



CITY COUNCIL/SUCCESSOR AGENCY MINUTES

September 26, 2023, 7:00 p.m.

A. CALL TO ORDER & ROLL CALL

Mayor Bryant called the meeting to order at 7:00 p.m.

Roll Call found the following members present: Mendoza, Meyer, Pierson, Oerlemans, and Mayor Bryant.

B. PLEDGE OF ALLEGIANCE

Mayor Bryant led the Pledge of Allegiance.

C. REPORT ON CLOSED SESSION

There were no reportable actions.

D. PUBLIC COMMENTS

Lilian Pierce provided an update on the upcoming Brentwood Community Chest events and provided the organization's website, brcchest.org.

Danny Dohrmann requested the City work with Liberty Unified School District related to students drinking and smoking in school and spoke to a lack of control of city government and accountability.

Denise Duran thanked the City Council, City staff, and the Police Department for support with the La Gran Fiesta, thanked the Rotarians for the Brentwood Craft Beer Festival, thanked the Economic Development Department for the Tech Meetup at the Brentwood Community Center, and provided an update on upcoming Chamber events.

The following individuals provided comments related to concerns at the Senior Center:

Mary Kohler
Rosa Chang
Rosa Gascoigne
John Gascoigne
Jose Pannitto
Sandra Smith
Carmen Mendoza
Rosie Foulato

Ian Cohan thanked the Police Department for the extra security at the homecoming game and provided comments related to staffing at the Senior Center.

Carolina Villaseca provided comments related to a previous public comment.

Sinziana Todor expressed disappointment in the 3-minute speaker limit and provided comments related to the City Manager's evaluation.

Mary Kohler provided clarification on her previous comment that she is not a City of Brentwood employee.

Rod Flohr expressed concerns related to the public comments made related to the Senior Center.

E. INFORMATIONAL REPORTS FROM COUNCIL MEMBERS, COMMITTEES, LIAISONS, AND STAFF

Council Member Mendoza reported she attended an Our neighborhood Voices town hall, Los Medanos College Teach Fundraiser at Trilogy, League of California Cities (Cal Cities) Annual Conference, School Board Interagency meeting, and attended a California Alliance of Local Electeds (CALE) call with Assembly Woman Pellerin.

Council Member Pierson reported she attended the Alameda County Mayor's Conference as a speaker related to the Chicago 50 Resolution, School Board Interagency meeting, is working with Police Activities League (PAL) Board on the Tamale Festival which will be held at City Hall on November 17, 2023 from 5 p.m. to 10 p.m., attended the Cal Cities Annual Conference, met with two residents, watched the Planning Commission meeting, and together with the Mayor, City Manager, and Police Department she greeted Brentwood Elementary School's 5th Grade field trip to the Library, Sip and Scoop, and City Park.

Council Member Oerlemans reported he attended the Cal Cities Annual Conference, the Farmers Market, visited the PAL booth at the Shop and Chill event at Chill Tea and Coffee, and watched the Planning Commission meeting.

Vice Mayor Meyer thanked the members of the public for attending and voicing their concerns, reported she attended a planning session of the Cal Cities Resolution Committee prior to attending the Cal Cities Annual Conference Cal Cities, CALE meeting, watched the Planning Commission meeting, attended the Los Medanos College Teach Fundraiser at Trilogy, and visited the Senior Center for open session to answer questions and address concerns.

Mayor Bryant, attended the meet and greet with the Brentwood Elementary students at City Park, attended the Cal Cities Annual Conference, Transplan, BART, State Route 4, and ECCRFFA meetings, and met with multiple residents regarding similar concerns as expressed during public comment.

F. CONSENT CALENDAR

Mayor Bryant pulled item F.3

Moved by: Susannah Meyer, Vice Mayor

Seconded by: Jovita Mendoza, Council Member

Adopted the Consent Calendar, with the exception of Item F.3, as recommended by staff.

Ayes (5): Jovita Mendoza, Council Member, Susannah Meyer, Vice Mayor, Pa'tanisha Pierson, Council Member, Tony Oerlemans, Council Member, and Joel Bryant, Mayor

Motion Approved (5 to 0)

F.1 Minutes of the City Council/Successor Agency meeting of September 12, 2023

F.2 A Proclamation Proclaiming September 26, 2023 as Human Resources Professional Day

F.3 A Proclamation Proclaiming September 29, 2023 as Veterans of Foreign Wars Day

Moved: Susannah Meyer, Vice Mayor

Seconded: Pa'tanisha Pierson, Council Member

Adopted a proclamation proclaiming September 29, 2023 as Veterans of Foreign Wars Day.

Ayes (5): Jovita Mendoza, Council Member, Susannah Meyer, Vice Mayor, Pa'tanisha Pierson, Council Member, Tony Oerlemans, Council Member, and Joel Bryant, Mayor

Result: Approved

F.4 A Proclamation Proclaiming October 9, 2023 as Indigenous Peoples' Day

F.5 A Proclamation Proclaiming October 2023 as Breast Cancer Awareness Month

F.6 A Proclamation Proclaiming October 2023 as All Abilities Month

F.7 A Proclamation Proclaiming October 2023 as Filipino American Heritage Month

F.8 A Proclamation Proclaiming October 2023 as Polish American Heritage Month

F.9 A Proclamation Proclaiming October 2023 as Cyber Security Awareness Month

F.10 Contract for Brentwood Family Aquatic Complex Pool Heaters Replacement

Adopted Resolution 2023-119 approving the contract documents, award the bid, and authorize the City Manager or designee to execute the contract and necessary documents, including the use of contingency amounts, for the Brentwood Family Aquatic Complex pool heaters replacement, to National Aquatics Services, Inc. in the amount of \$179,028.13 plus funding authorization for a 10% contingency amount of \$17,902.81 for additional services, for a total funding authorization not to exceed amount of \$196,930.94; and amend the 2023/24 Parks and LLAD Replacement Fund Operating Budget in the amount of \$196,931.

G. PUBLIC HEARINGS

- G.1 Call for review of a tentative parcel map and design review for Lazy Dog restaurant, approved by the Planning Commission on August 15, 2023

Associate Planner Miguel Contreras presented the item.

Mayor Bryant opened the Public Hearing.

Ryan Nicholson with LRG Investors and Jared Taylor with Lazy Dog spoke on behalf of the applicant.

The following individuals spoke in support of the item:

Sinziana Todor
Carolina Villaseca
Denise Duran

There being no one else wishing to speak, it was moved/seconded by Mendoza/Pierson to close the Public Hearing, and carried by the following vote:

Ayes (5): Council Members Mendoza, Meyer, Pierson, Oerlemans, and Mayor Bryant

Moved by: Jovita Mendoza, Council Member

Seconded by: Susannah Meyer, Vice Mayor

Adopted Resolution 2023-120 resolution affirming the Planning Commission approval of Tentative Parcel Map 354-22 for Lazy Dog restaurant, as conditioned by the Planning Commission.

Ayes (5): Jovita Mendoza, Council Member, Susannah Meyer, Vice Mayor, Pa'tanisha Pierson, Council Member, Tony Oerlemans, Council Member, and Joel Bryant, Mayor

Motion Approved (5 to 0)

Moved by: Jovita Mendoza, Council Member

Seconded by: Tony Oerlemans, Council Member

Adopted Resolution 2023-121 affirming the Planning Commission approval of Design Review 22-011 for Lazy Dog restaurant removing conditions of approval 8, 11, 12 and 13; and if during construction of the building it is found by the Director of Community Development that rooftop equipment is visible from any adjacent development at street level or from any portion of the Sand Creek Road right-of-way, the applicant will develop a screening plan to be reviewed and approved by the Director of Community Development. The screening materials shall match the primary building colors and materials, be integrated into the design of the building and shall not appear to be an "added on element", to the satisfaction of the Director of Community Development. Screening shall be installed and inspected for compliance prior to issuance of certificate of occupancy for the building."

Allowed staff to correct a typo on the first page of each resolution.

Ayes (5): Jovita Mendoza, Council Member, Susannah Meyer, Vice Mayor, Pa'tanisha Pierson, Council Member, Tony Oerlemans, Council Member, and Joel Bryant, Mayor

Motion Approved (5 to 0)

- G.2 Final Engineer's Report, and confirming and ordering the formation of Landscape & Lighting Assessment District No. 23-1

Park Maintenance Manager Aaron Wanden presented the item.

Mayor Bryant opened the Public Hearing and inquired if there were any additional ballots to be submitted.

There being no one wishing to speak and no additional ballots to be received, it was moved/seconded by Mendoza/Meyer to close the Public Hearing, and carried by the following vote:

Ayes (5): Council Members Mendoza, Meyer, Pierson, Oerlemans, and Mayor Bryant

After the City Council confirmed the formation would take place with a simple majority property owner approval, Mayor Bryant asked the City Clerk to tabulate the ballots and read the results.

City Clerk Margaret Wimberly read the single ballot cast as an affirmative vote.

Moved by: Susannah Meyer, Vice Mayor

Seconded by: Jovita Mendoza, Council Member

The City Council confirmed the formation with a simple majority property owner approval, weighted by assessment amount.

Ayes (5): Jovita Mendoza, Council Member, Susannah Meyer, Vice Mayor, Pa'tanisha Pierson, Council Member, Tony Oerlemans, Council Member, and Joel Bryant, Mayor

Motion Approved (5 to 0)

Moved by: Pa'tanisha Pierson, Council Member

Seconded by: Susannah Meyer, Vice Mayor

Adopted Resolution 2023-122 ordering the Formation of Landscape & Lighting Assessment District No. 23-1, and taking all implementing actions.

Ayes (5): Jovita Mendoza, Council Member, Susannah Meyer, Vice Mayor, Pa'tanisha Pierson, Council Member, Tony Oerlemans, Council Member, and Joel Bryant, Mayor

Motion Approved (5 to 0)

H. BUSINESS ITEMS

H.1 Review of City Council/Administrative Policy Ethics and Conduct Policy 110-5

Council Member Pierson requested the item be continued to a future meeting date to provide time for a more thorough report.

Mayor Bryant opened the public comment period.

Rod Flohr stated he liked the Carlsbad version of ethics, that he would like to hear more on the actively listening to public comments, and that the people of Brentwood should come first in decision making.

Moved by: Pa'tanisha Pierson, Council Member

Seconded by: Tony Oerlemans, Council Member

Continued the item to October 10, 2023.

Ayes (4): Jovita Mendoza, Council Member, Pa'tanisha Pierson, Council Member, Tony Oerlemans, Council Member, and Joel Bryant, Mayor

Noes (1): Susannah Meyer, Vice Mayor

Motion Approved (4 to 1)

H.2 Former Davis Camp Site Historical Display

Assistant City Manager Darin Gale presented the item.

Mayor Bryant opened the public comment period.

Doreen Forlow provided comments in support of the item.

Mary Black provided comments in support of the item.

There being no one else wishing to speak, Mayor Bryant closed the public hearing period.

Moved by: Susannah Meyer, Vice Mayor

Seconded by: Jovita Mendoza, Council Member

City Council directed staff to continue to collaborate with East Contra County Historical Society to design an interpretive historical display that recognizes the significance of the former Davis Camp and its contribution to the history of Brentwood on or near the former Davis Camp property and return with draft layout and design for Council consideration.

Ayes (5): Jovita Mendoza, Council Member, Susannah Meyer, Vice Mayor, Pa'tanisha Pierson, Council Member, Tony Oerlemans, Council Member, and Joel Bryant, Mayor

Motion Approved (5 to 0)

I. REQUEST FOR FUTURE AGENDA ITEMS

I.1 NEW REQUEST(S)

Council Member Mendoza requested the following future agenda items:

- Appraisal for the land value of Davis Camp and process discussion on rezoning the site for development, in part, as a park
- Create a Budget Subcommittee
- Create a Design Standard Guidelines Subcommittee
- Department Directors report directly to the City Council

Council Member Pierson requested the following future agenda items:

- Creation of a Citywide Racial Equity Plan
- Create resolution or policy on anti-racism /anti-hate
- Review of Brentwood Municipal Code sections that are no longer enforceable.
- Creation of Ethics and Conduct policy for all Commissions
- Create a Race and Equity Committee of the City Council

Vice Mayor Meyer requested the following future agenda items:

- Establish a proclamation presentation process

- Create a Committee of the City Council for Age Friendly Communities

I.2 REQUESTED ITEM(S)

- I.2.1 Consider a Request of September 12, 2023 from Vice Mayor Meyer regarding the Senior Center programming and operations

Items I.2.a, I.2.b, and I.2.c were heard together.

Vice Mayor Meyer, Council Member Mendoza, and Council Member Pierson presented each of their items.

Mayor Bryant opened the public comment period.

City Council recessed at 9:20 p.m.

City Council resumed open session at 9:40 p.m.

The following individual spoke in favor of these items:

Danny Dohrmann
Mary Kohler
Sinziana Todor
Carolina Villaseca
Rod Flohr
Robbie Myers

The following individuals provided comments unrelated to the agenda item:

Mike Johnson
Judy
Ernie
Jim
Hans
Tom

Moved by: Susannah Meyer, Vice Mayor

Seconded by: Pa'tanisha Pierson, Council Member

City Council directed staff to spend staff time and resources on items I.2.A and I.2.B. and I.2.C; all-inclusive of the details included in the staff reports for those items, except items directly related to any staff identifying information and personnel information.

- Interview all the staff and all the stakeholders that participate in the programming of all of those facilities and programs.
- Former employees who are residents if they'd like to participate.

- Include seniors and any participants in programming with the Parks and Rec.
- Investigation be independent
- Staff time and resources to create an RFP
 - To be reviewed by Council
- Set the budget amount for the investigation at \$100k
- The full list of items for investigations specific to the senior center.
- Questions on the survey for residents questions related to Youth services.
- Include in the RFP for consultant to put together a survey to encompass all of the various requests that you've mentioned tonight.
- Independently created, independently evaluated, and then presented to the city council.
- Additional programming based on the Survey with all programming in Parks and Recreation to be included.
- Add facilities and customer service
- Council will authorize the RFP unless that authority is delegated.

Pierson friendly amendment to Vice Mayor Meyers motion:

Top down independent investigation of

- Current non profit and CBO partnerships and those terminated since 2019 including reasons for termination
- Current MOU use those that expired since 2019 and those about to expire.
- Current programs, special projects, events and activities and those terminated since 2019, including reasons for termination.
- How staff is chosen to work at the center
- how training is managed for that staff, whether temporary or long term,
- Senior related experience qualifications of leadership positions of regular center staff.
- Everything considered when placing staff there.

- Any future plans being explored that potentially change the format infrastructure or offerings of the senior center.
- Yearly attending number since 2019.
- Confirmation of language and cultural access efforts.
- The on-site schedule for Parks and Rec leadership.
- The status of the previously printed Brentwood seniors' activities guide.
- To include facility usage of the senior center
- Effectiveness of the programming customer service.
- Recommendations from the Parks and Commission, on how we can ensure a positive experience for our residents.
- A review of staffing levels in over the last 3 years in Parks and Recreation.
 - With organizational charts and position and attrition over the 3 years and reason for leaving (general without names or position titles, should not be employee specific)
- The City Attorney has the authority to use staff time and resources time and resources to run our motion past outside council.

Ayes (5): Jovita Mendoza, Council Member, Susannah Meyer, Vice Mayor, Pa'tanisha Pierson, Council Member, Tony Oerlemans, Council Member, and Joel Bryant, Mayor

Motion Approved (5 to 0)

I.2.2 Consider a Request of September 12, 2023, from Council Member Mendoza regarding staffing issues in the Parks and Recreation Department

Items I.2.a, I.2.b, and I.2.c were heard together. Motion is reflected under Item I.2.a.

I.2.3 Consider a Request of September 12, 2023, from Council Member Pierson regarding Senior Center programming survey and input from the Parks & Recreation Commission regarding the Parks & Recreation Director's evaluation

Items I.2.a, I.2.b, and I.2.c were heard together. Motion is reflected under Item I.2.a.

- I.2.4 Consider a Request of September 12, 2023 from Council Member Pierson regarding a review of the adopted Utility Rate Studies, and provide data to Council Member Mendoza to do her own calculations

Council Member Pierson presented the item.

Mayor Bryant opened the public comment period.

Rod Flohr spoke in favor of the item.

There being no one else wishing to speak, Mayor Bryant closed the public hearing period.

Moved by: Pa'tanisha Pierson, Council Member

Seconded by: Jovita Mendoza, Council Member

The City Council, by motion, authorized staff to spend time and resources to provide Council member Mendoza the numbers to run calculations and that staff be allowed to spend time and resources to work with the consultant to review her calculations, and to allow Council Member Mendoza and the Consultant to present the findings on the rate study to see if there are any discrepancies with the adopted Rate Studies.

Ayes (5): Jovita Mendoza, Council Member, Susannah Meyer, Vice Mayor, Pa'tanisha Pierson, Council Member, Tony Oerlemans, Council Member, and Joel Bryant, Mayor

Motion Approved (5 to 0)

- I.2.5 Consider a Request of September 12, 2023, from Council Member Mendoza regarding amendments to the Special Events Application

Council Member Mendoza presented the item.

Mayor Bryant opened the public comment period.

Rod Flohr spoke in favor of the item.

Denise Duran spoke in favor of the item.

There being no one else wishing to speak, Mayor Bryant closed the public hearing period.

Moved by: Jovita Mendoza, Council Member

Seconded by: Pa'tanisha Pierson, Council Member

City Council authorized staff to spend time and resources to add the work they're doing on special events to add a garbage cleanup policy, the consequences of not following through with that policy, and a process to work on conflict of business types with a brick and

mortar type not being situated within a certain distance in front of that business.

Ayes (5): Jovita Mendoza, Council Member, Susannah Meyer, Vice Mayor, Pa'tanisha Pierson, Council Member, Tony Oerlemans, Council Member, and Joel Bryant, Mayor

Motion Approved (5 to 0)

- I.2.6 Consider a Request of September 12, 2023, from Council Member Mendoza regarding monitoring of Council Member time and requests of staff

Council Member Mendoza presented the item.

Mayor Bryant opened the public comment period.

Rod Flohr spoke in favor of the item.

There being no one else wishing to speak, Mayor Bryant closed the public hearing period.

Council Member Mendoza withdrew her request.

No action was taken on the item.

J. ADJOURNMENT

It was moved/seconded by Meyer/Pierson to adjourn at 12:02 a.m.