BURLINGAME CITY COUNCIL
Approved Minutes
Regular Meeting on March 15, 2021

1. CALL TO ORDER

A duly noticed meeting of the Burlingame City Council was held on the above date online at 7:00pm.

2. PLEDGE OF ALLEGIANCE TO THE FLAG

The pledge of allegiance was led by Councilmember Brownrigg.

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 the upcoming events taking place in the city.

6. PRESENTATIONS

a. RECOGNITION OF OUTGOING 2020-2021 COMMISSIONERS

Mayor O'Brien Keighran began by thanking all the outgoing commissioners for their dedication to the City.

Mayor O'Brien Keighran recognized all of the outgoing commissioners that left between 2019 and 2021:
- Kerbey Altmann served on the Library Board of Trustees from August 2014 to June 2020
- Andrew Blanco served on the Library Board of Trustees from June 2016 to June 2019
- Christopher Bush served on Traffic, Safety and Parking Commission from November 2015 to January 2021
- Qiva Dinuri served on the Beautification Commission from June 2017 to January 2021

- Joe Galligan served on the Measure I Citizens Oversight Committee from February 2018 to 2021
- Ann Hinckle served on the Beautification Commission from December 2010 to November 2019
- Neal Kaufman served on the Measure I Citizens Oversight Committee from February 2018 to 2021
- Brenden Kelly served on the Planning Commission from April 2017 to December 2019
- Shari Lewis served on the Parks and Recreation Commission from December 2014 to October 2020
- Jeffrey Londer served on the Traffic, Safety and Parking Commission from October 2008 to November 2020
- Rosalie O'Mahony served on the Storm Drain Citizens Oversight Committee from January 2010 to 2021, served on the Bay Area Water Conservation Agency from 2004 to 2021, and the Bay Area Regional Water Financing Authority from 2004 to 2021
- Bob Palacio served on the Parks and Recreation Commission from October 2016 to October 2019
- Lisa Rosenthal served on the Library Board of Trustees from July 2010 to June 2019
- Richard Sargent served on the Planning Commission from May 2012 to February 2021

Mayor O'Brien Keighran opened the presentation for public comment.

Former Mayor Joe Galligan thanked the Council for the opportunity to serve on the Measure I Citizens Oversight Committee.

Anne Hinckle stated that it was a privilege to serve the community. She noted that the Beautification Commission was a great way to connect with the City and the public.

Brenden Kelly thanked the Council for the opportunity and stated that he learned a lot from the experience.

Jeffrey Londer stated that he was honored to serve, and he hopes to continue to be involved with City committees and issues.

Lisa Rosenthal thanked the Council for the opportunity to be an advocate for the library.

Richard Sargent thanked the Council for having the confidence in him to serve on the Planning Commission. He thanked staff for their hard work.

Shari Lewis stated that she enjoyed her years on the Parks and Recreation Commission and was grateful to be involved. (Comment made via Zoom chat).

Qiva Dinuri stated that she had a great experience being on the Beautification Commission and would have continued if she hadn't moved out of state.

Mayor O'Brien Keighran closed public comment.

Councilmember Brownrigg stated that so many of the former commissioners have helped out the community in ways that go beyond their appointments. He thanked them for being great participants in the community. He noted that the Council was unable to host their annual Commissioners' Dinner due to COVID-19. He asked that whenever the City is able to have this dinner that the invitation be extended to these outgoing commissioners.

Mayor O'Brien Keighran voiced her agreement.

Vice Mayor Ortiz discussed the work that the commissioners put in and explained that it greatly assists the Council. He thanked all of them for their support.

7. PUBLIC COMMENT

Anne Hinckle discussed the quality of the staff that works with the commissioners. She thanked all of the staff for their hard work.

Former Millbrae Mayor Wayne Lee spoke on behalf of the San Mateo County Asian Pacific Islander Caucus. He discussed the recent attacks against the AAPI community. He encouraged the City to consider passing an ordinance to raise the penalty for hate crimes, strengthen public safety communications with the AAPI community, and dedicate resources to educate children against racism and xenophobia.

8. CONSENT CALENDAR

Mayor O'Brien Keighran asked her colleagues and members of the public if they would like to pull any item off the Consent Calendar. Councilmember Brownrigg asked to pull 8e. Councilmember Beach asked to pull 8h.

Mayor O'Brien Keighran stated that item 8j concerning the Broadway Avenue Business Improvement District's decision to forego the annual assessments is an information item and not something the Council has to act on.

Vice Mayor Ortiz made a motion to adopt items 8a, 8b, 8c, 8d, 8f, 8g, 8h, 8i, and 8k; seconded by Councilmember Brownrigg.

Councilmember Brownrigg asked how the letter to the API Caucus would be signed. City Manager Goldman stated that it would be sent to all the Councilmembers through DocuSign.

The motion passed unanimously by roll call vote, 5-0.

a. APPROVAL OF CITY COUNCIL MEETING MINUTES FOR THE MARCH 1, 2021 REGULAR MEETING

City Clerk Hassel-Shearer requested Council approve of the City Council Meeting Minutes for March 1, 2021.

b. ADOPTION OF A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE AN AMENDMENT TO THE AGREEMENT WITH BAY AREA GEOTECHNICAL GROUP FOR GEOTECHNICAL OBSERVIATION, SPECIAL INSPECTION, AND MATERIAL TESTING SERVICES, INCREASING THE CONTRACT IN AN AMOUNT NOT-TO-EXCEED $460,650, CITY PROJECT NO. 83240

Parks and Recreation Director Glomstad requested Council adopt Resolution Number 025-2021.

c. ADOPTION OF A RESOLUTION APPROVING THE TENTATIVE AND FINAL PARCEL MAP (PM 21-02) FOR CONDOMINIUM PURPOSES, SUBDIVISION OF PARCEL 3A AS SHOWN ON PARCEL MAP FILED IN VOLUME 85 OF PARCEL MAPS, PAGES 5 AND 6 AT 715-717 LINDEN AVENUE

DPW Murtuza requested Council adopt Resolution Number 026-2021.

d. ADOPTION OF A RESOLUTION APPROVING THE TENTATIVE AND FINAL PARCEL MAP (PM 21-03) FOR CONDOMINIUM PURPOSES, SUBDIVISION OF PARCEL 3B AS SHOWN ON PARCEL MAP FILED IN VOLUME 85 OF PARCEL MAPS, PAGES 5 AND 6 AT 719-721 LINDEN AVENUE

DPW Murtuza requested Council adopt Resolution Number 027-2021.

e. ADOPTION OF A RESOLUTION APPROVING A PROFESSIONAL SERVICES AGREEMENT WITH MARK THOMAS FOR THE CALIFORNIA DRIVE BIYCLE FACILITY PROJECT, CITY PROJECT NO. 86230, IN THE AMOUNT OF $241,670

Councilmember Brownrigg stated that he considers this to be one of the most interesting roadway projects that doesn't come with an exorbitant price tag. He explained that he hopes that the contractor will keep in mind the potential opportunity to use some of the land that abuts the rail (land that is owned by other agencies). He asked that the contractor explore these opportunities.

Vice Mayor Ortiz stated that the construction of this project is $800,000, but the agreement on the agenda is for the engineering only. He noted that the Council has been talking about this project for a long time, and he is excited it is coming to fruition.

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

Manito Velasco voiced concern about the cost of the study. He asked that the Council further review why the cost is so high. (Comment submitted via publiccomment@burlingame.org).

Mayor O'Brien Keighran closed public comment.

DPW Murtuza stated that this is a high-priority project. He noted that, in reference to Councilmember Brownrigg's request, the usability of Caltrain's land is in the scope of the agreement. He discussed the project and public outreach that would be needed.

Councilmember Brownrigg made a motion to adopt Resolution Number 028-2021; seconded by Councilmember Beach. The motion passed unanimously by roll call vote, 5-0.

f. ADOPTION OF A RESOLUTION APPROVING A PROFESSIONAL SERVICES AGREEMENT WITH CSG CONSULTANTS, INC., FOR THE BURLINGAME STATION PEDESTRIAN IMPROVEMENTS PROJECT, CITY PROJECT NO. 86240, IN THE AMOUNT OF $110,804

DPW Murtuza requested Council adopt Resolution Number 029-2021.

g. ADOPTION OF A RESOLUTION ACCEPTING THE BURLINGAME AVENUE STORM DRAINAGE IMPROVEMENT, CITY PROJECT NO. 85900, BY CRATUS, INC.

DPW Murtuza requested Council adopt Resolution Number 030-2021.

h. ADOPTION OF A RESOLUTION OF SUPPORT FOR THE CITY'S APPLICATION FOR $117.4 MILLION FROM THE U.S. DEPARTMENT OF TRANSPORTATION INFRASTRUCTURE FOR REBUILDING AMERICA (INFRA) DISCRETIONARY GRANT PROGRAM

Councilmember Beach stated that the City is applying for a large federal grant from the U.S. Department of Transportation to assist with the Broadway Grade Separation project. She explained that staff worked hard to put together the application, and she was very proud of the work that was done. She thought the City would be competitive for the grant. She also discussed the work that staff and Caltrain are doing to value engineer the project in order to bring the cost down.

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

Councilmember Beach made a motion to adopt Resolution Number 031-2021; seconded by Vice Mayor Ortiz. The motion passed unanimously by roll call vote, 5-0.

i. ISSUE A CALL FOR APPLICATIONS TO FILL TWO VACANCIES ON THE STORM DRAIN MEASURE OVERSIGHT COMMITTEE

DPW Murtuza asked the Council to issue a call for applications to fill two vacancies on the Storm Drain Measure Oversight Committee.

j. NOTICE OF DECISION BY THE BROADWAY AVENUE BUSINESS IMPROVEMENT DISTRICT BOARD OF DIRECTORS TO FOREGO ASSESSMENTS TO BUSINESSES WITHIN THE DISTRICT FOR FISCAL YEAR 2021-22

Finance Director Augustine requested Council accept the notice of decision by the Broadway Avenue Business Improvement District Board of Directors to forego assessments to businesses within the district for fiscal year 2021-22.

k. APPROVAL OF SENDING A LETTER TO THE SAN MATEO COUNTY API CAUCUS CONDEMNING XENOPHOBIA AND VIOLENCE AGAINST THE ASIAN PACIFIC ISALNDER COMMUNITY

City Manager Goldman requested the Council's approval to send a letter the San Mateo County API Caucus condemning xenophobia and violence against the Asian Pacific Islander community.

9. PUBLIC HEARING

a. ADOPTION OF RESOLUTIONS MAKING A STATEMENT OF OVERRIDING CONSIDERATIONS FOR AN ENVIRONMENTAL IMPACT REPORT (EIR) AND FOR APPROVAL OF AN APPLICATION FOR DESIGN REVIEW, CONDITIONAL USE PERMIT, CONDOMINIUM PERMIT, AND TENTATIVE CONDOMINIUM MAP FOR A 120-UNIT CONDOMINIUM BUILDING AT 1868-1870 OGDEN DRIVE

CDD Gardiner explained that the applicant is proposing to replace the existing building and construct a new six-story, 120-unit residential condominium building. He stated that the site is within the North Burlingame Mixed Use Zone ("NBMU"). The NBMU zone was created in the General Plan Update of 2019. The NBMU zone is intended to create a high-density development within walking distance of the Millbrae BART/Caltrain Station.

Mayor O'Brien Keighran opened the public hearing.

CDD Gardiner stated that the project before the Council is consistent with the General Plan and because of that is not subject to an environmental impact report or review by the City Council. However, he explained that Council review is needed because of the historical aspects of the site.

CDD Gardiner reviewed the history of the site. He stated that the existing building was the Teamsters' headquarters in the 1960s and 1970s. He noted that this was during the labor dispute between the United Farm Workers Organizing Committee under Cesar Chavez and the Teamsters. He explained that in the late 1960s through the 1970s, the UFW and the Teamsters waged a lengthy, violent, and occasionally deadly jurisdictional battle to decide who would represent farm workers in California.

CDD Gardiner stated that the existing building was the site of protests and negotiations. He added that ultimately, it was the site of the signing of the landmark labor agreement between the UFW and Teamsters with Cesar Chavez in attendance.

CDD Gardiner explained that given this involved history, the building at 1868-1870 Ogden Drive is a historical resource for the purposes of CEQA under Criterion A. He noted that the building structure itself is not considered to have historical significance. He explained that the Draft EIR includes Mitigation Measures

CR-1 and CR-2 that would require documentation and interpretation regarding the significance of the building at 1868-1870 Ogden Drive. These measures require the applicant to create a collection of materials that would document the physical characteristics of the building and its historic context, which would be provided to publicly accessible repositories, in the new plaza at the front of the building.

CDD Gardiner stated that even with that documentation, because the project proposes to demolish the site, it is considered to be a significant unavoidable environmental impact that triggers the need for an EIR. He explained that under the EIR, all of the identified potential significant impacts can be reduced to less than significant levels through implementation of the mitigation measures identified in the Draft EIR with the exception of historical resources.

CDD Gardiner stated that cities may certify an EIR that has a significant unavoidable impact by adopting a statement of overriding considerations and findings of fact. These statements determine that despite the significant impact, it is the city's considered judgment that the benefits offered by the project outweigh the potentially adverse effects of the significant impact. He explained that among the considerations are:

- The proposed project would provide new housing units within a half mile of high-quality transit that would add to the housing stock, and assist the City with meetings its Regional Housing Needs Allocation (RHNA) goal.
- The project is consistent with the development envisioned for the North Burlingame Mixed Use zone in that it is a transit-oriented development in a district zoned to accommodate housing at progressively higher densities based on the level of community benefits provided.
- The project would provide community benefits including an approximately 3,400 square foot publicly accessible plaza that would include a historical marker to commemorate the historic events related to the UFW.
- Currently, the existing office building has no identifying features indicating the historic events, while the proposed project would provide a commemoration that would educate the public with information about the site and previous events.
- The project includes a 1,600 square foot cultural arts space on the ground floor that would be available for flexible programming for City programs, enrichment classes, or neighborhood meetings.

CDD Gardiner stated that the proposed Statement of Overriding Considerations is attached as exhibit C to the resolution.

CDD Gardiner emphasized that the project is consistent with the General Plan. He noted that the General Plan had its own EIR that would apply to the project. He explained that the City concluded that an adequate water supply would be available to meet the demands of the projected population in 2040.

Councilmember Colson stated that she found the history of the building fascinating. She asked how the staff discovered it. CDD Gardiner stated that staff wasn't aware of the history at the beginning of the application process and thought it would be a Class 32 CEQA exemption. Class 32 CEQA exemptions streamline the process for projects that are consistent with the General Plan. However, as part of the process for obtaining a Class 32 exemption, the project had to undertake a historical evaluation of the site. He noted that it was at this point that the building's importance in the UFW and Teamsters' negotiations came to light.

Councilmember Colson stated that she hoped that the Burlingame Historical Society would put together a piece on this history to share with the community.

Mayor O'Brien Keighran discussed the Conditional Use Permit for the tandem parking. She stated that she was surprised it wasn't mechanical parking and asked about the inconvenience of tandem parking. She noted that the project does have more than the required parking. CDD Gardiner stated that the applicant preferred tandem parking over mechanical. He explained that a tandem space would have to be assigned to one household and would not be shared between units.

LDP Architecture representative Franco Zaragoza gave the Council an overview of the proposed project. He explained that they chose to develop the project consistent with the "Tier 3" standards. Tier 3 standards are the highest tier in the NBMU zone. Projects using Tier 3 standards shall provide at least three community benefits:

- Affordable housing units
- Public Plaza at the front of the property line
- Public Community Cultural Programming Space

Mr. Zaragoza stated that the project consists of 120 units. Six of the units will be below market rate for low-income households. He noted that overall the project consists of 35 studio units, 30 one-bedroom units, and 55 two-bedroom units. He added that a plaque would be installed on the plaza to recognize the significance of the historical events that took place at the former building.

Mr. Zaragoza reviewed the location of the project and its proximity to a shopping market and public transportation. He noted that the project would provide 150 on-site parking spaces.

Mr. Zaragoza reviewed the landscaping for the project. He noted the trees that would be planted along the outside of the building. He displayed different depictions of the project to illustrate the development's relation to adjacent buildings, location of the plaza, and the community room.

LDP Architect Partner Toby Levy discussed the location of the historic marker in the plaza. She noted that the community room is located behind the marker so that it feels inviting to the public.
Councilmember Brownrigg stated that he agreed with Councilmember Colson that the history of the building is incredibly important. He noted that he would like to see it highlighted. He added that he would like to better understand what would be included in the historic marker. He asked that the marker include a replica of the brutalist building that was being demolished. He asked when the building would be demolished. Ms. Levy stated that demolition would begin in approximately one to two years.

Councilmember Brownrigg suggested that the City should host an event in March 2022 to commemorate the historical signing of the UFW and Teamsters' Agreement.

Councilmember Brownrigg voiced his disappointment that only six units would be below market rate. He asked why the project didn't include more affordable housing. CDD Gardiner reviewed the history of the General Plan that was updated in January 2019. He stated that prior to the Council adopting impact fees for residential and commercial projects, the City implemented interim zoning for the NBMU. Part of the interim zoning included the Council's desire for affordable housing to be included in projects. He stated that the interim zoning asked for either 10% moderate or 5% low income housing. He noted that the future zoning requirements would target 10% moderate in order to obtain more affordable housing.

Councilmember Brownrigg explained that when the Council had previously discussed affordable housing requirements, they had wanted to ensure that projects moved forward. However, he thought it was time to review the impact fees and increase the affordable housing requirement.

Councilmember Colson concurred with Councilmember Brownrigg.

Councilmember Colson asked if there were any artifacts inside the building that should be preserved. Ms. Levy replied in the negative.

Councilmember Colson discussed the importance of preserving the history of the building. She noted the value of capturing the history of the agreement that was signed between the Teamsters and UFW. She suggested putting up black and white photographs of the history of the building in the community room. She added that the room could be used by surrounding schools as mini field trips.

Councilmember Beach concurred with Councilmember Colson.

Councilmember Beach suggested naming the plaza "Cesar Chavez Plaza". She also voiced her agreement that the impact fees should be reviewed.

Councilmember Brownrigg asked about the community room. Ms. Levy stated that the community room belonged to the City. She added that it was approximately 2,000 square feet and included a bathroom.

Vice Mayor Ortiz concurred with Councilmember Beach that either the community room or plaza should be named for Cesar Chavez. He also noted his agreement that the impact fees should be reviewed.

Mayor O'Brien Keighran asked how this project impacted the City's water usage and if she was correct that the General Plan's EIR included plans for an addition of 3,000 units in the city. CDD Gardiner replied that the General Plan's EIR did take into consideration the addition of 3,000 units. Therefore, this project fit within the EIR. He added that the EIR found that the City's water supply was sufficient. He noted that multi-unit residential buildings have a lower per capita consumption of water than other housing types. Therefore, it is only an incremental increase.

Mayor O'Brien Keighran asked what would the process be to ensure that the community room is used at its highest capability. CDD Gardiner stated that he'd talk with the Parks and Recreation Department and the Library about how best to utilize the space.

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

Councilmember Beach stated that the City should also consider the UFW and the Teamsters when it comes to naming the plaza and community room. She hoped it would be a great expression for remembrance of what occurred at the site.

Councilmember Beach made a motion to adopt Resolution Number 032-2021; seconded by Vice Mayor Ortiz. The motion passed unanimously by roll call vote, 5-0.

Councilmember Brownrigg made a motion to adopt Resolution Number 033-2021; seconded by Councilmember Colson. The motion passed unanimously by roll call vote, 5-0.

10 STAFF REPORTS

a. CONSIDERATION OF THREE APPOINTMENTS TO THE MEASURE I CITIZENS OVERSIGHT COMMITTEE

City Manager Goldman stated that there were three vacancies on the Measure I Citizens Oversight Committee. She explained that the vacancies are due to the expired terms of Committee members Joe Galligan, Mary Hockridge, and Neal Kaufman. She noted that Committee members Galligan and Kaufman elected not to re-apply. The City received seven applications as of the deadline of February 19, 2021. The Council interviewed the following seven applicants via Zoom on March 4, 2021: Kimberly Rosales, Kevin Hong, Linda Larson, Irv Agard, Fred Bauer, Mary Hockridge, and Paul Smith. She noted that Mr. Agard subsequently withdrew his name from consideration. She noted that the new appointees will serve for three years, ending on February 20, 2024.

Councilmember Beach thanked staff for recording the interviews as she was unable to attend. She noted that she watched the interviews.

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

Mayor O'Brien Keighran stated that the applicants were phenomenal. She noted that if an individual doesn't get selected, she was sure that the City could find something for them!

The Council submitted their ballots via Zoom chat. City Clerk Hassel-Shearer read the ballots. She announced that Mary Hockridge and Kevin Hong received a majority of votes and therefore would be appointed. She asked the Council to submit a second round of ballots via Zoom chat for the third seat.

Prior to the second round of ballots, the Council discussed the candidates.

City Clerk Hassel-Shearer read the second round of ballots. She announced that Kimberly Rosales was unanimously selected.

Thank you to all the candidates and congratulations to Mary Hockridge, Kevin Hong, and Kimberly Rosales on your appointments.

11. COUNCIL COMMITTEE AND ACTIVITIES REPORTS AND ANNOUNCEMENTS

a. COUNCILMEMBER BEACH'S COMMITTEE REPORT

12. FUTURE AGENDA ITEMS

There were no future agenda items.

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 O'Brien Keighran adjourned the meeting at 8:40 p.m. in memory of Sammy Bassio.

Respectfully submitted,
/s/
Meaghan Hassel-Shearer
City Clerk