or otherwise be recognized for the purpose of providing public comment.

(iii) A legislative body that provides a timed general public comment period that does not correspond to a specific agenda item shall not close the public comment period or the opportunity to register, pursuant to subparagraph (F), until the timed general public comment period has elapsed.

(3) If a state of emergency remains active, or state or local officials have imposed or recommended measures to promote social distancing, in order to continue to teleconference without compliance with paragraph (3) of subdivision (b), the legislative body shall, not later than 30 days after teleconferencing for the first time pursuant to subparagraph (A), (B), or (C) of paragraph (1), and every 30 days thereafter, make the following findings by majority vote:

(A) The legislative body has reconsidered the circumstances of the state of emergency.

(B) Any of the following circumstances exist:

(i) The state of emergency continues to directly impact the ability of the members to meet safely in person.

(ii) State or local officials continue to impose or recommend measures to promote social distancing.

(4) For the purposes of this subdivision, "state of emergency" means a state of emergency proclaimed pursuant to Section 8625 of the California Emergency Services Act (Article 1 (commencing with Section 8550) of Chapter 7 of Division 1 of Title 2).

(f) This section shall remain in effect only until January 1, 2024, and as of that date is repealed.

SEC. 3.1.

Section 54953 of the Government Code is amended to read:

54953.

(a) All meetings of the legislative body of a local agency shall be open and public, and all persons shall be permitted to attend any meeting of the legislative body of a local agency in person, except as otherwise provided in this chapter. Local agencies shall conduct meetings subject to this chapter consistent with applicable state and federal civil rights laws, including, but not limited to, any applicable language access and other nondiscrimination obligations.

(b) (1) Notwithstanding any other provision of law, the legislative body of a local agency may use teleconferencing for the benefit of the public and the legislative body of a local agency in connection with any meeting or proceeding authorized by law. The teleconferenced meeting or proceeding shall comply with all otherwise applicable requirements of this chapter and all otherwise applicable provisions of law relating to a specific type of meeting or proceeding.

(2) Teleconferencing, as authorized by this section, may be used for all purposes in connection with any meeting within the subject matter jurisdiction of the legislative body. All votes taken during a teleconferenced meeting shall be by rollcall.

(3) If the legislative body of a local agency elects to use teleconferencing, it shall post agendas at all teleconference locations and conduct teleconference meetings in a manner that protects the statutory and constitutional rights of the parties or the public appearing before the legislative body of a local agency. Each teleconference location shall be identified in the notice and agenda of the meeting or proceeding, and each teleconference location shall be accessible to the public. During the teleconference, at least a quorum of the members of the legislative body shall participate from locations within the boundaries of the territory over which the local agency exercises jurisdiction, except as provided in subdivisions (d) and (e). The agenda shall provide an opportunity for members of the public to address the legislative body directly pursuant to Section 54954.3 at each teleconference location.

(4) For the purposes of this section, "teleconference" means a meeting of a legislative body, the members of which are in different locations, connected by electronic means, through either audio or video, or both. Nothing in this section shall prohibit a local agency from providing the public with additional teleconference locations.

(c) (1) No legislative body shall take action by secret ballot, whether preliminary or final.

(2) The legislative body of a local agency shall publicly report any action taken and the vote or abstention on that action of each member present for the action.

(3) Prior to taking final action, the legislative body shall orally report a summary of a recommendation for a final action on the salaries, salary schedules, or compensation paid in the form of fringe benefits of a local agency executive, as defined in subdivision (d) of Section 3511.1, during the open meeting in which the final action is to be taken. This paragraph shall not affect the public's right under the California Public Records Act (Chapter 3.5 (commencing with Section

6250) of Division 7 of Title 1) to inspect or copy records created or received in the process of developing the recommendation.

(d) (1) Notwithstanding the provisions relating to a quorum in paragraph (3) of subdivision (b), if a health authority conducts a teleconference meeting, members who are outside the jurisdiction of the authority may be counted toward the establishment of a quorum when participating in the teleconference if at least 50 percent of the number of members that would establish a quorum are present within the boundaries of the territory over which the authority exercises jurisdiction, and the health authority provides a teleconference number, and associated access codes, if any, that allows any person to call in to participate in the meeting and the number and access codes are identified in the notice and agenda of the meeting.

(2) Nothing in this subdivision shall be construed as discouraging health authority members from regularly meeting at a common physical site within the jurisdiction of the authority or from using teleconference locations within or near the jurisdiction of the authority. A teleconference meeting for which a quorum is established pursuant to this subdivision shall be subject to all other requirements of this section.

(3) For purposes of this subdivision, a health authority means any entity created pursuant to Sections 14018.7, 14087.31, 14087.35, 14087.36, 14087.38, and 14087.9605 of the Welfare and Institutions Code, any joint powers authority created pursuant to Article 1 (commencing with Section 6500) of Chapter 5 of Division 7 for the purpose of contracting pursuant to Section 14087.3 of the Welfare and Institutions Code, and any advisory committee to a county-sponsored health plan licensed pursuant to Chapter 2.2 (commencing with Section 1340) of Division 2 of the Health and Safety Code if the advisory committee has 12 or more members.

(e) (1) A local agency may use teleconferencing without complying with the requirements of paragraph (3) of subdivision (b) if the legislative body complies with the requirements of paragraph (2) of this subdivision in any of the following circumstances:

(A) The legislative body holds a meeting during a proclaimed state of emergency, and state or local officials have imposed or recommended measures to promote social distancing.

(B) The legislative body holds a meeting during a proclaimed state of emergency for the purpose of determining, by majority vote, whether as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.

(C) The legislative body holds a meeting during a proclaimed state of emergency and has determined, by majority vote, pursuant to subparagraph (B), that, as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.

(2) A legislative body that holds a meeting pursuant to this subdivision shall do all of the following:

(A) The legislative body shall give notice of the meeting and post agendas as otherwise required by this chapter.

(B) The legislative body shall allow members of the public to access the meeting and the agenda shall provide an opportunity for members of the public to address the legislative body directly pursuant to Section 54954.3. In each instance in which notice of the time of the teleconferenced meeting is otherwise given or the agenda for the meeting is otherwise posted, the legislative body shall also give notice of the means by which members of the public may access the meeting and offer public comment. The agenda shall identify and include an opportunity for all persons to attend via a call-in option or an internet-based service option. This subparagraph shall not be construed to require the legislative body to provide a physical location from which the public may attend or comment.

(C) The legislative body shall conduct teleconference meetings in a manner that protects the statutory and constitutional rights of the parties and the public appearing before the legislative body of a local agency.

(D) In the event of a disruption which prevents the public agency from broadcasting the meeting to members of the public using the call-in option or internet-based service option, or in the event of a disruption within the local agency's control which prevents members of the public from offering public comments using the call-in option or internet-based service option, the body shall take no further action on items appearing on the meeting agenda until public access to the meeting via the call-in option or internet-based service option is restored. Actions taken on agenda items during a disruption which prevents the public agency from broadcasting the meeting may be challenged pursuant to Section 54960.1.

(E) The legislative body shall not require public comments to be submitted in advance of the meeting and must provide an opportunity for the public to address the legislative body and offer comment in real time. This subparagraph shall not be construed to require the legislative body to provide a physical location from which the public may attend or comment.

(F) Notwithstanding Section 54953.3, an individual desiring to provide public comment through the use of an internet website, or other online platform, not under the control of the local legislative body, that requires registration to log in to a teleconference may be required to register as required by the third-party internet website or online platform to participate.

(G) (i) A legislative body that provides a timed public comment period for each agenda item shall not close the public comment period for the agenda item, or the opportunity to register, pursuant to subparagraph (F), to provide public comment until that timed public comment period has elapsed.

(ii) A legislative body that does not provide a timed public comment period, but takes public comment separately on each agenda item, shall allow a reasonable amount of time per agenda item to allow public members the opportunity to provide public comment, including time for members of the public to register pursuant to subparagraph (F), or otherwise be recognized for the purpose of providing public comment.

(iii) A legislative body that provides a timed general public comment period that does not correspond to a specific agenda item shall not close the public comment period or the

opportunity to register, pursuant to subparagraph (F), until the timed general public comment period has elapsed.

(3) If a state of emergency remains active, or state or local officials have imposed or recommended measures to promote social distancing, in order to continue to teleconference without compliance with paragraph (3) of subdivision (b), the legislative body shall, not later than 30 days after teleconferencing for the first time pursuant to subparagraph (A), (B), or (C) of paragraph (1), and every 30 days thereafter, make the following findings by majority vote:

(A) The legislative body has reconsidered the circumstances of the state of emergency.

(B) Any of the following circumstances exist:

(i) The state of emergency continues to directly impact the ability of the members to meet safely in person.

(ii) State or local officials continue to impose or recommend measures to promote social distancing.

(4) For the purposes of this subdivision, "state of emergency" means a state of emergency proclaimed pursuant to Section 8625 of the California Emergency Services Act (Article 1 (commencing with Section 8550) of Chapter 7 of Division 1 of Title 2).

(f) This section shall remain in effect only until January 1, 2024, and as of that date is repealed.

SEC. 4.

Section 54953 is added to the Government Code, to read:

54953.

(a) All meetings of the legislative body of a local agency shall be open and public, and all persons shall be permitted to attend any meeting of the legislative body of a local agency, except as otherwise provided in this chapter.

(b) (1) Notwithstanding any other provision of law, the legislative body of a local agency may use teleconferencing for the benefit of the public and the legislative body of a local agency in connection with any meeting or proceeding authorized by law. The teleconferenced meeting or proceeding shall comply with all requirements of this chapter and all otherwise applicable provisions of law relating to a specific type of meeting or proceeding.

(2) Teleconferencing, as authorized by this section, may be used for all purposes in connection with any meeting within the subject matter jurisdiction of the legislative body. All votes taken during a teleconferenced meeting shall be by rollcall.

(3) If the legislative body of a local agency elects to use teleconferencing, it shall post agendas at all teleconference locations and conduct teleconference meetings in a manner that protects the statutory and constitutional rights of the parties or the public appearing before the legislative body of a local agency. Each teleconference location shall be identified in the notice and agenda of the meeting or proceeding, and each teleconference location shall be accessible to the public. During the teleconference, at least a quorum of the members of the legislative body shall

participate from locations within the boundaries of the territory over which the local agency exercises jurisdiction, except as provided in subdivision (d). The agenda shall provide an opportunity for members of the public to address the legislative body directly pursuant to Section 54954.3 at each teleconference location.

(4) For the purposes of this section, “teleconference” means a meeting of a legislative body, the members of which are in different locations, connected by electronic means, through either audio or video, or both. Nothing in this section shall prohibit a local agency from providing the public with additional teleconference locations

(c) (1) No legislative body shall take action by secret ballot, whether preliminary or final.

(2) The legislative body of a local agency shall publicly report any action taken and the vote or abstention on that action of each member present for the action.

(3) Prior to taking final action, the legislative body shall orally report a summary of a recommendation for a final action on the salaries, salary schedules, or compensation paid in the form of fringe benefits of a local agency executive, as defined in subdivision (d) of Section 3511.1, during the open meeting in which the final action is to be taken. This paragraph shall not affect the public’s right under the California Public Records Act (Chapter 3.5 (commencing with Section 6250) of Division 7 of Title 1) to inspect or copy records created or received in the process of developing the recommendation.

(d) (1) Notwithstanding the provisions relating to a quorum in paragraph (3) of subdivision (b), if a health authority conducts a teleconference meeting, members who are outside the jurisdiction of the authority may be counted toward the establishment of a quorum when participating in the teleconference if at least 50 percent of the number of members that would establish a quorum are present within the boundaries of the territory over which the authority exercises jurisdiction, and the health authority provides a teleconference number, and associated access codes, if any, that allows any person to call in to participate in the meeting and the number and access codes are identified in the notice and agenda of the meeting.

(2) Nothing in this subdivision shall be construed as discouraging health authority members from regularly meeting at a common physical site within the jurisdiction of the authority or from using teleconference locations within or near the jurisdiction of the authority. A teleconference meeting for which a quorum is established pursuant to this subdivision shall be subject to all other requirements of this section.

(3) For purposes of this subdivision, a health authority means any entity created pursuant to Sections 14018.7, 14087.31, 14087.35, 14087.36, 14087.38, and 14087.9605 of the Welfare and Institutions Code, any joint powers authority created pursuant to Article 1 (commencing with Section 6500) of Chapter 5 of Division 7 for the purpose of contracting pursuant to Section 14087.3 of the Welfare and Institutions Code, and any advisory committee to a county-sponsored health plan licensed pursuant to Chapter 2.2 (commencing with Section 1340) of Division 2 of the Health and Safety Code if the advisory committee has 12 or more members.

(e) This section shall become operative January 1, 2024.

SEC. 4.1.

Section 54953 is added to the Government Code, to read:

54953.

(a) All meetings of the legislative body of a local agency shall be open and public, and all persons shall be permitted to attend any meeting of the legislative body of a local agency, in person except as otherwise provided in this chapter. Local agencies shall conduct meetings subject to this chapter consistent with applicable state and federal civil rights laws, including, but not limited to, any applicable language access and other nondiscrimination obligations.

(b) (1) Notwithstanding any other provision of law, the legislative body of a local agency may use teleconferencing for the benefit of the public and the legislative body of a local agency in connection with any meeting or proceeding authorized by law. The teleconferenced meeting or proceeding shall comply with all requirements of this chapter and all otherwise applicable provisions of law relating to a specific type of meeting or proceeding.

(2) Teleconferencing, as authorized by this section, may be used for all purposes in connection with any meeting within the subject matter jurisdiction of the legislative body. All votes taken during a teleconferenced meeting shall be by rollcall.

(3) If the legislative body of a local agency elects to use teleconferencing, it shall post agendas at all teleconference locations and conduct teleconference meetings in a manner that protects the statutory and constitutional rights of the parties or the public appearing before the legislative body of a local agency. Each teleconference location shall be identified in the notice and agenda of the meeting or proceeding, and each teleconference location shall be accessible to the public. During the teleconference, at least a quorum of the members of the legislative body shall participate from locations within the boundaries of the territory over which the local agency exercises jurisdiction, except as provided in subdivision (d). The agenda shall provide an opportunity for members of the public to address the legislative body directly pursuant to Section 54954.3 at each teleconference location.

(4) For the purposes of this section, "teleconference" means a meeting of a legislative body, the members of which are in different locations, connected by electronic means, through either audio or video, or both. Nothing in this section shall prohibit a local agency from providing the public with additional teleconference locations.

(c) (1) No legislative body shall take action by secret ballot, whether preliminary or final.

(2) The legislative body of a local agency shall publicly report any action taken and the vote or abstention on that action of each member present for the action.

(3) Prior to taking final action, the legislative body shall orally report a summary of a recommendation for a final action on the salaries, salary schedules, or compensation paid in the form of fringe benefits of a local agency executive, as defined in subdivision (d) of Section 3511.1, during the open meeting in which the final action is to be taken. This paragraph shall not affect the public's right under the California Public Records Act (Chapter 3.5 (commencing with Section

6250) of Division 7 of Title 1) to inspect or copy records created or received in the process of developing the recommendation.

(d) (1) Notwithstanding the provisions relating to a quorum in paragraph (3) of subdivision (b), if a health authority conducts a teleconference meeting, members who are outside the jurisdiction of the authority may be counted toward the establishment of a quorum when participating in the teleconference if at least 50 percent of the number of members that would establish a quorum are present within the boundaries of the territory over which the authority exercises jurisdiction, and the health authority provides a teleconference number, and associated access codes, if any, that allows any person to call in to participate in the meeting and the number and access codes are identified in the notice and agenda of the meeting.

(2) Nothing in this subdivision shall be construed as discouraging health authority members from regularly meeting at a common physical site within the jurisdiction of the authority or from using teleconference locations within or near the jurisdiction of the authority. A teleconference meeting for which a quorum is established pursuant to this subdivision shall be subject to all other requirements of this section.

(3) For purposes of this subdivision, a health authority means any entity created pursuant to Sections 14018.7, 14087.31, 14087.35, 14087.36, 14087.38, and 14087.9605 of the Welfare and Institutions Code, any joint powers authority created pursuant to Article 1 (commencing with Section 6500) of Chapter 5 of Division 7 for the purpose of contracting pursuant to Section 14087.3 of the Welfare and Institutions Code, and any advisory committee to a county-sponsored health plan licensed pursuant to Chapter 2.2 (commencing with Section 1340) of Division 2 of the Health and Safety Code if the advisory committee has 12 or more members.

(e) This section shall become operative January 1, 2024.

SEC. 5.

Sections 3.1 and 4.1 of this bill incorporate amendments to Section 54953 of the Government Code proposed by both this bill and Assembly Bill 339. Those sections of this bill shall only become operative if (1) both bills are enacted and become effective on or before January 1, 2022, but this bill becomes operative first, (2) each bill amends Section 54953 of the Government Code, and (3) this bill is enacted after Assembly Bill 339, in which case Section 54953 of the Government Code, as amended by Sections 3 and 4 of this bill, shall remain operative only until the operative date of Assembly Bill 339, at which time Sections 3.1 and 4.1 of this bill shall become operative.

SEC. 6.

It is the intent of the Legislature in enacting this act to improve and enhance public access to state and local agency meetings during the COVID-19 pandemic and future applicable emergencies, by allowing broader access through teleconferencing options consistent with the Governor's Executive Order No. N-29-20 dated March 17, 2020, permitting expanded use of teleconferencing during the COVID-19 pandemic.

SEC. 7.

The Legislature finds and declares that Sections 3 and 4 of this act, which amend, repeal, and add Section 54953 of the Government Code, further, within the meaning of paragraph (7) of

subdivision (b) of Section 3 of Article I of the California Constitution, the purposes of that constitutional section as it relates to the right of public access to the meetings of local public bodies or the writings of local public officials and local agencies. Pursuant to paragraph (7) of subdivision (b) of Section 3 of Article I of the California Constitution, the Legislature makes the following findings:

This act is necessary to ensure minimum standards for public participation and notice requirements allowing for greater public participation in teleconference meetings during applicable emergencies.

SEC. 8.

(a) The Legislature finds and declares that during the COVID-19 public health emergency, certain requirements of the Bagley-Keene Open Meeting Act (Article 9 (commencing with Section 11120) of Chapter 1 of Part 1 of Division 3 of Title 2 of the Government Code) were suspended by Executive Order N-29-20. Audio and video teleconference were widely used to conduct public meetings in lieu of physical location meetings, and public meetings conducted by teleconference during the COVID-19 public health emergency have been productive, have increased public participation by all members of the public regardless of their location in the state and ability to travel to physical meeting locations, have protected the health and safety of civil servants and the public, and have reduced travel costs incurred by members of state bodies and reduced work hours spent traveling to and from meetings.

(b) The Legislature finds and declares that Section 1 of this act, which adds and repeals Section 89305.6 of the Education Code, Section 2 of this act, which adds and repeals Section 11133 of the Government Code, and Sections 3 and 4 of this act, which amend, repeal, and add Section 54953 of the Government Code, all increase and potentially limit the public's right of access to the meetings of public bodies or the writings of public officials and agencies within the meaning of Section 3 of Article I of the California Constitution. Pursuant to that constitutional provision, the Legislature makes the following findings to demonstrate the interest protected by this limitation and the need for protecting that interest:

(1) By removing the requirement that public meetings be conducted at a primary physical location with a quorum of members present, this act protects the health and safety of civil servants and the public and does not preference the experience of members of the public who might be able to attend a meeting in a physical location over members of the public who cannot travel or attend that meeting in a physical location.

(2) By removing the requirement for agendas to be placed at the location of each public official participating in a public meeting remotely, including from the member's private home or hotel room, this act protects the personal, private information of public officials and their families while preserving the public's right to access information concerning the conduct of the people's business.

SEC. 9.

This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the California Constitution and shall go into immediate effect. The facts constituting the necessity are:

In order to ensure that state and local agencies can continue holding public meetings while providing essential services like water, power, and fire protection to their constituents during public health, wildfire, or other states of emergencies, it is necessary that this act take effect immediately.

File Attachments for Item:

H. Authorize publication of the Notice Inviting Bids for Sierra Point Parkway Cape Seal Project No. 922D

(The purpose of this project is to provide preventative maintenance and repair along Sierra Point Parkway. The engineer's estimate for this project including contingency is \$240,144.)



CITY COUNCIL AGENDA REPORT

Meeting Date: April 7, 2022

From: Karen Kinser, Deputy Director of Public Works

Subject: Sierra Point Parkway Cape Seal (Project No. 922D)

Community Goal/Result

Safe Community

Purpose

To provide preventative maintenance and repair along Sierra Point Parkway.

Recommendation

Authorize publication of the Notice Inviting Bids for Sierra Point Parkway Cape Seal Project

Background

The City of Brisbane and the City of South San Francisco cooperated to apply for and were awarded a joint grant pursuant to the CalRecycle Rubberized Pavement Grant Program Cycle TRP13 ("grant") program on April 8, 2021, for rubberized pavement road treatments. Each city will implement separate construction projects utilizing the funds within their respective jurisdictions. The projects will include various rubberized asphalt pavement rehabilitation treatments, consistent with the intended use of the awarded funds. Brisbane and SSF will serve as the overall construction project managers for their respective projects, and Brisbane, as the lead applicant, will continue to serve as the primary point of contact for the grant. SSF will ensure that their project records are coordinated with Brisbane staff so that all grant requirements are met to be eligible for full reimbursement.

During some portions of the construction, traffic lanes will be closed. Working hours will be between 7 a.m. and 5 p.m. Sierra Point Parkway between Lagoon Way and the Highway 101 overpass will be treated. Inconveniences to motorists, cyclists and pedestrians will be minimal and will be managed with a traffic control plan.

For California Environmental Quality Act (CEQA) compliance, the project was determined to be Categorical Exempt, and a Notice of Exemption was prepared on 3/16/2022. No further action on this environmental determination is required by Council.

Fiscal Impact

Funds are programmed as follows for this project:

CalRecycle Rubberized Pavement Grant Program Cycle TRP13	\$ 26,500
Measure A Sales Tax and State Gas Tax (approximately)	\$300,000

The engineer's estimate for this project including contingency is \$240,144. Any unspent sales tax and gas tax funds will be used for future pavement maintenance projects.

Measure of Success

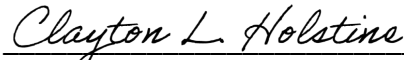
Opening of the project to competitive bids that will enable the City to select a qualified contractor for the construction work.



Karen Kinser, Deputy Director of Public Works



Randy Breault, Director of Public Works/City Engineer



Clay Holstine, City Manager

File Attachments for Item:

I. City Manager Salary Adjustment and Contract Modification

(The Council will consider Adoption of Resolution Approving the Third Amendment to the City Manager's Employment Agreement)



CITY COUNCIL AGENDA REPORT

Meeting Date: April 7, 2022

From: City Attorney McMorrow

Subject: City Manager Salary Adjustment and Contract Modification

Recommendation: Adopt the attached Resolution approving the Third Amendment to the City Manager's Employment Agreement

A. Background

Prior to 2014, the City Council periodically reviewed the City Manager's compensation against the compensation being paid to other city managers in San Mateo County and the region. The Council's purpose was to ensure that the City Manager was paid fairly relative to similarly situated city managers in the region.

In 2014, the Council's review was formalized as part of the City Manager's contract. Specifically, a biannual regional survey process was provided for in the contract, with the first review to be in 2016.

For various reasons the parties deferred conducting a survey in 2016, 2018 and 2020. For example, the most recent review would have been during the heart of the pandemic when the City Council and City Manager were focused on more pressing matters.

In advance of its annual performance review of the City Manager, the City Council consulted with the City Attorney and determined that a salary survey should be conducted prior to and taken into consideration as part of the performance review.

B. Salary Survey

a. Ad Hoc Subcommittee

The City Council assigned responsibility for having the salary survey conducted and initially reviewing it with the City Manager to an ad-hoc subcommittee made up of Councilmembers Cunningham and Lentz.

The subcommittee directed the City Attorney to work with City staff and, as appropriate the City Manager, to gather the information required to complete the salary survey and to report back to the subcommittee with the survey results. The Council also directed that the City Attorney share the survey results with the City Manager for his review.

The salary survey was compiled in February and early March.

b. Categories of Compensation

The survey takes into account three categories of pay that are available from public sources:

1. salary;
2. other pay, which includes items such as housing, vehicle and technology allowances; and
3. deferred compensation (i.e., contributions to an approved IRS 457 plan.

c. *Survey Cities*

The information compiled for the salary survey is modeled on earlier such surveys, where the practice has been to focus on cities in San Mateo County, but not to the exclusion of all others. Specifically, the survey takes into account several cities from the region, each of which was determined to have a parallel to the City in terms of the management responsibilities of the City Manager.

d. *Comparable Responsibilities*

The subcommittee and staff found it difficult to find a single city in the region where the responsibilities of city leadership seem to parallel those of the Brisbane City Manager.

On the one hand, Brisbane has a relatively small residential population of less than 5,000, but employs full time staff to provide a full array of municipal services that many cities of similar size do not, e.g., Atherton, Portola Valley and Woodside. In addition, Brisbane has complex environmental, planning and land use challenges that only a handful of larger cities in the region have.

On the other hand, the subcommittee and City personnel considered it a “reach” to compare the management demands on the City Manager to those of exponentially larger cities in the area, including Daly City, Redwood City and South San Francisco, each with approximately 100,000 residents.

C. **Conclusion**

Taking the above noted differences and balancing test into account between Brisbane and other cities in the region, the subcommittee concluded that the city managers of Burlingame, Millbrae and San Carlos come closest to having similar responsibilities to the City Manager at this time.

Specifically, the subcommittee reasoned that the city managers of these cities have more constituent demands that they must manage day-to-day given their significantly larger population bases, and that these demands are somewhat akin to the demands on the Brisbane City Manager with respect to being responsive to residents, while managing the land use complexities presented by the Baylands, the Quarry, and the California High Speed Rail Authority’s proposal to build a light maintenance facility in the City’s front yard.

The subcommittee reviewed the compensation paid to the city managers of Burlingame, Millbrae and San Carlos – ranging from \$275,500 to \$323,000 – and concluded that a comparable salary for the Brisbane City Manager would be \$287,000. The subcommittee did not limit its review to salary alone given the substantial allowances and/or deferred compensation paid in the three cities, while the City Manager’s compensation is limited to salary and a \$300 a month car allowance.

D. **Recommendation**

Taking the foregoing into account, the subcommittee recommends that the City Manager’s salary be increased from \$263,500 annually to \$287,040, which translates into a pay scale of \$138 per hour. The proposed Third Amendment to the Employment Agreement is attached.

E. **Fiscal Impact**

There are funds budgeted to cover this increase in this and next fiscal year.

Attachments

1. Resolution Approving the Third Amendment to the City Manager's Employment Agreement
and Third Amendment to the City Manager's Employment Agreement



Thomas McMorrow, City Attorney

RESOLUTION NO. 2022-xx**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRISBANE APPROVING THE THIRD AMENDMENT TO THE JULY 18, 2019 EMPLOYMENT AGREEMENT WITH THE CITY MANAGER**

WHEREAS, Clayton Holstine is the appointed City Manager of the City of Brisbane and currently serves under an Employment Agreement between the City and Mr. Holstine dated July 18, 2019, as amended; and

WHEREAS, the City and Mr. Holstine wish to amend further the Employment Agreement concerning the term of the Agreement and to revise the salary schedule for the City Manager, as set forth in the attached Exhibit A.

NOW, THEREFORE, the City Council of the City of Brisbane resolve as follows:

Section 1. The pay schedule for the City Manager, as of the first full pay period of April 2022 and thereafter, as provided in the City Manager Employment Agreement, as amended, is confirmed.

Section 2. Appendix A to the Employment Agreement, as amended, sets forth the pay rate and pay schedule for the City Manager's salary, which Appendix satisfies the requirements of a publicly available pay schedule as set forth in Government Code, Section 20636.

Section 3. The Third Amendment to the July 18, 2019 Employment Agreement between the City and Clayton Holstine is approved, and the Mayor is authorized to sign such Amendment.

Section 4. The City Clerk is directed to post the Third Amendment, once fully executed, including Appendix A, on the City's website under "City Manager's Contract".

Section 5. This Resolution shall take effect immediately upon adoption.

Coleen Mackin, Mayor

I hereby certify that the foregoing Resolution was adopted as a regular agenda item at a regularly scheduled meeting of the Brisbane City Council on April 7, 2022 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN

Ingrid Padilla, City Clerk

THIRD AMENDMENT TO EMPLOYMENT AGREEMENT

This Third Amendment to Employment Agreement is made April 7, 2022 by and between the City of Brisbane, a Municipal Corporation ("City"), and Clayton L. Holstine ("Employee").

RECITALS

- A. City and Employee entered into an Employment Agreement on July 18, 2019, by which City retained Employee as the City Manager of City and set forth the salary and other benefits provided to Employee by City.
- B. The Employment Agreement was first amended in November 2020 concerning the terms and conditions of a loan that City provided to Employee for his personal residence in Brisbane and the term of the agreement.
- C. The Employment Agreement was amended a second time in June 2021 to extend the term of the agreement to December 31, 2022.
- D. Consistent with the Employee Agreement, in the first calendar quarter of 2022, City conducted a salary survey of City Managers of certain cities in San Mateo County and other San Francisco Bay Area cities to determine whether any adjustment to Employee's salary schedule was warranted.
- E. A City Council ad hoc subcommittee was appointed to oversee and review the salary survey, a copy of which is attached hereto as Attachment 1.
- F. Based on its review of the salary survey, the City Council's ad hoc subcommittee has recommended that Employee's salary schedule be adjusted to reflect an increase in total salary and to extend the term of the Employment Agreement to April 30, 2023.

NOW, THEREFORE, in consideration of the foregoing, City and Employee agree as follows:

1. Subsection a) of Section 3 of the Employment Agreement is amended as follows:

"3. Term.

- a) The term of this Agreement shall commence on July 18, 2019 and end on April 30, 2023, subject to the termination provisions of Section 12.
- b) No change.
- c) No change."

2. Section 4 of the Employment Agreement is amended as follows:

"Salary.

- a) Commencing as of the first full pay period of April 2022, the bi-weekly base salary will be \$11,040 (\$287,040 annually; \$23,920/monthly; \$138/hour.) See the attached Appendix A.
- b) If the term of this Agreement is extended further, City Council and Employee will discuss whether to conduct a then current salary survey for City Manager's of cities in San Mateo County and the San Francisco Bay Area, and whether a potential adjustment of the salary schedule in Appendix A is warranted."

3. Section 6 of the Employment Agreement is amended as follows:

“6. Vacation and Leave Time

Employee shall be entitled to the same vacation, holidays, longevity and sick leave as provided to full time department heads of the City of Brisbane, in accordance with the Memorandum of Understanding as negotiated from time to time between such department heads and the City. For the purpose of accounting for sick leave and vacation, these hours will be merged into one bank of time called personal leave.

In addition to personal leave, Employee shall be entitled annually to 80 hours of administrative leave that shall be credited in August 2019, August 2020 and August 2021, provided, however, that Employee must use such administrative leave in the year in which it is credited or such leave is lost. Employee shall also be credited with 80 hours of administrative leave in August 2022 but such administrative leave must be used by April 30, 2023 or it will be lost.”

4. In all other respects, the terms and conditions of the Employment Agreement, as amended, shall continue in full force and effect.

IN WITNESS WHEREOF, the City of Brisbane has caused this Third Amendment to be signed and executed in its behalf by its Mayor, and duly attested by the City Clerk, and Employee has signed and executed this Third Amendment the day and year first written above.

CITY OF BRISBANE

EMPLOYEE

Coleen Mackin, Mayor

Clayton L. Holstine

Attest:

Ingrid Padilla, City Clerk

Approved as to form:

Thomas McMorrow, City Attorney

CITY OF BRISBANE
City Manager

Appendix A

Effective Date: 04/11/2022

<u>Job Title</u>		<u>Salary</u>
City Manager	Monthly	\$23,920.00
	Bi-weekly	\$11,040.00
	Hourly	\$138.00



2021 San Mateo County's City Manager Compensation

City	Salary 2021 ¹	Other Pay ²	Deferred Comp	Total
Redwood City	\$334,000	\$40,000	\$6000	\$380,000
https://www.redwoodcity.org/home/showpublisheddocument/24586/637794020919600000				
Daly City	\$357,000	\$17,000	0	\$374,000
https://www.dalycity.org/DocumentCenter/View/154/Executive-Management-PDF				
South San Francisco	\$308,000	\$25,500	0	\$333,500
https://www.ssf.net/home/showpublisheddocument/24041				
San Carlos	\$287,000	\$22,000	\$14,000	\$323,000
https://www.cityofsancarlos.org/home/showdocument?id=5504				
San Mateo	\$273,000	\$15,000	\$18,000	\$306,000
https://www.cityofsanmateo.org/DocumentCenter/View/46428/Department-Heads-and-Deputy-Directors?bidId=				
Millbrae	\$250,000	\$27,000	0	\$277,000
https://www.ci.millbrae.ca.us/home/showpublisheddocument/25115/637625620790100000				
Burlingame	\$269,000	\$500	\$6,000	\$275,500
https://cms6.revize.com/revize/burlingamecity/document_center/Human%20Resources/Salary%20Tables%20Report%2012-20-21%20-%20Merit%20Classifications%20UPDATED%20with%20CM%20COLA.pdf				
Pacifica	\$240,000	\$4,300	\$11,000	\$255,300
https://www.cityofpacifica.org/civicax/filebank/blobdload.aspx?BlobID=18359				
San Bruno	\$258,000	\$9,500	\$2,500	\$270,000
https://sanbruno.ca.gov/DocumentCenter/View/718/Salary-Schedule-for-Full-Time-Employees-PDF				
Brisbane	\$263,500	\$3,500	0	\$267,000
https://www.brisbaneca.org/sites/default/files/fileattachments/human_resources/page/16771/cm_pay_scale_july_2021.pdf				
Half Moon Bay	N/A			
Colma	N/A			
Average	\$284,000	\$16,500	\$5800	\$306,000

¹ Salaries information is compiled from the identified cities' websites as of March 10, 2022.

² Other information is from the California State Controller's annual government compensation report. See <https://publicpay.ca.gov/Reports/PositionRpts.aspx?rpt=2&entityid=0>

File Attachments for Item:

J. Consider Adoption of Resolution to Amend the Master Pay Schedule

(The purpose of this new resolution is to update the master pay schedule to reflect the City Manager's new hourly rate)



CITY COUNCIL AGENDA REPORT

Meeting Date: April 7, 2022

From: Abby Partin, Human Resources Administrator

Subject: Resolution to Amend the Master Pay Schedule

Community Goal/Result

Fiscally Prudent

Purpose

To ensure the City maintains competitive pay rates to retain qualified, stable and dedicated workforce for the community.

Recommendation

Adopt the attached resolution to amend the Master Pay Schedule.

Background and Discussion

On November 4, 2016, CalPERS issued Circular Letter 200-050-16, clarifying that pay schedules for “local agencies”, such as the City of Brisbane, must comply with Government Code Section 20636 and CCR section 570.5. If an agency does not meet the requirements outlined in GC Section 20636 and CCR section 570.5, CalPERS may determine an amount that may be considered to be the pay rate.

On May 17, 2017, in compliance with State law and regulations, the City began posting a master pay schedule that combines all of the pay schedules, including Council Member and Commissioner pay, together in one document as the master pay schedule, to avoid possible issues with CalPERS.

On April 7, 2022, the City Council approved an amendment to the City Manager’s employment contract that revised his pay schedule as follows:

- Monthly – \$23, 920
- Bi-weekly – \$11, 040
- Hourly - \$138

These new rates will become effective the next full pay period and the updated master pay schedule will reflect the City Manager’s new hourly rate listed above.

Staff recommends City Council adopt the attached resolution so that the City remains in compliance with GC Section 20636 and CCR section 570.5.

Fiscal Impact

The costs are included in the adopted budget for fiscal year 2021-22 and ensuing budget year.

Measure of Success

The City is able to maintain a stable and high quality workforce.

Attachments

Resolution 2022-__

A black and white scan of a handwritten signature, likely Abby Partin, in cursive script.

Abby Partin, Human Resources
Administrator

A blue ink scan of a handwritten signature, likely Thomas McMorrow, in cursive script.

Thomas McMorrow, City Attorney

RESOLUTION NO 2022-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRISBANE ADOPTING MASTER PAY SCHEDULES FOR ALL EMPLOYEES

WHEREAS, the City of Brisbane contracts with the California Public Employee's Retirement System (CalPERS) to provide retirement benefits for its employees; and

WHEREAS, pursuant to the California Code of Regulations, Title 2, Section 570.5 CalPERS requires governing bodies of local agencies contracting with CalPERS to approve and adopt a publicly available pay schedule in accordance with public meeting laws; and

WHEREAS, the pay schedule must identify the position title for every employee position, pay rate for each position title, and the applicable time base for the pay rate; and

WHEREAS, the City Council of the City of Brisbane desires to approve and adopt a publicly available Master Pay Schedule, showing all established employee positions and pay rates, in accordance with the requirement of California Code of Regulations, Title 2, Section 570.5;

NOW, THEREFORE, the City Council of the City of Brisbane resolves as follows:
The Master Pay Schedule, is approved as set forth in Exhibit A and is incorporated by reference as though fully set forth herein.

Coleen Mackin, Mayor

I hereby certify that the foregoing Resolution No. 2022-XX was duly and regularly adopted at a regular meeting of the Brisbane City Council on April 7, 2022, by the following vote:

Ayes:

Noes:

Absent:

Abstain:

Ingrid Padilla, City Clerk

City of Brisbane Master Pay Schedule
Approved per Resolution No. 2022-__

Job Classification	Hourly Grade A	Hourly Grade B	Hourly Grade C	Hourly Grade D	Hourly Grade E	Monthly	Fixed Hourly	Hourly Range	Effective Date	Bargaining Group	FLSA Status
Accounting Assistant I	\$ 25.97	\$ 27.28	\$ 28.64	\$ 30.07	\$ 31.58				1/3/2022	General Employees	Non-Exempt
Accounting Assistant II	\$ 28.59	\$ 30.02	\$ 31.53	\$ 33.10	\$ 34.76				1/3/2022	General Employees	Non-Exempt
Accounting Systems Analyst	\$ 39.26	\$ 41.33	\$ 43.40	\$ 45.57	\$ 47.84				1/3/2022	General Employees	Non-Exempt
Administrative Assistant	\$ 34.35	\$ 36.07	\$ 37.87	\$ 39.76	\$ 41.76				1/3/2022	General Employees	Non-Exempt
Administrative Management Analyst	\$ 43.73	\$ 45.90	\$ 48.21	\$ 50.61	\$ 53.15				1/3/2022	Confidential Employee	Exempt
Administrative Services Director	\$ 88.29	\$ 92.70	\$ 97.34	\$ 102.20	\$ 107.32				1/3/2022	Confidential Management	Exempt
Assistant Engineer I	\$ 40.00	\$ 42.01	\$ 44.11	\$ 46.32	\$ 48.63				1/3/2022	General Employees	Non-Exempt
Assistant Engineer II	\$ 44.01	\$ 46.19	\$ 48.51	\$ 50.94	\$ 53.48				1/3/2022	General Employees	Non-Exempt
Assistant City Manager	\$ 101.53	\$ 106.60	\$ 111.94	\$ 117.53	\$ 123.42				1/3/2022	Confidential Management	Exempt
Assistant to the City Manager	\$ 67.66	\$ 71.03	\$ 74.60	\$ 78.31	\$ 82.24				1/3/2022	Executive Management	Exempt
Assistant Fire Marshal	\$ 75.94	\$ 79.74	\$ 83.73	\$ 87.91	\$ 92.31				1/20/2022	Brisbane Fire Management	Exempt
Associate Civil Engineer	\$ 52.40	\$ 55.01	\$ 57.76	\$ 60.65	\$ 63.69				1/3/2022	Mid-Management/Professional	Exempt
Associate Planner	\$ 46.29	\$ 48.61	\$ 51.05	\$ 53.60	\$ 56.28				1/3/2022	General Employees	Non-Exempt
Cashier	\$ 15.00	\$ 15.75	\$ 16.54	\$ 17.36	\$ 18.23				3/3/2022	Unrepresented	Non-Exempt
C/CAG Stormwater Program Director	\$ 69.22	\$ 72.68	\$ 76.31	\$ 80.13	\$ 84.14				1/3/2022	Mid-Management/Professional	Exempt
City Clerk	\$ 54.75	\$ 57.49	\$ 60.36	\$ 63.38	\$ 66.54				1/3/2022	Executive Management	Exempt
City Manager	\$ -	\$ -	\$ -	\$ -	\$ -		\$ 138.00		4/11/2022	Unrepresented	Exempt
Code Enforcement Officer	\$ 37.33	\$ 39.20	\$ 41.15	\$ 43.21	\$ 45.38				1/3/2022	General Employees	Non-Exempt
Communications Digital and Media Coordinator	\$ 35.06	\$ 36.80	\$ 38.65	\$ 40.58	\$ 42.60				1/3/2022	General Employees	Non-Exempt
Communications Manager	\$ 51.14	\$ 53.83	\$ 56.66	\$ 59.65	\$ 62.78				1/3/2022	Mid-Management/Professional	Exempt
Community Development Director	\$ 85.38	\$ 89.65	\$ 94.14	\$ 98.85	\$ 103.79				1/3/2022	Executive Management	Exempt
Community Development Technician	\$ 35.06	\$ 36.80	\$ 38.65	\$ 40.58	\$ 42.60				1/3/2022	General Employees	Non-Exempt
Community Services Officer	\$ 30.56	\$ 32.53	\$ 34.16	\$ 35.87	\$ 37.66				1/3/2022	General Employees	Non-Exempt
Council Member	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 400.00			1/3/2022	Elected Position	
Crossing Guard	\$ 15.00	\$ 15.75	\$ 16.54	\$ 17.36	\$ 18.23				3/3/2022	Unrepresented	Non-Exempt
Deputy City Clerk/Executive Assistant	\$ 41.16	\$ 43.22	\$ 45.38	\$ 47.66	\$ 50.03				1/3/2022	Confidential	Exempt
Deputy Director of Public Works	\$ 77.33	\$ 81.19	\$ 85.26	\$ 89.53	\$ 94.00				1/3/2022	Mid-Management/Professional	Exempt
Deputy Finance Director	\$ 69.22	\$ 72.68	\$ 76.31	\$ 80.13	\$ 84.14				1/3/2022	Mid-Management/Professional	Exempt
Director of Marina/Aquatics Services	\$ 56.67	\$ 59.51	\$ 62.48	\$ 65.61	\$ 68.89				1/3/2022	Executive Management	Exempt
Engineering Technician	\$ 38.56	\$ 40.49	\$ 42.51	\$ 44.62	\$ 46.87				1/3/2022	General Employees	Non-Exempt
Executive Administrative Assistant	\$ 35.61	\$ 37.38	\$ 39.25	\$ 41.22	\$ 43.28				1/3/2022	General Employees	Non-Exempt
Facility Attendant	\$ 17.67	\$ 18.55	\$ 19.48	\$ 20.46	\$ 21.48				1/3/2022	Unrepresented	Non-Exempt
Finance Director	\$ 84.50	\$ 88.72	\$ 93.16	\$ 97.83	\$ 102.70				1/3/2022	Confidential Management	Exempt
Financial Services Manager	\$ 59.79	\$ 62.77	\$ 65.91	\$ 69.22	\$ 72.68				1/3/2022	Mid-Management/Professional	Exempt
Fire Captain	\$ 41.75	\$ 43.83	\$ 46.03	\$ 48.33	\$ 50.75				1/3/2022	IAFF Local 2400	Non-Exempt
Fire Prevention Officer	\$ 51.46	\$ 54.05	\$ 56.75	\$ 59.57	\$ 62.55				1/3/2022	IAFF Local 2400	Non-Exempt
Fire Trainee	\$ -	\$ -	\$ -	\$ -	\$ -		\$ 24.33		1/3/2022	IAFF Local 2400	Non-Exempt
Firefighter	\$ 34.94	\$ 36.68	\$ 38.52	\$ 40.43	\$ 42.45				1/3/2022	IAFF Local 2400	Non-Exempt

Job Classification	Hourly Grade A	Hourly Grade B	Hourly Grade C	Hourly Grade D	Hourly Grade E	Monthly	Fixed Hourly	Hourly Range	Effective Date	Bargaining Group	FLSA Status
Firefighter/Paramedic	\$ 34.94	\$ 36.68	\$ 38.52	\$ 40.43	\$ 42.45				1/3/2022	IAFF Local 2400	Non-Exempt
Geographic Information System Manager	\$ 51.14	\$ 53.83	\$ 56.66	\$ 59.65	\$ 62.78				1/3/2022	Mid-Management/Professional	Exempt
Habitat Restoration Aide	\$ -	\$ -	\$ -	\$ -	\$ -		\$ 12.00		1/3/2022	Unrepresented	Non-Exempt
Habitat Restoration Lead Worker	\$ -	\$ -	\$ -	\$ -	\$ -		\$ 15.00		1/3/2022	Unrepresented	Non-Exempt
Harbormaster	\$ 48.21	\$ 50.62	\$ 53.15	\$ 55.81	\$ 58.60				1/3/2022	Mid-Management/Professional	Exempt
Head Lifeguard	\$ 21.19	\$ 22.25	\$ 23.36	\$ 24.54	\$ 25.76				1/3/2022	Unrepresented	Non-Exempt
History Project Asst	\$ 35.86	\$ 37.66	\$ 39.54	\$ 41.51	\$ 43.59				1/3/2022	Unrepresented	Non-Exempt
Human Resources Administrator	\$ 70.63	\$ 74.16	\$ 77.87	\$ 81.77	\$ 85.85				1/3/2022	Confidential	Exempt
Human Resources Technician	\$ 35.06	\$ 36.80	\$ 38.65	\$ 40.58	\$ 42.60				1/3/2022	General Employees	Non-Exempt
Information Technology & Systems Administrator	\$ 52.71	\$ 55.34	\$ 58.11	\$ 61.01	\$ 64.08				1/3/2022	Mid-Management/Professional	Exempt
Intern	\$ -	\$ -	\$ -	\$ -	\$ -			\$15.00 - \$20.00	1/3/2022	Unrepresented	Non-Exempt
Lifeguard	\$ 16.08	\$ 16.88	\$ 17.72	\$ 18.61	\$ 19.53				1/3/2022	Unrepresented	Non-Exempt
Management Analyst (Part-time)	\$ 39.65	\$ 41.65	\$ 43.72	\$ 45.90	\$ 48.20				1/3/2022	Unrepresented	Non-Exempt
Marina Maintenance Worker I	\$ 30.06	\$ 31.56	\$ 33.14	\$ 34.79	\$ 36.54				1/3/2022	General Employees	Non-Exempt
Marina Maintenance Worker II	\$ 33.06	\$ 34.71	\$ 36.45	\$ 38.26	\$ 40.18				1/3/2022	General Employees	Non-Exempt
Marina Maintenance Worker I (Part-time)	\$ 30.65	\$ 32.18	\$ 33.79	\$ 35.50	\$ 37.27				1/3/2022	Unrepresented	Non-Exempt
Marina Maintenance Worker II (Part-time)	\$ 33.70	\$ 35.42	\$ 37.15	\$ 39.00	\$ 40.98				1/3/2022	Unrepresented	Non-Exempt
Marina Services Director	\$ 52.97	\$ 55.62	\$ 58.40	\$ 61.32	\$ 64.39				1/3/2022	Executive Management	Exempt
Office Assistant	\$ 27.55	\$ 28.88	\$ 30.33	\$ 31.84	\$ 33.45				1/3/2022	General Employees	Non-Exempt
Office Assistant (Part-Time)	\$ 28.05	\$ 29.45	\$ 30.92	\$ 32.48	\$ 34.10				1/3/2022	Unrepresented	Non-Exempt
Office Specialist	\$ 32.30	\$ 33.90	\$ 35.61	\$ 37.38	\$ 39.25				1/3/2022	General Employees	Non-Exempt
Office Specialist (Part-Time)	\$ 32.95	\$ 34.58	\$ 36.31	\$ 38.13	\$ 40.04				1/3/2022	Unrepresented	Non-Exempt
Park/Beach/Recreation Commissioner	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 100.00			1/3/2022	Appointed Position	
Parks & Recreation Director	\$ 81.41	\$ 85.49	\$ 89.76	\$ 94.24	\$ 98.96				1/3/2022	Executive Management	Exempt
Parks/Facilities Maintenance Worker I	\$ 30.06	\$ 31.56	\$ 33.14	\$ 34.79	\$ 36.54				1/3/2022	General Employees	Non-Exempt
Parks/Facilities Maintenance Worker I (Part-Time)	\$ 30.65	\$ 32.18	\$ 33.79	\$ 35.50	\$ 37.27				1/3/2022	Unrepresented	Non-Exempt
Parks/Facilities Maintenance Worker II	\$ 33.06	\$ 34.71	\$ 36.45	\$ 38.26	\$ 40.18				1/3/2022	General Employees	Non-Exempt
Payroll/Utility Billing Technician	\$ 35.06	\$ 36.80	\$ 38.65	\$ 40.58	\$ 42.60				1/3/2022	General Employees	Non-Exempt
Planning Commissioner	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 100.00			1/3/2022	Appointed Position	
Police Chief	\$ 99.64	\$ 104.62	\$ 109.84	\$ 115.35	\$ 121.10				1/3/2022	Police Chief	Exempt
Police Commander	\$ 89.83	\$ 94.32	\$ 99.04	\$ 103.99	\$ 109.19				1/3/2022	Police Commander	Exempt
Police Officer	\$ 45.65	\$ 47.93	\$ 50.33	\$ 52.85	\$ 55.49				1/3/2022	Brisbane Police Officers Association*	Non-Exempt
Police Officer - 40 hour shift (Detective/SRO)	\$ 47.93	\$ 50.33	\$ 52.85	\$ 55.49	\$ 58.26				1/3/2022	Brisbane Police Officers Association*	Non-Exempt
Police Sergeant	\$ 55.00	\$ 57.75	\$ 60.64	\$ 63.67	\$ 66.85				1/3/2022	Brisbane Police Officers Association*	Non-Exempt
Police Trainee	\$ -	\$ -	\$ -	\$ -	\$ -		\$ 33.78		1/3/2022	Unrepresented	Non-Exempt
Pre-School Teacher	\$ 17.77	\$ 18.68	\$ 19.61	\$ 20.60	\$ 21.63				1/3/2022	Unrepresented	Non-Exempt
Principal Analyst	\$ 61.17	\$ 64.24	\$ 67.44	\$ 70.80	\$ 74.35				1/3/2022	Confidential	Exempt
Principal Planner	\$ 65.15	\$ 68.40	\$ 71.83	\$ 75.42	\$ 79.19				1/3/2022	Mid-Management/Professional	Exempt
Program Manager - SMCWPPP	\$ 64.44	\$ 67.67	\$ 71.05	\$ 74.61	\$ 78.34				1/3/2022	Mid-Management/Professional	Exempt
Public Service Aide	\$ 15.82	\$ 16.62	\$ 17.43	\$ 18.30	\$ 19.23				1/3/2022	Unrepresented	Non-Exempt
Public Works Director/City Engineer	\$ 99.96	\$ 104.96	\$ 110.19	\$ 115.72	\$ 121.50				1/3/2022	Executive Management	Exempt

Job Classification	Hourly Grade A	Hourly Grade B	Hourly Grade C	Hourly Grade D	Hourly Grade E	Monthly	Fixed Hourly	Hourly Range	Effective Date	Bargaining Group	FLSA Status
Public Works Inspector	\$ 49.33	\$ 51.80	\$ 54.39	\$ 57.10	\$ 59.96				1/3/2022	General Employees	Non-Exempt
Public Works Lead Maintenance Worker	\$ 39.68	\$ 41.66	\$ 43.73	\$ 45.93	\$ 48.21				1/3/2022	General Employees	Non-Exempt
Public Works Maintenance Worker I	\$ 30.06	\$ 31.56	\$ 33.14	\$ 34.79	\$ 36.54				1/3/2022	General Employees	Non-Exempt
Public Works Maintenance Worker I (Part-time)	\$ 30.65	\$ 32.18	\$ 33.79	\$ 35.50	\$ 37.27				1/3/2022	Unrepresented	Non-Exempt
Public Works Maintenance Worker II	\$ 33.06	\$ 34.71	\$ 36.45	\$ 38.26	\$ 40.18				1/3/2022	General Employees	Non-Exempt
Public Works Superintendent	\$ 64.13	\$ 67.33	\$ 70.70	\$ 74.24	\$ 77.95				1/3/2022	Mid-Management/Professional	Exempt
Public Works Supervisor	\$ 49.01	\$ 51.47	\$ 54.04	\$ 56.74	\$ 59.58				1/3/2022	Mid-Management/Professional	Exempt
Public Works Team Leader	\$ 44.47	\$ 46.80	\$ 49.27	\$ 51.87	\$ 54.59				1/3/2022	Mid-Management/Professional	Exempt
Receptionist	\$ 27.51	\$ 28.88	\$ 30.33	\$ 31.84	\$ 33.45				1/3/2022	General Employees	Non-Exempt
Receptionist (Part-time)	\$ 28.05	\$ 29.45	\$ 30.92	\$ 32.48	\$ 34.10				1/3/2022	Unrepresented	Non-Exempt
Recreation Leader	\$ 17.75	\$ 18.63	\$ 19.57	\$ 20.54	\$ 21.57				1/3/2022	Unrepresented	Non-Exempt
Recreation Leader Aide	\$ 15.00	\$ 15.75	\$ 16.54	\$ 17.36	\$ 18.23				3/3/2022	Unrepresented	Non-Exempt
Recreation Manager	\$ 60.32	\$ 63.33	\$ 66.49	\$ 69.83	\$ 73.31				1/3/2022	Mid-Management/Professional	Exempt
Recreation Program Coordinator	\$ 30.51	\$ 32.56	\$ 34.19	\$ 35.90	\$ 37.69				1/3/2022	General Employees	Non-Exempt
Recreation Supervisor	\$ 44.56	\$ 46.80	\$ 49.13	\$ 51.58	\$ 54.17				1/3/2022	Mid-Management/Professional	Exempt
Regional Compliance Program Manager	\$ 51.14	\$ 53.83	\$ 56.66	\$ 59.65	\$ 62.78				1/3/2022	Mid-Management/Professional	Exempt
Reserve Police Officer	\$ 32.61	\$ 34.24	\$ 35.95	\$ 37.74	\$ 39.64				1/3/2022	Unrepresented	Non-Exempt
Senior Accounting Assistant	\$ 32.38	\$ 34.02	\$ 35.71	\$ 37.51	\$ 39.36				1/3/2022	General Employees	Non-Exempt
Senior Civil Engineer	\$ 64.44	\$ 67.67	\$ 71.05	\$ 74.61	\$ 78.34				1/3/2022	Mid-Management/Professional	Exempt
Senior Human Resources Analyst	\$ 48.86	\$ 51.29	\$ 53.87	\$ 56.55	\$ 59.37				1/3/2022	Confidential	Exempt
Senior Management Analyst	\$ 47.89	\$ 50.28	\$ 52.80	\$ 55.43	\$ 58.20				1/3/2022	Mid-Management/Professional	Exempt
Senior Planner	\$ 55.10	\$ 57.85	\$ 60.74	\$ 63.79	\$ 66.97				1/3/2022	Mid-Management/Professional	Exempt
Senior Recreation Leader	\$ 22.78	\$ 23.91	\$ 25.11	\$ 26.36	\$ 27.69				1/3/2022	Unrepresented	Non-Exempt
Sustainability Manager	\$ 51.14	\$ 53.83	\$ 56.66	\$ 59.65	\$ 62.78				1/3/2022	Mid-Management/Professional	Exempt
Special Assistant	\$ -	\$ -	\$ -	\$ -	\$ -			\$15.00-\$75.00	3/3/2022	Unrepresented	Non-Exempt
Spe Coun-Maj Dev Pro	\$ -	\$ -	\$ -	\$ -	\$ -		\$ 175.04		1/3/2022	Confidential Management	Exempt
Swim Instructor	\$ 17.54	\$ 18.41	\$ 19.34	\$ 20.31	\$ 21.33				1/3/2022	Unrepresented	Non-Exempt
Van Driver	\$ 16.49	\$ 17.33	\$ 18.20	\$ 19.12	\$ 20.07				1/3/2022	Unrepresented	Non-Exempt
Water Quality Technician	\$ 33.06	\$ 34.71	\$ 36.45	\$ 38.26	\$ 40.18				1/3/2022	General Employees	Non-Exempt

File Attachments for Item:

K. Plan to Improve Parking Issues in Central Brisbane

(The purpose of this item is to receive Council feedback on a proposed plan to improve street parking availability in Central Brisbane)



CITY COUNCIL AGENDA REPORT

Meeting Date: April 7, 2022

From: Karen Kinser, Deputy Director of Public Works

Subject: Plan to Improve Parking Issues in Central Brisbane

Community Goal/Result

Safe Community - Residents and visitors will experience a sense of safety

Community Building - Brisbane will honor the rich diversity of our city (residents, organizations, businesses) through community engagement and participation

Purpose

To receive Council feedback on a proposed plan to improve street parking availability in Central Brisbane

Recommendation

Provide direction and feedback on Complete Streets Safety Committee (CSSC)'s recommended three phase plan, consisting of; 1) a campaign to encourage residents to create space in garages or otherwise find ways to move cars off of the street, 2) resume sweeping streets in Central Brisbane in an alternating pattern on some regular frequency, including the ticketing of violators, which would serve to discourage excess vehicle storage on residential streets, and finally, if appropriate, 3) bring a vote to residents to implement a parking permit program in Central Brisbane.

Background

CSSC began reviewing the issue of lack of available parking on streets in Central Brisbane based on complaints from residents. Street parking data was collected on six randomly chosen blocks, five residential and one business/commercial street. Data was collected at approximately 6 pm on weeknights during the fall of 2020, over a period of 10 days. The average vehicle occupancy rate of the street spaces was found to be 90%, and the conclusion reached was that street parking is impacted, i.e., at full capacity.

Staff with CSSC input released a survey to residents about parking concerns and their thoughts about suggested ideas to improve street parking conditions. Results of the survey are attached.

Discussion

With 329 survey respondents representing almost 10% of the adult population, staff and CSSC found the issue was important to many, and the response to an unsolicited survey was very good. Seventy percent asked that the city take measures to improve street parking. A parking

permit program was favored either strongly or somewhat by 64% of respondents, and a street sweeping program that included fining violators was also favored by 64% of respondents.

CSSC's proposed phased plan is based upon review of responses as well as their goal to lead with incentives and only move to more burdensome measures should the "Move a car, be a Star" campaign, as it was informally referred to, did not prove effective. The steps in the plan are recommended to be taken in order, with the next step only to be undertaken should the prior step not achieve satisfactory results. The concept of having residents vote for a parking permit program in the third phase would create ownership and would allow all residents to have some say in the implementation of such a program.

Fiscal Impact

None at this time. Actions requiring additional resources of staff or contractor services will be brought to Council in a separate report at a subsequent meeting.

Measure of Success

Clear direction from Council regarding how to move forward with improvements to street parking conditions in Central Brisbane

Attachments

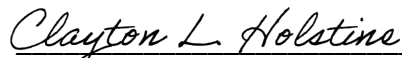
1. Residential Parking Survey Questions
2. Parking Survey Result Synopsis
3. Parking Survey Results Details



Karen Kinser, Deputy Director of Public Works



Randy Breault, Director of Public Works



Clay Holstine, City Manager

ATTACHMENT 1 - Residential Parking Survey Questions

The Complete Streets Safety Committee has been studying parking trends in Central Brisbane for the past year. Many residents have long expressed concern about the challenging on-street parking availability. Your participation in this survey will help us as we consider recommendations to address this issue.

If you would like to further discuss the on-street parking situation, we encourage you to attend our next Complete Streets Safety Committee meeting on Monday, May 3, 2021 at 6:30 p.m. via Zoom. More information about the meeting will be posted closer to the meeting date.

Thank you for taking the time to participate; your feedback is extremely valuable!

1. Do you feel that there is a parking shortage problem in Central Brisbane as a whole?
 - Strongly Agree
 - Somewhat Agree
 - Somewhat Disagree
 - Strongly Disagree

2. Do you feel that there is a parking shortage problem on your block?
 - Strongly Agree
 - Somewhat Agree
 - Somewhat Disagree
 - Strongly Disagree

3. If you answered "Strongly Agree" or "Somewhat Agree" to #2, what do you believe is the cause of the issue? (Select all that apply)
 - People on my block have too many cars
 - People do not use their driveway or garage for car parking
 - Not enough physical space on the street
 - Suspected non-residents/visitors parking on my block
 - Overflow parking from nearby businesses or other streets
 - Other: _____

4. Please indicate your opinion about the following potential parking management strategies for Central Brisbane.
 - A permit program allowing only residents and their guests to park on their street during certain times of the day
 - Strongly Support
 - Somewhat Support
 - Somewhat Opposed
 - Strongly Opposed
 - Discourage individuals from parking multiple cars on the street for long periods of time by enforcement of expanded street sweeping program
 - Strongly Support
 - Somewhat Support
 - Somewhat Opposed
 - Strongly Opposed

- A one-time financial incentive for residents who clean out their garage and use it for car parking
 - Strongly Support
 - Somewhat Support
 - Somewhat Opposed
 - Strongly Opposed
- Higher citation fees for parking violations
 - Strongly Support
 - Somewhat Support
 - Somewhat Opposed
 - Strongly Opposed
- No action from the City needed
 - Strongly Support
 - Somewhat Support
 - Somewhat Opposed
 - Strongly Opposed

5. Do you have any alternative suggestions to the strategies listed in #4?

6. Do you have any other suggestions or comments?

7. Knowing the geographic distribution of the responses will help us greatly. What block do you live on? (For example, if you live at 23 Alvarado, please write "00 block Alvarado." If you live at 827 Humboldt, please write "800 block Humboldt")



ATTACHMENT 2 - Parking Survey Results Synopsis

80% believe parking is a problem

Too many cars

People not using their driveways or garages

Most people want the city to do something

80 want no city action = 30%

190 want action = 70%

Parking Permit program

200 support permit program = 64% (strongly or somewhat)

120 opposed permit program = 36%

Street Sweeping w/enforcement

200 support = 64%, but more strongly supporting than for a permit program

110 opposed = 36%

Clean out garage incentive

160 opposed (slight majority)

Higher Citation fees

Evenly split (slight majority in support)

ATTACHMENT 3 - Parking Survey Results Details

329 responses



Not accepting responses



Message for respondents

This form is no longer accepting responses

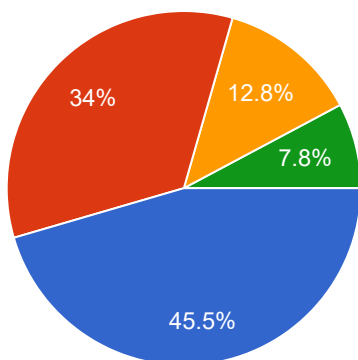
Summary

Question

Individual

1. Do you feel that there is a parking shortage problem in Central Brisbane as a whole?

321 responses

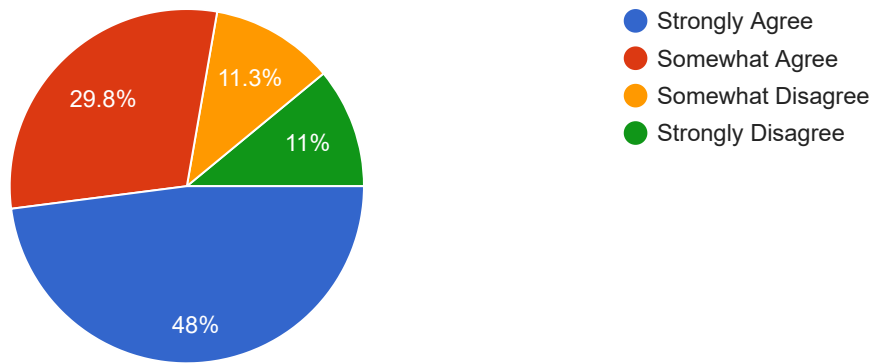


- Strongly Agree
- Somewhat Agree
- Somewhat Disagree
- Strongly Disagree

K.

2. Do you feel that there is a parking shortage problem on your block?

319 responses



K.

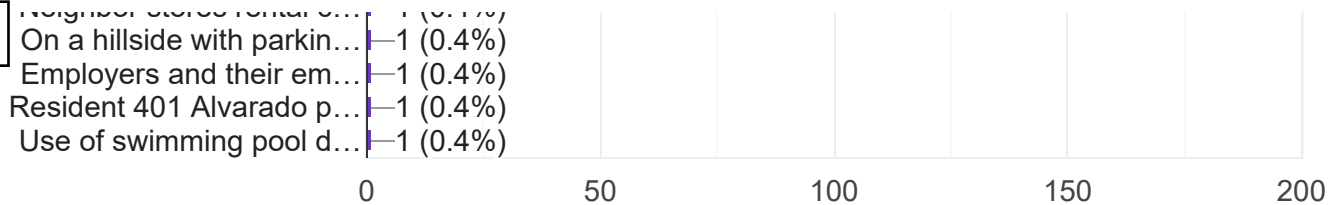
3. If you answered "Strongly Agree" or "Somewhat Agree" to #2, what do you believe is the cause of the issue? (Select all that apply) or fill in "Other" category.

261 responses

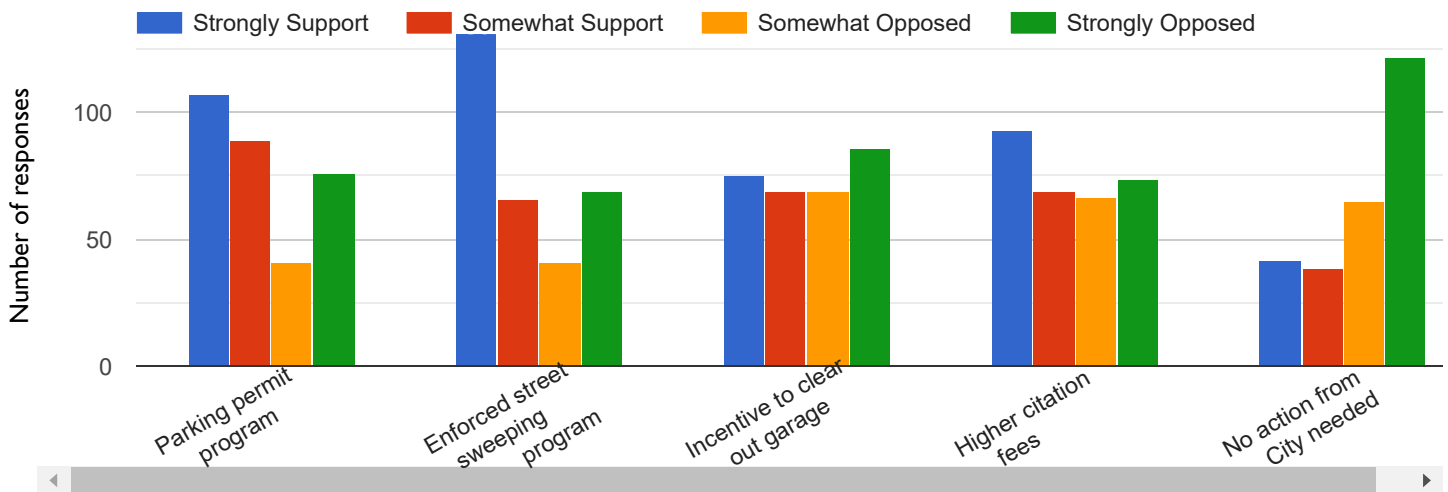


81

K.



4. Please indicate your opinion about the following potential parking management strategies for Central Brisbane.



5. Do you have any alternative suggestions to the strategies listed in #4?	6. Do you have any other suggestions or comments?	7. Knowing the geographic distribution of the responses will help us greatly. What block do you live on? (For example, if you live at 23 Alvarado, please write "00 block Alvarado." If you live at 827 Humboldt, please write "800 block Humboldt")
Work out deals with owners of empty lots to use for parking (e.g. on the corner of Mariposa and Visitation)		
Expanding street sweeping unnecessarily is counter productive as it effectively reduces the actual street parking capacity; all the cars parked on the affected street must pack into other streets. This will only exacerbate the underlying problem of there being insufficient parking for the quantity of cars. We already see this overflow effect with the weekly Visitation street sweeping.	Ensure that any new high density housing has sufficient parking to go along with it and does not force parking on the street.	200 block Mariposa
Stop approving variances parking on new building, remodels and/or ADUs and enforce current ordinances so that people are not storing vehicles on the street and using Brisbane as airport parking.	Stop allowing "driveway hogs" like the one on Lake Street where they make almost their entire property line their "driveway" so no one else can park on the street.	00 block of Sierra Point Rd
Eliminate front setback requirements		300 kings
	Comment - one of the main issues I see on our block is , too many people with cars in a single property. With the proliferation of ADUs and a fair number of rental units and apartments, there is not enough street space for all the cars. I would propose the owner of each property be issued a set number of parking permits based on size of property and available street space. Any additional permits should be cost prohibitive. There would need to be some sort of overflow parking or "visitor" parking. This would need to be designed and enforced so that short term visitors were ok but would make overnight or long term parking illegal.	200 block Klamath
	No ADUs, residents, businesses or government buildings built without additional or adequate parking provided.	Midway San Bruno Ave
Poor city planning has increased the parking issue. No parking for the new library plus the safe streets taking valuable parking places on Visitation and Mariposa. We need a city parking lot, most likely at the Brisbane Inn parking lot	Please enforce the laws we currently have. People leave cars on the street that haven't moved in months. We need these off the street. Can you offer a service to have cars towed to the junkyard for free in order to free up parking spots in front of some homes.	100 block of San Benito
Rental properties must have at least one parking space per a Unit. New construction must accommodate tenants/customer parking. If someone wants to rent out a room/ADU they must provide parking. Landlords/Subletters need to be identified and bootleg rentals need to be brought into compliance.	As housing become more dense parking will become more sparse. (caption obvious here) Property owners need to be held to a standard (incentivized?) to ensure our neighborhood doesn't end up a parking nightmare like SF.	100 Mendocino
I do not support the financial incentive to clean out the garage because I believe a year later, people will have moved stuff back into the garage and the car will be on the street again. Enforcement is key. 17.34.030 - Use restrictions.		
A. Required parking spaces, whether in a garage, carport or open area, shall not be used or converted for any other use that would impair their basic use as storage for motor vehicles.	There is more in the municipality code that prohibits people from using their garage as storage, but I couldn't find the other mention.	300 San Bruno Ave.
How about having "single family homes" or go back to the old days when you would have to provide additional off street parking if you were adding an ADU?		Kings Road
Street sweeping? Does that even happen? How about non registered cars get towed. A car from Mexico has parked on my block for 2 years another from Hawaii for 3. Yet, if I don't have tabs I'd get a ticket. No in-law units without off street parking like in the old days.	Single family should mean single family.	I live in Brisbane.
If possible: low-cost long-term parking lot nearby, such as the industrial park, for residents to park vehicles that they don't use daily (instead of parking those vehicles on the residential streets).	Most people don't use their driveways or garages for parking; rather for additional living and outdoor space. These same people will either harass anyone who parks in front of their houses and/or call the police. This is a misuse of the police department. Police should remind those who have converted their garages & driveways into living spaces that that's the choice they made and there is no guarantee of street parking in front of their homes. Parking is also challenging due to multi-dwelling units that do not have on-site parking for all tenants. For example, 118 Mendocino St. has 5 tenants, each with a car, and no onsite parking. Building permits should require at least some onsite parking.	100 block Mendocino
	Any dense housing built in the future needs parking garages. Not enough parking has been provided for community pool, park and for Lipman field when events take place.	10 Solano

	<p>I have not filled out the upper portion of this survey since i live in the Ridge and am not that familiar with central Brisbane parking issues, but I may have some insights as to how such problems are generated.</p> <p>In the Ridge, we ostensibly have plenty of parking. However there are two issues.</p> <p>First, there are cars from the adjacent condo complex which end up parking in our neighborhood. When such a person was addressed, they responded that the condo has rules and they have a right to park on a public street. It appears that when extended families cohabitate, one ends up with excess vehicles with nowhere to park. In this case, the condos had plenty of visitor parking, but were citing cars with extended usage of this space forcing these extra cars into our adjacent neighborhood. Clearly in a maturing setting where more condo families have older children living at home, they will end up with extra cars that will likely end up in front of our houses. Admittedly this issue reached its peak during the pandemic, when many residents were cohabitating with relatives, it does point to an issue that could create situations similar to Central Brisbane. This is particularly disturbing since the condos did have plenty of empty visitor parking spaces during this time. They were exporting their problem to our neighborhood. I can see this becoming an issue in the future.</p> <p>Secondly, another issue is present in the Ridge which could create similar conditions. One neighbor has a total of seven vehicles attached regularly to his home. In his case, his use of garage and driveway yields only 3 cars on the street. His next door neighbor similarly has 5 cars attached regularly to his home, and in his case he also uses garage and driveway but also has 3 cars on the street. That is 6 cars from just two houses. Most of these cars are from extended family, and perhaps a renter, but it is not a boarding house type concern. Fortunately most of the other neighbors have zero cars on the street, so there is not an current issue, but consider if every neighbor had this many cars and even worse if homes were not able to park inside their garage. Three cars per household parking on the street creates an undesirable condition, even in our area. Perhaps this is what is impacting central Brisbane?</p> <p>So this letter is not to complain about current usage of parking in the Ridge, but rather it is intended to both give some background as to how these conditions develop, but also to inspire Brisbane to initiate some sort of innovative preemptive actions to insure the quality of our setting. In resolving this we do not want to impinge on specific peoples rights, but alternatively, some people will always push the rules and are willing to impinge on others without regard to everyone's quality of life.</p> <p>I do not have a solution, but as you must know, if our residents become unhappy, ultimately they will move out of the area.</p>	Huckleberry
Legalize housing.	This is crazy. There is no parking shortage. There is too much parking and people use it to park multiple vehicles for long periods for free on public property. Please focus on the housing shortage, not the parking shortage.	00 Visitation
No new construction without providing parking- both residential and commercial	N/A	700 block Humboldt
the city needs to STOP TAKING PARKING AWAY! WHY DID THE CITY TAKE LIBRARY PARKING AWAY WHEN IT WAS PROPOSED? IS THE INN LOT EVER GOING TO BE USED FOR PARKING? WHY ARE SO MANY CARS IN ONE HOUSEHOLD ALLOWED?	More input from residents should be sought about parking, instead of those who do not live here. too much parking was taken for those troughs with plants.	monterey
Unfortunately as more new houses are built, more parking places are needed	Thank you for the loading zone signs at the farmers market. Hopefully the small businesses in town do not not lose business because of parking	90 block Kings. Parking was never an issue when we arrived. We now have 2 adults staying during the pandemic adding 2 more cars to the parking issue
I really like the idea of encouraging people to use their garages for parking. I also think it could be beneficial to make the case that street parking is not in general meant to be permanent parking for residents who have garages.	My neighbor parks his very fancy car on the street behind our garage permanently. He is very nice, but it makes backing out of my driveway very stressful every time. I would appreciate it if there were a way to encourage him to park his expensive car in his garage or in front of his house! Also, the AirBnB across the street hosts large groups and so parking completely fills up on weekends when those groups are renting.	271 Humboldt
Some kind of permit process for residential. For instance permits/stickers for each car. First two or three cars per property free then if more permits needed they you have to apply and be approved and pay a fee. Our neighbors across the street have 8/EIGHT cars!!!! They also seem to fix other peoples cars in their driveways.	There should be a permit fee of some kind if you choose to park your unoperable/non stickered car anywhere on your property. If you have renters then the owner of the house should pay for. Brisbane residential areas should not be a storage area for non used cars.	300 Mendocino
<p>#1. Find some money to widen the streets. Randy finds money for street projects that are useless or worse; find money for something useful.</p> <p>#2. Make the striping more rational. Really, one little bulb out on Humboldt surrounded by white lines? If one parking spot is OK, then 3 or 4 or 5 are OK.</p> <p>#3. Adjust proposed projects so parking spaces are preserved. Example: huge wall on Humboldt; bioswales on Visitation.</p> <p>#4. No boat parking on public or private streets.</p>	Most residents around my house have no garage. On-street parking is our only option.	200 block of Kings
Discourage landlords for charging for on-site parking		200 block Humboldt
Most residents in central Brisbane do not have garages or parking strips and if they do, they typically and desperately need it for storage. Rental homes offering zero onsite parking options and accommodate up to four renters/drivers or more have been permitted by the city and now their occupants and friends are parking in front of our homes. Let's zone it and use stickers for homeowners so we can actually not stress everyday about whether or not we'll be able to park in front or near our homes.		Mendocino Street
Address city design for more parking, we were already parking strained yet city decided to remove more parking. This is especially difficult during the covid pandemic. Not only this, but new building requirements require citizens to build garages on the lot itself, yet the new public library doesn't have this. This is unfair for citizens to shoulder new public property traffic.	We've been living here for 30+ years. This survey seems to be placing the responsibility the citizens shoulders and applying more restrictions through fines, permits etc.. The city should consider better planning in their designs as opposed to moving responsibility to residents.	100 block Visitation Ave near new library