



CITY of BRISBANE

City Council Special Meeting Agenda

Thursday, December 12, 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

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

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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.

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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.

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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](https://www.brisbaneca.org/meetings)). Any writings that are received after 4pm of the day of the meeting will be distributed to the Council and made available for public inspection at the front lobby and on the internet the day after the meeting ([brisbaneca.org/meetings](https://www.brisbaneca.org/meetings)).

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 December 5, 2024
- C. Approve Minutes of City Council Closed Session Meeting of December 5, 2024
- D. Approve Investment Report as of October 2024
- E. Accept the Annual Report of Development Impact Fees for the Fiscal Year Ended June 30, 2024

NEW BUSINESS

- F. Consider adoption of Resolution adopting the County of San Mateo’s Certification of Votes and declaring results to fill 3 four-year term Council Seats at the Presidential General Election held on November 5, 2024
- G. Administration of Oath of Office of Newly Elected Councilmembers
- H. Recognize Outgoing Councilmember Karen Cunningham for Her Service
- I. Selection of New Mayor and Mayor Pro Tem

- J. Administration of Oath of Office of Newly Selected Mayor and Mayor Pro Tem
- K. Recognize Outgoing Mayor Terry O'Connell for Her Service

(A Brief Break Will Be Held After Item K)

STAFF REPORTS

- L. City Manager's Report- City Updates and Upcoming Activities

MAYOR/COUNCIL MATTERS

- M. Countywide Assignments and Subcommittee Reports
- N. Written Communications
- O. Review City Council Meeting Schedule for 2025

ORAL COMMUNICATIONS NO. 2

ADJOURNMENT

File Attachments for Item:

B. Approve Minutes of City Council Meeting of December 5, 2024



BRISBANE CITY COUNCIL
ACTION MINUTES

**CITY COUNCIL MEETING AGENDA
THURSDAY, DECEMBER 5, 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 7:34 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. City Councilmember Davis joined via teleconference at 251 Mendocino St. Brisbane, CA.

Councilmembers present: Councilmembers Cunningham, Davis, Lentz, Mackin, and Mayor O’Connell
Councilmembers absent: None

Staff Present: City Manager Dennis, City Clerk Padilla, City Attorney McMorrow, Finance Director Yuen, City Engineer Breault, Community Development Director Swiecki, Senior Planner Johnson, Assistant to the City Manager Cheung, Parks and Recreation Director Leek, Sustainability Manager Etherton, Police Commander Garcia, and Administrative Management Analyst Ibarra

REPORT OUT OF CLOSED SESSION

City Attorney McMorrow reported that Councilmembers did not take any action and provided direction on Pending or Threatened Litigation Item D.

ADOPTION OF AGENDA

Councilmember Cunnningham made a motion, seconded by Councilmember Mackin, to approve the City Council Meeting agenda as it stands. The motion passed unanimously by all present.

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

Noes: None

Absent: None

Abstain: None

ORAL COMMUNICATIONS NO. 1

Michele Salmon thanked Councilmember Cunningham and Mayor O'Connell for their work and service. She also appreciated Councilmember Mackin for running for reelection. She also commented that it the City must restrict the deeds of the City-owned properties on the Acres for Open Space. It has been nearly 5 years since Council approved this action.

Juanita Yee thanked Councilmember Cunningham for her honesty, leadership and integrity.

AWARDS AND PRESENTATIONS

A. Volunteer of the Year Award

Mayor O'Connell proclaimed that after many years of dedicated volunteering, the Brisbane City Council expresses their gratitude for Peter Grace's tireless spirit, selflessness, and dedication to serving others. She extended the City's congratulations to Peter Grace and his family on being named the 2024 Volunteer of the Year.

Peter Grace's family, Connie Veilleux and Carol Veilleux accepted the proclamation on behalf of the late Peter Grace. Councilmembers shared their favorite memories of Peter Grace.

B. Brisbane Library Annual Report

Cary Mossing, Library Manager and Min-i Chou, Senior Librarian presented the Brisbane Library's Annual Report and the organization's achievements and community impacts over the past year.

Chris Florkowski commented that the San Mateo County Libraries' Fixit Clinics program is also another reason to appreciate the library. Fixit Clinics help community members troubleshoot and repair broken items.

C. Brisbane Village Helping Hands

Nancy Colman and Karen Latham from Brisbane Village Helping Hands presented on the latest activities and accomplishments of Brisbane Village Helping Hands. Brisbane Village Helping Hands is a grass roots all-volunteer community organization whose mission is to help residents age in place and stay connected to their community. The Village provides a way for older residents who want to remain in their homes to request help, and for community volunteers to lend a hand.

Councilmembers thanked Nancy Colman and Karen Latham for Brisbane Village Helping Hands' great work and important services to the community.

D. Proposed Oyster Restoration Project Vicinity of Sierra Point

Jordan Bow, President of Royal Hawaiian Seafood, presented his proposal for an Oyster Restoration Project along Sierra Point. The object of the proposed Oyster Restoration Project is to establish self-sustaining oyster reefs and to capture sediment to create vertical shoreline growth and help decrease the impacts of sea-level rise. He is asking councilmembers for their help to mitigate Brisbane's sea level risks and consequences by supporting this proposal.

After council questions, Councilmembers thanked Jordan Bow for his ideas and presentation.

CONSENT CALENDAR

- E. Approve Minutes of City Council Meeting of November 21, 2024**
- F. Approve Minutes of City Council Special Meeting of November 21, 2024**
- G. Approve Final Determination of Use of Remaining State Local Fiscal Recovery Funds (SLFRF)**
- H. Authorize Submission of an Application for Peninsula Clean Energy Member Agency Grant Funds**
- I. Approve Application for Co-sponsorship Event Mothers of Brisbane Shop**
- J. Authorize the Police Department to Enter into a Data Sharing Memorandum of Understanding with the San Mateo County Sheriff's Office for a Data Aggregation Platform**
- K. Adopt an Ordinance, Waiving a Second Reading, Approving a Zoning Text and Map Amendment 2024-RZ-1, Overlay to R-1 Residential District in its entirety and a portion of the R-BA Brisbane Acres Residential District**

(It is being recommended to adopt an ordinance approving a zoning text and map amendment 2024-RZ-1 amending regulations within Title 16 and 17 of the Brisbane Municipal Code to add the R-TUO residential two unit overlay district as new chapter 17.05 and related amendments; and finding that this project is exempt from environmental review under CEQA Guidelines Sections 15061(b)(1) & (3), Section 15183.)

Councilmember Davis made a motion, seconded by Councilmember Cunningham, to approve the Consent Calendar Items E-K. The motion passed unanimously by all present.

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

Noes: None

Absent: None

Abstain: None

NEW BUSINESS

- L. Receive Brisbane Marina Sea Level Rise Memorandums**

(Receipt and review of these memorandums is exempt from CEQA because it is not a project (CCR Title 14 §15378 (b) (2))

City Engineer Breault reported the findings of two studies on sea level rise that are focused on the impact to

the city's marina and its adjacent utilities. The two studies included the following: a review of impacts to near shore utilities by EKI and a review of onshore and offshore marina infrastructure by Anchor QEA.

Staff recommended councilmembers to receive the memorandums and provide direction to staff as deemed necessary and appropriate. The suggested direction for Council to provide staff included the following items:

- Develop a Capital Improvement Project (CIP) to modify the existing storm drain infrastructure no later than 2030
- Develop a plan to relocate the waterline no later than 2050.
- Develop a Request for Proposal (RFP) to create a funding plan for the 2030/2050 anticipated Marina replacements

After council questions with staff, Mayor O'Connell opened the floor for public comments.

Dr. Jasmin Flores spoke about the grant funding opportunities for the City of Brisbane through Senate Bill 1 (2021) Sea Level Rise Adaptation Planning Grants and Senate Bill 272 (2023) Sea Level Rise Planning and Adaptation.

Len Materman of One Shoreline, the San Mateo County Flood and Sea Level Rise Resiliency District, encouraged the City to start in 2025 to secure funding and develop an approach to cover and protect the city's shoreline. He also answered questions raised by the Council and members of the public.

Michele Salmon commented that Brisbane has unique Sea Level Rise issues such as the cap and landfill, as well as the land subsidence in the Marina.

Michael Barnes commented that these studies were paid for funds that was ear marked for developing a park out of Sierra Point.

Jordan Bow invited the public and councilmembers to the next San Francisco Bay Living Shorelines Collaborative Meeting.

Dr. Jasmin Flores commented that the need for potable water is a robust rational for a grant application through Senate Bill 1.

Councilmembers suggested staff also work with the Council's Infrastructure, Utilities & Franchise Subcommittee. Councilmembers agreed with the sea level rise responses that are collaborative, innovative, regional, aligned with the San Francisco Bay Conservation & Development Commission (BCDC)'s new guidelines, and addresses important issues such as protecting the City's water, sewer and storm drain facilities and the Marina, protecting access to potable water, preventing cap failure, and addressing groundwater rise.

After Council further discussion, council was in agreement with staff's recommendations and staff will bring back more information and engage with Councilmembers on those recommendations in future council meetings.

STAFF REPORTS

M. City Manager's Report – City Updates and Upcoming Activities

City Manager Dennis reported on upcoming activities and the latest City updates.

MAYOR/COUNCIL MATTERS

N. Countywide Assignments and Subcommittee Reports

Councilmembers reported on their countywide assignments and subcommittee meetings. Councilmember Cunningham thanked the community for their support and letting her serve as a community volunteer and elected official. She also provided a statement on transparency questions around the Mayoral rotation process and welcomed Frank Kern as the new incoming councilmember.

O. Written Communications

Council received the following written communication between November 21, 2024 through December 5, 2024:

- Manara (11-24-2024) Quarry Development
- Christensen (11-27-2024) Draft Eir Quarry Development
- Florkowski (11-29-24) CSSC and Draft EIR Quarry Development
- Straw (12-03-2024) Quarry Development

ORAL COMMUNICATIONS NO. 2

No members of the public wished to speak.

ADJOURNMENT

Mayor O'Connell adjourned the meeting at 9:50 P.M.

Ingrid Padilla
City Clerk

File Attachments for Item:

C. Approve Minutes of City Council Closed Session Meeting of December 5, 2024



BRISBANE CITY COUNCIL**ACTION MINUTES**

**CITY COUNCIL CLOSED SESSION MEETING AGENDA
THURSDAY, DECEMBER 5, 2024**

*HYBRID MEETING, 50 PARK PLACE LARGE CONFERENCE ROOM,
BRISBANE, CA 94005*

7:00 P.M. CLOSED SESSION**A. Approval of the Closed Session Agenda**

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

C. Adjournment into Closed Session**D. CONFERENCE WITH LEGAL COUNSEL—PENDING OR THREATENED LITIGATION**

Government Code, Section 54956.9 (d). Number of Cases: One

Mayor O'Connell called the meeting to order at 7:05 P.M. Councilmember Davis joined via teleconference at 251 Mendocino St. Brisbane, California.

Councilmember Lentz made a motion, seconded by Councilmember Cunningham, to approve the Closed Session Meeting agenda as it stands. The motion passed unanimously by all present.

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

Noes: None

Absent: None

Abstain: None

There was no public comment. Mayor O'Connell adjourned the meeting into Closed Session.

REPORT OUT OF CLOSED SESSION

City Attorney McMorrow reported that Councilmembers did not take any action and provided direction on Pending or Threatened Litigation Item D.

ADJOURNMENT

The meeting was adjourned at 7:28 P.M.

Ingrid Padilla, City Clerk

File Attachments for Item:

D. Approve Investment Report as of October 2024

**CITY OF BRISBANE
CASH BALANCES & INVESTMENTS
SOURCE OF FUNDING
October 31, 2024**

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		\$ 7,168,722	\$ 7,168,722	\$ 7,168,722	0.000		110% collateral
STATE FUND (LAIF)	Deposit on call	continuous	\$ 610,592	\$ 610,592	\$ 610,592	4.520	on call	no rating
Other Investments								
	FHLB	3/24/2022	\$ 1,000,000	\$ 1,000,000	\$ 989,620	2.000	03/24/2025	
	FHLB	4/22/2022	\$ 1,000,000	\$ 1,000,000	\$ 990,920	2.750	04/22/2025	
	FHLB	7/28/2022	\$ 1,000,000	\$ 1,000,000	\$ 996,190	4.050	07/28/2025	
	FHLB	12/31/2021	\$ 1,000,000	\$ 1,000,000	\$ 972,800	1.300	09/30/2025	
	FHLB	10/27/2022	\$ 1,000,000	\$ 1,000,000	\$ 1,007,300	4.750	10/27/2025	
	FFCB	9/12/2022	\$ 1,000,000	\$ 1,000,000	\$ 997,860	4.125	12/12/2025	
	FFCB	12/1/2023	\$ 1,000,000	\$ 1,000,000	\$ 1,006,400	5.060	12/01/2026	
	FHLB	3/25/2022	\$ 1,000,000	\$ 1,000,000	\$ 961,830	2.600	03/25/2027	
	FHLB	5/26/2022	\$ 1,000,000	\$ 1,000,000	\$ 998,580	4.000	05/26/2027	
	FHLB	5/26/2022	\$ 1,000,000	\$ 1,000,000	\$ 987,520	3.750	05/26/2027	
	FFCB	8/6/2024	\$ 1,000,000	\$ 1,000,000	\$ 1,001,460	5.340	11/06/2028	
	FHLM	6/12/2024	\$ 1,000,000	\$ 1,000,000	\$ 1,000,170	5.750	06/12/2029	
	FHLM	6/25/2024	\$ 1,000,000	\$ 1,000,000	\$ 1,001,940	5.500	06/25/2029	
	FHLB	7/29/2024	\$ 1,000,000	\$ 1,000,000	\$ 999,340	5.150	07/25/2029	
	FHLB	10/30/2024	\$ 1,000,000	\$ 1,000,000	\$ 999,600	5.020	10/30/2029	
BNY Mellon	Treasury Obligations	continuous	\$ 3,829,707	\$ 3,829,707	\$ 3,829,707	4.780	on call	110% collateral
Sub-total			\$ 18,829,707	\$ 18,829,707	\$ 18,741,237			
U.S. Bank	2014 BGPBA Bond (330)	Improvements	Fed Treas Obl	\$ -	10031			
		Reserve Fund	Fed Treas Obl	\$ 1	10032			
		Revenue Fund	Fed Treas Obl	\$ -	10034			
		Expense Fund	Fed Treas Obl	\$ -	10035			
		Principal	Fed Treas Obl	\$ 1	10036			
		Interest Fund	Fed Treas Obl	\$ 0	10037			
U.S. Bank	2015 Utility Capital (545)	Improvements	Fed Treas Obl	\$ -	10031			
		Reserve	Fed Treas Obl	\$ 562	10032			
		Expense Fund	Fed Treas Obl	\$ -	10035			
BNY Mellon	2023 BGVMDFA Bond (328)	Improvements	Fed Treas Obl	\$ 33	10031			
		Reserve / Project	Fed Treas Obl	\$ 1,791,291	10032			
		Expense Fund	Fed Treas Obl	\$ 5	10035			
		Principal	Fed Treas Obl	\$ -	10036			
		Interest Fund	Fed Treas Obl	\$ -	10037			
PARS	OPEB Trust	Trust Cash	Investments	\$ 4,294,329	13050			
PARS	Retirement Trust	Trust Cash	Investments	\$ 1,669,952	13050			
Sub-total	Cash with Fiscal Agents			\$ 7,756,174				
Total other investments			\$ 26,585,881	\$ 26,585,881	\$ 18,741,237			
TOTAL INVESTMENTS & CASH BALANCES			\$ 34,365,195	\$ 34,365,195	\$ 26,520,551			

Outstanding Loans to Department Heads

	Date of loan	Amount	Amount Remaining	Interest Rate
Stuart Schillinger	4/1/2002	318,750	\$ 318,750	Variable, LAIF + 1%

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

Two year Treasury	4.16%	
Weighted Interest	3.09%	
Weighted maturity	1.62	Years

TREASURER'S CERTIFICATE

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

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

Carolina Yuen

CITY TREASURER

File Attachments for Item:

E. Accept the Annual Report of Development Impact Fees for the Fiscal Year Ended June 30, 2024



CITY COUNCIL AGENDA REPORT

Meeting Date: December 12, 2024

From: Carolina Yuen, Finance Director

Subject: Acceptance of Annual Report of Development Impact Fees for the Fiscal Year Ended June 30, 2024

Community Goal/Result

Safe Community
Community Building
Fiscally Prudent

Purpose

To review financial activity related to Development Impact Fees received for the Fiscal Year Ended June 30, 2024, as required by California Government Code Section 66006.

Recommendation

Staff recommends that the City Council accept the Annual Report of Development Impact Fees for the Fiscal Year Ended June 30, 2024.

Background

The California Government Code Section 66006, a subsection of the Mitigation Fee Act, requires local agencies with Development Impact Fees (DIF) to submit a report on the collection and use of these fees for public review within 180 days after the end of each fiscal year. This annual report must be reviewed and accepted by the City Council at a regularly scheduled public meeting. The annual review must include the following:

1. A brief description of the type of fee in the fund;
2. The amount of the fee;
3. The beginning and ending balance of the account or fund for the fiscal year;
4. The amount of the fees collected and any interest earned;
5. An identification of each public improvement on which fees were expended and the amount of the expenditures on each improvement, including the total percentage of the cost of the public improvement that was funded with fees;
6. An identification of an approximate date by which the construction of the public improvement will commence, if the local agency determines that sufficient funds have been collected to complete the financing on an incomplete public improvement;
7. A description of each interfund transfer or loan made from the account or fund, including the public improvement on which the transferred fees will be expended; and
8. The amount of unexpended revenues refunded.

In 2019, the City approved the Design Permit application submitted by Healthpeak for its project in Sierra Point. As a condition of approval, the developer was to pay \$1.5 million towards improvements for park planning at Sierra Point. The City received the funds in August 2020. These funds are in the Park Development Fund, are segregated from the General Fund, will be segregated from other DIF when and if those DIF are imposed and collected by the City and may only be used for the purposes for which the fee was imposed. In addition to the \$1.5 million, there are other funds in the Park Development Fund (earmarked for the Parcel R project), but those funds were collected pursuant to a development agreement and under the Mitigation Fee Act, those funds are not subject to the Act. Moreover, interest earned on this Fund is also deposited into the Fund. The fees must be used within five years of their collection but that time limit may be extended if justified. Although project approvals occurred in 2019, the use time frame began when the funds were actually received by the City in 2020. If these funds are not utilized within the 5-year timeframe, the City will be responsible for justifying an extension and identifying how the funds will be allocated within a reasonable time period. Otherwise, the funds must be returned to the developer.

In 2022, the City Council awarded a contract to CMG in the amount of \$199,758 for master planning services for Sierra Point Open Space and Parks. To date, the City has compensated CMG \$118,932.12 for services rendered. Twenty five percent (25%) of the cost related to the CMG contract has been allocated to the Parcel R project, and the remaining 75% (\$89,199) has been allocated to general park improvements at Sierra Point and charged against the DIF collected from Healthpeak.

In 2024, the City awarded a contract to Erler & Kalinowski (EKI) in the amount of \$36,700 and to Anchor QEA in the amount of \$36,500 for various Sea Level Rise assessments impacting the Sierra Point Open Space and Parks. To date, the City has compensated EKI \$2,323 and Anchor QEA \$20,442 for services rendered. One hundred percent (100%) of the cost related to these contracts have been allocated to the general park improvements at Sierra Point and charged against the DIF collected from Healthpeak.

Discussion and Fee Reporting Summary

Description and Amount – In 2019, the City approved the Design Permit application submitted by Healthpeak and imposed a \$1.5 million fee towards improvements for park planning at Sierra Point as a condition of approval. The City received the funds in August 2020. These funds have been deposited into the Park Development Fund. These Funds may be used for park planning purposes in Sierra Point and a portion of the fees have most recently have been expended to cover consulting costs related to the preparation of the Sierra Point Open Space and Park Master Plan.

Financial Information – For Fiscal Year 2023-24, the beginning balance of the Park Development Fund (as to that portion that is to be reported under the Mitigation Fee Act) was \$1,458,539. During the fiscal year, no additional fees were collected. The funds gained \$47,381 in investments. Expenditures of \$22,765 were incurred for eligible park planning projects and sea level rise study. The ending balance in the relevant portion of the Park Development Fund as of June 30, 2024, was \$1,483,155.

Development Impact Fee Report, Fiscal Year 2023-24					
Impact Fee Category	Fund Balance at 7/1/23	Total Collected FY23-24	Interest Earned FY23-24	Total Expenditures FY23-24	Fund Balance at 6/30/2024
Sierra Point Park Planning & Sea Level Rise Study	\$ 1,458,539	\$ -	\$ 47,381	\$ (22,765)	\$ 1,483,155
Total	\$ 1,458,539	\$ -	\$ 47,381	\$ (22,765)	\$ 1,483,155

Expenditure of Fees – Out of the Park Development Fund that is to be reported under the Mitigation Fee Act, the City spent \$22,765 towards Sierra Point Park Sea Level Rise Study consulting fees.

Construction Commencement Date – No projects requiring construction have been identified at this time.

Interfund Transfer or Loan – There were no interfund transfer or loans made during FY 2023-24.

Refunded Unexpended Revenues – No unexpended revenues were refunded during FY 2023-24.

Fiscal Impact

There is no fiscal impact from acceptance of this report.

Environmental Review

This action does not constitute a “project” as defined in California Environment Quality Act (CEQA) Guidelines Section 15378 and therefore no further CEQA analysis is required.

Attachments

1. Exhibit A: Development Impact Fee Report, Fiscal Year 2023-24



Carolina Yuen, Finance Director



Jeremy Dennis, City Manager

Attachment 1



City of Brisbane
Annual Report of Development Impact Fees
Fiscal Year Ended June 30, 2024

This report serves as the City of Brisbane's (City) annual report on development impact fee revenues and expenditures as required by Government Code Section 66006.

Healthpeak Sierra Point Park Planning Fee

In 2019, the City approved the Design Permit application submitted by Healthpeak for its project in Sierra Point. As a condition of approval, the developer was to pay \$1.5 million towards improvements for park planning at Sierra Point. The City received the funds in August 2020. These funds and any future deposits toward the park planning make up the Park Development Fund and are segregated from the General Fund and from other funds or accounts containing fees collected for other purposes in accordance with accounting standards. Interest earned on this Fund is deposited into the Fund and used only for the purposes for which the fee was collected. These funds may only be used for the purposes for which the fee was imposed and are governed by the Mitigation Fee Act. The fees must be used within five years of their collection but that time limit may be extended if justified. Although project approvals occurred in 2019, the use time frame began when the funds were actually received by the City in 2020. If these funds are not utilized within the 5-year timeframe, the City will be responsible for justifying an extension and identifying how the funds will be allocated within a reasonable time period. Otherwise, the funds must be returned to the developer.

Development Impact Fee Report, Fiscal Year 2023-24					
Impact Fee Category	Fund Balance at 7/1/23	Total Collected FY23-24	Interest Earned FY23-24	Total Expenditures FY23-24	Fund Balance at 6/30/2024
Sierra Point Park Planning & Sea Level Rise Study	\$ 1,458,539	\$ -	\$ 47,381	\$ (22,765)	\$ 1,483,155
Total	\$ 1,458,539	\$ -	\$ 47,381	\$ (22,765)	\$ 1,483,155

Expenditure of Fees – Out of the Park Development Fund that is to be reported under the Mitigation Fee Act, the City spent \$22,765 towards Sierra Point Park Sea Level Rise Study consulting fees.

Construction Commencement Date – No projects requiring construction have been identified at this time.

Interfund Transfer or Loan – There were no interfund transfer or loans made during FY 2023-24.

Refunded Unexpended Revenues – No unexpended revenues were refunded during FY 2023-24.

File Attachments for Item:

F. Consider adoption of Resolution adopting the County of San Mateo's Certification of Votes and declaring results to fill 3 four-year term Council Seats at the Presidential General Election held on November 5, 2024



CITY COUNCIL AGENDA REPORT

Meeting Date: December 12, 2024

From: Ingrid Padilla, City Clerk

Subject: Adopt Resolution Adopting the County of San Mateo's Certification of Votes and Declaring Results of the General Municipal Election held on November 5, 2024 to fill three City Council Seats

Recommendation:

Adopt Resolution No. 2024-XX adopting the County of San Mateo's Certification of Votes and Declaring Results of the General Municipal Election held on November 5, 2024 to fill three City Council seats.

Background:

On June 20, 2024, the City Council adopted Resolution No. 2024-19 calling a General Municipal Election to be held on Tuesday, November 5, 2024 and adopting procedures pertaining to the conduct and administration of such election including requesting the San Mateo County Clerk-Recorder to provide specified election services. Resolution No. 2024-19 calls for an election to fill three City Councilmember seats for a term of four years.

Discussion:

The attached Resolution declares the results of the election that was held on November 5, 2024. Cliff Lentz and Coleen Mackin were re-elected to serve on the City Council through December 2028. Frank Kern was newly elected to serve on the City Council through December 2028. At the time this report was written, the certification of votes from the County of San Mateo has not been received. The official results will be an exhibit to the attached resolution.

Attachment:

1. Resolution 2024-XX (Certification of Votes from San Mateo County will be attached as an Exhibit when received by the City Clerk)
2. November 5, 2024 Election Summary Report by Candidate, Official Results

Ingrid Padilla, City Clerk

Jeremy Dennis, City Manager

**ATTACHMENT 1
RESOLUTION NO. 2024-XX**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRISBANE
ADOPTING COUNTY OF SAN MATEO CERTIFICATION OF VOTES
AND DECLARING RESULTS TO FILL THREE COUNCIL SEATS AT THE GENERAL
MUNICIPAL ELECTION HELD ON NOVEMBER 5, 2024**

WHEREAS, a General Municipal Election was held in and throughout the City of Brisbane on the 5th day of November, 2024, to submit the candidates to fill three Council seats for four-year terms to the qualified electors; and

WHEREAS, the City Clerk of said City has duly posted and presented to the City Council of the City of Brisbane the County of San Mateo's certification of the votes cast in said General Municipal Election; and

WHEREAS, said City Council has access to and has examined said certification of votes cast in said election.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Brisbane finds as follows:

1. The total number of votes cast was 2,415.
2. That the record of votes cast in said election is shown on Exhibit "A" of the Certificate of the Chief Elections Official, attached hereto, and by such reference made a part hereof.
3. That Frank Kern, Cliff Lentz, and Coleen Mackin were elected to fill the offices of Councilmember for a term ending in December 2028 and the City Clerk is hereby directed to issue a Certificate of Election to the persons, certifying each person's election to the office appearing after their name, and to administer to the elected persons the oath of office prescribed by the Constitution of the laws of the State of California.

Terry O'Connell, Mayor

I hereby certify that the foregoing Resolution No. 2024-xx was duly and regularly adopted by the City Council of the City of Brisbane, at a regular meeting held thereof on December 12, 2024, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Ingrid Padilla
City Clerk

Attachment 2

November 5, 2024 Presidential General Election (11/05/2024)

Summary Report by Candidate

Official Results

San Mateo

City of Brisbane Members, City Council

(2 of 2 Precincts Reported)

Ballots Cast	Votes		
	Vote by Mail Ballots	Vote Center Ballots	Total
CLIFF LENTZ	1,061	189	1,250
FRANK KERN	863	152	1,015
COLEEN MACKIN	858	137	995
KAREN CUNNINGHAM	844	141	985
CHAYA-BELLA DAVID	490	125	615

File Attachments for Item:

M. Countywide Assignments and Subcommittee Reports



CITY *of* BRISBANE

Council Subcommittee Update

From November 30th, 2024, to December 6th, 2024

The subcommittee received an update from Finance Director Yuen and Economic Development Director Bull regarding business license fees. The primary areas for improvement involve health R&D, warehousing and empty properties. City staff met with our current business license program administrator, HdL, to discuss the City's current business license portfolio and a possible business license tax study to include the existing business license fee structure and methodologies, best practices and potential methods given the current and future business types allowed in Brisbane. As this would be a tax, it would need to be placed on the ballot in 2026. This will be discussed further at a council meeting in January or February.

The subcommittee also received an economic development update from Bull.

Both reports may be found here:

[MEET-Packet-813de19aad874773a26ada3da700bf21.pdf](#)

Upcoming Subcommittees:

Public Art Advisory Committee

12/10 5:15pm

Cunningham, Davis

File Attachments for Item:

O. Review City Council Meeting Schedule for 2025

COUNCIL MEETING SCHEDULE 2025***(Subject to change)*****All Meetings Begin at 7:30 PM on Thursdays unless otherwise noted**

January 2, 2025 Proposed Cancellation due to proximity to a holiday- New Year's Day
January 16, 2025

February 6, 2025
February 20, 2025

March 6, 2025
March 20, 2025

April 3, 2025
April 17, 2025

May 1, 2025
May 15, 2025

June 5, 2025
June 19, 2025 Proposed Cancellation due to Juneteenth Holiday on June 19th

July 3, 2025 Proposed Cancellation due to proximity to a holiday- 4th of July
July 17, 2025

August 7, 2025 Possible Summer Recess
August 21, 2025 Possible Summer Recess

September 4, 2025
September 18, 2025

October 2, 2025
October 16, 2025

November 6, 2025
November 20, 2025

December 4, 2025
December 18, 2025