



**BURLINGAME CITY COUNCIL
Unapproved Minutes
Regular Meeting on April 1, 2019**

STUDY SESSION (6:00 P.M.)

a. CASA COMPACT AND ONGOING DEVELOPMENTS IN CALIFORNIA HOUSING LAW

CDD Gardiner stated that the CASA Compact is a series of policy proposals that came out of an 18-month ABAG/MTC stakeholder group to address housing supply and affordability matters in the Bay Area. He noted that subsequent to the CASA Compact being released, State lawmakers introduced legislation intended to implement various aspects of the Compact.

CDD Gardiner discussed the “Three Ps” of the CASA Compact:

1. Production – increasing housing production at all levels of affordability
2. Preserving – preserving the existing affordable housing
3. Protecting – protecting vulnerable households from housing instability and displacement.

He explained that the “Three Ps” are the basis of the policy direction in the CASA Compact.

Mayor Colson stated that the CASA Compact contains 10 elements:

1. Just Cause Eviction Policy
2. Rent Cap
3. Rent Assistance and Access to Legal Counsel
4. Remove Regulatory Barriers to Accessory Dwelling Units
5. Minimum Zoning Near Transit
6. Good Government Reforms to Housing Approval Process
7. Expedited Approvals and Financial Incentives for Select Housing
8. Unlock Public Land for Affordable Housing
9. Funding and Financing the CASA Compact
10. Regional Housing Enterprise

Mayor Colson opened the item up for public comment.

Burlingame resident Linda Fields voiced concern about the CASA Compact and SB 50. She stated that both were flawed and urged the Council to oppose the power grab by the State Legislature, MTC, and ABAG.

Burlingame resident Cynthia Cornell discussed the City's updated General Plan and stated that it doesn't include enough housing to accommodate the predicted jobs growth. She asked what the City Council plans to do about the housing gap if the State Legislature doesn't pass legislation like the CASA Compact.

Burlingame residents Joel and Phyllis Mittler talked about their desire to modernize their ADU. They explained that they aren't able to increase the size of the ADU because of the property size requirements under the Municipal Code. They asked the Council to review the ordinance.

Councilmember Brownrigg asked if the applicant could apply for a variance. CDD Gardiner stated that the ADU ordinance doesn't allow for variances. He explained that ADUs are reviewed by staff, and because they are handled as administrative permits, the expectation is for the ADU to comply with all requirements.

Councilmember Brownrigg asked if this was a City or State regulation. CDD Gardiner stated that it was City.

Councilmember Brownrigg asked if ADUs that don't comply fully with the standards could go to the Planning Commission for further review. CDD Gardiner replied in the negative.

Burlingame resident Sandra Lang discussed the areas in the CASA Compact that are identified as vulnerable and stated that she wanted to understand the data and what is being proposed for those areas.

Mayor Colson closed public comment.

Mayor Colson asked her colleagues for their opinions on the first three elements of the CASA Compact:

1. Just Cause Eviction Policy
2. Rent Cap
3. Rent Assistance and Access to Legal Counsel

Vice Mayor Beach explained that rent control and just cause eviction were twice voted down by Burlingame citizens. She stated that the citizens' decision should be acknowledged and upheld.

Councilmember Keighran stated that she concurred with Vice Mayor Beach.

Councilmember Keighran discussed the third element of the CASA Compact. She noted that the City has discussed utilizing residential impact fees for emergency rental assistance. She stated that the third element has a means test which states: "Emergency rental assistance should be limited to those whose incomes do not exceed 80% of AMI. Legal services should be provided to all qualified tenants regardless of income." She asked if these are two different concepts. CDD Gardiner replied in the affirmative.

Councilmember Keighran stated that there should also be a means test for legal services. She voiced concern for the source of funding of the third element.

Councilmember Ortiz stated that he agreed with his colleagues about rent control and just cause eviction. He added that he agreed that there should be a means test for legal services.

Councilmember Brownrigg stated that it was his understanding that the CASA Compact was meant to be a package deal. He explained that this was being undercut by the State Legislature's decision to implement the Compact piece-by-piece. He stated that the first three elements are meant to protect tenants. He noted that there are other protections that the City should discuss to assist renters. He gave the example of Councilmember Keighran's idea of incentivizing landlords to upgrade their units in exchange for keeping their rent affordable.

Vice Mayor Beach noted that the CASA Compact was drafted by a non-elected committee. The CASA Compact is now being interpreted by the State Legislature. She stated that she thought the Council's conversation should focus on the State legislation. She explained that by doing this, the City could be proactive about what legislation works and doesn't work for the City.

Mayor Colson stated that she agreed with her colleagues. She voiced concern about using blanket legislation for the entire State. She noted that while rental control could work in some markets, it won't work for all.

Mayor Colson stated that she believed the Council had reached a consensus that the Council was not in favor of rent control for the City but that the Council wanted to explore flex support programs.

Mayor Colson directed her colleagues' attention to the next two elements of the CASA Compact:

4. Remove Regulatory Barriers to Accessory Dwelling Units
5. Minimum Zoning Near Transit

Mayor Colson stated that the City needed to review how the City handles ADUs and stated that overall the City is in compliance with State legislation.

Councilmember Keighran discussed potentially amending the ADU ordinance so that there are two tracks:

1. Administrative – all requirements are met and therefore can be approved by staff, or
2. Request for a variance – Planning Commission reviews it

Vice Mayor Beach discussed the fifth element of the CASA Compact and stated that not all transit is created equal. She noted that while bus stops can change and routes can vary, train stops are more permanent. She stated that she is in support of reduced parking requirements near transit and felt that there was a way to create incentives for more affordable housing. She stated that if the City is going to reduce parking, then the City needed to ensure it was by robust transit.

Councilmember Keighran voiced concern about increased density interfering with the R1 District. Additionally, she questioned how high-quality bus service is defined. She thought the City should have local control to prevent multifamily dwellings next to the R1 District.

Councilmember Keighran stated that increasing density along bus service routes would be El Camino Real. However, SB 50 benefits don't apply if tenants are already living in the multi-family dwelling units. CDD Gardiner replied in the affirmative. He explained that under SB 50, a developer is only able to apply for a special permit if there have been no tenants in the building in the last seven years. If there haven't been tenants in that time period, SB 50 allows a developer to qualify for reduced parking and increased height on their project. He noted that the tenant requirement would disqualify most of El Camino Real in Burlingame.

Vice Mayor Beach asked if the tenant requirement in SB 50 was to prevent displacement. CDD Gardiner replied in the affirmative.

Councilmember Keighran noted that unlike many cities, Burlingame has housing along El Camino Real instead of commercial. She noted that the CASA Compact restricts the ability of developers to improve and increase housing along El Camino Real.

Councilmember Brownrigg stated that an expert at a Senator Hill housing legislation discussion informed the public that El Camino Real bus service wouldn't qualify as high-quality transit.

Councilmember Keighran stated that she believed that whether El Camino Real would qualify as high-quality transit was still in question.

Councilmember Ortiz voiced concern that the legislation doesn't consider what neighborhoods look like. He explained that the City had approached increased density in a thoughtful manner that worked for the City when the General Plan was updated.

Vice Mayor Beach stated that another issue of SB 50 is allowing unlimited density within a certain height restriction. She stated that this would allow multi-dwelling units in R1 Districts as long as the height is the same. She explained that the City has been thoughtful about how the additional urbanization can work for Burlingame, but these State mandated requirements could be an issue in R1 neighborhoods.

Councilmember Brownrigg stated that he agreed. He explained that the State housing legislation often starts from a premise that the local legislators are the problem and are the reason that units aren't being built. He added that the real challenge is private landowners that don't want to upgrade their land. He gave the example that ten years ago the Council approved amending the downtown height restrictions to 55 feet. He stated that since this amendment, only two buildings have utilized the increased height.

Councilmember Brownrigg stated that the State Legislature needs to focus on incentives that will motivate long-time property owners.

Mayor Colson directed colleague's attention to the next three elements of the CASA Compact:

6. Good Government Reforms to Housing Approval Process
7. Expedited Approvals and Financial Incentives for Select Housing
8. Unlock Public Land for Affordable Housing

Councilmember Ortiz stated that the City is already working on the 8th element with the Lots F and N project.

Mayor Colson agreed and noted that the Council is considering rebuilding City Hall, which might include multi-dwelling units on top.

Councilmember Keighran stated that under the 7th element, she is concerned about CEQA exemptions. She discussed the importance of CEQA.

Mayor Colson asked her colleagues for their thoughts on the last two elements of the CASA Compact:

9. Funding and Financing the CASA Compact
10. Regional Housing Enterprise

She explained that it will cost approximately \$2.5 billion annually to implement the CASA program.

Councilmember Keighran voiced concern about the creation of another bureaucratic group that would require funding. She discussed the work that is happening at the County level with the assistance of Measure K funds (\$110 million into housing projects in the past five years.) She explained that she was concerned about submitting additional tax measures to the public.

Councilmember Keighran stated SB 50 creates fines for cities. She explained that the City would only have 30 days to complete an application review for a project of 150 units or less and 60 days for a project over 150 units. If the City isn't able to complete their review in the allotted time, the City would be fined \$10,000 per unit. She explained that she believed this was extreme and that for the City to meet these requirements, more staff would be needed.

Vice Mayor Beach stated that the State Legislature was discussing limiting the fees that cities place on projects. She noted that the fees that the City charges are not to make money but to pay for the project review. She explained that if the State limits fees, the State would need to find another way to assist the cities in paying for these services.

Vice Mayor Beach stated that she believed that expediting CEQA for housing was directed towards court decisions. She voiced support for expediting court decisions as long as there is due process. She noted that this measure would be expensive for the State.

Vice Mayor Beach discussed a chart in the CASA Compact that outlines the top ten landowners for publicly owned parcels suitable for housing near transit. She stated that the Peninsula Health Care District has nine acres, and she noted that they should be encouraged to build affordable housing.

Councilmember Brownrigg stated that he believes the CASA Compact is fatally flawed because no city that is affected was part of the discussion. He discussed the CASA Compact's calls for action:

- Redevelopment 2.0
- Lower the voter threshold for housing funding measures
- Fiscalization of land use

- Homelessness
- Grow and stabilize the construction labor force

He stated that he supported these calls for actions. He added that he was in support of the first bullet point, creation of a new redevelopment agency.

Mayor Colson and Councilmember Ortiz agreed that they could support these calls for actions.

Councilmember Ortiz stated that his one concern about a new redevelopment agency is that it could give the City unfunded mandates.

Mayor Colson asked if her colleagues wanted the City to write a letter voicing the Council's position on SB 50 and the CASA Compact.

Vice Mayor Beach stated that she wanted the City to focus on what is happening in the Legislature versus the CASA Compact. She stated that she believed the main takeaways were that the Council is supporting housing but the State has to respect that local jurisdictions are the best equipped to enact housing legislation in their own communities. She noted that cities need an infusion of funds for affordable housing and that this is the most important thing that the State could do to assist. She stated that the State should also give cities targets and incentives instead of penalties.

Councilmember Keighran voiced support for the City issuing letters to address SB 50 and the CASA Compact. She stated that the CASA Compact failed by not having input from any San Mateo County officials. She asked that the Mayor focus on what the City has done and the need for local control in the letters.

Councilmember Ortiz stated that he believed the City should stand against the CASA Compact. He explained that the CASA Compact is being presented as the idea of local governments, and the City needs to push back against this notion.

Councilmember Brownrigg concurred with Councilmember Ortiz. He added that he believed it was important that the letter address supporting "responsible local control."

Councilmember Brownrigg addressed Ms. Cornell's public comment. He explained that he didn't believe the City was going to get as many jobs as were forecast. He stated that the County needs to address the housing jobs gap as a whole.

Mayor Colson stated that the Home for All is working to consolidate this conversation in order to present a Countywide response.

Mayor Colson asked if staff had direction. CDD Gardiner replied in the affirmative. He stated that he believed that the Council wanted two letters: one directed at SB 50 and the other at CASA Compact.

City Manager Goldman stated that for the CASA Compact letter, the draft would include the things that trouble the City but also the things that their support for CASA's Calls for Action.

Mayor Colson concurred.

Mayor Colson asked that staff look into the ADU ordinance and how the City can be a little more accommodating. She stated that she believed Councilmember Keighran's suggestion of two tracks was an excellent suggestion.

1. CALL TO ORDER

A duly noticed meeting of the Burlingame City Council was held on the above date in the City Hall Council Chambers at 7:00 p.m.

2. PLEDGE OF ALLEGIANCE TO THE FLAG

The pledge of allegiance was led by Andrea Pappajohn.

3. ROLL CALL

MEMBERS PRESENT: Beach, Brownrigg, Colson, Keighran, Ortiz

MEMBERS ABSENT: None

4. REPORT OUT FROM CLOSED SESSION

There was no closed session.

5. UPCOMING EVENTS

Mayor Colson reviewed the upcoming events taking place in the City.

6. PRESENTATIONS

a. PRESENTATION OF CPRS DISTRICT 4 AWARD OF EXCELLENCE TO THE BURLINGAME AVENUE BUSINESS IMPROVEMENT DISTRICT'S FALL FEST KID'S ZONE

Recreation Coordinator Nicole Rath stated that on February 28, 2019, the California Parks and Recreation Society ("CPRS") District 4 held their annual awards and volunteer recognition dinner. She explained that the event honors outstanding individuals, departments, and organizations for their professional and volunteer contributions in the fields of parks and recreation and human services. She stated that an award of excellence recognizes outstanding projects, events, or programs in the categories of recreation programming promoting healthy communities, parks planning, facility design, or other related areas.

Ms. Rath stated that this year, CPRS presented its award of excellence to the Fall Fest Kid's Zone. She explained that Fall Fest event was the brainchild of Aim-orn Selig ("Pookie") from DBID. The event has expanded since its inception and is now two full days with several events for children.

Ms. Rath presented Ms. Selig and DBID President Jenny Keleher with the award of excellence from CPRS.

The City Council thanked Ms. Selig and Ms. Keleher for their hard work and collaboration with the City.

7. PUBLIC COMMENT

There were no public comments.

8. CONSENT CALENDAR

Mayor Colson asked the Councilmembers and the public if they wished to remove any item from the Consent Calendar. Vice Mayor Beach pulled item 8e. Mayor Colson pulled item 8h. Item 8f was pulled to allow Councilmember Brownrigg and Councilmember Keighran to recuse themselves from the vote.

Councilmember Brownrigg made a motion to approve 8a, 8b, 8c, 8d and 8g; seconded by Councilmember Ortiz. The motion passed unanimously by voice vote, 5-0.

a. APPROVAL OF CITY COUNCIL MEETING MINUTES FOR MARCH 13, 2019

City Clerk Hassel-Shearer requested Council adopt the City Council Meeting Minutes for March 13, 2019.

b. APPROVAL OF CITY COUNCIL MEETING MINUTES FOR MARCH 18, 2019

City Clerk Hassel-Shearer requested Council adopt the City Council Meeting Minutes for March 18, 2019.

c. ADOPTION OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BURLINGAME ESTABLISHING RESIDENTIAL IMPACT FEES ON NEW RESIDENTIAL DEVELOPMENT TO SUPPORT WORKFORCE HOUSING

CDD Gardiner requested Council adopt Ordinance Number 1961.

d. ADOPTION OF AN ORDINANCE AMENDING MUNICIPAL CODE SECTION 10.55.030 REGARDING PROMULGATION OF PARK RULES

City Attorney Kane requested Council adopt Ordinance Number 1962.

e. **ADOPTION OF A RESOLUTION APPROVING THE STREET RESURFACING PROJECT TO COMPLY WITH SENATE BILL NO. 1 FOR FISCAL YEAR 2019-2020**

Vice Mayor Beach asked if the City looks at the resurfacing opportunities through the lens of multi-modal transportation uses. DPW Murtuza stated that the primary objective of SB 1 funds is to perform street repairs like potholes. He stated that the resolution before the Council would send a list of streets that will be resurfaced to the State. He explained that as part of the City's resurfacing program, staff has a complete streets review and incorporates when possible pedestrian and bicycle improvements.

Mayor Colson opened the item up for public comment. No one spoke.

Vice Mayor Beach made a motion to adopt Resolution Number 29-2019; seconded by Councilmember Keighran. The motion passed unanimously by voice vote, 5-0.

Councilmember Brownrigg discussed the public's concern about El Camino Real. He explained that El Camino Real is a State highway and therefore is not included in the City's resurfacing program. He added that in his committee report is an update of the process that is underway with Caltrans to take care of El Camino Real.

f. **ADOPTION OF A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT FOR A STORM DRAIN FACILITY AT 2300 ADELINE DRIVE**

DPW Murtuza requested Council adopt Resolution Number 30-2019.

Councilmember Brownrigg and Councilmember Keighran stated that they believed that they lived within 500 feet of the project and therefore had to recuse themselves.

Councilmember Ortiz made a motion to adopt Resolution Number 29-2019; seconded by Vice Mayor Beach. The motion passed by voice vote, 3-0-2 (Councilmembers Brownrigg and Keighran abstained).

g. **ADOPTION OF A RESOLUTION ACCEPTING THE 2017 CITYWIDE SANITARY SEWER POINT REPAIR PROJECT BY EPS, INC. DBA EXPRESS PLUMBING, CITY PROJECT NO. 84380**

DPW Murtuza requested Council adopt Resolution Number 31-2019.

h. **ADOPTION OF A RESOLUTION OF INTENTION TO LEVY BROADWAY AVENUE BUSINESS IMPROVEMENT DISTRICT ASSESSMENTS FOR FISCAL YEAR 2019-20 AND SETTING PUBLIC HEARING FOR MAY 6, 2019; AND APPROVING THE DISTRICT'S ANNUAL REPORT FOR FISCAL YEAR 2018-19**

Mayor Colson stated that the budget page provided by Broadway Avenue Business Improvement District includes an expenditure column with items like advertising, beautification, and maintenance. She noted that

on Exhibit A, there is a much more robust discussion about Broadway BID's proposals for the upcoming year. She explained that it would be helpful if the Broadway BID could include additional details about what is envisioned.

Councilmember Brownrigg voiced his support for that inclusion.

Councilmember Keighran stated that she had a question about item number 4 on Exhibit A, which discusses a people-mover between Broadway and the hotel district. She asked if this was in reference to the existing shuttle service. Finance Director Augustine replied that she would get back to Council with more information.

City Manager Goldman stated that this item will come back to Council on May 6, 2019 for final approval. She noted that staff would ask the District to add detail for that meeting.

Councilmember Brownrigg stated that it should also be included in the e-newsletter.

Mayor Colson opened the item up for public comment.

Councilmember Brownrigg made a motion to adopt Resolution Number 32-2019; seconded by Councilmember Ortiz. The motion passed unanimously by voice vote, 5-0.

9. **PUBLIC HEARINGS**

a. **PUBLIC HEARING AND RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BURLINGAME ADJUSTING THE STORM DRAINAGE FEE FOR FISCAL YEAR 2019-20 BY 2.0% BASED ON THE CPI – SAN FRANCISCO AREA AS PUBLISHED ON MARCH 12, 2019**

Finance Director Augustine stated that pursuant to the citizen-approved measure, the City is able to annually increase the storm drainage fee by CPI, but not to exceed 2%. She explained that the CPI increase was over 3%, and therefore the City is proposing an increase to the storm drainage fee of 2%.

Mayor Colson opened the public hearing. No one spoke.

Councilmember Brownrigg asked how much of the original storm drain project has been completed. DPW Murtuza stated that in 2009 when the measure was passed, the City identified \$39 million in necessary improvements. He explained that about \$24 million has been completed. However, in undertaking this project, staff has uncovered additional projects that need to be done beyond the original \$39 million. He stated that in the next five to seven years, the City will have completed the high priority projects.

Councilmember Brownrigg stated that at some point the Council should have a discussion about the additional projects. DPW Murtuza replied in the affirmative. He added that as the City moves forward with sea level rise projects, the scope of storm drainage projects will change.

Councilmember Brownrigg stated that it wasn't easy to get the bond passed. He explained that he wasn't optimistic about getting another bond passed in the near term. Therefore, if there are new priorities with approximately \$15 million left, then he wanted the Council to think now about whether there are other projects that should take priority.

Vice Mayor Beach made a motion to adopt Resolution Number 33-2019; seconded by Councilmember Ortiz. The motion passed unanimously by voice vote, 5-0.

10. **STAFF REPORTS**

a. **ADOPTION OF A RESOLUTION ENDORSING THE SAN MATEO COUNTY FLOOD AND SEA LEVEL RISE RESILIENCY AGENCY PROPOSAL AND AUTHORIZING FUNDING FOR AGENCY START-UP**

City Manager Goldman introduced former San Mateo City Manager Larry Patterson. Mr. Patterson is now working with the City/County Association of Governments (C/CAG) to create the Flood and Sea Level Rise Resiliency Agency ("Agency").

Mr. Patterson began by discussing the need for a sole Agency representing the county's interests. He explained that through collaboration, the cities of San Mateo County will have an easier time obtaining federal funding and advocating for their needs at the State level. He noted that the Regional Water Quality Control Board ("RWQCB") voiced its support for the creation of the Agency.

Mr. Patterson discussed the process that C/CAG undertook to form the Agency. He explained that C/CAG formed the Standing Countywide Water Coordination Committee. He stated that at this point, he became involved in the project, and the Staff Advisory Team ("SAT") was formed. The SAT worked with a consultant to develop a proposal for a Flood and Sea Level Rise Resiliency Agency. He explained that the SAT held multiple outreach meetings with agency staff and elected officials to understand their concerns.

Mr. Patterson stated that the proposal and executive summary for the Agency are available at:
<https://resilientsanmateo.org>.

Mr. Patterson discussed the proposal that the SAT drafted for the Agency. He explained that the SAT proposes to modify the existing county flood control district into the new Agency. The proposal outlines a three-year start up period where costs will be shared 50/50 between the County and the cities. During the start-up phase, the proposal calls for the development of a flood and sea level rise investment plan that defines what it is the Agency needs to do. Additionally, he stated that in the start-up phase, there will be a significant amount of public outreach to explain what the Agency is for and what it plans to do. Lastly, during the start-up phase, the Agency will need to identify permanent funding.

Mr. Patterson stated that the Agency wouldn't disrupt current work that is under way in the county. He discussed the County's three-year flood resiliency program that is scheduled to end later this year.

Additionally, he stated that the current flood control district collects \$3.8 million annually to conduct work in three specific geographic areas of the county. He noted that this work would not be disrupted.

Mr. Patterson reviewed the funding for the agency:

Services	Annual Budget	Funding Source
Agency Start-up	\$1.1 million	County - \$350,000 Cities - \$750,000
MOU Services	\$400,000 Staff Resources	County Participating cities
Flood Control District	\$3.8 million – subzone funding \$1.5 million – C/CAG	Existing Property tax Existing Fee

He noted that the initial \$1.1 million would fund the sea level rise investment plan and the public outreach. He explained that while the chart shows the County giving \$350,000 for Agency start-up, the County is also giving \$400,000 to continue the flood resiliency program.

Mr. Patterson explained that the initial three-year start-up city funding requests were based on population size.

1. Cities with less than 20,000 citizens would pay an annual cost of \$25,000
2. Cities with populations between 20,001 and 60,000 would pay an annual cost of \$40,000
3. Cities with populations greater than 60,000 would pay an annual cost of \$55,000

Therefore, the City's proposed annual cost would be \$40,000.

Mr. Patterson discussed the endorsements the Agency has received. He explained that the following cities have approved the proposal: Belmont, South San Francisco, East Palo Alto, Half Moon Bay, Brisbane, Colma, San Bruno, San Carlos, Pacifica, and Millbrae. He stated that the following cities are pending action: Atherton, Menlo Park, Portola Valley, and Daly City. He noted that Foster City has a number of questions about how the creation of the Agency fits in with their bond program to improve their levees. He stated that staff is meeting with Foster City to determine how to work together. He added that Woodside did not approve the resolution because the per capita cost evaluation leaves their town at a disadvantage.

Mr. Patterson stated that the requested action is for each city to endorse the proposal and agree to the three-year annual funding plan.

Councilmember Keighran asked if the fees would change if all the cities didn't sign on. Mr. Patterson replied that the SAT believes they will get all cities to sign on and that their recommendation to the Board of Supervisors is the move forward with the project.

Councilmember Keighran asked about funding beyond the original three-year period. Mr. Patterson stated that the plan is to utilize the start-up funding to identify projects and to aggressively pursue funding.

Vice Mayor Beach asked if the flood control district is under C/CAG or the Board of Supervisors. Mr. Patterson stated that it reports to the Board of Supervisors. He added that the boundaries of the district are countywide, and therefore the boundaries wouldn't change.

Vice Mayor Beach asked how the Agency would be governed. Mr. Patterson stated that the Agency would be governed by a seven-member board. The board would be comprised of five elected city officials appointed by C/CAG and two San Mateo County Supervisors. He noted that the five elected officials would be representatives from: North, Central, South and Coastside districts of San Mateo County and one at-large member. Additionally, one of the San Mateo County Supervisors would be from District 3.

Vice Mayor Beach asked if she was right that the Agency wouldn't fall under the oversight of C/CAG. Mr. Patterson replied in the affirmative.

Vice Mayor Beach asked if any of the larger cities had concerns about the requested funds. Mr. Patterson stated that he had only heard concerns from smaller cities like Brisbane and Woodside.

Councilmember Brownrigg stated that it was misleading to state that the start-up costs are 50/50 because the County is including the funds that have already been expended for the flood district. Mr. Patterson discussed the work that the County would continue to do and how this led to an equal split.

Councilmember Brownrigg asked if the governing board for the Agency would be C/CAG representatives. Mr. Patterson replied in the negative. He stated that the seats are for San Mateo County elected officials but C/CAG would appoint the members.

Councilmember Brownrigg stated that if Burlingame is not represented on the Agency's board, he would want someone in the room from the City, as this is an important issue for the City.

Councilmember Brownrigg stated that he believed that the Agency should use the three-year start-up phase to devise funding formulas for different projects. He voiced his concern about the Agency utilizing tax measures for general projects within the county. He explained that he believed a more targeted effort would be necessary to fund projects. He stated that he predicts that the City will need to ask property owners for assistance in the future to combat sea level rise. Therefore, he felt it was more important for the Agency to identify projects and available funding.

Mr. Patterson stated that the proposal for the Agency is to utilize the initial funds to develop expertise and identify projects and funding sources. He explained that in the future, if the City needed permits for projects on the shoreline or maintenance of a facility, the Agency would be able to assist. Additionally, he voiced his agreement with Councilmember Brownrigg concerning the funding of local projects. He stated that it would be a coalition of the willing who had a direct interest in the project being completed that would be funding the project.

Councilmember Brownrigg stated that he appreciated this and thought this was a great use for this district.

Mayor Colson opened the item up for public comment. No one spoke.

Mayor Colson asked if the resolution called for a three-year funding commitment. City Manager Goldman stated that the City has room in next year's budget for this allocation. She stated that it would be subject to budget each year but the resolution states that the City would be agreeing to funding for three years.

Councilmember Ortiz stated that he believed that this is a great regional approach.

Councilmember Ortiz made a motion to adopt Resolution Number 34-2019; seconded by Councilmember Brownrigg. The motion passed unanimously by voice vote, 5-0.

b. ADOPTION OF A RESOLUTION OF INTENT TO AMEND THE CITY OF BURLINGAME MASTER FEE SCHEDULE FOR THE 2019-20 FISCAL YEAR; SET THE PUBLIC HEARING FOR SUCH AMENDMENT FOR MAY 6, 2019; AND APPROVE REVISION TO THE CITY'S USER FEE COST RECOVERY POLICY

Finance Director Augustine stated that as part of the annual budget process, the City Council is asked to review and tweak the Master Fee Schedule. She explained that this process got easier last year when the Council approved a User Fee Cost Recovery Policy. She noted that last year, the Council approved tweaks to the schedule so that the fees were at an appropriate level of cost recovery.

Finance Director Augustine stated that not all of the fees are based primarily on cost recovery. She also noted that staff discovered that they had previously failed to put the CPI index in the policy. She explained that this was corrected.

Vice Mayor Beach discussed the Library Lane Community Room fee. She stated that staff proposed a slight increase to this fee to cover the cost of technical assistance. She explained that the community gathering space is important and wanted to ensure that the fee was set at a level to allow access for all. Finance Director Augustine replied in the affirmative. She explained that this fee is kept below market rate and is at a lower rate than that in neighboring libraries.

Vice Mayor Beach stated that impact fees are not part of the Master Fee Schedule and that the last nexus study was done in 2007. She asked if this should be discussed at the budget study session. City Manager Goldman stated that if Council prioritized a nexus study, then staff would need to rebalance their priorities. She explained that currently staff is working on several projects like the Rollins Road Specific Plan and the new ERP System. Therefore, if Council wants a new nexus study, then they should wait until after these projects are completed.

Vice Mayor Beach asked if staff felt that it would be worth the time and effort to conduct a new nexus study. Finance Director Augustine stated that the City's only impact fees that don't have any sort of escalator are public facility fees.

Councilmember Brownrigg discussed creating a discount program for non-profits to ensure access to the Lane Room. City Librarian McCulley stated that a 2011 staff report from former City Manager Nantell delineates emergency preparedness and education having the ability to use the rooms for free. He stated that differentiating between profit and non-profit would could create legal issues for the City. He added that the City's fees are already low compared to other libraries.

Finance Director Augustine stated that the Downtown Burlingame Parking permits are not included in the Master Fee Schedule. She noted that this would be added.

Mayor Colson opened the item up for public comment. No one spoke.

Councilmember Keighran made a motion to adopt Resolution Number 35-2019; seconded by Councilmember Ortiz. The motion passed unanimously by voice vote, 5-0.

11. COUNCIL COMMITTEE AND ACTIVITIES REPORTS AND ANNOUNCEMENTS

a. MAYOR COLSON'S COMMITTEE REPORT

b. VICE MAYOR BEACH'S COMMITTEE REPORT

c. COUNCILMEMBER BROWNRIGG'S COMMITTEE REPORT

12. FUTURE AGENDA ITEMS

Councilmember Brownrigg asked the Mayor to agendize a discussion on street-sweeping and off-street parking. Councilmember Keighran seconded.

13. ACKNOWLEDGEMENTS

The agendas, packets, and meeting minutes for the Planning Commission, Traffic, Safety & Parking Commission, Beautification Commission, Parks and Recreation Commission, and Library Board of Trustees are available online at www.burlingame.org.

14. ADJOURNMENT

Mayor Colson adjourned meeting at 8:23 p.m.

Respectfully submitted,

Meaghan Hassel-Shearer
City Clerk