



CITY of BRISBANE

City Council Meeting Agenda

Thursday, April 18, 2024 at 7:30 PM • Hybrid Meeting 50 Park Place, Brisbane, CA

The public may observe/participate in City Council meetings using remote public comment options or attending in person. City Council members shall attend in person unless remote participation is permitted by law. The City Council may take action on any item listed in the agenda.

TO ADDRESS THE COUNCIL

IN PERSON

Location: 50 Park Place, Brisbane, CA 94005, Community Meeting Room

Masking is not required but according to the California Department of Public Health guidelines, people at higher risk for severe illness should consider masking. To help maintain public health and safety, we respectfully request that people not attend in-person if they are experiencing symptoms associated with COVID-19 or are otherwise ill and likely contagious (e.g., respiratory illnesses).

To address the City Council on any item – whether on the posted agenda or not – please fill out a Request to Speak Form located in the Community Meeting Room Lobby and submit it to the City Clerk. Speakers are not required to submit their name or address.

REMOTE PARTICIPATION

Members of the public may participate in the City Council meeting by logging into the Zoom Webinar listed below. City Council meetings may also be viewed live and/or on-demand via the City's YouTube Channel, youtube.com/brisbaneca, or on Comcast Ch. 27. Archived videos may be replayed on the City's website, brisbaneca.org/meetings. Please be advised that if there are technological difficulties, the meeting will nevertheless continue if remote participation is available.

The agenda materials may be viewed online at brisbaneca.org at least 72 hours prior to a Regular Meeting, and at least 24 hours prior to a Special Meeting.

Remote Public Comments:

Remote meeting participants may address the City Council. We also encourage you to submit public comments in writing in advance of a meeting. Aside from commenting personally 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 agenda item.

Email: ipadilla@brisbaneca.org or **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

Call In Number: 1 (669) 900-9128

Note: Callers dial *9 to "raise hand" and dial *6 to mute/unmute.

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 4pm of the day of the meeting will be available for public inspection at the front lobby in City Hall and on the internet (brisbaneca.org/meetings). Any writings that are received after 4pm of the day of the meeting will be available on the internet at the start of the meeting (brisbaneca.org/meetings), at which time the materials will be distributed to the Council.

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

ROLL CALL

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

ADOPTION OF AGENDA

ORAL COMMUNICATIONS NO. 1

CONSENT CALENDAR

- B. Approve Minutes of City Council Meeting of March 7, 2024
- C. Adopt a Resolution Establishing the 2024 Business License Tax for Liquid Storage Facilities as to Kinder Morgan/SFPP
- D. Approve the Brisbane Dance Workshop’s Annual Spring Performance as a Cosponsored Event
- E. Approve the Brisbane Chamber of Commerce’s and Brisbane Lions Club’s “A Night in Little Reno” as a Cosponsored Event

OLD BUSINESS

- F. Receive Results of Parking Pilot Program Letter (Tulare and Thomas)
- G. Consider Introduction of Parking Ordinance, Waiving First Reading, Revising 10.26 of the Brisbane Municipal Code Concerning “Residential Parking Permit Program”

STAFF REPORTS

H. City Manager's Report on Upcoming Activities

MAYOR/COUNCIL MATTERS

I. Countywide Assignments and Subcommittee Reports

J. Written Communications

ORAL COMMUNICATIONS NO. 2

ADJOURNMENT

File Attachments for Item:

B. Approve Minutes of City Council Meeting of March 7, 2024



BRISBANE CITY COUNCIL
ACTION MINUTES

**CITY COUNCIL MEETING AGENDA
THURSDAY, MARCH 7, 2024**

HYBRID MEETING, 50 PARK PLACE, BRISBANE, CA 94005

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

Mayor O’Connell called the meeting to order at 7:32 P.M. and led the Pledge of Allegiance.

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

No Councilmembers made a request under the Emergency Circumstances of AB 2449. Councilmember Cunningham participated by teleconference at 131 Tulare Street, Brisbane, CA and Councilmember Lentz participated by teleconference at 1735 S Street Northwest, Washington D.C. and has been noticed accordingly.

Councilmembers present: Councilmembers Cunningham, Lentz, Mackin, and Mayor O’Connell

Councilmembers absent: Councilmember Davis

Staff Present: Interim City Manager Holstine, City Clerk Padilla, City Attorney McMorrow, Finance Director Yuen, Assistant to the City Manager Cheung, Legal Counsel Roush, Deputy Public Works Director Kinser, Assistant Engineer Santoyo- Velasquez, Senior Planner Ayres, Police Commander Garcia, and Management Analyst Ibarra

REPORT OUT OF CLOSED SESSION

City Attorney McMorrow reported that the City Council made no decision and staff was given direction on Pending Litigation Item D.

ADOPTION OF AGENDA

Mayor O’Connell made a motion, seconded by Councilmember Mackin, to amend the agenda to close in memory of Carolyn Parker, former Planning Commissioner and former Board of Trustee for the San Mateo County Mosquito and Vector Control District. The motion passed unanimously by all present.

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

Noes: None

Absent: Councilmember Davis

Abstain: None

AWARDS AND PRESENTATIONS

B. Proclaim March 2024 as Women's History Month

Mayor O'Connell proclaimed March 2024 as Women's History Month celebrating the theme: "Women Who Advocate for Equity, Diversity, and Inclusion." Anna Davis, an Inclusion, Diversity, Equity and Accountability Committee Member, accepted the proclamation and thanked the Council for the recognition.

ORAL COMMUNICATIONS NO. 1

Margi Power invited the Council and Brisban staff to the Leadership Council San Mateo County's leadership professional development programs and their Leadership Lab: When Everyone Leads, a dynamic and interactive peer learning experience in April

CONSENT CALENDAR

C. Approve Minutes of City Council Meeting of February 1, 2024

D. Approve Minutes of City Council Closed Session Meeting of February 15, 2024

E. Accept Investment Report as of December 2023

F. Accept Investment Report as of January 2024

G. Adopt a Resolution Adding HdL Company as an Authorized Representative to Examine Sales or Transactions and Use Tax Records

Councilmember Mackin made a motion, seconded by Councilmember Cunningham to approve Consent Calendar Items C-G. The motion passed unanimously by all present.

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

Noes: None

Absent: Councilmember Davis

Abstain: None

OLD BUSINESS

H. Consider Approval of a Letter to Households on Tulare Street and Thomas Avenue Asking for Their Participation in a Trial Residential Parking Permit Program

(The Fiscal Impact for the proposed pilot program will include the following: 1) setting up of the residential parking permit program parameters and associated web services, including collection of permit application information by consultant IPS Group will be \$5,000, 2) requiring residents to pay \$20 for each permit applied for and obtained, and 3) placing street signs needed for the two trial streets was estimated to cost \$5,000.)

Councilmember Karen Cunningham left the room and recused herself from voting on Old Business Item H. Assistant Engineer Santoyo- Velasquez reported that staff is recommending to review and approve a letter to households on Tulare St. and Thomas Ave. asking for their participation in a trial residential parking permit program (RPPP).

After Council questions, Steve Kerekes commented that he wanted clarification on what was being decided. City Clerk Padilla noted for the record that written correspondence was received about this item from Steve Kerekes and Andrew Kom.

After Council discussion, Councilmember Lentz made a motion, seconded by Councilmember Mackin to approve the Trial Residential Parking Permit Program participation letter with minor amendments to the residents of Tulare Street and Thomas Avenue. The motion passed unanimously by all present.

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

Noes: None

Absent: Councilmember Davis

Abstain: None

NEW BUSINESS

I. Consider Authorization of a \$10,000 grant to Rebuilding Together Peninsula for Rehabilitation of Home in Brisbane Owned by Low-income Household

Senior Planner Ayres reported Local Non-Profit Rebuilding Together Peninsula (RTP) had made a presentation at the Feb. 15, 2024 Council meeting noting they recently approved an application from a Brisbane resident for home repairs. Housing Subcommittee members Davis and Lentz suggested investigating whether money from our Affordable Housing Fund could be used to help sponsor this application, and Council asked for the item to be brought back on a future agenda.

Senior Planner Ayers advised that RTP is now requesting \$10,000 for deeper repairs to the applicant's home. Ayres also clarified that recognition as a sponsor of National Rebuilding Day would only be granted for making a general donation to RTP, while earmarking a contribution for the specific project in Brisbane would not.

Legal counsel still needs to determine whether the Brisbane project meets the criteria required in order to use

funds from the Low and Moderate Income Housing Asset Fund maintained by the Housing Authority.

Staff asked for direction from the Council to authorize the use of \$10,000 from the General Fund for the project, should legal counsel ultimately conclude that the housing fund monies cannot be used.

After Council questions, Diana Sosa commented that expenditures from the General Fund should be delayed until the Midyear Budget update.

After Council discussion, Councilmember Mackin made a motion, seconded by Councilmember Cunningham to continue the item at a future meeting and brought back once legal counsel determines the eligibility of using Housing Funds for this purpose. At that time, Council will also consider whether funds should be used to help multiple households rather than one project. The motion passed unanimously by all present.

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

Noes: None

Absent: Councilmember Davis

Abstain: None

STAFF REPORTS

J. City Manager's Report on Upcoming Activities

Interim City Manager Holstine reported on the latest City news.

MAYOR/COUNCIL MATTERS

K. Countywide Assignments and Subcommittee Reports

i. Consider Recruitment for Vacancies on City Committees and on the San Mateo County Mosquito and Vector Control District Board of Directors

City Clerk Padilla reported that the purpose of this item is to receive direction from the City Council regarding the resignations or vacant seats on the 1) Open Space and Ecology (OSEC) Committee, and 2) the Inclusion, Diversity, Equity, and Accountability (IDEA) Committee as well as the 3) San Mateo County Mosquito and Vector

Control District Board of Trustees. She added that if Council decides to recruit immediately, then the Recruitment Timeline for the vacancies will be as follows:

March 8, 2024-April 30, 2024: Recruitment period begins

May 2, 2024: Provide an update at the City Council meeting and schedule interviews

May 2024: Interview applicants

June 2024: Appoint and swear in new representatives and committee members

After Council questions and discussion, City Clerk Padilla was directed to reappoint IDEA Committee Members Kolhatkar and Horton to a two-year term seat until 2026 and to begin the recruitment process for the vacancies in OSEC, the IDEA Committee and San Mateo County Mosquito and Vector Control District Board of Trustees.

L. Written Communications

Council received the following written correspondence from February 22, 2024 to March 7, 2024.

- 02-20-2024 Kerekes (Dark Skies)
- 02-15-2024 Gabby (Letter to Mayor and Council)
- 02-22-2024 Cora (Statement San Mateo Tragedy February 2024)
- 02-21-2024 Sun (City Term Elections)
- 02-22-2024 Lee (Election Process)
- 02-28-2024 Calmes (Resignation)
- 02-29-2024 Kom (Parking Pilot Program)
- 03-04-2024 Kerekes (Parking Permit Issue)

ORAL COMMUNICATIONS NO. 2

Diana Sosa was concerned about the large amount of money the City has to spend on placing 17 street signs for the pilot parking program if approved.

ADJOURNMENT

Mayor O'Connell adjourned the meeting at 8:54 P.M. in memory of Carolyn Parker.

Ingrid Padilla
City Clerk

File Attachments for Item:

C. Adopt a Resolution Establishing the 2024 Business License Tax for Liquid Storage Facilities as to Kinder Morgan/SFPP



CITY COUNCIL AGENDA REPORT

Meeting Date: April 18, 2024

From: Carolina Yuen, Finance Director

Subject: Resolution Establishing the 2024 Business License Tax for Liquid Storage Facilities as to Kinder Morgan/SFPP

Community Goal/Result

Fiscally Prudent
Economic Development

Purpose

To establish for calendar year 2024 the amount of the business license tax charged to Kinder Morgan/SFPP for its liquid storage facilities in Brisbane under Section 5.20.011 of the Brisbane Municipal Code.

Recommendation

Adopt the attached resolution imposing a business license tax in the amount of \$229,198 as to Kinder Morgan/SFPP for calendar year 2024.

Background

The City receives revenues from diverse sources in order to provide the necessary high-quality services the community expects.

At the general election in November 2013, Brisbane voters approved an annual business license tax on persons engaged in the business of operating, leasing, supplying or providing a liquid storage facility in the City of Brisbane. The ballot measure added Section 5.20.011 to the Brisbane Municipal Code, allowing the City to impose up to a maximum business license tax of \$115.28 per year for each 1,000 cubic feet of liquid storage capacity.

In 2014 and 2015, the City Council imposed by resolution a business license tax of \$38.91 for each 1,000 cubic feet of storage capacity. In 2016 and 2017, the Council imposed by resolution a business license tax of \$115.28 for each 1,000 cubic feet of storage capacity. As to Kinder Morgan/SFPP, LP, the owner of the only liquid storage facility currently in Brisbane, this rate translated to a tax of \$135,000 in 2014, \$135,000 in 2015, \$400,000 in 2016, and \$400,000 in 2017. The company paid the 2014, 2015 and 2016 fees under protest and did not pay the license tax for 2017 but filed a civil suit against the City in the San Mateo County Superior Court seeking reimbursement for the taxes paid in 2014, 2015 and 2016.

The litigation was settled in 2017. Under the terms of the settlement agreement, the City and Kinder Morgan/SFPP agreed that for 2017, the liquid fuel storage tax rate would be set by the

Brisbane City Council at an amount that is equivalent to 3.5 cents per barrel of liquid fuel transported through the Brisbane Terminal for delivery at the terminal or “over the rack” (\$261,091), that for 2018, the tax rate would be equivalent to 4 and 1/3 cents per barrel (\$323,332) and for 2019, the tax rate would be 5 and 1/3 cents per barrel (\$356,458).

The settlement agreement also provided that at the November 2019 municipal election, Council would place before the voters a revision to the then current business license tax concerning liquid storage facilities that would provide that the tax rate will be up to 6 cents per barrel, with the exact rate to be determined annually by the Council. That liquid storage tax formula would then be applied for subsequent years, but in no event would the tax be greater than \$400,000. The voters approved the revision to the business license tax as described.

Since 2020, Kinder Morgan/SFPP has reported the following number of over the rack barrels and accordingly has paid the business license tax as set forth below:

- 2020 - \$400,000 maximum allowed based on 8,326,342 barrels from 2019
- 2021 - \$288,586 based on 4,809,771 barrels from 2020
- 2022 - \$324,327 based on 5,405,448 barrels from 2021
- 2023 - \$338,159 based on 5,635,991 barrels from 2022

Discussion

Kinder Morgan/SFPP has provided the City with information that in 2023 there were 3,819,969 barrels “over the rack.” The ordinance provides that the tax rate may be up to 6 cents per barrel, with a business license cap of \$400,000. Adoption of the attached resolution will set the tax rate at 6 cents per barrel and impose for 2024 a business license tax for Kinder Morgan/SFPP of \$229,198. Kinder Morgan has described the recent decrease in barrels partially to be the result of losing a significant customer and some diesel customers shifting their business away to Renewable Diesel available at other locations.

Fiscal Impact

As to Kinder Morgan/SFPP, Council’s adoption of the attached resolution will result in a business license tax of \$229,198 for calendar year 2024.

Measure of Success

Kinder Morgan/SFPP to make a payment of \$229,198 to the City for 2024.

Attachment - Resolution Establishing the Business License Tax to Kinder Morgan/SFPP LLC for Calendar Year 2024.

Carolina Yuen

Carolina Yuen, Finance Director

Clay Holstine

Clay Holstine, City Manager

RESOLUTION NO. 2024-_____**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRISBANE
ESTABLISHING THE BUSINESS LICENSE TAX CHARGED TO KINDER
MORGAN/SFPP LLC FOR CALENDAR YEAR 2024 UNDER SECTION
5.20.011 OF THE BRISBANE MUNICIPAL CODE**

WHEREAS, Section 5.20.011 of the Brisbane Municipal Code imposes an annual business license tax on persons engaged in the business of operating, leasing, supplying or providing a liquid storage facility in the City; and

WHEREAS, Kinder Morgan/SFPP LLC, a business in Brisbane engaged in the business of operating, leasing, supplying or providing a liquid storage facility, and the City have agreed that for calendar year 2024 the liquid fuel storage tax will be set by the City Council based on a formula in an amount of six cents per barrel of liquid fuel transported throughout the Brisbane Terminal for delivery at the terminal (“over the rack”) during calendar year 2023; and

WHEREAS, Kinder Morgan/SFPP LLC provided data to the City indicating that the number of barrels “over the rack” for calendar year 2023 was 3,819,969; and

WHEREAS, the Section 5.20.011 provides the City Council may set a tax rate for these facilities up to six cents per barrel, so long as the overall tax amount does not exceed \$400,000.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BRISBANE AS FOLLOWS:

1. For 2024, the City Council sets the business license tax rate for the Kinder Morgan/SFPP liquid storage facility in Brisbane at six cents per barrel and the annual business license tax charged to Kinder Morgan/SFPP LLC for 2024 shall be \$229,198.

2. Payment of the business license taxes for 2024 shall be due and payable in full by June 30, 2024.

Terry O’Connell, Mayor

C.

I hereby certify that the foregoing Resolution No. 2024-_____ was duly and regularly adopted at a regular meeting of the Brisbane City Council on April 18, 2024 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Ingrid Padilla, City Clerk

File Attachments for Item:

D. Approve the Brisbane Dance Workshop's Annual Spring Performance as a Cosponsored Event



CITY COUNCIL AGENDA REPORT

Meeting Date: 4/18/2023

From: Jeff Franco, Recreation Coordinator

Noreen Leek, Parks & Recreation Director

Subject: Application for Event Cosponsorship

Community Goal/Result

Community Building & Fundraising

Purpose

Promote cultural and social events that encourage community engagement and provide assistance to local non-profit organizations.

Recommendation

Approve the Brisbane Dance Workshop’s Annual Spring Performance as a cosponsored event.

Background

Founded in 1983, Brisbane Dance Workshop (BDW) is a non-profit organization established to provide creative and skill based performing arts learning to children ages 3 and older. BDW embraces a real challenge in teaching dance: to preserve innocence, playfulness and creativity in a child while developing the more demanding technical and aesthetic aspects of the performing arts. BDW has staged over thirty original performances involving children and adults and offers a wide range of classes such as: Ballet, Modern, Hip Hop, Composition, Creative Movement, Irish, Acting, Voice, and Improvisation. BDW offers scholarships to students who participate in BDW classes as well as scholarships for students who have a proven record of dedication and wish to expand their learning experience outside of Brisbane.

BDW strives to create entertainment for the community by hosting their annual Spring Performance of ‘Down the Rabbit Hole’ at the Mission Blue Center. This event is open to people of all ages and helps to support the mission of the Brisbane Dance Workshop. Tickets will be sold at \$15 for adults, and \$12 for youth and seniors. Evening performance gala event tickets will be available for \$35/person. BDW kindly requests continued support from the City for the compensated use of Mission Blue for the show and rehearsals, waiver of the insurance requirement, facility staff time, and assistance promoting the event to the community.

Discussion

Brisbane Dance Workshop will hold their annual Spring Performance at the Mission Blue Center on Saturday & Sunday, May 18th & 19th. Brisbane Dance Workshop qualifies under the Group II category for recreation facilities indoor use permits as a non-profit group serving the Brisbane community. Meeting

the Group II requirements with the events open to the general public qualifies them for free use of the facility and waives the deposit requirement.

Fiscal Impact

Brisbane Dance Workshop is requesting support from the City as summarized in the table below. Use of the Mission Blue Center and the deposit are waived as part of their Group II designation.

FINANCIAL IMPACT SUMMARY BASED ON APPLICATION		
Hourly Rental of Mission Blue Center	Approximately 20 hours @ \$350/hour = \$7,000 <i>(including set up/clean up)</i>	Waived per City policy for Non-profit use
Mission Blue Rental Deposit	\$500 <i>(Typically refundable absent damages)</i>	Waived per City policy for Non-profit use
Staff time to set up and break down theatre risers	Approximately 10 staff labor hours @ \$40/hour = \$400	Requesting to be waived
Indoor Event Insurance	Approximately \$100-\$250/event. <i>(Renters are typically required to procure insurance on their own and provide a copy to the city.)</i>	Requesting requirement be waived
Use of existing theatre lighting at Mission Blue	Waived – provided at no cost.	
Lighting Technician	The City does not traditionally cover this cost and therefore it is the responsibility of the Non-profit organization to hire and pay a lighting technician.	
Promotional and Marketing Support	Waived – provided at no cost.	

Attachments

1. Cosponsorship application

Jeff Franco
 Jeff Franco, Recreation Coordinator

Noreen Leek
 Noreen Leek, Parks & Recreation Director

Clay Holstine
 Clay Holstine, City Manager



CITY OF BRISBANE COSPONSORSHIP APPLICATION

This application must be submitted to the Parks & Recreation Department at least (90) working days prior to the requested event.

Phone: (415) 508-2140 | Email: brisbanerec@brisbaneca.org | Office: 50 Park Place, Brisbane, CA 94005

APPLICANT INFORMATION

Name of Contact Person: Camille Salmon Phone: 650-576-7126

Email: Camosal51@yahoo.com

Name of Organization: B.D.W. Organization Website: brisbanedanceworkshop.org

Organization Address or P.O. Box: P.O. Box 844 Brisbane CA 94005

Circle ONE of the following descriptions below that best describes your organization:

- a. Brisbane Non-Profit Organization
- b. Non-resident, Non-Profit Organization (Outside of Brisbane)
- c. School District, School, or School Affiliated Group (ex. PTO)
- d. Private Group, Club, or Organization

What year did your organization begin serving the Brisbane community? 1983

How has your organization added value to the Brisbane community in the past?

provides After-School classes in performing arts for Brisbane children 3yrs thru high-school and a annual performance to celebrate accomplishments

What is your organization's mission and/or purpose?

to provide performing arts classes and stage experiences to children and young adults all the while building community.

EVENT DETAILS

(If you are requesting multiple days & times, please attach those details on a separate sheet of paper.)

Name of Event: B.D.W. Annual Performance

Event Set-up Start Time: see

Event Date (mm/dd/yy): SEE attached flyer

Event Start Time: attached flyer

Event Day of Week: SEE attached flyer

Event End Time: attached flyer

Event Location: MISSION BLUE

Describe what can be expected at this event? (ex. Performance, Dinner, Activities, etc.)

Will there be any fundraising at this event? GAIA If yes, what will the funds raised be used for? Scholarships & Perf. costs.

Are there any admission fees for this event? Y If yes, please list them here: Adults 15 / GAIA 35
Seniors/children 12

If this event is NOT open to the general public, what are the restrictions for who may attend? (ex. age, membership, residency, etc.)

*2024 Down The Rabbit Hole

INDOOR FACILITY ACCESS REQUEST

City Staff must be present to accommodate the use of any indoor facilities. The below requested times will be used to ensure staff will be available when you need to access the facility. (If you are not requesting indoor facility use, you may skip to the next section.)

Date of Facility Access (mm/dd/yy): _____ Opening Time: _____ Closing Time: _____
Date of Facility Access (mm/dd/yy): _____ Opening Time: _____ Closing Time: _____
Date of Facility Access (mm/dd/yy): _____ Opening Time: _____ Closing Time: _____

SEE attached

EQUIPMENT USE REQUEST

If you would like to request any equipment for an outdoor event, please include those details below. (If your event is at one of our indoor facilities, you may indicate your equipment needs on the rental layout.)

Quantity:	Item:
_____	6ft Long Rectangle Tables
_____	Chairs
_____	10ft x 10ft Canopy/Pop-up Tent
_____	Weighted Sandbags

Mission Blue Center ONLY

If your event will be at the Mission Blue Center, please indicate if you wish to request any of the equipment listed below.

Bluetooth Speaker? with Microphone? _____

Projector & Screen? _____

*Theatrical Lighting? with *Lighting Technician?

*Theater Risers? *BDW has -*

*Any additional fees associated with reservation of special equipment will be the responsibility of the applicant, and may require additional planning time.

PERMITS

Alcoholic Beverage Permit

Will alcoholic beverages (beer/wine) be sold at your event? NO If yes, you must attach a copy of an [Alcoholic Beverage Permit](#)

*Full Liquor Liability: If beer or wine is available for consumption and money is transacted in any form (i.e. for donation, for a ticket, for a meal, for entry to the event, for the beverage) then full liquor liability premiums are necessary.

Food & Beverage Permits - Outdoor Events Only

Will any food or non-alcoholic beverages be sold at your event? NO If yes, this permit is required smchealth.org/food-program

Traffic Permits

Will this event require any street or parking closures? NO If yes, you must obtain a [Brisbane Encroachment Permit](#)

Amplified Sound Permits - Outdoor Events Only

Do you wish to use amplified sound at this event? NO If yes, you must submit an [Brisbane Amplified Sound Permit Application](#)

Brisbane Business License

Do you intend to sell goods of any kind at your event? yes - T-Shirts / photos / Flowers - If yes, you must have a valid [Brisbane Business License](#)

ADDITIONAL SUPPORT

To request promotional support, please circle the specific areas you would like support with. (Please note: promotional support is not guaranteed. Any graphics or content for your event are expected to be provided by the applicant.)

a. Brisbane Signboards b. Social Media c. City Website d. City Publications Other: _____

USE AGREEMENT & LIABILITY RELEASE

To the fullest extent allowed by law, I agree to indemnify and defend the City of Brisbane, its directors, officers, agents, employees and volunteers and hold them harmless from and against any and all loss, liability, expense, claims, costs, suits, and damages, including attorneys' fees, arising out of the use or occupancy described in this application. I agree to waive all rights of subrogation against the City, its elected or appointed officers, officials, agents and employees for losses paid under the terms of any policy which arise from the use or occupancy described in this application.

Applicant Signature *Camille DeJohn* Date 3/4/24

ADMINISTRATIVE SECTION

Facility Application? _____ Permit # _____ CC Report Due _____ CC Meeting Date: _____

Please have doors unlocked 30 min before noted times below. And as is past years, I am never really sure the schedule or needs of the lighting designer. There will be times he needs be in MB outside the noted times below.

ALL REHEARSAL @ MISSION BLUE (*during the week of 5/15-5/17 - please allow time prior to or just after rehearsals for performers to try on their costumes)

Monday	Tuesday	Wednesday	Thursday
6 3:00 - 3:30 * Preschool & Kinders 3:00 - 4:00 1 st & 2 nd	7 3:30 - 5:30 All Actors	8 3:20 - 4:20 Tap I, & II 4:30 - 5:30 Tap III	9 3:15 - 4:15 Modern/Contemporary 1 4:15 - 5:15 Modern /Contemporary 2&3
13 3:00 - 3:30 * Preschool & Kinders 3:00 - 4:15 1 st & 2 nd <u>Actors:</u> 3:15 - 4:00 Alice, Daisy, Jasmine, Marigold, Petunia, Poppy, Violet, Iris, Rose	14 3:30 - 5:30 All Actors	15 3:20 - 4:20 Tap I, & II <u>Actors:</u> Cards 1, 2, 3 4, 5 and Joker 4:00 - 4:45 4:40 - 5:30 Tap III <u>Actors:</u> Dee & Dum, Hatter, Alice, Dormouse & Hare	16 3:20 - 4:15 Modern/Contemporary 1 <u>Actors</u> 3:40 - 4:00 Mom, Dad, Alice & Aunt Cora 4:15 - 5:15 Modern /Contemporary 2&3 TECH Rehearsal 6:00
FRIDAY May 18 Dress Rehearsal & Photos Photo Sched. detail See #7 Dress Rehearsal 6:30		SATURDAY May 18 Calls: 2:00 - Actors 2:30 - Dancers 2:45 - Monday 1 st & 2 nd > 3:00 - Pre-school Kinder SHOW 3:30 Calls: 6:30 - Actors 6:45 - Dancers 7:00 Monday 1 st & 2 nd . PRE-SCHOOL & KINDER CLASS DOES NOT PERFORM IN THIS SHOW 7:30 Gala Show	Sunday May 19 Calls 2:00 - Actors 2:30 - Dancers 2:45 - Monday 1 st & 2 nd > 3:00 - Pre-school Kinder SHOW 3:30

Please provide another space for Reg. Sched. Even to that usually take place @ Mission Blue

* BDU with exception of Wed/Adult Tap classes 5:45-6:45 will all take place @ Mission Blue the weeks of 5/6 & 5/13

File Attachments for Item:

E. Approve the Brisbane Chamber of Commerce's and Brisbane Lions Club's "A Night in Little Reno" as a Cosponsored Event



CITY COUNCIL AGENDA REPORT

Meeting Date: 4/18/2023

From: Jeff Franco, Recreation Coordinator

Noreen Leek, Parks & Recreation Director

Subject: Application for Event Cosponsorship

Community Goal/Result

Community Building & Fundraising

Purpose

Promote cultural and social events that encourage community engagement and provide assistance to local non-profit organizations.

Recommendation

Approve Brisbane Chamber of Commerce's & Brisbane Lions Club "A Night in Little Reno" as a cosponsored event.

Background

The Brisbane Chamber of Commerce is Non-profit 501(c)(6) organization created through a partnership of businesses, civic leaders, and residents working together to enhance Brisbane's economic landscape. The Chamber assisted small businesses throughout the COVID-19 pandemic with critical information about protocols and funding opportunities, as well as partnered with the City of Brisbane to distribute grants. The Chamber continues to print The Luminary (Brisbane's only newspaper), offer scholarships to college students, partner with Lipman Middle School on a job shadowing day, create wooden holiday stars for residents, and sponsor the Brisbane Garden Show.

The Brisbane Lions Club is a 501(c)(3) committed to serving the community. The Lions Clubs are places where individuals join together to give their time and effort to improving their communities, and the world. They help the community get vision and hearing care and equipment. They support the students in our community through the scholarship program and provide scholarships to college-bound students who live in Brisbane.

Discussion

The Event, "A Night in Little Reno" will be held on Saturday, June 22nd, 2024 from 6:00-11:00pm at the Mission Blue Center. The Chamber of Commerce qualifies under the Group II category for recreation facilities indoor use permits as a non-profit group serving the Brisbane community. Meeting the Group II requirements with the events open to the general public qualifies them for free use of the facility and waives the deposit requirement.

Fiscal Impact

The Brisbane Chamber of Commerce is requesting support from the City as summarized in the table below. They have requested use of the Mission Blue Center for the event. Use of the facility and the deposit are waived as part of their Group II designation.

FINANCIAL IMPACT SUMMARY BASED ON APPLICATION		
Hourly Rental of Mission Blue Center	Approximately 11 hours @ \$350/hour = \$3,850 <i>(including set up)</i>	Waived per City policy for Non-profit use
Rental Deposit	\$500 <i>(Typically refundable absent damages)</i>	Waived per City policy for Non-profit use
Event Insurance	Approximately \$100-\$250/event. <i>(Renters are generally required to procure insurance on their own and provide a copy to the City.)</i>	Applicant is requesting requirement be waived.
Use of existing theatre lighting at Mission Blue	Waived – provided at no cost.	
Lighting Technician	The City does not traditionally cover this cost and therefore it is the responsibility of the applicant to hire and pay a lighting technician.	
Promotional and Marketing Support	Waived – provided at no cost.	
ABC License for alcoholic beverage sales	The City does not cover this cost and therefore it is the responsibility of the applicant to pay associated fees. The applicant will be required to submit a copy of the license to the City.	

Attachments

1. Cosponsorship application

Jeff Franco

Jeff Franco, Recreation Coordinator

Noreen Leek

Noreen Leek, Parks & Recreation Director

Clay Holstine

Clay Holstine, City Manager



CITY OF BRISBANE COSPONSORSHIP APPLICATION

This application must be submitted to the Parks & Recreation Department at least **(90) working days** prior to the requested event.

Phone: (415) 508-2140 | Email: brisbanerec@brisbaneca.org | Office: 50 Park Place, Brisbane, CA 94005

APPLICANT INFORMATION

Name of Contact Person: Madison Davis/Sharon Boggs **Phone:** 415-706-5276

Email: madison@brisbanechamber.org/Sharonboggs@gmail.com

Name of Organization: Brisbane Chamber of Commerce/Brisbane Lions Club **Organization Website:** brisbanechamber.org/brisbanelions.org

Organization Address or P.O. Box: 50 Park Place, Brisbane/ PO Box 317-Brisbane

Circle **ONE** of the following descriptions below that best describes your organization:

- a. Brisbane Non-Profit Organization**
- b. Non-resident, Non-Profit Organization (Outside of Brisbane)
- c. School District, School, or School Affiliated Group (ex. PTO)
- d. Private Group, Club, or Organization

What year did your organization begin serving the Brisbane community? 1946/1947

How has your organization added value to the Brisbane community in the past?

The Brisbane Chamber assisted small businesses throughout COVID with critical information, partnered with the City of Brisbane to distribute grants, prints Brisbane's only newspaper-The Luminary, gives college scholarships to students, partners with Lipman on a job shadowing day, creates Holiday stars for residents, and sponsors the garden show. These are just a few of our programs.

What is your organization's mission and/or purpose?

The Brisbane Chamber of Commerce is non-profit 501(c)(6) organization created through a partnership of businesses, civic leaders, and residents working together to enhance Brisbane's economic landscape.

The Brisbane Lions Club is a 501(c)(3) committed to serving the community. The Lions Clubs are places where individuals join together to give their time and effort to improving their communities, and the world.

EVENT DETAILS

(If you are requesting multiple days & times, please attach those details on a separate sheet of paper.)

Name of Event: A Night in Little Reno

Event Set-up Start Time: 12pm

Event Date (mm/dd/yy): 6/22

Event Start Time: 6:00

Event Day of Week: Saturday

Event End Time: 10:30/11

Event Location: Mission Blue

Describe what can be expected at this event? (ex. Performance, Dinner, Activities, etc.)

The Chamber and Lions are partnering together to host a fundraising event, supporting our organizations and our scholarship programs. We are calling it "A Night in Little Reno" to pay homage to Brisbane's nickname in the 30's. We will have casino games (NO ACTUAL GAMBLING), live music, food, raffle, etc.

Will there be any fundraising at this event? Yes **If yes, what will the funds raised be used for?** Chamber, Lions, & Scholarship funds

Are there any admission fees for this event? Yes **If yes, please list them here:** \$40 per person

If this event is NOT open to the general public, what are the restrictions for who may attend? (ex. age, membership, residency, etc.)

Guests should be 21+

INDOOR FACILITY ACCESS REQUEST

E. Staff must be present to accommodate the use of any indoor facilities. The below requested times will be used to ensure staff will be available when you need to access the facility. (If you are not requesting indoor facility use, you may skip to the next section.)

Date of Facility Access (mm/dd/yy): 6/21 (room set up) Opening Time: TBD Closing Time: TBD
 Date of Facility Access (mm/dd/yy): _____ Opening Time: _____ Closing Time: _____
 Date of Facility Access (mm/dd/yy): _____ Opening Time: _____ Closing Time: _____

EQUIPMENT USE REQUEST

If you would like to request any equipment for an **outdoor event**, please include those details below. (If your event is at one of our indoor facilities, you may indicate your equipment needs on the rental layout.)

Quantity:	Item:
_____	6ft Long Rectangle Tables
_____	Chairs
_____	10ft x 10ft Canopy/Pop-up Tent
_____	Weighted Sandbags

Mission Blue Center ONLY

If your event will be at the Mission Blue Center, please indicate if you wish to request any of the equipment listed below.

Bluetooth Speaker? _____ with Microphone? _____
 Projector & Screen? Yes
 *Theatrical Lighting? Yes with *Lighting Technician? Yes
 *Theater Risers? _____

*Any additional fees associated with reservation of special equipment will be the responsibility of the applicant, and may require additional planning time.

PERMITS

Alcoholic Beverage Permit

Will alcoholic beverages (beer/wine) be sold at your event? Yes If yes, you must attach a copy of an [Alcoholic Beverage Permit](#)

*Full Liquor Liability: If beer or wine is available for consumption and money is transacted in any form (i.e. for donation, for a ticket, for a meal, for entry to the event, for the beverage) then full liquor liability premiums are necessary.

Food & Beverage Permits - Outdoor Events Only

Will any food or non-alcoholic beverages be sold at your event? _____ If yes, this permit is required smchealth.org/food-program

Traffic Permits

Will this event require any street or parking closures? No If yes, you must obtain a [Brisbane Encroachment Permit](#)

Amplified Sound Permits - Outdoor Events Only

Do you wish to use amplified sound at this event? _____ If yes, you must submit an [Brisbane Amplified Sound Permit Application](#)

Brisbane Business License

Do you intend to sell goods of any kind at your event? Yes If yes, you must have a valid [Brisbane Business License](#)

ADDITIONAL SUPPORT

To request promotional support, please circle the specific areas you would like support with. (Please note: promotional support is not guaranteed. Any graphics or content for your event are expected to be provided by the applicant.)

a. Brisbane Signboards b. Social Media c. City Website d. City Publications Other: _____

USE AGREEMENT & LIABILITY RELEASE

To the fullest extent allowed by law, I agree to indemnify and defend the City of Brisbane, its directors, officers, agents, employees and volunteers and hold them harmless from and against any and all loss, liability, expense, claims, costs, suits, and damages, including attorneys' fees, arising out of the use or occupancy described in this application. I agree to waive all rights of subrogation against the City, its elected or appointed officers, officials, agents and employees for losses paid under the terms of any policy which arise from the use or occupancy described in this application.

Applicant Signature  _____ Date 4/8/24

ADMINISTRATIVE SECTION

Facility Application? _____ Permit # _____ CC Report Due _____ CC Meeting Date: _____

File Attachments for Item:

F. Receive Results of Parking Pilot Program Letter (Tulare and Thomas)



CITY COUNCIL AGENDA REPORT

Meeting Date: April 18, 2024

From: Karen Kinser, Deputy Director of Public Works

Subject: Results of Parking Permit Program Letter (Tulare and Thomas)

Community Goal/Result

- (1) Safe Community
- (2) Community Building

Purpose: To review responses to a survey of households on Tulare St. and Thomas Ave. asking whether they wished to participate in a trial residential parking permit program (RPPP) and receive direction from Council regarding initiating a trial program on the subject streets.

Recommendation: Provide direction to staff regarding initiating a trial RPPP on Tulare St. and/or Thomas Ave based upon results of outreach.

Background

As a result of Council’s prior review of Complete Streets Safety Committee’s research and options for a residential parking permit program (RPPP) for Central Brisbane, Council directed staff to get neighbor feedback on a trial program on Tulare St. and Thomas Ave. via a letter sent to households. The letter sent is attached.

Council further directed staff to revise Brisbane Municipal Code Section 10.26 which allows for neighbors to initiate a program. As written the code requires 70% of households to agree to participate in a program. Council asked that the code be rewritten to require a simple majority of households on a defined street segment to initiate a program. The code revisions item is on the Council agenda after this item.

Discussion

Staff mailed the letter to all 112 households on March 20, with response responses requested by return of the letter in the provided stamped envelope, via email or by phone call. By March 27, staff had only received five responses and elected to knock on doors and deliver another letter to the households. Staff received some verbal feedback, both positive and negative, and some questions. In many cases they left another letter at the door. After this additional outreach, staff received 52 usable responses. There were 6 letters returned with no name or address, and three mailed letters marked return to sender.

Staff notes that at least three households communicated via returned letters and knocking on doors that they were confused about parameter #1 in the letter. Item #1 states that “One permit will be issued per licensed driver for one vehicle, when both driver and vehicle are registered to the address”. Residents believed that they would only be allowed one permit per household. Two of the three indicated that they wanted to change their vote from No to Yes if more than one permit would be allowed for households with more than one vehicle and

corresponding driver. It is unclear how many other households might have been confused by this parameter as written.

Of the total votes received for both streets, there were 33 in favor and 19 against conducting a test program. By street, for Thomas Ave., there were 19 in favor and 5 opposed to conducting a 6-month test program. On Tulare St., there were 14 in favor and 14 opposed.

The communication received from those opposing was from households that had more cars than licensed drivers, from a household that objected to the \$20 fee, and one household who thought the guest permit allowance should be more robust. Others did not indicate their reason for opposition.


Fiscal Impact

For the pilot program, setup of the RPPP parameters and associated web services, including collection of permit application information by consultant IPS Group will be \$5,000. Staff calculated the number of signs needed for the two trial streets and estimates the cost to be \$5,000. Residents will be required to pay \$20 for each permit applied for and obtained.


Enforcement would not incur additional costs, as Brisbane Police can respond to complaints with existing staff per the parameters above. Revenue from citations was not estimated nor included.

Attachments


- 1. Letter sent to households on Tulare St and Thomas Ave on March 20.



Karen Kinser, Deputy Director of Public Works



Tomas Santoyo-Velazquez, Assistant Engineer



Randy Breault, Director of Public Works/City Engineer



Clay Holstine, City Manager

F.



City of Brisbane
 50 Park Place
 Brisbane, CA 94005-1310
 (415) 508-2100
 (415) 467-4989 Fax

DATE March 20, 2024

Subject: Residential Parking Program

Dear Residents of Tulare Street and Thomas Avenue,

A number of factors create challenging parking in our community; narrow streets, an economy forcing multiple generations to live under one roof, the occasional “airport parker”, businesses run out of the home and associated with multiple vehicles and pending legislation (State Assembly Bill 413) that will remove parking at intersections to provide better sight distance for pedestrians.

In an effort to reduce the parking challenges and make spaces more equitably available, the Council is asking you if you are willing to have a pilot residential parking permit program implemented on your street. Please reply by April 5th, 2024.

As currently envisioned the program’s parameters are:

1. One permit will be issued per licensed driver for one vehicle, when both driver and vehicle are registered to the address.
2. The fee per permit will be \$20.
3. Guest permits will be made available. If the pilot program is established for 6 months, the number of single overnight guest permits per household will be ten (10).
4. Parking will be restricted to permit holders starting at 10 PM and ending at 6 AM the next day on Sunday through Thursday.
5. Parking complaints for nonpermitted vehicles may be made anonymously by phone or through the city website at any time, but enforcement will only be conducted during program hours, and upon receipt of a resident complaint via phone or website.
6. The program will require 17 signs on Tulare and 7 on Thomas, spaced to provide visibility from any location on the street.

Are you in favor of a test program?

Yes

No

Name and Street Address (one vote per household): _____

If you would like more details or wish to comment on the proposed program, please contact Deputy Public Works Director Karen Kinser at (415) 508-2133 or kkinser@brisbaneca.org. Please return this letter in the included envelope or reply by email to Karen Kinser, including your household address and your vote.

Very truly yours,
 Terry O’Connell
 Mayor, Brisbane City Council

File Attachments for Item:

G. Consider Introduction of Parking Ordinance, Waiving First Reading, Revising 10.26 of the Brisbane Municipal Code Concerning “Residential Parking Permit Program”



CITY COUNCIL AGENDA REPORT

Meeting Date: April 18, 2024
From: Director of Public Works/City Engineer
Subject: Residential Parking Permit Program

This Ordinance is exempt from CEQA because it is not a project (CCR Title 14 §15378 (b) (2)).

Community Goal/Result: Safe Community

Purpose

To consider changes proposed to the Brisbane Municipal Code Chapter on residential parking permits that will modify existing requirements for the establishment of a designated permit area.

Recommendation

Consider introducing an Ordinance, waiving first reading, revising Chapter 10.26 to the Brisbane Municipal Code Concerning “Residential Parking Permit Program”.

Background

The use of public streets and establishing an acceptable balance between the needs of all its lawful users (pedestrians, bicyclists, drivers, commercial deliveries, emergency responders and those wanting to park a private vehicle, etc.) is an ongoing tension known to many communities. Establishing this balance can be particularly challenging in cities developed on hillsides, where streets are often intentionally designed with a narrow section to avoid impact on the mountainous topography.

As a result of rising tensions over parking capacity, the City Council charged the Complete Streets Safety Committee with reviewing the issue and developing a recommendation therefore. Council reviewed this matter multiple times in early 2024, and chose to send a letter to residents of Tulare Street and Thomas Avenue asking if they would be willing to participate in a pilot residential parking permit program. Prior to hearing this agenda item, Council will receive a report on the responses provided to staff.

Discussion

The current residential parking program has been codified since 1998, but with the program requiring citizens to obtain 70% concurrence from their neighbors it has never been successfully implemented.

The primary changes in the attached ordinance;

1. Lowers the percentage of residents required to request a designated permit area to “. . . not less than a majority of the dwellings on each side of the street.” (§10.26.040 B)
2. Clearly provides Council the authority to impose residential parking restrictions by resolution. (§10.26.010 D)
3. Throughout the ordinance provides structure for the implementation of the program, defines the vehicles impacted, and assigns oversight responsibilities to various city departments

Fiscal Impact

None as a direct result of introducing this ordinance. Previous staff reports by the City’s Deputy Director of Public Works have offered estimates on the cost to implement the two pilot streets now under consideration.

Measure of Success

A revised municipal code that allows residents and the Council to establish a parking program that is appropriate for individual neighborhoods.

Environmental Review

Adoption of this ordinance does not need further environmental review under the California Environmental Quality Act (CEQA) as it is general policy and procedure making not applied to a specific instance and therefore it is not a “project”(California Code of Regulations, Title 14, Division 6, Chapter 3, Article 20, §15378 (b) (2)).

Attachments

1. Ordinance revising Chapter 10.26 concerning Residential Parking Permit Program
2. Redline markup of existing Chapter 10.26

R.L. Breault

Randy Breault, Public Works Director

Clay Holstine

Clay Holstine, City Manager

ORDINANCE NO. ____

**AN ORDINANCE OF THE CITY OF BRISBANE
REVISING CHAPTER 10.26 TO THE BRISBANE MUNICIPAL CODE CONCERNING
RESIDENTIAL PARKING PERMIT PROGRAM**

The City Council of the City of Brisbane hereby ordains as follows:

Section 1. Chapter 10.26 to the Brisbane Municipal Code is revised to read as follows:

“10.26.010 Purpose of chapter.

This chapter has been adopted for the following purposes:

- A. To create a voluntary program that will enable persons residing in the city to request the establishment of residential parking restrictions within the area where they reside which are in addition to, and likely to be more restrictive than, the city's standard parking regulations for such area;
- B. To provide for the issuance of a certain number of parking permits to the occupants in such designated areas, the display of which will serve to exempt their vehicles from the operation of the parking restrictions;
- C. To promote a cooperative effort among persons residing in the city in dealing with a shortage of parking spaces on the streets where they reside by enabling them to recommend such parking restrictions as they determine to be appropriate for their own neighborhood;
- D. To authorize the City Council to impose by resolution residential parking restrictions for those streets or portions of streets and related requirements as determined appropriate and necessary to alleviate parking space shortages.

10.26.020 Definitions.

As used in this chapter, the following words and phrases shall have the meanings respectively ascribed to them in this section:

- A. "Designated permit area" means a contiguous area of a residential zoning district, containing not less than ten (10) dwellings, upon which the city council imposes parking restrictions in response to a petition to do so submitted by persons residing in such area in accordance with this chapter.
- B. "Dwelling" means a dwelling as defined in Section 17.02.235 of this Code.
- C. "Motor vehicle" means automobiles as defined by California Vehicle Code §465 and including leased motor vehicles and company owned motor vehicles used by a person residing within a designated permit area as a primary vehicle for transportation, motorcycles as defined by California Vehicle Code §400, trucks or other motor driven vehicles not exceeding seven thousand (7,000) pounds curb weight. The following (which are not exhaustive) do not meet the definition of "motor vehicle" as defined in this subsection: commercial trucks and truck tractors, boat trailers and all commercial trailers, recreational vehicles including campers, coaches, house cars and trailer coaches, and commercial passenger vehicles such as limousines, taxis and vanpool vehicles.
- D. "Non-resident vehicle" means a motor vehicle parked or left standing in a designated permit area without having displayed thereon a parking permit for such area issued the city pursuant to this chapter, regardless of whether such motor vehicle is owned or being used by a resident of the designated permit area. A motor vehicle parked or left standing in a designated permit area displaying a parking permit for a different designated permit area shall be treated as a nonresident vehicle.
- E. "Parking permit" means a permit issued by the city pursuant to this chapter to an occupant within a designated permit area for display on a motor vehicle owned or used by such occupant or his or her guests which is parked or left standing within the boundaries of such area.

10.26.030 Parking permit exemption.

- A. A motor vehicle on which is displayed a valid, unexpired parking permit shall be permitted to stand or be parked in the designated permit area for which such permit has been issued without being subject to the residential parking restrictions established for such area pursuant to this chapter.
- B. All nonresident vehicles which are parked or left standing in violation of any parking restriction established pursuant to this chapter for any designated permit area shall be subject to the same fines and penalties, including towing of nonresidential vehicles, as applied for violations of restrictions pertaining to parking time limit areas other than special zones.
- C. Notwithstanding subsections A and B of this Section,, the display of a valid, unexpired identification of the motor vehicle as being used by a disabled person meeting the requirements of Section 22511.5 of the California Vehicle Code shall be deemed a parking permit and such vehicle shall be exempt from any parking restrictions established for any designated permit area in the city.
- D. Nothing contained in this chapter shall be interpreted in a manner that will affect, impair, or supersede the enforcement of any other state or local laws, ordinances, or regulations, whether pertaining to parking or otherwise, and the same shall continue to be applied with full force and effect in all designated permit areas. In the event of any conflict or inconsistency with the parking restrictions established pursuant to this chapter, such other laws, ordinances and regulations shall be controlling.

10.26.040 Establishment of designated permit area pursuant to application.

- A. Persons desiring to create a designated permit area may submit an application to the Director of Public Works/City Engineer containing the following information:
 1. A description or a map showing the proposed boundaries of the designated permit area. Both sides of the street must be included within the boundaries of any proposed area;
 2. The address of each dwelling unit within the proposed designated permit area and, to the extent such information is available to the applicants, the name(s) of the adult occupant(s) of each dwelling;
 3. An identification of any nonresidential properties located within the proposed designated permit area, such as churches, schools, public facilities, or commercial establishments;
 4. Concurrence that on Sundays through Thursday starting at 10 p.m. and ending at 6 a.m. the next day on-street parking within a designated permit area shall be reserved for holders of city issued parking permits within that designated permit area;
 5. Concurrence that each household within a designated permit area shall be issued no more than one permit to each occupant with a valid California Driver's License and a current vehicle registration that shows the vehicle registered at the address within the designated permit area; provided, however, that the number of permits per household shall not exceed the number of registered vehicles at that household address or the number of occupants with a valid California driver's license, whichever is less.
 6. The application shall include the following statement:

We the undersigned are occupants of the dwellings within the proposed designated permit area described in this petition. We understand that: (i) if this area is designated, certain restrictions will be placed upon on-street parking within the area; (ii) persons residing within the area will be entitled to obtain a limited number of permits exempting their vehicle from such parking restrictions, but if a person owns a vehicle without having a permit displayed, that vehicle will be subject to the parking restrictions; (iii) parking permits will be issued for a term of one year and will need to be renewed each year; (iv) the cost of installing and maintaining the parking restriction signs and the cost of issuing the annual parking permits will be paid by the occupants; and (v) the City of Brisbane will have no obligation to collect delinquent payments.
- B. The application must be signed by at least one adult occupant of not less than a majority of the dwellings located within the boundaries of the proposed designated permit area. Where dwellings are located on both sides of the street, the application must be signed by at least one adult occupant of not less than a majority of the dwellings on each side of the street.

- C. The application shall be accompanied by the payment of a processing fee in such amount as established from time to time by resolution of the city council.
- D. A public hearing on the application shall be conducted by the city council. Notice of the public hearing shall be mailed not less than ten (10) days prior to the scheduled date of the hearing to all persons listed in the application as being occupants of the dwelling units located within the boundaries of the proposed designated permit area and to any other persons who may not be listed in the application but are shown on the latest available assessment roll of the county as owning property located within the proposed area. Notice of the hearing shall also be posted in at least three (3) conspicuous locations within the proposed designated permit area and at such additional locations as may be necessary to post at least one notice on each separate block within the proposed area.
- E. Any person who has signed the application for designation may withdraw his or her consent to the establishment of the proposed designated permit area by communicating such withdrawal verbally or in writing to the city council at any time prior to adoption of the resolution establishing the area.
- F. The city council may approve, reject or modify the application in any manner the council deems appropriate, except that the boundaries of the proposed designated permit area shall not be expanded but may be reduced by excluding certain properties as long as the remaining properties are contiguous to each other. When a designated parking area has been requested by application, the city council may establish a designated permit area by resolution, which shall set forth the exact boundaries of the area, the specific parking restrictions applicable to such area, the initial cash contribution required for the cost of installing parking restriction signs, and the fees to be charged for issuance and renewal of parking permits.

10.26.045 Establishment of a designated parking area by City Council

Notwithstanding the provisions of subsection A, B, and C of Section 10.26.040, City Council may by resolution impose a designated permit area, establish the applicable parking restrictions within such area, and establish the requirements as to who may obtain a permit and the number of permits issued.

10.26.050 Modification of designated permit area.

In response to a request submitted by any person or upon its own initiative, the city council may modify the boundaries of a designated permit area or any of the parking restrictions applicable to such area, or the council may abolish the entire area or rescind any of such restrictions. No action shall be taken until a public hearing on the proposed modification has been conducted by the city council, with notice thereof given in the same manner as prescribed in this chapter for notice of the public hearing on the initial establishment of the designated permit area.

10.26.060 Issuance of parking permits.

- A. Persons residing within a designated permit area may apply to the City of Brisbane police department for parking permits, which shall be granted upon payment of the application fee and submitting documentation showing proof of residency within the designated permit area, proof of a valid California driver's license and current registration of the motor vehicle to be parked in the designated permit area, and proof of ownership or entitlement to use each motor vehicle for which a parking permit is requested. The issuance of a parking permit shall not constitute the reservation or guaranty of any on-street parking spaces for the exclusive use of the permit holder.
- B. The number of permits that may be issued to the occupants of each dwelling unit located within the designated permit area shall not exceed the maximum number as may be specified in the resolution of the city council establishing the area; provided, however, that the chief of police, upon the showing of special circumstances or unavoidable hardship, shall have authority to issue a greater number of parking permits to the occupants of any dwelling unit within the designated permit area. The additional permits issued by the chief of police may be either temporary or renewable.
- C. Each household within the designated permit area may apply to the city police department for a parking permit for guests or invitees of the household but in no event shall the cumulative number of days for such permit or permits exceed twenty-one (21) days annually.

- D. Parking permits shall be issued for a term of one year and may be renewed for additional terms of one year upon payment of the renewal fee and the person requesting the renewal satisfying the requirements of paragraph 5 of subsection A or Section 10.26.040 or satisfying the requirements established by City Council resolution if different.
- E. The chief of police shall have authority to issue rules and regulations concerning the granting, renewal and display of parking permits, provided the same are consistent with the terms and provisions of this chapter.

10.26.070 Posting of signs.

The parking restrictions established for a designated permit area shall become effective and enforceable upon the posting of street signs giving notice of such restrictions to the public in the manner prescribed by the California Vehicle Code. The city engineer shall have the responsibility of installing and maintaining such signs.”

Section 2. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held by a court of competent jurisdiction to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council of the City of Brisbane hereby declares that it would have passed this Ordinance and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that one or more sections, subsections, sentences, clauses or phrases may be held invalid or unconstitutional.

Section 3. This Ordinance shall be in full force and effect 30 days after its passage and adoption.

* * * *

The above Ordinance was regularly introduced and after waiting the time required by law was thereafter passed and adopted at a regular meeting of the City Council of the City of Brisbane held on October 3, 2023, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Terry O’Connell, Mayor

ATTEST:

Ingrid Padilla, City Clerk

APPROVED AS TO FORM:

Thomas R. McMorrow, City Attorney

Chapter 10.26 RESIDENTIAL PARKING PERMIT PROGRAM

10.26.010 Purpose of chapter.

This chapter has been adopted for the following purposes:

- A. To create a voluntary program that will enable ~~residents of persons residing in~~ the city to request the establishment of ~~neighborhood residential~~ parking restrictions within the area where they ~~live reside~~ which are in addition to, and likely to be more restrictive than, the city's standard parking regulations for such area;
- B. To provide for the issuance of a certain number of parking permits to the residents of such designated areas, the display of which will serve to exempt their vehicles from the operation of the parking restrictions;
- C. To promote a cooperative effort among ~~neighbors persons residing in the city~~ in dealing with a shortage of parking spaces on the streets where they reside by enabling them to ~~formulate recommend~~ such parking restrictions as they determine to be appropriate for their own neighborhood;
- D. ~~To authorize the City Council to impose by resolution residential parking restrictions for those streets or portions of streets and related requirements as determined appropriate and necessary to alleviate parking space shortages.~~

10.26.020 Definitions.

As used in this chapter, the following words and phrases shall have the meanings respectively ascribed to them in this section:

- A. ~~A.~~ "Designated permit area" means a contiguous area of a residential zoning district, containing not less than ten (10) dwelling units, upon which the city council imposes parking restrictions in response to a petition to do so submitted by the residents of such area in accordance with this chapter.
- B. ~~"Dwelling" means a dwelling as defined in Section 17.02.235 of this Code.~~
- C. ~~"Motor vehicle" means automobiles as defined by California Vehicle Code §465 and including leased motor vehicles and company owned motor vehicles used by a person residing within a designated permit area as a primary vehicle for transportation, motorcycles as defined by California Vehicle Code §400, trucks or other motor driven vehicles not exceeding seven thousand (7,000) pounds curb weight. The following (which are not exhaustive) do not meet the definition of "motor vehicle" as defined in this subsection: commercial trucks and truck tractors, boat trailers and all commercial trailers, recreational vehicles including campers, coaches, house cars and trailer coaches, and commercial passenger vehicles such as limousines, taxis and vanpool vehicles. automobile, three wheel motorcycle, truck, or other motor driven vehicle, not exceeding six thousand (6,000) pounds unladen weight.~~
- D. ~~C.~~ "Non-resident vehicle" means a motor vehicle parked or left standing in a designated permit area without having displayed thereon a parking permit for such area issued the city pursuant to this chapter, regardless of whether such motor vehicle is owned or being used by a resident of the designated permit area. A motor vehicle parked or left standing in a designated permit area displaying a parking permit for a different designated permit area shall be treated as a nonresident vehicle.

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~~E.D.~~ "Parking permit" means a permit issued by the city pursuant to this chapter to a resident of an occupant within a designated permit area for display on a motor vehicle owned or used by such resident-occupant or his or her guests which is parked or left standing within the boundaries of such area.

10.26.030 Parking permit exemption.

- A. A motor vehicle on which is displayed a valid, unexpired parking permit shall be permitted to stand or be parked in the designated permit area for which such permit has been issued without being subject to the neighborhood parking restrictions established for such area pursuant to this chapter.
- B. All nonresident vehicles which are parked or left standing in violation of any parking restriction established pursuant to this chapter for any designated permit area shall be subject to the same fines and penalties, including towing of nonresidential vehicles, as applied for violation of restrictions pertaining to parking time limit areas other than special zones.
- C. Notwithstanding the foregoing subsections A and B of this Section, the display of a valid, unexpired identification of the motor vehicle as being used by a disabled person meeting the requirements of Section 22511.5 of the California Vehicle Code shall be deemed a parking permit and such vehicle shall be exempt from any parking restrictions established for any designated permit area in the city.
- D. Nothing contained in this chapter shall be interpreted in a manner that will affect, impair, or supersede the enforcement of any other state or local laws, ordinances, or regulations, whether pertaining to parking or otherwise, and the same shall continue to be applied with full force and effect in all designated permit areas. In the event of any conflict or inconsistency with the parking restrictions established pursuant to this chapter, such other laws, ordinances and regulations shall be controlling.

10.26.040 Establishment of designated permit area.

- A. Persons desiring to create a designated permit area may submit an application to the city clerk/Director of Public Works/City Engineer containing the following information:
 1. A description or a map showing the proposed boundaries of the designated permit area. Both sides of the street must be included within the boundaries of any proposed area;
 2. The address of each dwelling unit within the proposed designated permit area and, to the extent such information is available to the applicants, the name(s) of the adult occupant(s) of each dwelling unit;
 3. An identification of any nonresidential properties located within the proposed designated permit area, such as churches, schools, public facilities, or commercial establishments;
 4. Concurrence that on Sundays through Thursday starting at 10 p.m. and ending at 6 a.m. the next day on-street parking within a designated permit area shall be reserved for holders of city issued parking permits within that designated permit area; A statement of the proposed parking restrictions desired by the applicants, including days of the week, times during the day, and the length of time for the restriction. (For example, a two (2) hour maximum time limit during the hours of five p.m. to ten p.m. on Mondays through Fridays, holidays exempted.);
 5. Concurrence that each household within a designated permit area shall be issued no more than one permit to each occupant with a valid California Driver's License and a current vehicle registration that

~~shows the vehicle registered at the address within the designated permit area; provided, however, that the number of permits per household shall not exceed the number of registered vehicles at that household address or the number of occupants with a valid California driver's license, whichever is less. The suggested maximum number of parking permits that may be issued to each dwelling unit located within the proposed boundaries of the designated permit area;~~

6. The application shall include the following statement:

We the undersigned are ~~residents-occupants~~ of the ~~dwellings within the~~ proposed designated permit area described in this petition. We understand that: (i) if this area is designated, certain restrictions will be placed upon on-street parking within the area; (ii) ~~residents of persons residing within~~ the area will be entitled to obtain a limited number of permits exempting their vehicles from such parking restrictions, but if a ~~resident person~~ owns a vehicle without having a permit displayed, that vehicle will be subject to the parking restrictions; (iii) parking permits will be issued for a term of one year and will need to be renewed each year; (iv) the cost of installing and maintaining the parking restriction signs and the cost of issuing the annual parking permits will be paid by the ~~residents-occupants~~; and (v) the City of Brisbane will have no obligation to collect delinquent payments ~~from any resident~~.

- B. The application must be signed by ~~the at least one adult~~ occupants of not less than ~~seventy percent (70%) a majority~~ of the dwellings ~~units~~ located within the boundaries of the proposed designated permit area. Where dwellings are located on both sides of the street, ~~the application must be signed by at least one adult occupant of not less than a majority of the dwellings on each side of the street. signatures by the occupants of not less than seventy percent (70%) of the dwelling units on each side of the street must be obtained. If a dwelling unit is occupied by more than one person, the signature by any of the adult occupants of such dwelling unit shall be sufficient for purposes of the application.~~
- C. The application shall be accompanied by the payment of a processing fee in such amount as established from time to time by resolution of the city council.
- D. A public hearing on the application shall be conducted by the city council. Notice of the public hearing shall be mailed not less than ten (10) days prior to the scheduled date of the hearing to all persons listed in the application as being occupants of the dwelling units located within the boundaries of the proposed designated permit area and to any other persons who may not be listed in the application but are shown on the latest available assessment roll of the county as owning property located within the proposed area. Notice of the hearing shall also be posted in at least three (3) conspicuous locations within the proposed designated permit area and at such additional locations as may be necessary to post at least one notice on each separate block within the proposed area.
- E. Any person who has signed the application for designation may withdraw his or her consent to the establishment of the proposed designated permit area by communicating such withdrawal verbally or in writing to the city council at any time prior to adoption of the resolution establishing the area.
- F. The city council may approve, reject or modify the application in any manner the council deems appropriate, except that the boundaries of the proposed designated permit area shall not be expanded but may be reduced by excluding certain properties as long as the remaining properties are contiguous to each other. ~~When a designated parking area has been requested by application, t~~he city council may establish a designated permit area by resolution, which shall set forth the exact boundaries of the area, the specific parking restrictions applicable to such area, the initial cash contribution required for the cost of installing parking restriction signs, ~~and~~ the fees to be charged for issuance and renewal of parking permits, ~~and the maximum number of parking permits that may be issued to each dwelling unit located within the designated permit area.~~

10.26.045 Establishment of a designated parking area by City Council

Notwithstanding the provisions of subsection A, B, and C of Section 10.26.040, the City Council may by resolution impose a designated permit area, establish the applicable parking restrictions within such area, and establish the requirements as to who may obtain a permit and the number of permits issued.

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10.26.050 Modification of designated permit area.

In response to a request submitted by any person or upon its own initiative, the city council may modify the boundaries of a designated permit area or any of the parking restrictions applicable to such area, or the council may abolish the entire area or rescind any of such restrictions. No action shall be taken until a public hearing on the proposed modification has been conducted by the city council, with notice thereof given in the same manner as prescribed in this chapter for notice of the public hearing on the initial establishment of the designated permit area.

10.26.060 Issuance of parking permits.

- A. Persons residing within a designated permit area may apply to the ~~city~~City of Brisbane police department for parking permits, which shall be granted upon payment of the application fee and submitting documentation ~~acceptable to the chief of police or his or her authorized representative~~ showing proof of residency within the designated permit area, proof of a valid California driver's license and current registration of the motor vehicle to be parked in the designated permit area, and proof of ownership or entitlement to use each motor vehicle for which a parking permit is requested. ~~and proof of ownership or entitlement to use each motor vehicle for which a parking permit is requested.~~ The issuance of a parking permit shall not constitute the reservation or guaranty of any on-street parking spaces for the exclusive use of the permit holder.
- B. The number of permits that may be issued to the occupants of each dwelling unit located within the designated permit area shall not exceed the maximum number as may be specified in the resolution of the city council establishing the area; provided, however, that the chief of police, upon the showing of special circumstances or unavoidable hardship, shall have authority to issue a greater number of parking permits to the occupants of any dwelling unit within the designated permit area. The additional permits issued by the chief of police may be either temporary or renewable.
- C. Each household within the designated permit area may apply to the city police department for a parking permit for guests or invitees of the household but in no event shall the cumulative number of days for such permit or permits exceed twenty-one (21) days annually.
- D. Parking permits shall be issued for a term of one year and may be renewed for additional terms of one year upon payment of the renewal fee and, the person requesting the renewal satisfying the requirements of paragraph 5 of subsection A or Section 10.26.040 or satisfying the requirements established by City Council resolution if different if requested by the chief of police, upon resubmittal of the applicant's proof of residency and proof of vehicle ownership or entitlement to use.
- D. The chief of police shall have authority to issue rules and regulations concerning the granting, renewal and display of parking permits, provided the same are consistent with the terms and provisions of this chapter.

10.26.070 Posting of signs.

The parking restrictions established for a designated permit area shall become effective and enforceable upon the posting of street signs giving notice of such restrictions to the public in the manner prescribed by the California Vehicle Code. The city engineer shall have the responsibility of installing and maintaining such signs, ~~but only after receipt of payment for the cost thereof made by or on behalf of the residents of the designated permit area. Failure to make such payment within the time to do so, as specified in the resolution adopted by the city council, shall operate to nullify the resolution.~~

File Attachments for Item:

I. Countywide Assignments and Subcommittee Reports



CITY of BRISBANE

Council Subcommittee Update

From April 1st, 2024, to April 12th, 2024

Affordable Housing Subcommittee

4/12

Davis, Lentz

The subcommittee discussed Rebuilding Together grant funding. The consensus was to grant the organization which would process applicants and their projects to support the community, and not specific projects directly. The subcommittee also considered other grant opportunities that are coming available shortly.

Upcoming Subcommittees:

Public Art Advisory Committee

4/15

4:30pm

Cunningham, Davis

Charter City & Elections Issues Subcommittee

4/25

3:00pm

Davis, Lentz

Liaison to CSSC Subcommittee

5/1

6:30pm

Cunningham, Mackin

(during CSSC regular meeting)

Planning Issues Subcommittee

5/7

3:00pm

Cunningham, Mackin

March 15th, 2024, to March 29th, 2024

Public Art Advisory Committee

3/18

Cunningham, Davis

The Committee met with the Public Art Master Plan consultants, Nine dot Art. The consultants walked the committee through some public art word exercises and a visual preference survey. The group then discussed upcoming community engagement opportunities, next steps and timeline.