



**"The City With a Heart"**

Jim Ruane, Mayor  
Michael Salazar, Vice Mayor  
Ken Ibarra, Councilmember  
Rico E. Medina, Councilmember  
Irene O'Connell, Councilmember

## **MINUTES**

### **SAN BRUNO CITY COUNCIL**

**May 12, 2015**

**7:00 p.m.**

**1. CALL TO ORDER: THIS IS TO CERTIFY THAT** the San Bruno City Council met on May 12, 2015 at San Bruno's Senior Center, 1555 Crystal Springs Road, San Bruno, CA. The meeting was called to order at 7:00 p.m. **Mayor Ruane** thanked the San Bruno Garden Club for the flowers.

**2. ROLL CALL/PLEDGE OF ALLEGIANCE:**

Presiding was Mayor Ruane, Vice Mayor Salazar, Councilmembers Ibarra, Medina and O'Connell. **Tom Mohr** led the Pledge of Allegiance. Recording by City Clerk Bonner.

**3. ANNOUNCEMENTS:**

a. **Mayor Ruane** said the 75<sup>th</sup> Annual Posy Parade will take place on Sunday, June 7, 2015 at 1:00 p.m to include City Parkway for a car show and lots of events. He said on the same day from 8:30 a.m. to 11:30 a.m. the Fire Department on El Camino Real is having their pancake breakfast with proceeds going to the Burn Foundation.

b. **Mayor Ruane** said the Bay Area's 21<sup>st</sup> Annual Bike to Work Day will be on Thursday, May 14, 2015.

c. **Mayor Ruane** announced the San Bruno Community Foundation is initiating community outreach to gather input on community needs and interests. The Foundation is hosting Town Hall meetings on May 28 at Belle Air School and June 3 at the San Bruno Senior Center beginning at 6:30 p.m.

**4. PRESENTATIONS:**

a. **Mayor Ruane** Presented a Proclamation Declaring May 17-23, as Public Works Week in San Bruno to **Public Services Deputy Director Burch** who thanked the City and gave highlights/background on what the department does. He invited everyone to come to the open house they will be holding on Thursday, May 21 at the Corporation Yard.

b. **Mayor Ruane** Presented a Proclamation Declaring May 10-16, as National Police Week in San Bruno to **Police Chief Barberini** who thanked the City and reminded everyone of Police Day at the Tanforan Mall from 10:00 a.m. to 9:00 p.m. with canine demonstrations.

c. **Mayor Ruane** said we will Receive a Presentation from Police Chief Barberini on Fraud Awareness and Prevention.

**Police Chief Barberini** gave a presentation on how people can avoid being a victim of a scam. He gave several examples of how scams are done and some of the language used. He stressed to always be suspicious.

**5. REVIEW OF AGENDA:** No changes.

**6. APPROVAL OF MINUTES:** Regular Council Meeting of April 28, 2015, approved as submitted.

**7. CONSENT CALENDAR:** All items are considered routine or implement an earlier Council action and may be enacted by one motion; there will be no separate discussion unless requested by a Councilmember or staff.

a. **Approve:** Accounts Payable of April 27 and May 4, 2015.

b. **Approve:** Payroll of April 24, 2015.

c. **Adopt:** Resolution Authorizing Temporary Closure of Certain Streets Including City Park Way Between Crystal Springs Road and Desoto Way in Connection with the 75<sup>th</sup> Annual Posy Parade, on Sunday, June 7, 2015 between the Hours of 11:00 a.m. and 5:00 p.m. and Authorizing Use of City Park Ball Fields and Police Department Assistance with Traffic Control of 1,200 Linear Feet of City Park Way between Crystal Springs Road and DeSoto Way for the Lions Club Annual Posy Parade.

**Councilmember Ibarra** asked to pull Item 7c.

**M/S Medina/Ibarra** to approve Consent Items 7.a. and 7.b. and passed with all ayes.

**Councilmember Ibarra** said the 75<sup>th</sup> annual posy parade will be expanded to City Parkway which will be closed from 11:00 a.m. to 5:00 p.m. The Lions' Club is proposing to move some of the activities toward the Recreation Center and provide a car show along the parking area of City Parkway. He said there will be plenty of signage.

**Councilmember Medina** asked how the public will know about the road being closed.

**Community Services Director Burns** said they have informed residents along the way of tonight's Council action. She said based on Council's determination, letters will be sent out.

**Councilmember Ibarra** said **Diamond Jubilee** is the theme of this year's parade and fliers have been posted everywhere.

**M/S Ibarra/Medina** to approve Item c. and passed with a unanimous vote

## **8. PUBLIC HEARING:**

a. Hold Public Hearing, Waive First Reading, and Introduce an Ordinance as Presented in the Notice of Proposed Garbage and Organic Program Rate Increase Mailed to all Property Owners Imposing a 1.652% Rate Increase for Recology San Bruno Garbage and Recycling Services to be effective July 1, 2015.

**Finance Director Kraecht** gave an overview of the staff report and asked for questions.

**Mayor Ruane** opened the Public Hearing. No one wished to speak.

**M/S Medina/Ibarra** to close the public hearing and passed with all ayes.

**Councilmember Ibarra** said it seems like there is an increase every year and asked **Kirsten Pinnochi** to give an explanation of the annual increase.

**Pinnochi** said their rate analysis is done every year by their controller. She said recology is entitled to an overall general allowance to cover increased costs that go up throughout the year that they are allowed to recoup annually every year. She said next year will be their interim rate year where they look at their costs more closely and provide the City with a more detailed analysis at that time. **Councilmember Ibarra** asked if it has ever gone down, **Pinnochi** said in her ten years she has never seen it decrease.

**Kraecht** said Recology had reached out to some of those citizens who sent in written response to offer the 20 gallon toter.

**Medina** said in reading the responses, a lot of people said they were recycling, they have very little waste. He said since it is a State law, we have to have weekly pick-ups and it is not in our power to forego the pick-ups. **Pinnochi** said they receive all the protest letters and do reach out to those individuals who recycle and compost and offer them 20 gallon totes. **Councilmember Ibarra** said the cost of a 20 gallon toter is \$6.33 less each month which could be a significant savings.

**Vice Mayor Salazar** said an individual asked for a smaller grey bin and was told it was not available. **Pinnochi** said they are generally available and they are 32 gallon totes intended mostly for narrow alleyways as well as the elderly.

**M/S Ibarra/Medina** to waive the first reading and passed with all ayes.

**Councilmember Ibarra** introduced the ordinance for adoption and passed with a unanimous vote.

b. Hold Public Hearing, Waive First Reading, and Introduce an Ordinance Amending Chapter 8.24, Section 8.24.200 of the San Bruno Municipal Code Relating to Private Sewer Laterals.

**City Attorney Zafferano** gave a summary of the staff report and asked for questions.

**Councilmember Ibarra** said those who have a City-approved clean-out have had the advantage of possibly having a lower lateral repair at the City's expense. He questioned the 25% and said it has been a requirement for any specific type of home improvement to install a clean-out at the property line. What is going to happen now, is the City going to require these cleanouts during various projects. **Zafferano** said it has always been advantageous for the homeowner to install a clean-out under the old policy as well as the new policy they will continue to receive the maintenance services. **Deputy Director Burch** said when any work is done it should be recommended that clean-outs be required. **City Manager Jackson** said they could get the information requested.

**Mayor Ruane** opened the public hearing.

**Perry Peterson, Scenic Ct.** asked this be postponed until the next meeting so the City Manager can get the information asked for. A vote for this ordinance is to deny this benefit that citizens have been enjoying since 1986 and can remain in place simply by adjusting the amount per month. A vote against this ordinance would leave the benefit in place and give the opportunity to consider in more depth the value of it.

**Russ Steins, Reid Ave.** said he didn't have a proper clean-out and he didn't believe 25% of the people should be forgotten. He asked how many cities on the peninsula put the sewer lateral on the residence from their property line into the street. He understood San Bruno has the second highest rate in the County.

**Mayor Ruane** asked how many cities have this ordinance. **Burch** said last year there was a white paper study done. He said our program is kind of modeled after Daly City and in talking to the State many agencies are attempting to do this program. He said he did not have the numbers off the top of his head but there was a pretty extensive report presented to the Council last spring.

**Councilmember Ibarra** said in his research, Redwood City clearly stated the lateral from the property line to the main in the streets is the City's responsibility. San Carlos says the City owns the lower lateral. The City of Millbrae adopted an ordinance last October to state they are still responsible for the lower lateral. He said in his short study, he found three cities in our County who clearly stated that lower laterals were their responsibility.

**Vice Mayor Salazar** said he also looked into what other cities do and by looking a little deeper, he found how their laterals were set-up and those cities that did take ownership of the lower laterals require (in most cases) a clean-out, also a certification of a lower lateral. He felt this is something we could look into.

**Jim Evangelist, DeSoto Way** said our program, while unique in the Bay Area, it is not throughout the country. He said there are many communities throughout the country who are suffering under a cease and desist order like our City has done for twenty years. He asked the City not give up the lower lateral maintenance because it puts them in greater jeopardy.

**Vice Mayor Salazar** asked for clarification on the vote they took last month to repeal the ordinance that says the City took ownership and the action today is only to implement the piece that says we will continue the maintenance. **Zafferano** concurred. Discussion continued regarding the consequences of not approving tonight.

**Councilmember O'Connell** said someone had suggested not taking a vote tonight and she reminded everyone they have been looking at this for a year. To her recollection, this is the longest Council has ever studied anything and she believed due diligence has been done. She said only one thing is being changed. Everyone has emergency services. She said if you have maintenance now you will still get it. She said what is changing is the replacement or repair of lower sewer laterals and only if you have a City-approved clean-out.

**M/S O'Connell/Salazar** to close the public hearing and passed with all ayes.

**Vice Mayor Salazar** asked what we are doing about laterals. Are there funds dedicated to invest in laterals. **City Manager Jackson** said there will continue to be funds that come from the rates that will address emergency services and the regular maintenance program. What will not be provided is the replacement/repair of laterals that need to be rehabilitated? The other funds are those dedicated to the program in the Sharp Park Basin. Discussion and clarification continued regarding the laterals between City Manager Jackson, Vice Mayor Salazar and Burch.

**Councilmember Ibarra** said we are providing a service to no longer providing the service. He said we are reacting to a rising budget.

**Vice Mayor Salazar** asked if this could be rewritten so there is an idea of what that would cost which **Councilmember Ibarra** agreed should be looked at.

**Councilmember Ibarra** said he believed an incentive program should be put in place so the homeowner knows we want them to have a clean-out and be aware of the condition of their sewer laterals. He said they needed to be educated. **Mayor Ruane** said the majority of this City is already responsible from the line right out to the street. He said this is a step going forward.

**Vice Mayor Salazar** attempted to unify the decision to be made on the dias. He said Redwood City and South San Francisco take ownership of lower laterals only after inspection but the burden of having maintenance ready laterals is put on the homeowner. **Councilmember Medina** said it should come back.

**M/S O'Connell/Salazar** to waive the first reading and passed with all ayes.

**Councilmember O'Connell** introduced the ordinance for adoption and passed with three ayes Councilmembers O'Connell and Salazar and Mayor Ruane; two no's, Councilmembers Ibarra and Medina.

**Vice Mayor Salazar** asked as a follow-up, should something go back to the sub-committee or do you want to hear something from staff.

**Councilmember Medina** asked questions be answered such as what other cities and agencies offer. How can we have a proactive approach to some laterals? He said we do want to make a difference but at the same time we need to be engaged and involved.

**Mayor Ruane** said staff will come back to firm up the responsibility or non-responsibility of the homeowner in the lateral program we have.

**City Manager Jackson** in a recap, asked what do other cities do; some information and strategies to make our program as proactive as possible. **Councilmember Ibarra** asked how other cities have addressed private property and how they developed those programs. **Councilmember Medina** asked that they talk about what can work and what will work. He talked about San Mateo's program and every time they offer it, lots of folks come out. **Vice Mayor Salazar** said another interesting data point would be whether those cities have a master plan, if they are addressing private laterals in that.

**City Manager Jackson** said there is an item on the May 26<sup>th</sup> agenda that would take the second action on the ordinance. She said the questions raised tonight will be addressed at the meeting on June 9.

#### 9. PUBLIC COMMENT ON ITEMS NOT ON AGENDA:

**Robert Riechel, 7<sup>th</sup> Ave.** said the District has detected a positive bird in Redwood City. Currently there are no plans to fog. Dump all standing water. If you find a dead bird or squirrel, call 1-877-WNV-BIRD.

**Russ Stines, Reid Ave.** said this is the third year on the 10% raise on our water bills and sewer systems for our new water and sewer system, he asked how far along are we and how much have we actually done.

#### 10. CONDUCT OF BUSINESS:

a. Receive Quarterly Financial Report as of March 31, 2015 for the 2014-15 General Fund, Special Revenue Funds, Enterprise Funds, and Internal Service Funds Budget and Adopt Resolution Approving the Third Quarter Budget Amendment for FY 2014-15 General Fund, Self Insurance Fund, Wastewater Fund, and Water Fund Budgets.

**Finance Director Kraecht** gave an overview of the staff report in a powerpoint presentation and asked for questions.

**Councilmember Ibarra** commented things are looking good. He asked about the forecast.

**Kraecht** said they are expecting an overall increase in 2015-16 of 6%.

**Councilmember Medina** said he appreciated the adjustments and keeping it current.

**Councilmember Ibarra** introduced the resolution for adoption and passed with a unanimous vote.

b. Adopt Resolution Authorizing the City Manager to Execute a Contract with Stantec for Design Services for the Lower San Bruno Avenue Medians Project in an Amount Not to Exceed \$83,946 and Appropriating \$24,500 from Gas Tax and \$42,500 from Measure A funds.

**Associate Engineer Anderson** gave an overview in a powerpoint presentation and asked for questions.

**Councilmember Ibarra** said he was surprised to see we are dealing with structural engineers when he was on the sub-committee, they were dealing with Calendar & Associates, an architectural firm. **Anderson** said the landscape design is prepared by Calendar. What is being added to the mix are the pedestrian improvements such as the access ramps and possible modifications to the traffic signals. The landscape was including in the previous median phase project.

**Councilmember Ibarra** said the median strip from El Camino to Elm doesn't look good. He also asked about the median under 280, it has red lava rock and he would like that addressed.

**Councilmember Medina** said he hoped we are using our staff as a resource. He said whatever is put in is cost effective.

**Councilmember Ibarra** introduced the resolution for adoption and passed with a unanimous vote.

**11. REPORT OF COMMISSIONS, BOARDS, & COMMITTEES:**

**12. COMMENTS FROM COUNCIL MEMBERS:**

**Councilmember Ibarra** said back in October 22, 2013 he asked the Traffic, Safety and Parking Committee look at parking along San Mateo Avenue. He said he was not aware of anything that was taken on by the Committee and he restated that and additionally he would like the TSPC to look at parking along Hermann street and revisit the tight parking in the first couple of blocks of Jenevein.

**Councilmember O'Connell** thanked a lot of people for their participation and setting up of Operation Clean Sweep that took place on May 2.

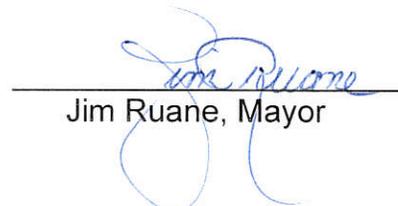
**13. CLOSED SESSION:**

**14. ADJOURNMENT:**

**Mayor Ruane** closed the meeting at 8:40 p.m. The next regular City Council Meeting will be held on May 26, 2015 at 7:00 p.m. at the Senior Center, 1555 Crystal Springs Road, San Bruno.

Respectfully submitted for approval  
at the City Council Meeting of  
May 26, 2015

  
Carol Bonner, City Clerk

  
Jim Ruane, Mayor