



**BURLINGAME CITY COUNCIL  
Unapproved Minutes  
Regular Meeting on October 21, 2019**

**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 former Councilmember John Root.

**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. FIRE PREVENTION MONTH PRESENTATION BY CENTRAL COUNTY FIRE DEPARTMENT**

CCFD Fire Inspector Julie Parenti explained that October is "Fire Prevention Month." She stated that every year, CCFD visits all the elementary schools in Burlingame, Hillsborough, and Millbrae to talk to the students about fire prevention.

Fire Inspector Parenti noted that this year's theme is "Not every hero wears a cape, plan your escape." She explained that the theme teaches students to create a family evacuation plan.

Fire Inspector Parenti stated that during October, CCFD holds a contest for the students. The students are asked to complete a home fire safety checklist to determine if their home and family are prepared.

Fire Inspector Parenti presented St. Catherine 8<sup>th</sup> grader Helena Morell with a certificate. She noted that Ms. Morell will also get a personalized tour of one of CCFD's stations with her family.

Congratulations Ms. Morell! Thank you for your preparedness.

**b. BUSINESS LANDSCAPE AWARD**

Beautification Commissioner Qiva Dinuri explained that the Business Landscape Award recognizes the efforts of a local business to beautify the City of Burlingame.

Commissioner Dinuri presented the Burlingame Woman's Club with the 2019 Business Landscape Award. Additionally, the Burlingame Woman's Club received a watercolor of their front yard from local artist Dale Perkins.

Congratulations to the Burlingame Woman's Club!

**c. SUSTAINABLE RESIDENTIAL AWARD**

Beautification Commissioner Dinuri explained that the Residential Sustainable Landscape Award was created to recognize exceptional residential landscape design that exemplifies sustainable landscape solutions.

Commissioner Dinuri presented John Ward with the 2019 Residential Sustainable Landscape Award.

Congratulations to John Ward!

**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. Councilmember Brownrigg pulled item 8b.

Councilmember Keighran made a motion to adopt items 8a, 8c, 8d, 8e, 8f, 8g, and 8h; seconded by Councilmember Ortiz. The motion passed unanimously by voice vote, 5-0.

a. **ADOPTION OF CITY COUNCIL MEETING MINUTES FOR OCTOBER 07, 2019**

Vice Mayor Beach requested an amendment to the Meeting Minutes. On page 7, Vice Mayor Beach's statement was edited in italics as follows:

Vice Mayor Beach thanked staff and the developer for their work on bringing affordable units to the community. *Although she noted not agreeing with all the terms along the way, the DDA reflected the majority will of the Council and she would support it.*

b. **ADOPTION OF AN ORDINANCE AMENDING MUNICIPAL CODE SECTION 10.48.010 TO REQUIRE SAFE STORAGE OF FIREARMS**

Councilmember Keighran recused herself from this item due to her work with Supervisor Canepa on the County's ordinance.

Councilmember Brownrigg stated that this ordinance is an important piece of legislation that the City worked on. He noted that he and Councilmember Ortiz are looking at other commonsense pieces of legislation concerning gun safety that the City can adopt.

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

Councilmember Brownrigg made a motion to adopt Ordinance Number 1968; seconded by Vice Mayor Beach. The motion passed by voice vote, 4-0-1 (Keighran recused).

c. **ADOPTION OF A RESOLUTION APPROVING THE CITY OF BURLINGAME'S RESPONSE TO THE GRAND JURY REPORT "ELECTRICAL VEHICLE ADOPTION IN THE CITIES AND COUNTY OF SAN MATEO"**

DPW Murtuza requested Council adopt Resolution Number 122-2019.

d. **ADOPTION OF A RESOLUTION AWARDED A CONSTRUCTION CONTRACT TO J.J.R. CONSTRUCTION, INC. IN THE AMOUNT OF \$786,698 FOR THE 2019 SIDEALK REPAIR PROGRAM, CITY PROJECT NO. 85520**

DPW Murtuza requested Council adopt Resolution Number 123-2019.

e. **ADOPTION OF A RESOLUTION APPROVING THE TENTATIVE AND FINAL PARCEL MAP (PM 18-08), LOT MERGER OF PARCELS D AND E, BLOCK 6, MAP OF MILLSDALE INDUSTRIAL PARK NO. 3 AT ONE AND 45 ADRIAN COURT**

DPW Murtuza requested Council adopt Resolution Number 124-2019.

**f. ADOPTION OF A RESOLUTION ACCEPTING GRANT FUNDS FROM THE CALIFORNIA DEPARTMENT OF JUSTICE'S TOBACCO GRANT PROGRAM**

Police Chief Matteucci requested Council adopt Resolution Number 125-2019.

**g. ADOPTION OF A RESOLUTION ACCEPTING GRANT FUNDS FROM THE CALIFORNIA OFFICE OF TRAFFIC SAFETY (OTS)**

Police Chief Matteucci requested Council adopt Resolution Number 126-2019.

**h. ADOPTION OF A RESOLUTION ACCEPTING GRANT FUNDS FROM THE U.S. DEPARTMENT OF JUSTICE'S BULLETPROOF VEST PARTNERSHIP**

Police Chief Matteucci requested Council adopt Resolution Number 127-2019.

**9. PUBLIC HEARINGS**

**a. INTRODUCTION OF AN ORDINANCE TO AMEND TITLE 17 AND TITLE 18 OF THE BURLINGAME MUNICIPAL CODE AND ADOPTION BY REFERENCE OF THE 2019 CALIFORNIA BUILDING STANDARDS CODE AND THE 2018 EDITION OF THE INTERNATIONAL FIRE CODE**

CDD Gardiner stated that the proposed amendments to Title 17 and Title 18 of the Burlingame Municipal Code are part of the tri-annual update of the California Building Standards Code. He explained that Title 17 is the fire code, and Title 18 contains the building and construction codes.

CDD Gardiner stated that all jurisdictions are required by State law to adopt and enforce the most recent codes reviewed and approved by the California Building Standards Commission. He explained that the new codes would become effective January 1, 2020.

CDD Gardiner stated that CCFD and building staff coordinated the update. He explained that attached to the staff report is a list of the more notable changes to the fire and building codes. He noted that it wasn't a comprehensive list.

Councilmember Brownrigg asked if he was correct that the changes were due to updated fire and energy efficiency regulations. Chief Building Inspector Rick Caro stated that the updates include the California Energy Code.

Councilmember Brownrigg asked how the proposed amendments relate to Reach Codes. City Attorney Kane stated that the proposed amendments before the Council are ones that the City must do as a matter of State law. She explained that Reach Codes are a policy question that the Council will be considering at their next meeting. She added that the proposed amendments do include regulations regarding improving energy efficiency.

Councilmember Brownrigg stated that the amendments require new single-family homes to have photovoltaics on their roofs. He discussed the issues with this requirement, including if the new home sits in the shade.

Mayor Colson voiced her agreement with Councilmember Brownrigg, stating that the requirement for photovoltaics on roofs could create an enormous solar energy supply in the middle of the day that can't be offloaded. She stated that the State's top down mandates don't take into consideration the issues and geography of each jurisdiction. She noted that it would be better for these matters to be regulated through local zoning ordinances.

Councilmember Brownrigg discussed the requirement for 10% of the parking spaces at new multi-family dwellings to be EV (electric vehicle) spaces. He asked when this requirement would be implemented. CDD Gardiner stated that the requirement would take effect January 1, 2020. He noted that building permit applications filed prior to that date wouldn't be required to have 10% of their spaces be EV spaces.

Mayor Colson talked about the rapid change in the technology for EV charging stations. She stated that the code should say that every space should have conduit so that it could be electrified.

Councilmember Brownrigg voiced support for Mayor Colson's point and asked if the City should require conduits. City Attorney Kane stated that this could be discussed in combination with the Reach Codes.

Mayor Colson asked the City Clerk to read the title of the proposed ordinance. City Clerk Hassel-Shearer read the title.

Vice Mayor Beach made a motion to waive further reading and introduce the ordinance; seconded by Councilmember Ortiz. The motion passed unanimously by voice vote, 5-0.

Mayor Colson opened the public hearing. No one spoke.

Mayor Colson asked that the proposed ordinance be brought back for adoption at the next City Council meeting.

- b. **ADOPTION OF A RESOLUTION APPROVING THE ISSUANCE BY THE BURLINGAME FINANCING AUTHORITY OF NOT TO EXCEED \$40,000,000 AGGREGATE PRINCIPAL AMOUNT OF LEASE REVENUE BONDS TO FINANCE THE BURLINGAME COMMUNITY CENTER; AUTHORIZING EXECUTION AND DELIVERY OF A FACILITIES LEASE, A FACILITIES SUBLEASE AND A NOTICE OF SALE; APPROVING THE FORM OF THE OFFICIAL STATEMENT; AND AUTHORIZING EXECUTION OF DOCUMENTS AND THE TAKING OF ALL NECESSARY ACTIONS RELATING TO THE FINANCING WITH THE BURLINGAME FINANCING AUTHORITY**

Finance Director Augustine stated that staff is requesting approval for the issuance of lease revenue bonds to finance the new community center. She stated that PFM, the City's financial advisors, determined that a competitive bid would be appropriate.

Vice Mayor Beach asked if she was correct that the City would obtain a good interest rate. Finance Director Augustine replied in the affirmative.

Vice Mayor Beach asked if the City's recent AAA rating was a component in obtaining a good interest rate. Finance Director Augustine replied in the affirmative.

Councilmember Brownrigg clarified that the City had not yet obtained an interest rate as the bonds hadn't been issued. Finance Director Augustine replied in the affirmative and explained that the staff report included a predicted interest rate.

Vice Mayor Beach discussed the City's diligence in funding the Capital Investment Reserve. She explained that it becomes a financial question whether to utilize the funds in the reserve or issue bonds when the interest rate is good. Finance Director Augustine replied in the affirmative and noted that this is one of the factors. She discussed other factors such as how much future residents should pay for the building as opposed to current residents, and what other capital needs exist in the City.

Finance Director Augustine stated that through Council direction, it was determined that the City should commit \$1 million of Measure I revenues and \$1 million of General Fund revenues to pay the debt service on the bonds. She noted that staff expects to obtain bond proceeds of \$37 million, and the rest will come from the Capital Investment Reserve.

Councilmember Brownrigg asked why the City caps the bonds at \$40 million. He explained that if the City is prepared to pay \$2 million in debt service every year, and if this amount could purchase \$43 or \$44 million, why wouldn't the City do so. Finance Director Augustine explained that she believed that the \$40 million was a conservative figure.

Councilmember Brownrigg asked if he was correct that PFM believes that the \$2 million that the City has established for debt service would afford a \$37 million lease revenue bond. PFM representative Kevin Dong replied in the affirmative.

Councilmember Brownrigg asked if the \$40 million cap was because it was PFM's determination that there was no way the City can borrow more than that. Mr. Dong stated that they believe that \$37 million is appropriate.

Councilmember Brownrigg asked about prepayments. He stated that in reading Article 4, it states that the City can prepay whenever the City wants. Mr. Dong replied that the City can start prepaying after ten years.

Councilmember Brownrigg stated that he didn't see the language that the City had to wait ten years. Finance Director Augustine replied that she would check with the City's bond counsel.

Councilmember Ortiz stated that the pricing will happen when the bonds go out to market. Finance Director Augustine replied in the affirmative.

Councilmember Ortiz asked what rate the \$2 million debt service is based on. Mr. Dong replied it is based on 3.51%. He noted that this has a bit of a cushion.

Mayor Colson asked if she was correct that it is a thirty-year term bond. Finance Director Augustine replied in the affirmative.

Mayor Colson opened the public hearing. No one spoke.

Councilmember Brownrigg asked if the Council should go over the process by which the City will pick contractors. City Attorney Kane stated that because this matter wasn't agendaized, it could happen as a brief background discussion.

Councilmember Brownrigg asked if staff would be scheduling a meeting to discuss construction options. City Attorney Kane replied in the affirmative and stated that the pre-qualification list is currently under review.

Councilmember Brownrigg stated that he wanted to make sure that the discussion is scheduled early enough so that if necessary, changes could be made. City Attorney Kane replied in the affirmative.

Councilmember Ortiz made a motion to adopt Resolution Number 128-2019; seconded by Councilmember Brownrigg. The motion passed unanimously by voice vote, 5-0.

## **10. STAFF REPORTS**

### **a. UPDATE ON "SEA CHANGE BURLINGAME"**

CDD Gardiner stated that during the City Council's 2019 goal-setting session, the Council identified five infrastructure initiatives for special focus over the next year. One of the initiatives was sea level rise. He noted that at the same time, the City was awarded a grant from San Mateo County for a sea level rise assessment. He stated that the City has been working with the County and a consultant on "Sea Change Burlingame".

CDD Gardiner explained that the study is trying to answer the question of what will be the City's approach to sea level rise. He noted that the study is a first pass and wouldn't provide a full implementation plan.

CDD Gardiner explained that the overall goal of the study is to develop an implementable sea-level rise adaptation plan for Burlingame's shoreline and residents. He stated that the objectives include:

- Assessing baseline flood risk that includes future sea-level rise projections;
- Developing reasonable and feasible sea level rise adaptations appropriate to Burlingame's setting;

- Evaluating a range of adaptation measures to inform the selection of recommended measures; and
- Integrating recommended measures into a phased adaptation plan to guide implementation.

CDD Gardiner stated that the first step was the Vulnerability Assessment, which drew off earlier efforts by the County of San Mateo. He noted that the assessment is now being done on a more local scale, with the group reviewing each segment of the Bayfront. He explained that the working group has divided the Bayfront into a series of segments called Reaches. He showed a map of the Bayfront with the five Reaches that were established in Burlingame.

CDD Gardiner stated that on October 16, the City held a community meeting on sea level rise. He explained that this was the City's first chance to share some ideas with the community. He noted that this has been a collaborative effort with the City's neighbors on the Bay (including Millbrae, San Mateo, and SFO).

CDD Gardiner showed visuals of how the City could utilize a levee to combat sea level rise. Additionally, he showed images of stitching together the different solutions for each Reach.

CDD Gardiner showed an example of a nature-based approach where a beach is used to break wave action.

CDD Gardiner stated that after the study is completed, it will be brought back to the City Council to discuss conclusions and potential solutions.

CDD Gardiner noted Council's previous discussion on establishing an interim moratorium on touching the sea wall until the study is completed. He stated that at this point there is a better understanding of the different options the City has, and that the solution will not be a one-size-fits-all approach. He explained that there's room for different approaches along the Bayfront, providing they can all tie together. Therefore, he stated that the City could revisit a moratorium in the future, but he didn't feel it was currently needed.

Councilmember Brownrigg stated that he assumed when the working group began that the City was on a 20- or 30-year timeline. However, he stated that it became clear that there are a number of breaches that happen sooner than 20 years.

Councilmember Brownrigg stated that the portion of the Bayfront between Broadway and SFO is much more vulnerable than the southern portion of the Bayfront for the City. He stated that he had imagined the City undertaking a single defense for the Bayfront. He explained that preliminary conclusions are that you don't have to do it all at once, and that portions would need to be done in the next 20 years.

Councilmember Brownrigg discussed how one of the best options for the City is levees. He noted that they are future proof as the City can keep adding to a levee. He explained that the assumption that he and most others have is that you can't build a levee into the Bay. However, he stated that according to Supervisor Dave Pine, BCDC had begun to amend its views concerning sea level rise defense. He stated that the City might want to consider applying to BCDC about building a levee into the Bay.



Councilmember Brownrigg stated that the flooding overtops the creeks and therefore sea level rise is not just about defending the Bayfront but also about the river channels.

Mayor Colson stated that the San Mateo County Flood and Sea Level Rise Resiliency District (“District”) has officially been formed. She explained that three former districts will be rolled into the main District. She stated that the District would then create subdistricts, and that Burlingame wouldn’t be its own subdistrict. Instead, the subdistricts would be created based on their needs and geographic concerns.

Councilmember Keighran asked what happens if the City has funding to start work, but the neighboring cities don’t have the funds.

Mayor Colson explained that the District would be able to assist in obtaining Federal and State funding for sea level rise protection. She noted that the subdistricts would have to work to obtain necessary funding from their respective cities.

Mayor Colson discussed the City’s current zoning that doesn’t allow for housing near the Bayfront. She noted that this decision could change in the future once protections were in place. However, because FEMA rates are increasing, and based on initial findings of the study, it was important to not locate housing on the Bay.

Councilmember Ortiz talked about the large projects the City is preparing to undertake. He explained that the City has chosen to utilize bonds to fund the new community center instead of the Capital Reserve fund because the City will need to use those funds for grade separation and sea level rise protection.

Vice Mayor Beach thanked Mayor Colson and Councilmember Brownrigg for their work on sea level rise protection. She stated that she was excited that some of the solutions were nature based and could happen sooner rather than later. She asked if the study will prioritize which Reach areas the City needs to focus on first. CDD Gardiner replied in the affirmative. He noted that the study would give the City a blueprint, but it would take time to prioritize in terms of both implementation and financing.

Vice Mayor Beach stated that the City is about to update its zoning code. She asked if the study would impact the updated zoning code. CDD Gardiner stated that he wasn’t sure the study would get into specifics to the degree that it would impact the zoning code. He explained that the City currently requires a 75-foot setback from the shoreline.

Councilmember Ortiz asked if BCDC doesn’t allow the City to build in the Bay and they can only build a wall, what is the height limit. CDD Gardiner replied that it is approximately 2-4 feet.

Councilmember Keighran stated that she is assuming that there are some properties that are more vulnerable than others. She asked how the City is going to incorporate those landowners into these discussions.

Mayor Colson explained that the working group and staff have been doing extensive outreach to involve the community. However, she noted that it has been working better when they talk one-on-one versus holding a community meeting.

CDD Gardiner stated that the feedback he has received from various property owners is that they want to know what the plan is and how much it is going to cost. He explained that he believed they see the risk to their asset and want to know how to resolve the matter.

Vice Mayor Beach stated that she would like to see visuals of the different types of levees and sea walls.

Vice Mayor Beach asked if the Burlingame Lagoon could be utilized to assist with sea level rise protection.

Mayor Colson stated that the technical advisory committee's recommendation was to focus on Reach 1 and Reach 2 first. She noted that Reach 4 is a place where the SPUR report recommended sea marshes and more natural vegetation to assist with sea level rise.

Mayor Colson stated that the water treatment plant and State Lands' parcel are on higher ground.

Councilmember Brownrigg noted that the Topgolf location is also on higher ground.

Mayor Colson discussed the Transportation Authority piece of land that the Council had previously considered acquiring. She noted that the recommendation for combating sea level rise on this land was a nature-based approach consisting of a beach and eel grass. She stated that the Council should discuss whether or not they should relook into purchasing this parcel for the City.

City Attorney Kane stated that if there is interest in discussing this matter, then it would need to be agendaized.

Councilmember Keighran stated that it makes sense to put this item on a future agenda.

Vice Mayor Beach stated that because of her role on the Transportation Authority, she needs to check with City Attorney Kane on if she can be part of this discussion.

Councilmember Brownrigg discussed the State Lands' parcel. He explained that he was looking forward to having 100% open space on the property. He stated that the proposed project would create a natural levee on the property. He explained that the parcel is in Reach 3 near Anza Lagoon, which is one of the first places that will flood. Therefore, he wondered that if the natural levee on the State Lands' parcel could be similarly implemented at Anza Lagoon.

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

Mayor Colson stated that if anyone was interested in viewing the slides and obtaining more information about the City's work on sea level rise, they could go to [www.burlingame.org/sealevelrise](http://www.burlingame.org/sealevelrise).

**11. COUNCIL COMMITTEE AND ACTIVITIES REPORTS AND ANNOUNCEMENTS**

**a. MAYOR COLSON'S COMMITTEE REPORT**

**12. FUTURE AGENDA ITEMS**

Councilmember Brownrigg asked that Council agendaize a discussion of the potential need for a road diet on Trousdale. City Attorney Kane stated that she would discuss the matter with Public Works to determine how best to proceed.

Vice Mayor Beach noted that the work on the Bicycle Pedestrian Master Plan might be a way to address Councilmember Brownrigg's concern.

**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](http://www.burlingame.org).

**14. ADJOURNMENT TO BURLINGAME FINANCING AUTHORITY**

**1. Call to Order**

Chair Colson called the meeting of the Burlingame Financing Authority to order at 8:46 p.m.

**2. Roll Call**

**BOARDMEMBERS PRESENT:** Beach, Brownrigg, Colson, Keighran, Ortiz

**BOARDMEMBERS ABSENT:** None

**3. Board Action**

- a. ADOPTION OF A RESOLUTION AUTHORIZING THE ISSUANCE AND SALE OF LEASE REVENUE BONDS TO FINANCE THE BURLINGAME COMMUNITY CENTER, APPROVING THE FORMS OF A TRUST AGREEMENT, A FACILITIES LEASE, A FACILITIES SUBLEASE AND A NOTICE OF SALE; APPROVING AN OFFICIAL STATEMENT DESCRIBING SAID BONDS; AND AUTHORIZING EXECUTION OF DOCUMENTS AND THE TAKING OF ALL NECESSARY ACTIONS RELATING TO THE ISSUANCE OF THE BONDS**

Finance Director Augustine stated that the City Council approved the issuance of the lease revenue bonds. She asked that the Burlingame Financing Authority approve the issuance of the bonds.

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

Boardmember Ortiz made a motion to adopt BFA Resolution 001-2019; seconded by Boardmember Brownrigg. The motion passed unanimously by voice vote, 5-0.

**15. ADJOURNMENT**

Mayor Colson adjourned meeting at 8:49 p.m. in memory of Jean Laxague.

Respectfully submitted,

Meaghan Hassel-Shearer  
City Clerk