



**BURLINGAME CITY COUNCIL  
Unapproved Minutes  
Regular City Council Meeting on May 17, 2021**

**STUDY SESSION**

**a. URBAN WATER MANAGEMENT PLAN UPDATE**

DPW Murtuza stated that every five years, the City updates its Urban Water Management Plan. He noted that the last time an update took place was 2016.

BAWSCA Chief Executive Officer/General Manager Nicole Sandkulla began by discussing BAWSCA. She explained that BAWSCA stands for Bay Area Water Supply and Conservation Agency, and it is a special district representing the interests of:

- 26 water suppliers in San Mateo, Santa Clara, and Alameda Counties
- 1.8 million residents and over 40,000 businesses and community organizations
- All rely on the San Francisco Hetch Hetchy (Regional Water System)

Ms. Sandkulla showed a map of the San Francisco Regional Water System. She noted that the system traverses the entire width of the State of California. She added that 85% of the water supply is collected from the Tuolumne River watershed.

Ms. Sandkulla stated that a regulatory action at the State level is impacting the reliability of the water supply delivered by regional systems. She explained that the State Water Resources Control Board ("State Board") is a State legislative authorized agency. The job of the State Board is to establish water quality objectives to protect beneficial uses of water in the Bay-Delta. She explained that this is done through the Water Quality Control Plan for the San Francisco Bay/Sacramento-San Joaquin Delta Estuary, also known as the Bay-Delta Plan.

Ms. Sandkulla stated that in 2009, the State Board initiated the Bay-Delta Plan Phase I Update that impacted the Tuolumne River. The plan was adopted in December 2018. She reviewed the impacts of the adopted Bay-Delta Plan:

- Requires significant increase in the Tuolumne River instream flow
- Results in a significant water supply impact to customers that rely on the Regional Water System

She noted that these impacts will be felt by both the San Francisco retail customers and BAWSCA member agencies' customers.

Ms. Sandkulla next reviewed the requirements of the Bay-Delta Plan Phase I:

- The Phase I Plan requires 40% of unimpaired flow be released every year, whether it is wet or dry, into the Lower Tuolumne River from February through June
- Since 1971, February through June releases averaged 32% of unimpaired flow
  - Wet years it has been 60%
  - Dry years it has been 10% or less
- SFPUC has expressed serious doubts about the Tuolumne River ecosystem benefits of the State Board's plan
  - Over 200 studies have been performed on the Tuolumne River since the early 1990s that the State Board did not utilize in their analysis
  - Does not reflect existing actual river conditions or the specific issues for the river that need to be addressed to provide desired ecosystem benefits

Ms. Sandkulla reviewed the potential impacts of the Bay-Delta Plan on the San Francisco Regional Water System:

- 20% to 30% rationing even at recent "drought" water demand
  - At 175 million gallons per day("MGD") (FY 2016 deliveries under State-mandated rationing), further rationing of 20% to 32% would be necessary
- 40% to 50% rationing at normal or contract level water demands
  - Rationing in multiple dry years would be as high as 50% at demands from 223 MGD to 265 MGD
- The number of dry year shortages would double or triple
  - Existing system projected to have shortages (1 in 10 years)
  - Occurrences of dry year shortages would double in the 175 MGD and 223 MGD scenarios and triple in the 265 MGD scenario

Ms. Sandkulla stated that included in the 2018 adopted Bay-Delta Plan were voluntary agreements. She explained that the State Board encouraged the stakeholders to utilize the agreements because it would allow for a more robust discussion and implementation. She noted that the Tuolumne River agreement includes a portfolio of measures to improve river ecosystems and increase natural salmon populations in the Tuolumne River including:

- Functional flows
- Restoring habitat
- Reducing predation and managing aquatic weeds
- Better management of hatcheries

Ms. Sandkulla noted that the SFPUC and special districts have spent \$25 million on Tuolumne River fishery studies in the past five years. She noted that the State Board did not use these studies in their analysis.

Ms. Sandkulla explained that BAWSCA continues to advocate for the Tuolumne River Voluntary Agreement analyzed by the State Board as an alternative to the adopted Bay-Delta Plan. She noted that in

the absence of settlements, unproductive litigation will prolong the situation, and that won't help the environment or the impacted communities.

Ms. Sandkulla reviewed the timeline of the Bay-Delta Plan and the Voluntary Agreement:

**2009**

- Current Bay Delta Water Quality Control Plan Phase I updates begin

**2013**

- Release and Review of Draft Phase I Plan and CEQA Document
  - BAWSCA comment letter identifies water supply impacts to BAWSCA agencies
  - SFPUC comment letter identifies significant impact and inadequate CEQA compliance

**2016**

- Revised Draft Phase I Plan and CEQA Released (September)
  - Governor Brown urges State Board to be open to Voluntary Agreement to resolve Bay-Delta issues
  - Governor Brown appoints Secretary Babbitt to lead Voluntary Agreement negotiations

**2017**

- Review and Comment on Revised Draft Phase I Plan
  - State convenes monthly Voluntary Agreement negotiations: BAWSCA is not allowed to participate
  - BAWSCA engaged directly with Secretary Babbitt and others on behalf of agencies
  - BAWSCA comment letter identifies significant impacts to BAWSCA agencies
  - All BAWSCA agencies submit comment letters detailing specific water supply impacts
  - SFPUC comment letter identifies significant impacts and inadequate CEQA compliance

**2018**

- Final Phase I Plan Adopted (December)

**2019**

- Lawsuits Filed on Adopted Phase I Plan
  - Governor Newsom reinitiates Voluntary Agreement discussion
  - SF joins lawsuit against State Board on adoption of Phase I Plan (January)
  - BAWSCA intervenes in lawsuit against State Board (March)
  - State Agencies (CNRA/CEPA) provide a Voluntary Agreement progress report to State Board (July)

**2020**

- State Agencies (CNRA/CEPA) announce a framework for Voluntary Agreements (February)

Ms. Sandkulla reviewed the actions and efforts of BAWSCA in response to the Bay-Delta Plan.

**BAWSCA Actions:**

- Regular reports to BAWSCA Board and member agencies
- Public comment to State Board and others
- Formal comments during environmental review processes
- Intervened in Bay-Delta litigation

- Intervened in Don Pedro FERC proceeding

#### **BAWSCA Advocacy Efforts with SFPUC**

- Regularly reminding SFPUC of its contractual and legal water supply obligations to member agencies
- BAWSCA successfully urged SFPUC to initiate a new Alternative Water Supply Planning Program to develop new sources of water to meet its obligations
- BAWSCA supported \$288 million allocation in SFPUC's 10-year CIP for Alternative Water Supply Program and regular reporting

#### **BAWSCA Advocacy Efforts with Others**

- Engagement with State and local elected officials
- Engagement with State officials and staff
- Engagement with water customers (residents, businesses, others)

EKI Environment & Water, Inc. Vice President Anona Dutton stated that her part of the presentation would translate some of the large issues that Ms. Sandkulla discussed into what their impact on the City would be. She explained that the City's Urban Water Management Plan would lay out what the projected water demands would be on the City through 2045. She stated that projections account for future population and employment growth and passive conservation savings. She noted that the total water demand for Burlingame is expected to increase 35% from 2020 to 2045. She added that the residential per capita demand will decrease from 66 gallons per capita per day ("GPCD") to 59 GPCD between 2020 and 2045.

Ms. Dutton explained that the City is 100% reliant on the SFPUC Regional Water System for potable water. She stated that the SFPUC provided multiple reliability projections under the Bay-Delta scenario, however none of them meet their contractual Level of Service Goals. She noted that there is no currently prescribed method to allocate water to or between wholesale agencies for shortages greater than 20%.

Ms. Dutton stated that the good news is that in normal years, SFPUC has projected that they will meet the City's demands. However, the challenge will be in dry years. She displayed bar charts that showed the City's demand for water versus what SFPUC will be able to supply during one dry year versus multiple dry years. Each scenario projects a shortfall.

Ms. Dutton stated that she reviewed whether the City would be able to meet its supply demand if the Bay-Delta Plan is implemented, and California goes through a multiple year drought. She explained that the City would meet its demands, but it wouldn't be comfortable. She noted that during a multi-year drought, the City may have to take the following actions:

- Elimination of outdoor watering
- Reduction in commercial water use up to 30%
- Establish residential water budgets to approximately 50 gallons/person/day
- Reduce operation water uses and losses

Ms. Dutton reviewed the following chart that looked at Burlingame's GPCD

	<b>FY 14-15</b>	<b>FY 15-16</b>	<b>FY 16-17</b>	<b>FY 17-18</b>	<b>FY 18-19</b>	<b>FY 19-20</b>
<b>Citywide GPCD</b>	111.3	99.2	104.9	111.7	110	111.8
<b>Residential GPCD</b>	62.1	56.4	60.3	66	64.9	68.3
<b>Lowest Residential GPCD in BAWSCA areas</b>	36.2	38.8	39.2	40.5	38	38.1

Ms. Dutton stated that the City would need to think about how to save 20 gallons per day per person during drought years.

Ms. Dutton stated that the City has diligently updated its drought plan so that it better understands what it will have to ask of its customers. She discussed what other BAWSCA agencies are doing in response to the potential future shortages including:

- Exploring alternative water supplies
  - Recycled water
  - Grey water
  - Ground water
- Increasing water conservation – water budget and rationing
- Considering exploring “water-neutral” growth policies

Ms. Dutton stated that under new legislation, the City would be required to spell out the six stages of a drought, with level 1 being a shortage of up to 10%, and level 6 being a shortage greater than 50%. She explained that a shortage would require a declaration by the Council upon the determination that the SFPUC or another governing authority has required a voluntary or mandatory reduction in water use due to water supply shortages or emergency. Additionally, this would include implementation of mandatory restrictions on end uses as well as agency actions.

Ms. Dutton discussed potential drought response actions:

- Reduce outdoor water use
- Focus on a few simple actions to make messaging, enforcement, and compliance easier
- Provide flexibility to customers in meeting savings objectives
- Establish account-level water use budgets by sector during Stages 4, 5, and 6
- Quantitatively assessed using Drought Response Tool

Senior Engineer Kevin Okada stated that staff would be bringing a proposed Urban Water Management Plan to Council in the summer of 2021. He noted that the deadline to submit the plan to the State is July 1, 2021.

However, the City will not make this deadline. He noted that there is no financial penalty for submitting late.

Mayor O'Brien Keighran asked about how the City would implement a decreased allotment of water. DPW Murtuza stated that the City would differentiate between commercial and residential; for residential, staff could come up with acceptable levels per capita.

Mayor O'Brien Keighran asked if staff reviewed the effect of the City's increased density on its water supply. Ms. Dutton replied in the affirmative and stated that anticipated growth was considered.

Councilmember Brownrigg asked about the forecasted water supply and if it was based on a multi-year drought. Ms. Sandkulla explained that the implementation of the Bay-Delta Plan would require severe rationing as early as the second year of a drought.

Councilmember Brownrigg discussed the impact of the farming industry on water supply. He asked how much of the Tuolumne River supply goes to agriculture. Ms. Sandkulla stated that it is close to 75%.

Councilmember Brownrigg voiced appreciation for the presentation. He asked that at future discussions, the Council hear from environmental advocates on how the Bay-Delta Plan and water shortage would affect different sectors such as fisheries and agriculture. Ms. Sandkulla stated that the voluntary agreement path is focusing on achieving the same objectives as what was laid out by the State Board while minimizing the impact on people.

Vice Mayor Ortiz asked if people self-report how many individuals live within each house when undertaking a water budget. Ms. Dutton replied in the affirmative and stated that this is how Redwood City undertook its water budget. She stated that Redwood City sent a survey out to all their water customers, and if they received a response, they adjusted the customer's water rate accordingly. If they did not receive a response, there was a default rate.

Vice Mayor Ortiz asked about water neutral growth. Ms. Dutton stated that there is a large development in Brisbane, and one of the conditions is that they have to bring their own water supply. She noted that the development is going to bring water into the system from another BAWSCA agency.

Councilmember Colson stated that she felt the discussion highlighted the need to focus and re-engage on the conversation around recycled water. She discussed the worst-case scenario and asked if other municipalities were seeing similar numbers. Ms. Dutton replied that it depends on whether other cities have other water supplies including recycled water or obtain water from other agencies.

Councilmember Colson asked about the potential outcome of SFPUC's lawsuit. Ms. Sandkulla stated that BAWSCA intervened in this action. She explained that it is a slow-moving legal case. She added that BAWSCA is primarily focused on the voluntary agreements. She noted that these agreement negotiations have been reinvigorated by the change in administration at the federal level. She explained that the negotiations were being affected by the lawsuits between the State and federal government over water

projects. However, with the change in administration, the federal regulators have come back to the table and are conducting negotiations with the State on the Bay-Delta Plan.

Councilmember Beach discussed how intertwined a number of issues the City is discussing tonight are with the issue of water management including infrastructure projects and housing.

Mayor O'Brien Keighran opened the item up for public comment.

Joe Baylock asked BAWSCA to release a tally of the 26 water agencies' consumption and projected shortfalls.

Mayor O'Brien Keighran closed public comment.

Mayor O'Brien Keighran thanked Ms. Dutton, Mr. Okada, and Ms. Sandkulla for the presentation.

**1. CALL TO ORDER**

A duly noticed meeting of the Burlingame City Council was held on the above date via Zoom Webinar at 7:00 p.m.

**2. PLEDGE OF ALLEGIANCE TO THE FLAG**

The pledge of allegiance was led by Mayor O'Brien Keighran.

**3. ROLL CALL**

**MEMBERS PRESENT:** Beach, Brownrigg, Colson, O'Brien Keighran, Ortiz

**MEMBERS ABSENT:** None

**4. REPORT OUT FROM CLOSED SESSION**

There was no closed session.

**5. UPCOMING EVENTS**

Mayor O'Brien Keighran reviewed upcoming events in the city.

**6. PRESENTATIONS**

**a. REIMAGINE SAMTRANS**

SamTrans representative Jonathan Steketee began by reviewing SamTrans' guiding principles:

- Customer Focus

- Workforce Delivery – design service that can be reasonably delivered by their workforce
- Effective Mobility – be an effective mobility provider
- Social Equity – provide transportation services that support principles of social equity

Mr. Steketee reviewed the project timeline for “Reimagine SamTrans”. He explained that the project kicked off in summer 2019 with a lot of public outreach. Utilizing the outreach, SamTrans created alternatives that they are now looking for feedback on. He explained that once SamTrans has designed the preferred alternative, they will go back out for more public comment and then present the final alternative to the board for approval. He added that implementation is scheduled for summer 2022.

Mr. Steketee discussed SamTrans’ objectives across all three alternatives:

- Scheduling – more efficient scheduling to reduce costs and maximize resources
- Equity – add or improve service in high-need areas
- Efficiency – more efficient resource allocation, such as using all capacity on school-related routes
- Reliability – address reliability and on-time performance
- Connections – improve connections at county and regional hubs
- Less Duplication – reduce route duplication within their system

Mr. Steketee played a video that outlined the public outreach that SamTrans undertook for this project.

Mr. Steketee reviewed the three alternatives:

**1. Direct, High-Frequency Service within the County**

- Increased frequency on seven routes, with service every 15 minutes, minimum 12 hours a day, 7 days a week
- Add service to Oyster Point from Daly City, South San Francisco, and San Bruno
- Add service from East Palo Alto to SFO and San Bruno BART with a limited stop route
- All service into downtown San Francisco truncated near county line
- Routes 292 and El Camino Real split into 2 routes to improve reliability and increase frequency in busiest areas
- Areas with low ridership targeted for service reduction

**2. Expanded Connections to Rail and the Region**

- Expand service to connect with BART at Colma and Millbrae
- Expand service to connect with Caltrain at Hillsdale and Redwood City
- Add two new routes to Oyster Point
- Three routes into downtown San Francisco: Route 292, FCX, and new express route from San Mateo
- Areas with low ridership targeted for service reductions

**3. Retain Geographic Service Coverage**

- 11 routes with increased midday and weekend service



- Improve connections between East Palo Alto, Stanford, Daly City, and SFO
- Microtransit zones for East Palo Alto, Foster City, Millbrae, and Half Moon Bay
- Fully restore FCX
- Reduced transfers and more one-seat rides to key destinations

Mr. Steketee reviewed how El Camino Real would change under the three alternatives:

- El Camino Real under the first alternative
  - Split into two routes – ECR North and ECR South – at the Millbrae Transit Center
  - Route ECR North would operate every 10 minutes on weekdays and every 15 minutes on weekends
  - Route ECR South would operate every 15 minutes, seven days a week
  - Shorten route in Daly City by using Flourney Street
  - Reintroduce ECR Rapid service between Redwood City and San Bruno BART
- El Camino Real under the second alternative
  - Reduce the number of stops on route to improve speed and reliability
  - Up to 30% of stops could be consolidated, which would reduce travel times between Daly City and Palo Alto by 10 to 15 minutes during peak times
  - About 10% of riders would need to walk further to a new stop, but all riders would have faster, more reliable service
  - Shorten route in Daly City by using Flourney Street.
- El Camino Real under the third alternative
  - Reschedule route to better reflect actual travel speeds
  - Hours of service and frequency would not change
  - Shorten route in Daly City by using Flourney Street

Mr. Steketee reviewed other impacts in Burlingame. He explained that Route 292 has average ridership but is a very long route, making on-time performance a challenge. Public input suggested that on-time performance and speed (due to too many stops) were issues. There were also requests for more frequent service. He noted the impacts that the three different alternatives would have on Route 292.

Mr. Steketee reviewed ways that the public could supply feedback to SamTrans by May 31, 2021:

- Visit [www.reimaginesamtrans.com](http://www.reimaginesamtrans.com)
- Review route alternatives and take a survey
- Talk to staff during a live social media event or virtual Q&A session
- Meetings with stakeholder groups
- Limited in-person pop-up events

Mayor O'Brien Keighran stated that amongst the three alternatives, there was a common theme of a modest reduction of school services. Mr. Steketee stated that some of the reductions are consolidations. He noted that routes to Terra Nova are at half capacity, and therefore they are suggesting merging those two routes together. He also discussed areas where there has been no historical ridership.

Councilmember Colson asked about SamTrans' proposed on-demand services and if they would be similar to Uber and Lyft. Mr. Steketee stated that the proposed on-demand services are for areas where there is a demand for public transportation. He added that SamTrans' on-demand service would be a less expensive option.

Councilmember Beach thanked SamTrans for a great presentation and their work on Reimagine SamTrans. She discussed her concerns about the decrease in school services. She asked if alternative one on El Camino Real would change the frequency of buses. Mr. Steketee replied in the negative.

Councilmember Beach asked if the public feedback favored one of the alternatives for El Camino Real over the others. Mr. Steketee stated that the results have not been finalized yet.

Councilmember Beach stated that she was going to make sure her kids took the survey. She added that she was leaning towards alternative two for El Camino Real.

Councilmember Brownrigg thanked SamTrans for their thorough review of the alternatives. He noted that he thought that SamTrans should consider which alternative would increase ridership while providing social equity. He added that he would like to see SamTrans get involved in first mile/last mile services.

Mayor O'Brien Keighran stated that she was curious about the demographics of SamTrans' survey. She discussed the City's work towards becoming an Age Friendly City and stressed the importance of assisting the City's senior community in utilizing public transportation. She added that she concurred with Councilmember Brownrigg about the importance of providing services for the first mile/last mile.

Mayor O'Brien Keighran opened the item up for public comment.

Sandra Lang discussed the shelters at the bus stops and asked that improvements be made to them.

Madeline Frechette thanked SamTrans for their work on this project. She discussed the importance of the El Camino Real bus route for the region.

Krystle Cansino discussed the importance of a shuttle system to assist seniors getting to healthcare appointments.

Raayan thanked SamTrans for their presentation and discussed the importance of the El Camino Real corridor. (comment submitted via [publiccomment@burlingame.org](mailto:publiccomment@burlingame.org)).

Mayor O'Brien Keighran closed public comment.

Councilmember Beach thanked the public for their comments. She noted that staff is working on a shuttle study and noted that eligible members of the public should avail themselves of Redi-Wheels.

Mayor O'Brien Keighran thanked SamTrans for their presentation.

**7. PUBLIC COMMENTS, NON-AGENDA**

San Mateo County LGBTQ Commission representative Krystle Cansino asked the City to raise the pride flag for the month of June.

Mike Dunham discussed California's reopening and asked for Council meetings to continue to be open to the public remotely. Additionally, he asked that the Council consider shutting down Burlingame Avenue and Broadway on the weekends.

Madeline Frechette asked for a continuance of remote access to Council meetings. Additionally, she asked for Burlingame Avenue and Broadway to be closed for portions of the week.

Ron Field discussed individuals that moved to Burlingame and said if they had issues with the City, they could stay in their hometowns and fix them instead of trying to change Burlingame.

Cathy Baylock stated that she was in favor of the Council meetings returning to the Council Chambers as it would assist individuals who are not as good at technology as others.

Nirmala Bandrapalli spoke about May being Mental Health Awareness Month. She discussed the impact COVID has had on individual's mental health.

**8. APPROVAL OF CONSENT CALENDAR**

Mayor O'Brien Keighran asked if anyone on Council or members of the public would like to remove an item from the Consent Calendar. Councilmember Brownrigg removed item 8f. A member of the public pulled item 8h.

Councilmember Brownrigg made a motion to adopt items 8a, 8b, 8c, 8d, 8e, and 8g; seconded by Vice Mayor Ortiz. The motion passed unanimously by roll call vote, 5-0.

**a. APPROVAL OF CITY COUNCIL MEETING MINUTES FOR THE MAY 3, 2021 COUNCIL MEETING**

City Clerk Hassel Shearer requested approval of the City Council Meeting Minutes for the May 3, 2021 Council meeting.

**b. ADOPTION OF A RESOLUTION TO AMEND BURLINGAME'S AMENDED AND RESTATED FRANCHISE AGREEMENT WITH RECOLOGY SAN MATEO TO ADD AN ADDITIONAL ROUTE FOR COLLECTION OF BULKY ITEMS AND ABANDONED WASTE**

Finance Director Augustine requested Council adopt Resolution Number 054-2021.

- c. **ADOPTION OF A RESOLUTION APPROVING A THIRD AMENDMENT TO THE SOUTH BAYSIDE WASTE MANAGEMENT AUTHORITY (SBWMA) JOINT POWERS AUTHORITY AGREEMENT (AGREEMENT) FOR THE PURPOSE OF UPDATING AND CONFORMING PROVISIONS OF THE AGREEMENT**

Finance Director Augustine requested Council adopt Resolution Number 055-2021.

- d. **ADOPTION OF A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH THE COUNTY OF SAN MATEO FOR CONTINUED PROVISION OF ANIMAL CONTROL SERVICES FOR A FIVE-YEAR TERM BEGINNING JULY 1, 2021**

City Manager Goldman requested Council adopt Resolution Number 056-2021.

- e. **ADOPTION OF RESOLUTION AWARDED A CONSTRUCTION CONTRACT TO J.J.R. CONSTRUCTION, INC. FOR THE HOOVER SCHOOL AREA SIDEWALK IMPROVEMENTS ON SUMMIT DRIVE, CITY PROJECT NO. 84490, FEDERAL AID PROJECT NO. CML-5171(022), IN THE AMOUNT OF \$192,480**

DPW Murtuza requested Council adopt Resolution Number 057-2021.

- f. **QUARTERLY INVESTMENT REPORT, PERIOD ENDING MARCH 31, 2021**

Councilmember Brownrigg voiced his appreciation that the City's bond portfolio includes California Development and World Bank bonds and not fossil fuel bonds.

Mayor O'Brien Keighran opened the item up for public comment. No one spoke.

Councilmember Beach made a motion to accept the Quarterly Investment Report for the period ending March 31, 2021; seconded by Councilmember Brownrigg. The motion passed unanimously by roll call vote, 5-0.

- g. **ADOPTION OF A RESOLUTION AUTHORIZING THE ACCEPTANCE OF GRANT AWARD FOR A BROADWAY SPECIFIC PLAN FROM THE METROPOLITAN TRANSPORTATION COMMISSION (MTC) AND ASSOCIATION OF BAY AREA GOVERNMENTS (ABAG)**

CDD Gardiner requested Council adopt Resolution Number 058-2021.

- h. **AUTHORIZE THE MAYOR TO SEND A LETTER EXPRESSING THE CITY'S OPPOSITION TO SB 9 (ATKINS) HOUSING DEVELOPMENT; APPROVALS**

City Manager Goldman stated that the staff report calls for authorization to send a letter to State Senate President pro Tempore Toni Atkins expressing the City's opposition to Senate Bill 9. She explained that Senate Bill 9 would require cities and counties to permit ministerially either or both of the following, as long as they meet specified conditions:

- A housing development of no more than two units (a duplex)
- The subdivision of a parcel into two approximately equal parcels (urban lot split)

City Manager Goldman noted that SB 9 is scheduled for a hearing on the Senate floor on May 20. She explained that all bills have to pass out of their Senate fiscal committee by May 21. She added that the latest version of the bill is included in the packet.

City Manager Goldman stated that the draft letter is attached to the report. She explained that the first time this letter came before the Council, it was drafted to read opposed unless amended. However, Council asked that staff revise the letter so that it is a straight opposition. She noted that the League of California Cities original template letter was in opposition to SB 9 unless amended; however, the League has revised their letter to also be a straight opposition.

Mayor O'Brien Keighran opened the item up for public comment.

John Choma stated that he has been a resident for forty years. He noted that he was concerned about SB 9 and how it would affect Burlingame. He asked that the Council oppose the bill. (comment submitted via [publiccomment@burlingame.org](mailto:publiccomment@burlingame.org)).

Raayan stated that she was in favor of SB 9 as it would help to address racial segregation in the community. (comment submitted via [publiccomment@burlingame.org](mailto:publiccomment@burlingame.org)).

Rebecca Coleman stated that she grew up in Burlingame and was now a college student. She discussed her educational experience in Burlingame and thought that the lack of diversity affected her view of the world, and therefore she supported SB 9. (comment submitted via [publiccomment@burlingame.org](mailto:publiccomment@burlingame.org)).

Florence Allen stated that she has been a resident over 45 years and was against SB 9 as it would destroy the City's neighborhoods. (comment submitted via [publiccomment@burlingame.org](mailto:publiccomment@burlingame.org)).

Mike Dunham stated that younger generations cannot afford to buy a single-family home in 2021 unless they make over \$400,000 a year. He asked that the Council not oppose SB 9.

Joel Kohn stated that it is inordinately expensive to purchase a home in Burlingame, and therefore he thought the changes SB 9 would bring into the community would be good things. He stated that the changes were small.

Madeline Frechette stated that she thought creating more affordable homes was important and asked the Council not to send a letter opposing SB 9.

Cecilia Lunaparra, a freshman at Berkley, discussed the benefits of going to school in Burlingame and that she wanted more to experience that. She asked that the Council allow this by not opposing SB 9.

Cathy Baylock voiced her support for the Council's letter. She noted that she sat on the General Plan committee for three years and thought it was adopted in a development friendly way that would allow for affordable housing.

Jordan Grimes urged the Council not to oppose SB 9. He noted that the Peninsula Young Democrats endorsed SB 9 because they believe it to be an important response to the housing crisis.

Ines Escobedo, a freshman at MIT, stated that it wouldn't have been possible for her to go to MIT without the education she received in Burlingame. She noted that the incredibly high housing costs are driving families out of Burlingame. She urged the Council not to oppose SB 9.

Athan Rebelos urged the Council not to oppose SB 9.

David Harris stated that he thought the letter was well-articulated and supported the Council sending it. He explained that he feared that SB 9 would lead to the law of unintended consequences and thought that local government should be in charge of growth.

Juilanne Shaffer and Noelle Langmack urged the Council not to oppose SB 9.

Annette Doherty thanked the Council for sending a letter opposing SB 9. She noted that SB 9 would lead to unforeseen impacts.

Shirin Coleman urged the Council to send the letter opposing SB 9. She discussed the quality of life in Burlingame that allows for space and backyards and didn't believe it would exist with creating more housing with denser neighborhoods.

Ron Field urged the Council to oppose SB 9 and stated that he didn't believe there was a housing crisis.

Seema Patel discussed her concern for the increased cost of housing in Burlingame. She asked the Council not to oppose SB 9.

Laura Hesselgren voiced concern about zoning and planning being controlled by the State and not the local government. She urged the Council to send the letter opposing SB 9.

Jennifer Pfaff urged the Council to send the letter opposing SB 9. She discussed the importance of working with local General Plans and her discomfort with a one-size-fits-all approach.

Ana Lunaparra and Maya Silver urged the Council not to oppose SB 9.

Drew Hoskins stated that he supports SB 9 because of the jobs to housing balance.

Kamran Husain, Lara McDonald, and Joanne urged the Council to send a letter opposing SB 9.

Corrie Punter stated that she is a new homeowner and is in support of the Council sending the letter opposing SB 9 in order to keep the neighborhoods suburban.

Connie urged the Council to send the letter opposing SB 9.

Mayor O'Brien Keighran closed public comment.

Vice Mayor Ortiz stated that he believes that there is a need for more housing. However, he explained that the question was not about whether the City cares about affordability nor increasing density but rather who gets to decide where multi-family residences are built. He explained that it makes the most sense to have local governments in control of this issue.

Vice Mayor Ortiz stated that he was in favor of sending the letter.

Councilmember Colson thanked everyone for coming out to speak. She noted that for her, SB 9 is about local control. She discussed the City's work on the updated General Plan that created a plan to meet the City's RHNA numbers. She explained that the General Plan zoned for multi-dwellings around public transportation. She noted that Burlingame has the largest percentage of multi-family residential other than East Palo Alto.

Councilmember Colson stated that she was in favor of sending the letter.

Councilmember Brownrigg thanked the students who came forward to discuss SB 9. He stated that he worries, much like them, about the lack of socio-economic diversity in the city. He added that while the city has become less white, he believes the socio-economic diversity has decreased. He discussed the work that the City undertook with the General Plan update. He stated that he thought that the City's plan for creating affordable units and transit-oriented developments was the correct way to incorporate more multi-family developments into Burlingame. He added that he didn't believe the State dictating housing policy is effective.

Councilmember Brownrigg discussed how the State could assist cities in creating more multi-family developments, including subsidies for affordable housing and for the preservation of affordable units.

Councilmember Brownrigg stated that he was in favor of sending the letter.

Councilmember Beach thanked the community for engaging with the City on this bill and stated that their job wasn't done. She encouraged the public to reach out to State Senator Josh Becker and Assemblymember Speaker pro Tempore Kevin Mullin on this matter. She discussed the work that the City has done to create affordable housing. She noted that in a year from now, the State will have to zone for 2.2 million more

homes. She added that Burlingame is ahead of other cities by figuring out where more than its share should be built.

Councilmember Beach stated that for her the issue is whether the State should tell every city whether it is urban or rural, has transit, etc. that every single-family home should be allowed to quadruple in units or whether each city should figure out how best to accommodate growth. She noted that based on public comments, if the public wanted to discuss whether low-density neighborhoods create more inclusion, this could be agendized. However, this should be done at the local level and not at the State level.

Councilmember Beach suggested that if SB 9 is adopted, cities that have met their RHNA numbers should be exempted.

Councilmember Beach voiced support for sending the letter opposing SB 9.

Mayor O'Brien Keighran stated that she requested that the letter be agendized. She noted that she is a proponent of local control. She added that she has seen the State take away local control without understanding the nuances of each city. She discussed her involvement in the Home for All Initiative and how the Council has thoughtfully approached increasing density in the city.

Mayor O'Brien Keighran stated that she grew up in Burlingame, and years ago people struggled to buy in Burlingame. But while there wasn't anything being built then, there is now. She noted that over 1800 units have been approved in the last few years. She added that the City also updated the General Plan, which allows for 3,000 more units.

Mayor O'Brien Keighran stated that she believes in housing options for all. She noted that there are plenty of areas where units are being built. She added that the city is 54% multi-family residences.

Mayor O'Brien Keighran thanked the public for coming to the meeting to speak on the matter and all the emails that Council received in the past few weeks.

Councilmember Colson made a motion to authorize the Mayor to send a letter to the State Legislature opposing SB 9; seconded by Mayor O'Brien Keighran. The motion passed unanimously by roll call vote, 5-0.

## **9. PUBLIC HEARINGS**

### **a. PUBLIC HEARING TO RENEW THE LEVY AND COLLECTION OF ASSESSMENTS FOR THE DOWNTOWN BURLINGAME AVENUE STREETScape IMPROVEMENTS PROJECT FOR FISCAL YEAR 2021-22**

DPW Murtuza stated that nine years ago, the City Council adopted an assessment district for constructing the streetscape improvements for Burlingame Avenue.



DPW Murtuza stated that under State law, the City must hold an annual public hearing on the assessments. He explained that this year, there are no changes to the assessment.

DPW Murtuza stated that the assessment for FY 2021-22 is \$310,156, which reflects prepayments made by the property owners.

Mayor O'Brien Keighran opened the public hearing. No one spoke.

Councilmember Brownrigg made a motion to adopt Resolution Number 059-2021; seconded by Vice Mayor Ortiz. The motion passed unanimously by roll call vote, 5-0.

## **10. STAFF REPORTS AND COMMUNICATIONS**

### **a. CHAPIN AVENUE FEASIBILITY STUDY UPDATE**

The City's Environmental Regulatory Compliance Manager Jennifer Lee stated that the City is a permittee of the Municipal Regional Storm Water Permit, which requires jurisdictions to reduce pollutants from entering the storm drains. She explained that methods to reduce pollutants can be accomplished through nature-based systems or green infrastructure. The City has implemented several green infrastructure projects in the past including the California Drive Round-about.

Ms. Lee stated that initially the Chapin Avenue project was included in the countywide stormwater resource plan. She explained that the San Mateo County Stormwater Resource Plan identified Chapin Avenue as a priority green street development project to reduce stormwater and pollutant runoff. She added that the City intends to use grants to fund this project.

Wilsey Ham representative Parker King stated that he has been developing a feasibility study for Chapin Avenue between El Camino Real and Primrose Road. He explained that one of the key reasons that Chapin Avenue was identified as a priority green street project is the width of the street. He noted that the lanes are almost double what they need to be.

Mr. King reviewed the timeline of the project. He noted that Wilsey Ham began working with staff on this project in August 2019. He noted that they plan to finalize the study in June 2021.

Mr. King reviewed the highlights of the first alternative that would maximize green infrastructure and village character:

- Planted median with 26 street trees
- Bulbouts for bioretention and pedestrian crossings
- Mid-block crossing
- Class 3 bike lanes
- Optional all-way stop at Primrose Road
- 78 parking stalls

Mr. King reviewed the highlights of the second alternative that would maximize available parking:

- Parking median with 29 new street trees
- Bulbouts for bioretention and pedestrian crossings
- Mid-block crossing
- Class 3 bike lanes
- Option all-way stop at Primrose
- 89 Parking stalls

Mr. King stated that the City is required to reduce the amount of pollutants that get washed off of streets by rain and enter the Bay. A primary way to accomplish this is with “green infrastructure”, which has multiple other benefits including reducing flooding. He noted that alternative one provides more opportunities for planting and bioretention. He added that opportunities for tree planting are comparable in both alternatives.

Mr. King stated that when they asked the public how best to enhance the pedestrian experience and the character of Chapin Avenue, the community identified safety at pedestrian crossings, enhanced landscaping, and improved lighting as their top priorities. These improvements could share some similarities with the bulbouts and landscaping enhancements on Burlingame Avenue for a unified downtown character.

Mr. King stated that significant changes to Chapin Avenue will require some loss of parking and/or eliminating some turning movements. While community opinion is divided on the importance of parking, both alternatives strive to minimize parking loss. He noted that reverse-angle or back-in angled parking is recommended to improve safety for bicyclists using a shared lane by improving their visibility as drivers pull out of parking stalls.

Mr. King showed several images of the two alternatives.

Mr. King reviewed the public outreach responses that Wilsey Ham received on the proposed project. He noted that in response to the survey they sent out, they received 156 responses.

Councilmember Beach stated that both BPAC and TSPC recommended alternative two. She noted that one of BPAC’s concerns was pedestrian safety and refuge across both designs. She asked which alternative had better pedestrian crossings. DPW Murtuza stated that both alternatives are comparable for pedestrian safety. He added that the only major differences between the two alternatives is treescaping and parking.

Councilmember Beach asked for additional context about the regulations and requirements for bioretention stormwater plantings that are mandated by the State. She noted that these requirements are expensive. She discussed the need to start planning for these projects. DPW Murtuza stated the City is part of the permit for the entire Bay Area. He explained that as part of that permit, there are a lot of requirements that each city must do. He noted that one of the requirements is to eliminate/limit the amount of PCBs that enter the Bay. He added that green infrastructure captures PCBs and therefore has become a requirement for many cities.

He stated that this is an unfunded mandate that competes with other amenities like parking that the City needs to provide.

Mayor O'Brien Keighran voiced concern about the middle of street parking in alternative two. She wondered if it would encourage people to jay-walk instead of using the crosswalks, which could lead to accidents. DPW Murtuza stated that the Mayor's concern has been brought up by others. He stated that one way to address that concern is to remove parking close to the intersection where people would be making quick turns. He noted that the majority of the public favored alternative one.

Mayor O'Brien Keighran stated that she is concerned about the public's safety under alternative two.

Vice Mayor Ortiz voiced concern that under alternative two, the parking along the sidewalk is angled, while the parking in the middle of Chapin Avenue is parallel. He explained that he could see cars backing into each other because of the different angles of parking.

Vice Mayor Ortiz stated that he liked the island at the end of Primrose Road in alternative two. He asked if there are funding opportunities for green infrastructure. DPW Murtuza replied in the affirmative. He noted that having a plan ready to go will increase the City's chances of receiving grant funds. He added that the City doesn't plan on using General Funds for this project.

Councilmember Colson noted that she regularly uses Chapin Avenue. She stated that she was happy that the City was going to make improvements to this street and noted that she wasn't worried about the parking in either of the alternatives. She noted that she spoke to the businesses at the corner of Chapin Avenue and Primrose Road. She explained that they preferred alternative one because of the need for a three-way stop at Primrose Road and Chapin Avenue.

Mayor O'Brien Keighran opened the item up for public comment.

Manito Velasco stated that he wanted to ensure that both alternatives took into consideration the circulation impacts of building a median. (comment submitted via [publiccomment@burlingame.org](mailto:publiccomment@burlingame.org)).

Jennifer Pfaff stated that she was excited this was coming to fruition. She noted that she liked both alternatives.

Mayor O'Brien Keighran closed public comment.

Councilmember Beach stated that it was great to read all the comments from the public that engaged in the survey. She noted that the traffic calming elements of the green infrastructure benefit everyone. She added that she concurred with Councilmember Colson and was in favor of alternative one. She stated that one thing that she thought staff should consider is loading zones, whether it is for ride-share vehicles or subscription services. She added that the public overwhelmingly preferred alternative one.

Councilmember Colson noted that there are two large parking lots by Chapin Avenue that will alleviate people's parking concerns.

Vice Mayor Ortiz stated that alternative two's parking and median make him nervous. Therefore, he could see the benefits of alternative one.

Mayor O'Brien Keighran stated that she was leaning towards alternative one.

Councilmember Beach made a motion to accept alternative one, seconded by Councilmember Colson. The motion passed unanimously by roll call vote, 5-0.

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

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

**12. FUTURE AGENDA ITEMS**

Councilmember Brownrigg asked for there to be a review of the community funding limit and whether it should be increased.

Councilmember Brownrigg asked for a briefing on cyber security.

Councilmember Brownrigg asked about creating a flag policy; seconded by Vice Mayor Ortiz.

Councilmember Brownrigg asked for a discussion on allowing people to continue to participate remotely in Council/Commission meetings after they return to in-person meetings.

Vice Mayor Ortiz asked for a discussion on closing Broadway and Burlingame Avenue for parts of the week. City Manager Goldman noted that the Economic Development Subcommittee would be discussing this issue in July and then it would be brought to Council.

Councilmember Colson asked for a discussion on recycled water; seconded by Councilmember Brownrigg.

**13. ACKNOWLEDGMENTS**

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

**14. ADJOURNMENT**

Mayor O'Brien Keighran adjourned the meeting at 10:01 p.m. in memory of Roberta Chopra.

**Agenda Item 8b**

**Meeting Date: 06/07/2021**

Respectfully submitted,

Meaghan Hassel-Shearer  
City Clerk