



CITY of BRISBANE

City Council Meeting Agenda

Thursday, November 4, 2021 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

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TO ADDRESS THE COUNCIL

The City Council Meeting will be an exclusively virtual meeting. The City Council 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.

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

2. ROLL CALL

3. ADOPTION OF AGENDA

4. AWARDS AND PRESENTATIONS

- A. Proclaiming November as National American Indian Heritage Month

5. ORAL COMMUNICATIONS NO. 1

6. CONSENT CALENDAR

- B. Approve Minutes of City Council Meeting of June 3, 2021
- C. Approve Minutes of City Council Meeting of September 23, 2021
- D. Accept Investment Report as of September 2021
- E. Approve BDW Craft Fair Co-sponsorship
- F. Adopt Ordinance No. 665, waiving second reading, to amend Brisbane Municipal Code Title 17 (Zoning Ordinance) to Allow Large Family Daycare Homes by Right in Zoning Districts That Permit Residential Uses, Consistent with the Requirements of State Law

7. OLD BUSINESS

- G. Update on Business Assistance Grant program and Review of Criteria for Second Round of Applications

8. STAFF REPORTS

- H. City Manager's Report on upcoming activities

9. MAYOR/COUNCIL MATTERS

- I. Countywide Assignments and Subcommittee Reports
- J. City Council Meeting Schedule
- K. Written Communications

10. ORAL COMMUNICATIONS NO. 2

11. ADJOURNMENT

File Attachments for Item:

B. Approve Minutes of City Council Meeting of June 3, 2021



BRISBANE CITY COUNCIL

ACTION MINUTES

BRISBANE CITY COUNCIL MEETING AGENDA

THURSDAY, JUNE 3, 2021

VIRTUAL MEETING

CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Mayor Cunningham called the meeting to order at 8:12 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: Assistant City Manager Schillinger, City Clerk Padilla, City Attorney McMorow, , Finance Director Yuen, Community Director Swiecki, Police Commander Garcia, Parks and Recreation Director Leek, and Administrative Management Analyst Ibarra

REPORT OUT OF CITY COUNCIL CLOSED SESSION

City Attorney McMorow reported that no action was taken but staff was given direction regarding Anticipated Litigation Item D.

ADOPTION OF AGENDA

Mayor Cunningham made a request to adjourn the meeting in memory of the shooting victims of the Santa Clara Valley Transportation Agency.

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

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

Noes: None

Absent: None

Abstain: None

AWARDS AND PRESENTATIONS

A. Proclamation Dedicating June as Pride Month

Mayor Cunningham read the Mayoral Proclamation proclaiming the month of June 2021 as Pride Month in support of the LGBTQ community. Director Tanya Beat from the San Mateo County's LGBTQ Commission and Commission on the Status of Women accepted the Proclamation and thanked the City for their support of the LGBTQ community.

ORAL COMMUNICATIONS NO. 1

No members of the public wished to speak.

CONSENT CALENDAR

B. Accept Investment Report as of April 2021

E. Approve Resolution 2021-37 Establishing the 2021 Business License Tax for Liquid Storage Facilities as to Kinder Morgan/SFPP

CM O'Connell made a motion, seconded by CM Davis to approve Consent Calendar Items B and E. The motion was carried unanimously by all present.

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

Noes: None

Absent: None

Abstain: None

C. Approve Resolution No. 2021-36 Prohibiting Parking at the BCDC Public Parking Area Within the Shore at Sierra Point Between the Hours of 2:00 A.M. and 4:00 A.M.

After some Council questions with staff, CM O'Connell made a motion, seconded by CM Lentz to approve Resolution No. 2021-36 prohibiting parking at the BCDC public parking area within the shore at Sierra Point between the hours of 2:00 A.M. and 4:00 A.M. . The motion was carried unanimously by all present.

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

Noes: None

Absent: None

Abstain: None

D. Acknowledge South San Francisco Scavenger's 2021 Rate Increases and Recology Brisbane's 2021 Decision to Forego a Request for a Rate Increase

Out of abundance of caution for potential conflict of interest, CM Davis left the webinar and recused herself from the discussion and vote. After some discussion, CM O'Connell made a motion, seconded by CM Lentz to approve the agenda as it stands. The motion passed with a vote of 4 ayes and 1 recusal.

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

Noes: None

Absent: None

Recused: Councilmember Davis

OLD BUSINESS

F. Capital Improvement Plan

Assistant City Manager Schillinger reported that staff has identified a number of Capital Improvement Projects as priority this year.

Utility Fund projects – to be paid for by bond issue

- DPW-33 Lift Station Condition Assessment and Hydraulic Evaluation
- DPW-35 Sewer Pipeline Replacements – Priority 1
- DPW-61 Water Meter AMI System
- DPW-62 Water Pipeline Replacements – Priority 1
- DPW-81 Preparation of Risk and Resilience Assessment and Emergency Response Plan for Drinking Water
- Developer Funded Projects
- DPW-88 SPLI Irrigation Retrofits
- DPW-89 HET Retrofit Program

General Fund Funded Projects

- DPW-76 Bay Trail Rodent Removal
- DPW-78 EV Charging Stations 3 locations
- DPW-82 Provide System Maintenance of Existing Storm drain Filters

- DPW-84a Shared Use Parking Light Standards
- DPW-91 Street Light Meters for Vistacion Avenue
- PR – 18 Mission Blue – Preliminary Design Consultant
- PR – 24 Boiler for Community Pool

The cost of the projects allocated to the Utility Fund are \$3.4 million. This will be part of the \$5,000,000 bond issue that staff will bring back to Council with a full list of project that this will complete. Capital Improvement Plan Page 3 of 3 The developer projects total \$342,000. The City has already received the money from the developer for these projects. The priority projects in the General Fund total \$361,000. City Council allocated \$313,000 from reserves for Capital Projects.

It was noted that Staff left off some pages from the packet of projects which were DPW 77 and DPW 87- DPW91.

After some Council questions, it was noted for the record that Dana Dillworth sent written correspondence to the Council about Capital Improvement Projects and Kim Follien asked about whether the rodent removal item will be handled humanely.

After some Council discussion, CM O'Connell made a motion, seconded by CM Mackin, to approve prioritized Capital Improvement Plan Projects with the exception of PR 24 and DPW 88, 89 and 91 which will be brought back to Council for a vote at a future meeting. Staff will also bring back PR 24 and CC03 (expansion of the Community Garden) next fiscal year and will provide more information. The motion was carried unanimously by all present.

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

Noes: None

Absent: None

Abstain: None

G. Consider Approval of Final Crocker Trail Master Plan

Kayla Szubielski from RRM Design presented on the Final Crocker Trail Master Plan, summary of probable costs and a grant funding overlay. The purpose of this item is to develop the City's trail system through the master planning process in order to protect environmentally sensitive areas, enhance connectivity, incorporate art, and provide additional opportunities for recreation.

After some Council questions with staff and consultants, City Clerk Padilla noted that there were 13 correspondences regarding Item G supporting a pump-track on the Crocker Trail Master Plan and read Dana Dillworth's letter about the Crocker Trail Master Plan into the record.

Michael Barnes advocated for a pump track on the upper Crocker Trail and grant funds used for bike skills features.

After Council discussion, Michael Barnes added he saw little conflict or problems with the pump track and that it should be closed during rainy season.

After further questions and Council discussion, CM Davis made a motion, seconded by CM Mackin, to approve

the Crocker Trail Master Plan.

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

Noes: None

Absent: None

Abstain: None

H. Consider Approval of Agreement to Pay Staff and Consultants' Costs Concerning a Proposed Project to Redevelop the 144 Acre Quarry Property Adjacent to Brisbane

Community Development Director Swiecki reported that it is being recommended to approve an Agreement for Orchard Partners to pay Staff and Consultants' Costs concerning Orchard Partner's proposal to redevelop the 144 acre quarry property adjacent to Brisbane and authorize the execution of the Agreement. The Agreement will end once final action has been taken on the Project. The Agreement will be suspended if Orchard requests it or if there is a funding issue. There is no negative financial impact to the City by entering into this Reimbursement Agreement. The Agreement provides a vehicle so that City staff time is appropriately compensated for the time it spends processing this Project.

After some Council question and discussion, CM Mackin made a motion, seconded by CM Lentz, to approve an agreement to pay staff and consultants' costs concerning a proposed project to redevelop the 144 Acre quarry property adjacent to Brisbane. The motion was carried unanimously by all present.

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

Noes: None

Absent: None

Abstain: None

NEW BUSINESS

I. Update to the Cooperative Agreement between the City of Brisbane and the Brisbane School District

Parks and Recreation Director Leek reported that it is being recommended to approve an amended and restated cooperative agreement between the City of Brisbane and the Brisbane Elementary School District for the shared use of public facilities and programs. Some of the updates to the agreement included the following:

- Updating the name of the Lipman multipurpose room to the Ray Conti Gymnasium.
- Inclusion of a provision for maintenance of the tennis courts and fields
- Since the new modular has restrooms and the City's childcare programs no longer require daily use of the indoor school restrooms.
- New childcare modular on BES campus (2.07 (a)).
- Lipman Homework Center reclassified as the Club Lipman Afterschool Program.
- Adjustments to the cost contribution schedule to reflect restructured amounts.

Parks and Recreation Director Leek added the result in a no net increase nor require a budgetary adjustment

for either party. The City contributes \$50,000 annually to the Lipman Afterschool program, and \$33,756 annually for the remaining items.

After some question and Council discussion, CM Mackin made a motion, seconded by CM Davis, to create a new Council Ad Hoc Committee on Upcoming Community Events with members as Mayor Cunningham and CM Davis. The motion was carried unanimously by all present.

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

Noes: None

Absent: None

Abstain: None

STAFF REPORTS

J. City Manager's Report on Upcoming Activities

Assistant City Manager Schillinger reported out on the upcoming activities and latest City news.

MAYOR/COUNCIL MATTERS

K. Create Council Ad Hoc Committee on Upcoming Community Events

Assistant City Manager Schillinger reported that it is recommended that Council appoint two members to work with City staff and develop recommendations for upcoming proposed community events for consideration by the Council as a whole.

After some staff questions and discussion, CM O'Connell made a motion, seconded by CM Lentz, to create a new Council Ad Hoc Committee on Upcoming Community Events with members as Mayor Cunningham and CM Davis. The motion was carried unanimously by all present.

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

Noes: None

Absent: None

Abstain: None

L. Countywide Assignments and Subcommittee Reports

Council reported on their activities within their Countywide Assignments and Subcommittees.

M. City Council Meeting Schedule

The next Council Meeting is scheduled for June 17, 2021

N. Written Communications

Council received the following written correspondences between May 20, 2021 to June 3, 2021:

- Irene W (5/26/21) Samtrans Cutting 292 from (Hillsdale) Brisbane to San Francisco
- Michael Barnes (6/1/21) 6/3/21 Council Meeting Item G Crocker Trail Master Plan
- Jim Ratcliffe (6/1/21) Support for Crocker Park Bike Plan
- Alex Coriano (6/2/21) Support for bicycle features on Crocker Park Trail
- Thuy Viray (6/2/21) Crocker Park Trail Plans
- Diana Pritsker (6/2/21) In support of biking pump track
- Matthew Blain (6/3/21) Support Approval of Crocker Trail Master Plan
- Lindsay Miller (6/3/21) Support for Crocker Trail master plan
- Dan Carter (6/3/21) Support for Bicycle Pump Track and Bicycle Skills Features
- Mike Lelivelt (6/3/21) More of this please
- Kateri Paul (6/3/21) Writing in Support of a Pump Track/Bike Skills Features
- Julie Manyak (6/3/21) Crocker Trail Bike Skills
- Elizabeth and Robert Larson (+3 kids) (6/3/21) Crocker Trail Plan
- Janet Thompson (6/3/21) Crocker Trail
- Dana Dillworth (6/3/21) Capital Improvement Projects
- Dana Dillworth (6/3/21) Crocker Trail Master Plan
- Meryl Sokoler (6/3/21) Flood lights (again) from Amazon Fresh Pointing to Altimar at the Ridge
- Aakash Japi (6/3/21) Public Comment for Housing Authority Meeting

ORAL COMMUNICATIONS NO. 2

Brisbane School District Superintendent Ronan Collver thanked the Council for their continued support of the education of the children in the community.

ADJOURNMENT

Mayor Cunningham adjourned the City Council Meeting of June 3, 2021 at 10:46 p.m.

Ingrid Padilla
City Clerk

C.

File Attachments for Item:

C. Approve Minutes of City Council Meeting of September 23, 2021



BRISBANE CITY COUNCIL**ACTION MINUTES**

BRISBANE CITY COUNCIL MEETING AGENDA**THURSDAY, SEPTEMBER 23, 2021***VIRTUAL MEETING***CALL TO ORDER AND PLEDGE OF ALLEGIANCE**

Mayor Cunningham called the meeting to order at 7:47 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, Assistant City Manager Schillinger, City Clerk Padilla, City Attorney McMorro, Finance Director Yuen, Community Director Swiecki, City Engineer Breault, Police Chief Macias, Human Resources Administrator Partin, Deputy Fire Chief Sean Kavanaugh, and Administrative Management Analyst Ibarra

REPORT OUT OF CITY COUNCIL CLOSED SESSION

City Attorney McMorro reported that Liability Claim Item D was denied by the Council and direction was given to staff regarding Item E.

ADOPTION OF AGENDA

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

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

Noes: None

Absent: None

Abstain: None

AWARDS AND PRESENTATIONS

A. Water Update from Bay Area Water Supply and Conservation Agency (BAWSCA) Board Appointee

Sepi Richardson, the City's Bay Area Water Supply and Conservation Agency (BAWSCA) Board appointee, provided an update on the agency's activities including a drought update and the Water Supply Program.

After some council questions, Mayor Cunningham asked for more information about the Water Supply Program and thanked Ms. Richardson for her presentation.

B. Presentation from Len Materman, Chief Executive Officer, San Mateo County, Flood and Sea Level Rise Resiliency District.

CEO Materman San Mateo County, Flood and Sea Level Rise Resiliency District, provided an update on what San Mateo County is doing to address the sea level rise and flooding issues. After some Council questions, Council thanked CEO Materman for his presentation.

C. Proclamation Recognizing National Preparedness Month

Mayor Cunningham proclaimed September 2021 as National Preparedness Month and encouraged all Brisbane residents to increase their knowledge and awareness of proper safety measures to follow before, during, and after a disaster.

D. Proclamation Recognizing National Fire Prevention Week

Mayor Cunningham proclaimed October 3-9, 2021, as Fire Prevention Week throughout this city, urged all the people of Brisbane to be aware of their surroundings, look for available ways out in the event of a fire or other emergency, respond when the smoke alarm sounds by exiting the building immediately, and to support the many public safety activities and efforts of North County Fire Authority and emergency services during Fire Prevention Week 2021.

Deputy Fire Chief Sean Kavanaugh received both proclamations and thanked the City Council for the recognition.

E. Proclamation Recognizing National Hispanic Heritage Month

Mayor Cunningham proclaimed September 15th through October 15th as Hispanic Heritage Month recognizing all Hispanic and Latinx American residents whose influential and lasting contributions to our neighborhoods make the City of Brisbane a vibrant community in which to live, work and visit.

Police Chief Macias and Finance Director Carolina Yuen thanked the Council for the Proclamation and said a few inspirational words about their experience growing up Hispanic and Latinx American.

ORAL COMMUNICATIONS NO. 1

Anja Miller wrote a comment regarding audio difficulties during the City Council Meeting.

CONSENT CALENDAR

- F. Approve Minutes of City Council Meeting of April 15, 2021**
- G. Approve Minutes of City Council Meeting of May 6, 2021**
- H. Approve Minutes of City Council Closed Session Meeting of May 6, 2021**
- I. Accept Investment Report as of June 2021**
- J. Accept Investment Report as of July 2021**
- K. Approve Resolution No. 2021-65 Confirming and Ratifying the Proclamations Declaring the Continued Existence of a Local Emergency in the City of Brisbane in Response to the COVID-19 Pandemic**

CM Davis made a motion, seconded by CM Lentz, to approve Consent Calendar Items F-K.
The motion was carried unanimously by all present.

Ayes: CM Davis, Lentz, Mackin, O'Connell and Mayor Cunningham.
Noes: None
Absent: None
Abstain: None

- L. Adopt a Resolution to Continue Conducting City Council and Commission Meetings Remotely Due to Health and Safety Concerns for the Public**

Staff reported that this matter will be revisited by Council every 30 days. After some Council questions with staff, Roland Lebrun commented on the chat to provide Closed Captioning on Zoom.

CM O'Connell made a motion, seconded by CM Davis, to approve Consent Calendar Item L.
The motion was carried unanimously by all present.

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

NEW BUSINESS

- M. Consider Approval of 25 Park Place Lease Agreement**

City Manager Holstine reported that it is critical that the Council act on this opportunity and secure the lease on this building. He added location is ideal as it allows for a Civic Center campus with the two buildings being located across the street from each other.

After some Council questions and discussion, CM Davis made a motion, seconded by CM O'Connell, to approve Consent Calendar Item L. The motion was carried unanimously by all present.

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

Noes: None

Absent: None

Abstain: None

N. Consider Introduction of Ordinance 663 adding Chapter 8.25 "Mandatory Organic Waste Disposal Reduction" to the Brisbane Municipal Code

City Engineer Breault reported that the purpose of this Ordinance is to revise the Brisbane Municipal Code (BMC) so that the City is in full compliance with state recycling laws in Senate Bill 1383. Ordinance No. 663 will address the following requirements of the city and its solid waste franchisees:

- Provide organic collection to ALL residents and businesses
- Participate in an edible food recovery program
- Conduct education and outreach
- Monitor compliance and conduct enforcement

After Council questions, Prem Lall asked whether his garbage bill will be raised again.

After some Council discussion, CM Lentz made a motion, seconded by CM O'Connell, to introduce Ordinance 663 adding Chapter 8.25 "Mandatory Organic Waste Disposal Reduction" to the Brisbane Municipal Code. The motion was carried unanimously by all present.

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

Noes: None

Absent: None

Abstain: None

O. Consider Introduction of Ordinance 664 adding Chapter 3.13 "Recovered Organic Waste and Recycled-Content Paper Procurement Policy" to the Brisbane Municipal Code

City Engineer Breault reported that the purpose of this Ordinance is to revise the Brisbane Municipal Code (BMC) so that the City is in full compliance with state recycling laws in Senate Bill 1383. Ordinance No. 664 will address the requirements of the city and its solid waste franchisees to procure recyclable and recovered organic products.

After having no members of public wanting to make public comment, CM Davis made a motion, seconded by CM O'Connell, to introduce Ordinance 664 adding Chapter 3.13 "Recovered Organic Waste and Recycled-Content Paper Procurement Policy" to the Brisbane Municipal Code. The motion was carried unanimously by all present.

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

Noes: None

Absent: None

Abstain: None

P. Consider Creation of a Brisbane Equity and Diversity Committee and Brisbane 101: A Brisbane Civic Engagement Session

Human Resources Administrator Partin reported on the proposal coming from the Council liaisons to the EPIC (Equity Plus Inclusion Committee) to create a committee to make council recommendations on Equity and Diversity issues impacting Brisbane. It is being proposed to name the committee IDEA (Inclusion, Diversity, Equity, and Accountability) with a membership of 7-11 residents or people who work at Brisbane.

City Clerk Padilla reported on the proposal to hold a civic engagement session called Brisbane 101 with the goal of reaching out to underrepresented members of our community to assist them in learning about the community and how the City and committees function. This program is being proposed as a half-day session on Saturday November 6th.

After some council questions and discussion, CM Mackin made a motion, seconded by CM Lentz, to the creation of a Brisbane Equity and Diversity Committee and Brisbane 101: A Brisbane Civic Engagement Session. The motion was carried unanimously by all present.

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

Noes: None

Absent: None

Abstain: None

Q. Consider Approval of Letter of Support for the Brisbane Lunch Truck regarding a Beer and Wine License with the Department of Alcoholic Beverage Control

City Manager Holstine reported that the City has been leasing space at the Park N' Ride site at Bayshore and Old County to Brisbane Lunch Truck. The owners have approached the City regarding seeking a license to sale beer and wine and requested a letter of support from the City.

After some Council questions and discussion, staff was directed not to write a formal letter of support from the City regarding a Beer and Wine License with the Department of Alcoholic Beverage Control.

STAFF REPORTS

R. City Manager's Report on upcoming activities

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

11. MAYOR/COUNCIL MATTERS

S. Countywide Assignments and Subcommittee Reports

Council reported on their activities in their Countywide Assignments and Subcommittees.

T. City Council Meeting Schedule

The next City Council Meeting is on October 7, 2021. Please note that we also have the City Council Workshop scheduled on Sunday, October 24, 2021 at 10:30am-1:30 pm.

U. Written Communications

Written Communication was received by Council from July 15, 2021- September 23, 2021:

Anja Miller (July 15, 2021) Oral Comment No. 2 Sustainability

Kim Follien (July 16, 2021) July 15th 2021 BCC Mtg/5. Oral Comm #1 - Copy of my Testimony

Mary Rogers (August 26, 2021) Upcoming Google Bus parking lot lease extension

Emile Manara (August 30, 2021) Thank You, We Don't Say It Enough

Helen Drazich (September 2, 2021) Exploring a San Mateo Credit Union branch in Brisbane

Concerned First Responder (September 21, 2021) American Medical Response is failing San Mateo County

12. ORAL COMMUNICATIONS NO. 2

Is there anyone who wish to make a public comment?

13. ADJOURNMENT

The meeting was adjourned by Mayor Cunningham at 10: 13 P.M.

Ingrid Padilla
City Clerk

D.

File Attachments for Item:

D. Accept Investment Report as of September 2021

**CITY OF BRISBANE
CASH BALANCES & INVESTMENTS
SOURCE OF FUNDING
September 30, 2021**

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		\$ 4,681,031	\$ 4,681,031	\$ 4,681,031	0.000		
STATE FUND (LAIF)	Deposit on call	continuous	\$ 14,610,495	\$ 14,610,495	\$ 14,610,495	0.200	on call	no rating
Other Investments								
	Capital One National Association	11/23/2016	\$ 250,000	\$ 250,000	\$ 250,723	2.000	11/23/2021	
	Wells Fargo	11/30/2016	\$ 250,000	\$ 250,000	\$ 250,809	2.000	11/30/2021	
	Sallie Mae Bank	5/9/2019	\$ 245,000	\$ 245,000	\$ 248,565	2.550	05/09/2022	
	Morgan Stanley	6/6/2019	\$ 245,000	\$ 245,000	\$ 248,989	2.550	06/06/2022	
	Comenity Capital Bank	4/28/2019	\$ 248,000	\$ 248,000	\$ 257,233	2.650	04/28/2023	
	Morgan Stanley	5/2/2019	\$ 245,000	\$ 245,000	\$ 254,126	2.650	05/02/2023	
	Goldman Sachs	5/1/2019	\$ 246,000	\$ 246,000	\$ 260,076	2.750	05/01/2024	
BNY Mellon	Treasury Obligations	continuous	\$ 7,907,847	\$ 7,907,847	\$ 7,907,847	0.010	on call	110% collateral
Sub-total			\$ 9,636,847	\$ 9,636,847	\$ 9,678,369			
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	\$ 71,790	10037			
U.S. Bank	2015 Utility Capital (545)	Improvements	Fed Treas Obl	\$ 0	10031			
		Reserve	Fed Treas Obl	\$ 1	10032			
		Expense Fund	Fed Treas Obl	\$ 0	10035			
PARS	OPEB Trust	Trust Cash	Investments	\$ 3,988,985	13050			
PARS	Retirement Trust	Trust Cash	Investments	\$ 1,396,639	13050			
Sub-total	Cash with Fiscal Agents			\$ 5,457,415				
Total other investments			\$ 9,636,847	\$ 15,094,263	\$ 9,678,369			
TOTAL INVESTMENTS & CASH BALANCES			\$ 28,928,374	\$ 34,385,789	\$ 28,969,895			

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	\$ 22,479	2.47%

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

Two year Treasury	0.28%	
Weighted Interest	0.25%	
Weighted maturity	0.09	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

E.

File Attachments for Item:

E. Approve BDW Craft Fair Co-sponsorship



CITY COUNCIL AGENDA REPORT

Meeting Date: 11/4/2021

From: Noreen Leek, Parks & Recreation Director

Subject: Application for event co-sponsorship

Community Goal/Result

Community Building

Purpose

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

Recommendation

Approve BDW Holiday Arts and Crafts Fair Fundraiser as a co-sponsored event.

Background

Founded in 1982, Brisbane Dance Workshop (BDW) is a non-profit organization established to provide creative and skill based performing arts learning to children 3 and older. BDW embraces a real challenge in teaching dance: to preserve the innocence, playfulness and creativity in a child while developing the more demanding technical and aesthetic aspect 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 Brisbane.

Discussion

BDW strives to create holiday cheer for all by hosting their annual Arts & Crafts Fair at the Mission Blue Center. They coordinate over 30 artists & makers to host booths to sell their handmade items and provide live music throughout the day for eventgoers. They also operate a concessions stand and photo studio for Santa photos. This event is open to people of all ages and helps to support the mission of the Brisbane Dance Workshop. They kindly request continued support from the City for the compensated use of Mission Blue, waiver of insurance requirement, facility staff time, and assistance promoting the event to the community.

Fiscal Impact

The BDW Arts & Crafts Fair qualifies under the Group II category for recreation facilities indoor use permits. Meeting the Group II requirements of being a resident non-profit with their event

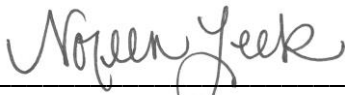
open to the general public qualifies them for free use of the facility and waives the deposit requirement. BDW is asking for the additional waiver of the insurance requirement and facility attendant staff time.

Measure of Success

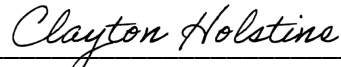
Support from the City results in a successful event by the organization.

Attachments

1. Co-sponsorship Application



Noreen Leek, Parks & Recreation Director



Clay Holstine, City Manager

CO-SPONSORSHIP EVENT APPLICATION

CITY OF BRISBANE, 50 Park Place, Brisbane, CA 94005
415 - 657-4320

1. ORGANIZATION INFORMATION

Organization: Brisbane Dance Workshop (BDW)
Contact Person: Camille Salmon
Day Phone: 650 576-7120
Evening Phone: 415 467-6698
Address: 325 San Bruno Ave

City of Residence: Brisbane
Zip 94005

2. FACILITY

Facility Requested: Mission Blue Center

If Mission Blue Center, specify room (s)

Costanos Room (Dance Floor) all rooms

Buckeye Room (Carpeted Room): ↓

Lupine Room (Conference Room): ↓

Date and Time Requesting to Enter Facility:

6am 12/12/21

Date and Time Requesting to Leave Facility:

8pm 12/12/21

3. Event Information

Date: 12/12/21 Day of Week: Sunday # of Co-sponsored events this year 1

Starting Time of Event: 6am Ending Time of Event: 8pm

☐ Non Profit for Charity ☐ For Profit ☒ Fundraiser for Organization Use

150-300 Number attending under 18 years old: 18 - 20 years: 21+ years:

☒ Requesting Promotional Support

What is purpose of event: Annual Craft Fair fundraiser for BDW
facility will be used 6am-8pm

Will you need special sitting, tables, chairs, risers, etc.? Yes or No (please circle) Please explain if yes.

~~all tables~~ 18 6ft tables

BDW will hang banner outside

Kitchen ^{to store} ~~prepare~~ food

Will event require sound equipment? X

Sound Technician? NO

Will event require theatrical lighting equipment? NO

Lighting Technician? NO

Will event require promotional support? X Yes ☒ No ☐ If Yes, what is requested?

add to City STAR & Blast

5. ALCOHOLIC BEVERAGES*

Will alcoholic beverages be served? Yes ☐ No ☒ Sold? Yes ☐ No ☒

If selling alcohol, your group must obtain an Alcoholic Beverage Permit.

Please attach a copy of the permit.

ABC permits may be obtained from:

The State of California Alcoholic Beverage Control Department
185 Berry Street
San Francisco, CA 94107
415 / 557 - 3660

*Full Liquor Liability: If liquor, 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.

6. ADMISSION FEES AND SALES*

Will there be an admission fee or booth fee?:

Yes ☒ No ☐

Amount of Fee: \$75.00

Will there be sales of novelties or goods?:

Yes ☒ No ☐

Will there be sales of food?:

Yes ☐ No ☐

(If yes, a Permit To Operate is required by the California Health and Safety Code. Applications can be obtained from the Brisbane Parks & Recreation Department 415 / 467-6330)

Does your group have a City of Brisbane License?: Yes ☐ No ☒

* Additional insurance is required for exhibitors, non-food sales concessionaires and food sales concessionaires.

I have read and understand the Policy and Procedures for Event Sponsorship and hereby agree to comply with its content. I understand that failure to observe these regulations or City, State or Federal law will result in cancellation of my event and co-sponsorship status for future events.

Applicant's Signature

Angel Thana

Date

10/27/21

File Attachments for Item:

F. Adopt Ordinance No. 665, waiving second reading, to amend Brisbane Municipal Code Title 17 (Zoning Ordinance) to Allow Large Family Daycare Homes by Right in Zoning Districts That Permit Residential Uses, Consistent with the Requirements of State Law

**CITY COUNCIL MEMO****Meeting Date: November 4, 2021****From: Ingrid Padilla, City Clerk****Subject: Ordinance No. 665-An Ordinance of the City Of Brisbane Amending Sections 17.02.190, 17.02.195, 17.02.290, 17.06.020, 17.06.030, 17.08.020, 17.08.030, 17.10.020, 17.10.030, 17.11.020, 17.12.020, 17.12.030, 17.14.020, 17.14.040, 17.16.020, 17.16.030, and 17.27.020 Of the Brisbane Municipal Code Concerning Large Family Day Care Homes**

The Ordinance listed above was introduced at the City Council Meeting of October 21, 2021. It is on this agenda for consideration of adoption.

Attachment: Staff Report from the City Council Meeting of October 21, 2021



CITY COUNCIL AGENDA REPORT

Meeting Date: October 21, 2021

From: John Swiecki, Community Development Director

Subject: Large Family Day Care Homes – Draft Ordinance No. 665

Community Goal/Result

Community Building

Purpose

To amend Title 17 of the Brisbane Municipal Code (BMC) consistent with the requirements of state law to permit large family day care homes consistent with how single family residences are permitted in those zoning districts which allow residential uses.

Recommendation

That the City Council introduce Ordinance No. 665.

Background

In 2019, the Governor signed into law Senate Bill 234 – Family Day care Homes (SB 234) that became effective January 1, 2020. The bill requires large family day care homes, day care homes licensed to care for seven to fourteen children, to be treated as a residential use of property for purposes of all local ordinances. Specifically, SB 234 prohibits municipalities from requiring a discretionary use permit for both small and large family day care homes. The City's current zoning regulations permit small family day care homes (less than eight children) by right in those zones which permit residential uses while large family day care homes are required to obtain a conditional use permit.

The Planning Commission considered and unanimously recommended approval of this amendment at the July 22, 2021 Planning Commission meeting. Staff report and minutes are attached.

Discussion

The draft ordinance would amend certain definitions contained within BMC Chapter 17.02 and applicable BMC sections prescribing "Permitted uses" and "Conditional uses" for any zoning district that currently permits residential uses, either by-right or with approval of a Conditional Use Permit. Below is a brief summary of the proposed amendments:

- **Update terminology.** Definitions provided within BMC Chapter 17.02 will be updated to be consistent with SB 234, including “Day Care Center”, “Day Care Home”, and “Family Day care Home”.
- **Achieve consistency with state law.**
 - In zoning districts that permit residential uses by right (R-1, R-2, R-3, R-MHP, and R-BA Residential Zoning Districts) “Large Family Day care Home” will be reclassified from conditionally permitted uses to permitted uses.
 - In zoning districts that conditionally permit residential uses (NCRO-2 Downtown Brisbane Neighborhood Commercial District and SCRO-1 Southwest Bayshore Commercial District and PAOZ-1 and PAOZ-2 Parkside Overlay Districts), “Large Family Day care Home” will be reclassified from conditionally permitted uses to permitted uses, provided they are within a conforming and permitted residential dwelling.

Fiscal Impact

None.

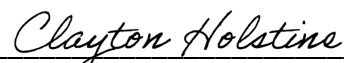
Measure of Success

Adoption of zoning amendments that brings Title 17 into compliance with current State law.

Attachments

1. Draft Ordinance No. 665
2. Planning Commission staff report and minutes dated July 22, 2021
3. Redline Copy of proposed Zoning Text Amendments


 John Swiecki, Community Development Director


 Clay Holstine, City Manager

**draft
ORDINANCE NO. 665**

**AN ORDINANCE OF THE CITY OF BRISBANE
AMENDING SECTIONS 17.02.190, 17.02.195, 17.02.290, 17.06.020, 17.06.030, 17.08.020,
17.08.030, 17.10.020, 17.10.030, 17.11.020, 17.12.020, 17.12.030, 17.14.020, 17.14.040,
17.16.020, 17.16.030, and 17.27.020 OF THE BRISBANE MUNICIPAL CODE
CONCERNING LARGE FAMILY DAY CARE HOMES**

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

SECTION 1: Sections 17.02.190, 17.02.195, and 17.02.290 are amended to read as follows:

17.02.190 - Day care center.

“Day care center,” “child care center,” and “child day care facility” mean a facility licensed pursuant to Health and Safety Code Section 1596.951, other than a family day care home as defined in this Chapter, that provides nonmedical care to children under eighteen (18) years of age in need of personal services, supervision, or assistance essential for sustaining the activities of daily living or for the protection of the individual on less than a twenty-four (24) hour basis. Day care center includes:

- A. Employer-sponsored day care centers;
- B. Infant centers;
- C. Preschools;
- D. Extended day care centers;
- E. School-age day care centers; and
- F. Day care centers.

17.02.195 - Day care home.

“Day care home” means a family day care home, as such term is defined in this chapter.

17.02.290 – Family day care home.

"Family day care home" means a facility licensed pursuant to Health and Safety Code Section 1597.54, that regularly provides care, protection, and supervision for fourteen (14) or fewer children, in the licensee's own home, for periods of less than 24 hours per day, while the parents or guardians are not present. A licensee's residence includes property in which the licensee is a tenant, and includes the following:

- A. “Small family day care home” means a family day care home that provides care, protection, and supervision for more than six (6) children and up to eight (8) children, as set forth in Health and Safety Code Section 1597.44 and as defined in applicable State regulations;
- B. “Large family day care home” means a family day care home that provides care, protection, and supervision for more than twelve (12) children and up to and including

fourteen (14) children, as set forth in Health and Safety Code Section 1597.465 and as defined in applicable State regulations.

SECTION 2: Sections 17.06.020 and 17.06.030 are amended to read as follows:

17.06.020 – Permitted uses.

The following permitted uses shall be allowed in the R-1 district:

- A. Single-family dwellings.
- B. Accessory structures and uses incidental to a permitted use, including personal cultivation of cannabis in compliance with Title 8, Chapter 8.12.
- C. Home occupations, conducted in accordance with the regulations prescribed in Chapter 17.44 of this title.
- D. Small family day care homes.
- E. Large family day care homes.
- F. Accessory dwelling units and junior accessory dwelling units, in accordance with Chapter 17.43 of this title.

17.06.030– Conditional uses.

The following conditional uses may be allowed in the R-1 district, upon the granting of a use permit pursuant to Chapter 17.40 of this title:

- A. Cultural facilities.
- B. Day care centers.
- C. Educational facilities.
- D. Group care homes.
- E. Meeting halls.
- F. Mobile home parks.
- G. Places of worship.

SECTION 3: Sections 17.08.020 and 17.08.030 are amended to read as follows:

17.08.020 – Permitted uses.

The following permitted uses shall be allowed in the R-2 district:

- A. Single-family dwellings.
- B. Duplexes.
- C. Multiple family dwellings containing not more than six (6) dwelling units.
- D. Dwelling groups.

- E. Accessory structures and uses incidental to a permitted use, including personal cultivation of cannabis in compliance with Title 8, Chapter 8.12.
- F. Home occupations, conducted in accordance with the regulations prescribed in Chapter 17.44 of this title.
- G. Small family day care homes.
- H. Large family day care homes.
- I. Accessory dwelling units and junior accessory dwelling units, in accordance with Chapter 17.43 of this title.

17.08.030– Conditional uses.

The following conditional uses may be allowed in the R-2 district, upon the granting of a use permit pursuant to Chapter 17.40 of this title:

- A. Cultural facilities.
- B. Day care centers.
- C. Educational facilities.
- D. Group care homes.
- E. Mobile home parks.
- F. Multiple family dwellings containing seven (7) or more dwelling units.
- G. Meeting halls;
- H. Places of worship.

SECTION 4: Sections 17.10.020 and 17.10.030 are amended to read as follows:

17.10.020 – Permitted uses.

The following permitted uses shall be allowed in the R-3 district:

- A. Multiple-family dwellings.
- B. Single-family dwellings.
- C. Duplexes.
- D. Dwelling groups.
- E. Accessory structures and uses incidental to a permitted use, including personal cultivation of cannabis in compliance with Title 8, Chapter 8.12.
- F. Home occupations, conducted in accordance with the regulations prescribed in Chapter 17.44 of this title.
- G. Small family day care homes.
- H. Large family day care homes.

- I. Accessory dwelling units and junior accessory dwelling units, in accordance with Chapter 17.43 of this title.

17.10.030– Conditional uses.

The following conditional uses may be allowed in the R-3 district, upon the granting of a use permit pursuant to Chapter 17.40 of this title:

- A. Cultural facilities.
- B. Day care centers.
- C. Educational facilities.
- D. Group care homes.
- E. Mobile home parks.
- F. Meeting halls.
- G. Places of worship.

SECTION 5: Section 17.11.020 is amended to read as follows:

17.11.020 – Permitted uses.

The following permitted uses shall be allowed in the R-MHP district:

- A. Mobile home parks.
- B. Mobile homes.
- C. Accessory structures, including structures used for administration, maintenance or other community services.
- D. Small family day care homes.
- E. Large family day care homes.
- F. Home occupations, conducted in accordance with the regulations prescribed in Chapter 17.44 of this title.
- G. Accessory dwelling units, when authorized by a permit granted pursuant to Chapter 17.43 of this title.

SECTION 6: Sections 17.12.020 and 17.12.030 are amended to read as follows:

17.12.020 – Permitted uses.

The following permitted uses shall be allowed in the R-BA district:

- A. Single-family dwellings.
- B. Accessory structures and uses incidental to a permitted use, including personal cultivation of cannabis in compliance with Title 8, Chapter 8.12.

- C. Home occupations, conducted in accordance with the regulations prescribed in Chapter 17.44 of this title.
- D. Small family day care homes.
- E. Large family day care homes.
- F. Accessory dwelling units and junior accessory dwelling units, when authorized by a permit under Chapter 17.43 of this title.

17.12.030– Conditional uses.

The following conditional uses may be allowed in the R-BA district, upon the granting of a use permit pursuant to Chapter 17.40 of this title:

- A. Group care homes.

SECTION 7: Sections 17.14.020 and 17.14.040 are amended to read as follows:

17.14.020 – Permitted uses.

The following uses are permitted uses in the NCRO-1 and NCRO-2 districts, if conducted in accordance with the performance standards set forth in 17.14.070 of this chapter:

- A. Financial institutions.
- B. Medical facilities.
- C. Offices.
- D. Personal services.
- E. Restaurants.
- F. Retail sales and rental.
- G. Home occupations, in the NCRO-2 District only.
- H. Accessory dwelling units and junior accessory dwelling units associated with an existing or proposed single-family dwelling, duplex, or multiple-family dwelling in compliance with the provisions of Chapter 17.43 of this title, in the NCRO-2 District only.
- I. Small family day care homes in a dwelling unit if part of a mixed-use development and when the day care home is located above or behind nonresidential uses.
- J. Large family day care homes in a dwelling unit if part of a mixed-use development and when the day care home is located above or behind nonresidential uses.

17.14.040– Conditional uses.

The following conditional uses are allowed in the NCRO-2 District, subject to obtaining a use permit and if conducted in accordance with the performance standards set forth in Section 17.14.070 of this chapter:

- A. Bars.

- B. Commercial recreation-commercial gym and health facilities.
- C. Cultural facilities.
- D. Educational facilities.
- E. Meeting halls.
- F. Mixed use in single-family dwellings.
- G. Outdoor sales and rental, when associated with an adjacent use within a structure.
- H. Places of worship.
- I. Temporary uses.
- J. Veterinary clinics.
- K. The following conditional uses are allowed only when part of a mixed-use and when located above or behind nonresidential uses:
 - 1. Day care centers.
 - 2. Dwelling units.
 - 3. Group care homes.

SECTION 8: Sections 17.16.020 and 17.16.030 are amended to read as follows:

17.16.020 – Permitted uses.

- A. The following are permitted uses in the SCRO-1 district:
 - 1. Emergency shelters in compliance with Section 17.16.040.
 - 2. Accessory dwelling units and junior accessory dwelling units associated with an existing or proposed single-family dwelling, duplex, or multiple-family dwelling in compliance with the provisions of Chapter 17.43 of this title.
 - 3. Small family day care homes in a dwelling unit.
 - 4. Large family day care homes in a dwelling unit.

17.16.030– Conditional uses.

- A. Allowable Conditional Uses. The following conditional uses, not otherwise permitted per Section 17.16.020(A), may be allowed in the Southwest Bayshore district, upon the granting of a use permit pursuant to Chapter 17.40 of this title and if conducted in accordance with the performance standards set forth in Section 17.16.050 of this chapter:
 - 1. Commercial recreation/commercial gym and health facilities;
 - 2. Contractor's yards;
 - 3. Convalescent homes;
 - 4. Cultural facilities;

5. Duplex dwelling units;
6. Educational facilities;
7. Emergency shelters with more than twelve (12) beds;
8. Financial institutions;
9. Food production;
10. Group care homes;
11. Hotels;
12. Light fabrication;
13. Live/work developments;
14. Media studios;
15. Medical facilities;
16. Meeting halls;
17. Mobile home parks in compliance with Section 17.32.110;
18. Motels;
19. Multiple-family dwellings and dwelling groups;
20. Offices;
21. Outdoor sales and rental;
22. Personal services;
23. Places of worship;
24. Printing;
25. Product showrooms;
26. Research and development, where the planning director determines, as a result of a risk analysis performed in accordance with Policy No. 166.1 of the general plan, that the use of hazardous materials will not constitute a major component of the research and development activities to be conducted on the site. Research and development involving cannabis is additionally subject to the requirements in Chapter 17.33;
27. Restaurants;
28. Retail sales and rental;
29. Single-family dwellings and single-family dwellings with accessory dwelling units in compliance with the provisions of Chapter 17.43 of this Title;
30. Storage;

- 31. Veterinary clinics;
- 32. Warehousing;
- 33. Single-room occupancy units.

- B. **Mixed Uses.** A combination of any residential and nonresidential uses listed in subsection A of this section, or in Section 17.16.020, may be allowed as a mixed use within the same structure or upon the same site when specifically authorized by the use permit granted for each individual conditional use and upon such additional conditions as the approving authority may deem necessary or appropriate to insure the compatibility of such mixed uses.
- C. **Night Operations.** Night operations associated with the conduct of any uses listed in subsection A of this section (except residential uses) shall require a use permit when subject to the provisions of Section 17.16.070 of this chapter.

SECTION 9: Section 17.27.020 is amended to read as follows:

17.27.020 – Permitted uses.

The following are permitted uses in the PAOZ-1 and PAOZ-2 districts:

PAOZ-1	PAOZ-2	Permitted Uses
X	Not permitted	Single-family dwellings
X	X	Multiple-family dwellings
X	X	Dwelling groups
X	X	Accessory structures
X	X	Home occupations, conducted in accordance with the regulations prescribed in Chapter 17.44
X	X	Small family day care homes in a dwelling unit
X	X	Large family day care homes in a dwelling unit
X	X	Accessory dwelling units, in compliance with Chapter 17.43 of this title.

PAOZ-1	PAOZ-2	Permitted Uses
X	Not permitted	Junior accessory dwelling units, in compliance with Chapter 17.43 of this title.

SECTION 10: Where a use permit, design permit or variance approval has been issued through final action by the City prior to the effective date of this Ordinance, or where such planning permit approval is not required and a complete building permit application has been submitted prior to the effective date of this Ordinance, the holder of such use permit, design permit or variance approval or complete building permit application may proceed to construct the improvements or establish the use authorized by such permit or approval and the same shall be exempted from any conflicting regulations that may be contained in this Ordinance.

SECTION 11: 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 12: This Ordinance shall be in full force and effect thirty days after its passage and adoption.

* * *

The above and foregoing Ordinance was regularly introduced and after the waiting time required by law, was thereafter passed and adopted at a regular meeting of the City Council of the City of Brisbane held on the [REDACTED] day of [REDACTED] 2021, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Mayor

ATTEST:

APPROVED AS TO FORM:

City Clerk

City Attorney

City of Brisbane

Planning Commission Agenda Report

TO: Planning Commission

For the Meeting of 7/22/2021

SUBJECT: **Zoning Text Amendment RZ-1-21;** Zoning text amendments to Title 17 of the Brisbane Municipal Code (BMC) to update allowed uses in residential zoning districts; City of Brisbane, applicant; Citywide.

REQUEST: Recommend City Council adoption of proposed zoning text amendments to allow large family day care homes by-right in the R-1, R-2, R-3, R-MHP, R-BA, NCRO-2, SCRO-1, PAOZ-1, and PAOZ-2, Zoning Districts, and update related definitions consistent with State law.

RECOMMENDATION: Recommend City Council adoption of Zoning Text Amendment RZ-1-21 via adoption of Resolution RZ-1-21.

ENVIRONMENTAL DETERMINATION: The project is statutorily exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15274 of the CEQA Guidelines that exempts the establishment or operation of small and large family day care homes to CEQA.

APPLICABLE CODE SECTIONS:

- “Day Care Center”, “Day Care Home”, and “Family Day care Home” defined in [Chapter 17.02](#)
- R-1 Residential District ([BMC Chapter 17.06](#))
- R-2 Residential District ([BMC Chapter 17.08](#))
- R-3 Residential District ([BMC Chapter 17.10](#))
- R-MHP Mobile Home Park District ([BMC Chapter 17.11](#))
- R-BA Residential District ([BMC Chapter 17.12](#))
- Downtown Brisbane Neighborhood Commercial District ([BMC Chapter 17.14](#))
- Southwest Bayshore Commercial District ([BMC Chapter 17.16](#))
- Parkside Overlay District ([BMC Chapter 17.27](#))

ANALYSIS AND FINDINGS:

Background

In 2019, the Governor signed into law Senate Bill 234 – Family Day care Homes (SB 234) that became effective January 1, 2020 (See attachment C). The bill requires large family day care homes, day care homes licensed to care for seven to fourteen children, to be treated as a residential use of property for purposes of all local ordinances; more specifically, SB 234 prohibits municipalities from requiring a discretionary use permit or levying any type of business license fee or tax on both small and large family day care homes. The City’s current zoning regulations

only treat small family day care homes, day care homes with less than eight children, as a residential use of property, and large family day care homes are required to obtain a conditional use permit prior to establishment or operation.

Draft Ordinance

The draft ordinance would amend certain definitions contained within BMC Chapter 17.02 and applicable BMC sections prescribing “Permitted uses” and “Conditional uses” for any zoning district that currently permits residential uses, either by-right or with approval of a Conditional Use Permit (see Attachments A and B). While no amendments are proposed to the text of BMC Chapter 17.28 – PD Planned Development District, small and large family day care homes would be permitted within residential dwellings in any PD Zoning Districts, consistent with State law.

Below is a brief summary of the proposed amendments:

- **Update terminology.** Definitions provided within BMC Chapter 17.02 will be updated to be consistent with SB 234, including “Day Care Center”, “Day Care Home”, and “Family Day care Home”.
- **Achieve consistency with state law.**
 - In zoning districts that permit residential uses by right (R-1, R-2, R-3, R-MHP, and R-BA Residential Zoning Districts) “Large Family Day care Home” will be reclassified from conditionally permitted uses to permitted uses.
 - In zoning districts that conditionally permit residential uses (NCRO-2 Downtown Brisbane Neighborhood Commercial District and SCRO-1 Southwest Bayshore Commercial District and PAOZ-1 and PAOZ-2 Parkside Overlay Districts), “Large Family Day care Home” will be reclassified from conditionally permitted uses to permitted uses, provided they are within a conforming and permitted residential dwelling.

ATTACHMENTS:

- A. Draft Resolution RZ-1-21 (including draft ordinance)
- B. Redline copy of proposed zoning text amendments (N.I.C.)
- C. Government Code Sections [1596.72, 1596.73, 1596.78, 1597.30, 1597.40, 1597.41, 1597.42, 1597.45, 1597.455, 1597.46, 1597.54 and 1597.543](#) of the Health and Safety Code, relating to family day care homes (SB 234).


Jeremiah Robbins, Associate Planner


John Swiecki, Community Development Director

RESOLUTION RZ-1-21

A RESOLUTION OF THE PLANNING COMMISSION OF BRISBANE
RECOMMENDING CITY COUNCIL APPROVAL OF ZONING TEXT AMENDMENT RZ-1-21
AMENDING REGULATIONS WITHIN TITLE 17 OF THE BRISBANE MUNICIPAL CODE
CONCERNING LARGE FAMILY DAY CARE HOMES

WHEREAS, the State Legislature finds that child day care facilities can contribute positively to a child's emotional, cognitive, and educational development, that good quality childcare services are an essential service for working parents, and California has a tremendous shortage of regulated childcare, the State intends to provide a comprehensive, quality system for licensing child day care facilities to ensure a quality childcare environment; and

WHEREAS, effective January 1, 2020, Senate Bill 234 (Skinner), amended Sections 1596.72, 1596.73, 1596.78, 1597.30, 1597.40, 1597.41, 1597.42, 1597.45, 1597.46, 1597.54 and 1597.543 of the Health and Safety Code and changed the requirements for local governments relating large family day care homes; and

WHEREAS, the City's current zoning ordinance regarding large family day care homes must be updated to comply with current State law; and

WHEREAS, the draft ordinance attached as Exhibit A to this resolution proposes amendments to Title 17 (Zoning) of the Brisbane Municipal Code in order to comply with current State law regarding large family day care homes; and

WHEREAS, on July 22, 2021, the Planning Commission conducted a hearing of the application, publicly noticed in compliance with Brisbane Municipal Code Chapters 1.12 and 17.54, at which time any person interested in the matter was given an opportunity to be heard; and

WHEREAS, the Planning Commission reviewed and considered the staff memorandum relating to said application, and the written and oral evidence presented to the Planning Commission in support of and in opposition to the application; and

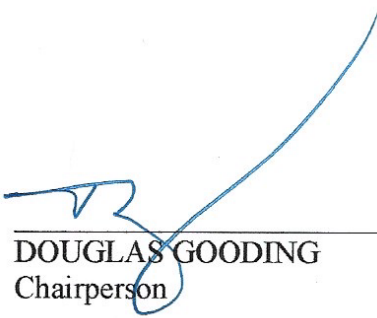
WHEREAS, the draft ordinance is statutorily exempt from the provisions of the California Environmental Quality Act (CEQA) per Section 15274 of the CEQA Guidelines; and

NOW, THEREFORE, based upon the evidence presented, both written and oral, the Planning Commission of the City of Brisbane hereby RECOMMENDS that the City Council adopt the attached ordinance.

AYES: Gooding, Patel, Sayasane

NOES: None

ABSENT: Funke, Gomez



DOUGLAS GOODING
Chairperson

ATTEST:



JOHN SWIECKI, Community Development Director

BRISBANE PLANNING COMMISSION
Action Minutes of July 22, 2021
Virtual Regular Meeting

CALL TO ORDER

Chairperson Gooding called the meeting to order at 7:30 p.m.

ROLL CALL

Present: Commissioners Gooding, Patel, and Sayasane.
Absent: Commissioners Funke, Gomez
Staff Present: Director Swiecki, Senior Planner Johnson, and Associate Planner Robbins

ADOPTION OF AGENDA

Commissioner Patel moved to adopt the agenda. Commissioner Sayasane seconded the motion and it was approved 3-0.

CONSENT CALENDAR

Commissioner Sayasane moved to adopt the consent calendar (agenda item A). Commissioner Patel seconded the motion and it was approved 3-0.

ORAL COMMUNICATIONS

There were no oral communications.

WRITTEN COMMUNICATIONS

Chairperson Gooding acknowledged one written communication from Dana Dillworth in opposition of agenda item B.

NEW BUSINESS

~~B. PUBLIC HEARING. 800-1800 Sierra Point Parkway, Sign Program Modification
SR 1-20; SP CRO Sierra Point Commercial District; Sign program modification to “The
Shore at Sierra Point Sign Program” (SR 7-19) for the Healthpeak Biotechnology Research
and Development Campus, Kevin Norman, DES Architects + Engineers, Inc., Applicant;
Scott Robn, Healthpeak Properties, owner~~

~~Senior Planner Johnson gave the staff presentation and answered questions from the Commission
regarding anticipated increases in light pollution, performance standards meant to reduce glare and
public nuisances, and how the City would enforce the sign program performance standards and
conditions of approval to ensure individual signs comply with the sign program.~~

~~Kevin Norman, applicant, addressed the Commission in support of the application, and explained how complaints of light pollution from the City and/or residents would be addressed.~~

~~Senior Planner Johnson read the written correspondence from Dana Dillworth into the record.~~

~~With no others wishing to address the Commission, Commissioner Sayasane moved to close the public hearing. Commissioner Patel seconded the motion and it was approved 3-0.~~

~~After deliberation, Commissioner Sayasane moved to approve the application via adoption of Resolution SR 1-20. Commissioner Patel seconded the motion and it was approved 5-0. Chairperson Gooding read the appeals procedure.~~

C. PUBLIC HEARING: Zoning Text Amendment RZ-1-21; Various zoning districts; Zoning text amendments to Title 17 of the Brisbane Municipal Code to allow large family daycare homes by-right in residential zoning districts, consistent with State law; City of Brisbane, applicant; Citywide.

Associate Planner Robbins gave the staff presentation and answered questions from the Commission pertaining to the reason why the amendments are necessary and if they comply with State law.

Barbara Ebel, Brisbane resident, asked Associate Planner Robbins to identify any differences between the draft ordinance and State law and he provided the requested clarification.

With no others wishing to address the Commission, Commissioner Sayasane moved to close the public hearing. Commissioner Patel seconded the motion and it was approved 3-0.

After deliberation, Commissioner Patel moved to recommend City Council adoption of the draft ordinance by adopting Resolution RZ-1-21. Commissioner Sayasane seconded the motion and it was approved 3-0.

~~ITEMS INITIATED BY STAFF~~

~~Director Swiecki reported that the City Council received presentations on hybrid public meetings, the development of objective design and development standards (ODDS) for new residential development, and the Quarry redevelopment project at their July 15, 2021 meeting. He also announced Senior Planner Ayres and Associate Planner Robbins will each be going on parental leave, coming back late fall and early winter.~~

~~ITEMS INITIATED BY THE COMMISSION~~

~~There were none.~~

ADJOURNMENT

SECTION 1

17.02.190 Day care center.

~~"Day care center," also known known as "child care center," means an establishment licensed by the state, not located in the licensee's own home, where non-medical care and supervision are provided for children in a group setting for periods of less than twenty-four (24) hours. The term includes nurseries, nursery schools, preschools, play groups, and after school group care, but does not include a family day care home operated in the provider's own home.~~

"Day care center," "child care center," and/or a "child day care facility," means a facility licensed pursuant to Health and Safety Code Section 1596.951, other than a family daycare home as defined in this Chapter, that provides nonmedical care to children under eighteen (18) years of age in need of personal services, supervision, or assistance essential for sustaining the activities of daily living or for the protection of the individual on less than a twenty-four (24) hour basis. Day care center includes:

- A. Employer-sponsored day care centers;
- B. Infant centers;
- C. Preschools;
- D. Extended day care centers;
- E. School-age day care centers; and
- F. Day care centers.

17.02.195 Day care home.

"Day care home" means a family day care home, as such term is defined in this chapter.

17.02.290 Family day care home.

"Family day care home" means a facility licensed by the State that regularly provides care, protection, and supervision for fourteen (14) or fewer children, in the licensee's residence for periods of less than 24 hours per day, while the parents or guardians are not present. A licensee's residence includes property in which the licensee is a tenant, means an establishment operated by the provider in the provider's own home as a accessory use incidental to the residential occupancy and licensed by the state to provide care, protection and supervision to children for periods of less than twenty-four (24) hours per day while the parents or guardians are away, and includes the following:

- A. "Small family day care home" means a family day care home that provides care, protection, and supervision for eight (8) or fewer children, including children under the age of ten (10) years who reside at the home, as set forth in Health and Safety Code Section 1597.44 and as defined in State regulations;
- B. "Large family day care home" means a family day care home that provides care, protection, and supervision for ~~nine-seven~~ (79) to fourteen (14) children, inclusive, including children under the age of ten (10) years who reside at the home, as set forth in Health and Safety Code Section 1597.465 and as defined in State regulations.

SECTION 2

17.06.020 – Permitted uses.

The following permitted uses shall be allowed in the R-1 district:

- A. Single-family dwellings.
- B. Accessory structures and uses incidental to a permitted use, including personal cultivation of cannabis in compliance with Title 8, Chapter 8.12.
- C. Home occupations, conducted in accordance with the regulations prescribed in Chapter 17.44 of this title.
- ~~D.~~ D. Small family day care homes.
- ~~D.E.~~ D.E. Large family day care homes.
- ~~E.F.~~ E.F. Accessory dwelling units and junior accessory dwelling units, in accordance with Chapter 17.43 of this title.

17.06.030 – Conditional uses.

The following conditional uses may be allowed in the R-1 district, upon the granting of a use permit pursuant to Chapter 17.40 ~~or 17.43~~ of this title:

- A. Cultural facilities.
- B. Day care centers.
- C. Educational facilities.
- D. Group care homes.
- ~~E.~~ E. Large family day care homes.
- ~~F.E.~~ F.E. Meeting halls.
- ~~G.F.~~ G.F. Mobile home parks.
- ~~H.G.~~ H.G. Places of worship.

SECTION 3

17.08.020 – Permitted uses.

The following permitted uses shall be allowed in the R-2 district:

- A. Single-family dwellings.
- B. Duplexes.
- C. Multiple family dwellings containing not more than six (6) dwelling units.
- D. Dwelling groups.

- E. Accessory structures and uses incidental to a permitted use, including personal cultivation of cannabis in compliance with Title 8, Chapter 8.12.
- F. Home occupations, conducted in accordance with the regulations prescribed in Chapter 17.44 of this title.

G. Small family day care homes.

G.H. ~~Large family day care homes.~~

H.I. Accessory dwelling units and junior accessory dwelling units, in accordance with Chapter 17.43 of this title.

17.08.030 – Conditional uses.

The following conditional uses may be allowed in the R-2 district, upon the granting of a use permit pursuant to Chapter 17.40 of this title:

- A. Cultural facilities.
- B. Day care centers.
- C. Educational facilities.
- D. Group care homes.

~~E. Large family day care homes.~~

F.E. Mobile home parks.

G.F. Multiple family dwellings containing seven (7) or more dwelling units.

H.G. Meeting halls;

I.H. Places of worship.

SECTION 4

17.10.020 – Permitted uses.

The following permitted uses shall be allowed in the R-3 district:

- A. Multiple-family dwellings.
- B. Single-family dwellings.
- C. Duplexes.
- D. Dwelling groups.
- E. Accessory structures and uses incidental to a permitted use, including personal cultivation of cannabis in compliance with Title 8, Chapter 8.12.
- F. Home occupations, conducted in accordance with the regulations prescribed in Chapter 17.44 of this title.

G. Small family day care homes.

~~G.H.~~ Large family day care homes.

~~H.I.~~ Accessory dwelling units and junior accessory dwelling units, in accordance with Chapter 17.43 of this title.

17.10.030 – Conditional uses.

The following conditional uses may be allowed in the R-3 district, upon the granting of a use permit pursuant to Chapter 17.40 of this title:

- A. Cultural facilities.
- B. Day care centers.
- C. Educational facilities.
- D. Group care homes.

~~E.~~ Large family day care homes.

~~F.E.~~ Mobile home parks.

~~G.F.~~ Meeting halls.

~~H.G.~~ Places of worship.

SECTION 5

17.11.020 – Permitted uses.

The following permitted uses shall be allowed in the R-MHP district:

- A. Mobile home parks.
- B. Mobile homes.
- C. Accessory structures, including structures used for administration, maintenance or other community services.

~~D.~~ Small family day care homes.

~~D.E.~~ Large family day care homes.

~~E.F.~~ Home occupations, conducted in accordance with the regulations prescribed in Chapter 17.44 of this title.

~~F.G.~~ Accessory dwelling units, when authorized by a permit granted pursuant to Chapter 17.43 of this title.

SECTION 6

17.12.020 – Permitted uses.

The following permitted uses shall be allowed in the R-BA district:

- A. Single-family dwellings.

B. Accessory structures and uses incidental to a permitted use, including personal cultivation of cannabis in compliance with Title 8, Chapter 8.12.

C. Home occupations, conducted in accordance with the regulations prescribed in Chapter 17.44 of this title.

D. Small family day care homes.

~~D.E.~~ Large family day care homes.

~~E.F.~~ Accessory dwelling units and junior accessory dwelling units, when authorized by a permit under Chapter 17.43 of this title.

17.12.030 – Conditional uses.

The following conditional uses may be allowed in the R-BA district, upon the granting of a use permit pursuant to Chapter 17.40 of this title:

A. Group care homes.

~~B. Large family day care homes.~~

SECTION 7

17.14.020 – Permitted uses.

The following uses are permitted uses in the NCRO-1 and NCRO-2 districts, if conducted in accordance with the performance standards set forth in 17.14.070 of this chapter:

A. Financial institutions.

B. Medical facilities.

C. Offices.

D. Personal services.

E. Restaurants.

F. Retail sales and rental.

G. Home occupations, in the NCRO-2 District only.

H. Accessory dwelling units and junior accessory dwelling units associated with an existing or proposed single-family dwelling, duplex, or multiple-family dwelling in compliance with the provisions of Chapter 17.43 of this title, in the NCRO-2 District only.

I. Small family daycare homes in a dwelling unit if part of a mixed-use development and when the day care home is located above or behind nonresidential uses.

~~H.J.~~ Large family daycare homes in a dwelling unit if part of a mixed-use development and when the day care home is located above or behind nonresidential uses.

17.14.040 – Conditional uses.

The following conditional uses are allowed in the NCRO-2 District, subject to obtaining a use permit and if conducted in accordance with the performance standards set forth in Section 17.14.070 of this chapter:

- A. Bars.
- B. Commercial recreation-commercial gym and health facilities.
- C. Cultural facilities.
- D. Educational facilities.
- E. Meeting halls.
- F. Mixed use in single-family dwellings.
- G. Outdoor sales and rental, when associated with an adjacent use within a structure.
- H. Places of worship.
- I. Small family day care homes.
- J. Temporary uses.
- K. Veterinary clinics.
- L. The following conditional uses are allowed only when part of a mixed-use and when located above or behind nonresidential uses:
 - 1. Day care centers.
 - 2. Dwelling units.
 - ~~3. Family day care homes.~~
 - ~~4.3.~~ Group care homes.

SECTION 8**17.16.020 – Permitted uses.**

- A. The following are permitted uses in the SCRO-1 district:
 - 1. Emergency shelters in compliance with Section 17.16.040.
 - ~~2.~~ Accessory dwelling units and junior accessory dwelling units associated with an existing or proposed single-family dwelling, duplex, or multiple-family dwelling in compliance with the provisions of Chapter 17.43 of this title.
 - ~~3. Small family daycare homes in a dwelling unit.~~
 - ~~2.4.~~ Large family daycare homes in a dwelling unit.

17.16.030 – Conditional uses.

A. Allowable Conditional Uses. The following conditional uses, not otherwise permitted per Section 17.16.020(A), may be allowed in the Southwest Bayshore district, upon the granting of a use permit pursuant to Chapter 17.40 of this title and if conducted in accordance with the performance standards set forth in Section 17.16.050 of this chapter:

1. Commercial recreation/commercial gym and health facilities;
2. Contractor's yards;
3. Convalescent homes;
4. Cultural facilities;
5. Duplex dwelling units;
6. Educational facilities;
7. Emergency shelters with more than twelve (12) beds;
8. Financial institutions;
9. Food production;
10. Group care homes;
11. Hotels;
- ~~12. Large family day care homes;~~
- ~~13.~~12. Light fabrication;
- ~~14.~~13. Live/work developments;
- ~~15.~~14. Media studios;
- ~~16.~~15. Medical facilities;
- ~~17.~~16. Meeting halls;
- ~~18.~~17. Mobile home parks in compliance with Section 17.32.110;
- ~~19.~~18. Motels;
- ~~20.~~19. Multiple-family dwellings and dwelling groups;
- ~~21.~~20. Offices;
- ~~22.~~21. Outdoor sales and rental;
- ~~23.~~22. Personal services;
- ~~24.~~23. Places of worship;
- ~~25.~~24. Printing;

~~26.25.~~ Product showrooms;

~~27.26.~~ Research and development, where the planning director determines, as a result of a risk analysis performed in accordance with Policy No. 166.1 of the general plan, that the use of hazardous materials will not constitute a major component of the research and development activities to be conducted on the site. Research and development involving cannabis is additionally subject to the requirements in Chapter 17.33;

~~28.27.~~ Restaurants;

~~29.28.~~ Retail sales and rental;

~~30.29.~~ Single-family dwellings and single-family dwellings with accessory dwelling units in compliance with the provisions of Chapter 17.43 of this Title;

~~31.30.~~ Storage;

~~32.31.~~ Veterinary clinics;

~~33.32.~~ Warehousing;

~~34.33.~~ Single-room occupancy units.

- B. Mixed Uses. A combination of any residential and nonresidential uses listed in subsection A of this section, or in Section 17.16.020, may be allowed as a mixed use within the same structure or upon the same site when specifically authorized by the use permit granted for each individual conditional use and upon such additional conditions as the approving authority may deem necessary or appropriate to insure the compatibility of such mixed uses.
- C. Night Operations. Night operations associated with the conduct of any uses listed in subsection A of this section (except residential uses) shall require a use permit when subject to the provisions of Section 17.16.070 of this chapter.

SECTION 9

17.27.020 – Permitted uses.

The following are permitted uses in the PAOZ-1 and PAOZ-2 districts:

PAOZ-1	PAOZ-2	Permitted Uses
X	Not permitted	Single-family dwellings
X	X	Multiple-family dwellings
X	X	Dwelling groups

PAOZ-1	PAOZ-2	Permitted Uses
X	X	Accessory structures
X	X	Home occupations, conducted in accordance with the regulations prescribed in Chapter 17.44
X	X	Small family day care homes <u>in a dwelling unit</u>
<u>X</u>	<u>X</u>	<u>Large family day care homes in a dwelling unit</u>
X	X	Accessory dwelling units, in compliance with Chapter 17.43 of this title.
X	Not permitted	Junior accessory dwelling units, in compliance with Chapter 17.43 of this title.

File Attachments for Item:

G. Update on Business Assistance Grant program and Review of Criteria for Second Round of Applications



CITY COUNCIL AGENDA REPORT

Meeting Date: 11/4/21

From: Stuart Schillinger, Assistant City Manager

Subject: COVID19 Business Relief Program

Community Goal/Result

Economic Development

Purpose

Assist businesses in Brisbane impacted by COVID-19. Additionally, assist restaurants within Brisbane to assist with their ability to provide service to the public.

Recommendation

1. Continue to work with the City contractor to distribute the remaining \$65,000 in City provided small business assistance grant money.

Background

The Federal Government has adopted the Paycheck Protection Act, which was meant to assist small businesses with financial support during COVID-19 interruptions. The program was administered through the banking system and did not seem to work for many of the businesses that needed help, due to a variety of factors such as lack of adequate funding, complicated rules, and distribution of capital problems in the County. The upshot of this was that a number of businesses within San Mateo County, including Brisbane, either did not qualify or did not apply for funds due to the rules. Additionally, the County of San Mateo put money into the San Mateo Strong Fund to assist restaurants during the COVID-19 emergency, but staff understands that obtaining assistance from that program was also difficult, particularly for small businesses.

On May 20, 2021 the City Council allocated \$200,000 to assist small businesses in Brisbane that were negatively impacted by COVID-19. The current criteria is:

1. Businesses with annual gross revenues of \$5,000,000 or less
2. Loss of 25% of revenues for a recent 12-month period
3. Business commits to be open after the COVID19 emergency is over
4. Located in Brisbane and having a Brisbane Business License
5. Not a member of the City Council or a paid employee of the City

Each qualifying business is eligible for \$5,000.

Our contractor – the Brisbane Chamber of Commerce -- did outreach including ensuring the application material was translated into different languages, went directly to businesses within the community to ensure impacted businesses knew about the program, published the program on the Chamber website, in the Luminary, on the signboard in town, the City Star, and through e-mail blasts from both the Chamber and the City.

Discussion

Our contractor identified 27 businesses that were eligible under the existing criteria. The grantees are diverse group of businesses in the City. Fourteen of them are minority owned businesses, 9 are women owned businesses, and 1 is an LGBTQ+ owned business. Some of these businesses overlap in multiple groups. The amount that will be distributed to these 27 businesses/grantees is \$135,000 (27 x \$5000= \$135,000), leaving \$65,000 still available.

If the City Council would like to distribute the remaining funds our contractor suggests that the City either:

- Reduce the loss amount to 15% of the business' revenue in a 12-month period to allow more businesses to qualify. (The Chamber is aware of a few other businesses that would be eligible at this reduced threshold.)
- Or, increase the grant amount to \$7,400 per eligible business under the existing criteria

Fiscal Impact

There is no additional fiscal impact since the City Council already allocated \$200,000 from the Federal ARPA money to provide financial assistance to businesses.

Measure of Success

Provide a minimum of 20 businesses assistance. Since this has already occurred, this measure of success has been achieved. By decreasing the amount of loss to 15% of revenue, 30-40 businesses could be assisted.

Stuart Schillinger

Stuart Schillinger, Assistant City Manager

Clay Holstine, City Manager