

**"The City With a Heart"**



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

## **AGENDA**

### **SAN BRUNO CITY COUNCIL**

**September 9, 2014**

**7:00 p.m.**

**Meeting Location: San Bruno Senior Center, 1555 Crystal Springs Road, San Bruno, CA**

City Council meetings are conducted in accordance with Roberts Rules of Order Newly Revised and City Council Rules of Procedure. You may address any agenda item by standing at the microphone until recognized by the Council. All regular Council meetings are recorded and televised on CATV Channel 1 and replayed the following Thursday, at 2:00 pm. You may listen to recordings in the City Clerk's Office, purchase CD's, access our web site at [www.sanbruno.ca.gov](http://www.sanbruno.ca.gov) or check out copies at the Library. We welcome your participation. In compliance with the Americans with Disabilities Act, individuals requiring reasonable accommodations or appropriate alternative formats for notices, agendas and records for this meeting should notify us 48 hours prior to meeting. Please call the City Clerk's Office 650-616-7058.

Thank the **San Bruno Garden Club** for providing the beautiful floral arrangement.

**1. CALL TO ORDER:**

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

**3. ANNOUNCEMENTS:**

- a. Today Marks the 4<sup>th</sup> Anniversary of the Tragic PG&E Explosion in the Crestmoor Neighborhood. This is an Occasion for Remembrance. The Community Continues its Journey Toward Recovery with Celebration of the Reconstruction of Homes and the Return of Families to the Neighborhood. We will Close Tonight's Meeting with a Moment of Silence in Memory of the Eight Residents that Lost their Lives.
- b. The City Clerk Announces Vacancies on Commissions, Boards and Committees Due to Expired Terms and Invites Residents to Apply no later than Friday, October 3, 2014.
- c. On September 27, 2014 the City will be holding a Centennial Carnival at City Park from 10:00 a.m. to 4:00 p.m.

**4. PRESENTATIONS:**

Present Proclamation Declaring September 2014 as National Prostate Cancer Awareness Month in San Bruno.

**5. REVIEW OF AGENDA:**

**6. APPROVAL OF MINUTES:** Regular Council Meeting of August 26, 2014.

**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, citizen or staff.

- a. **Approve:** Accounts Payable of August 25 and September 2, 2014.
- b. **Approve:** Payroll of August 24, 2014.

- c. **Waive:** Second Reading and Adopt Three Ordinances to Implement Housing Element Programs by Amending Title 12 (Land Use) of the San Bruno Municipal Code as Follows: (1) Add Chapter 12.240 to Establish a Reasonable Accommodation Process for Persons with Disabilities; (2) Add Chapter 12.250 to Establish a Density Bonus Program; and (3) Amend Section 12.80.445 to Add Transitional Housing and Supportive Housing as Permitted Uses within the Definition of “Special Residential Care Facility.”

9. **PUBLIC COMMENT ON ITEMS NOT ON AGENDA:** Individuals allowed three minutes, groups in attendance, five minutes. If you are unable to remain at the meeting, ask the City Clerk to request that the Council consider your comments earlier. It is the Council's policy to refer matters raised in this forum to staff for investigation and/or action where appropriate. The Brown Act prohibits the Council from discussing or acting upon any matter not agendized pursuant to State Law.

**10. CONDUCT OF BUSINESS:**

- a. Adopt Resolution Authorizing the City Manager to:
- Execute a Funding Agreement with the San Mateo County Transportation Authority to Accept Measure A Pedestrian and Bicycle Project Funding in the Amount of \$300,000;
  - Appropriate \$30,000 from Measure A Local Streets and Transportation Program Funding for City's Contribution.
- b. Receive Report Providing an Update on the City's Year-Long Centennial Celebration and Budget Status.

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

Receive Annual Report from the Planning Commission.

**12. COMMENTS FROM COUNCIL MEMBERS:**

Receive Report from Councilmember O'Connell on her attendance at the League of California Cities Annual Conference in Los Angeles.

**13. CLOSED SESSION:**

**14. ADJOURNMENT:**

The next regular City Council Meeting will be held on September 23, 2014 at 7:00 p.m. at the Senior Center, 1555 Crystal Springs Road, San Bruno.



**"The City With a Heart"**

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

## **MINUTES SAN BRUNO CITY COUNCIL**

**August 26, 2014**

**7:00 p.m.**

**1. CALL TO ORDER: THIS IS TO CERTIFY THAT** the San Bruno City Council met on August 26, 2014 at the San Bruno Senior Center, at 1555 Crystal Springs Rd., San Bruno, CA. The meeting was called to order at 7:06 p.m. **Mayor Ruane** thanked the Garden Club for the beautiful flower arrangement.

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

Presiding was Mayor Ruane, Vice Mayor Medina, Councilmembers Ibarra, O'Connell and Salazar. **City Attorney Zafferano** led the pledge of allegiance.

**3. ANNOUNCEMENTS:**

**Mayor Ruane** said the City will hold a Four-year Remembrance Event on Tuesday, September 9, 2014 at 6:00 p.m. on the Corner of Claremont Dr. and Glenview Dr. Information is available on the City Website [www.sanbruno.ca.gov](http://www.sanbruno.ca.gov).

**Mayor Ruane** announced Shelter Creek is having a "Give Blood and Test Drive" Event on Saturday, September 6 from 11:00 a.m. to 3:00 p.m. at the Shelter Creek Condominiums, Lot A and also get tested to be a bone marrow donor. Refreshments will be served to donors from 11:00 a.m. and a barbeque lunch from 12:00 noon to 2:00 p.m. More information can be obtained at (650) 873-4400.

**4. PRESENTATIONS:**

a. **Mayor Ruane** said we will Receive a Presentation from the 2014 San Bruno Sister City Student Exchange Delegation to Narita, Japan. **Miriam Schalit** led off the introduction to the group's visit to Narita, Japan. The principal, Ethan Cheever spoke and chaperones and students shared some of their experiences.

b. **Mayor Ruane** presented a Childhood Cancer Awareness Month Proclamation for the month of September to the parents of Julianna Pena, Patricia Watson and Jesus Pena. **Councilmember Ibarra** gave background on Julianna Pena. Patricia Watson and Jesus Pena thanked Council and stressed the importance of awareness. He said their fundraising has been successful and they hope to have it grow.

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

**6. APPROVAL OF MINUTES:** Regular Council Meeting of July 22, 2014, approved as submitted.

**7. CONSENT CALENDAR:**

a. **Approve:** Accounts Payable of July 21 and 28, August 4, 11 and 18, 2014.

b. **Approve:** Payroll of July 13, July 27 and August 10, 2014.

- c. **Accept:** Reconciliation of General Ledger to Bank Reports and the Investment Reports Dated June 30 and July 31, 2014.
- d. **Declare:** Member Vacancy from the Parks and Recreation Commission and Direct the City Clerk to Initiate the Appointment Process of a New Member.
- e. **Adopt:** Resolution Authorizing the City Manager to Execute a Contract in the Amount of \$35,029 with the San Mateo County Area Agency on Aging and Authorize Signing of a Contract Amendment up to \$140,114 for the City of San Bruno's Senior Center 2014-2015 Nutrition and Transportation Programs.
- f. **Adopt:** Resolution Accepting the Civic Center Painting Project as Complete and Authorizing Release of the Construction Contract Retention in the Amount of \$4,233.
- g. **Adopt:** Resolution Amending the Salary Plan for Unclassified, Part-time, Temporary, and Seasonal Employee Classifications.

**M/S Medina/Ibarra** approved the Consent Calendar and passed with all ayes.

## 8. PUBLIC HEARINGS:

Hold Public Hearing, Waive First Reading and Introduce Three Ordinances to Implement Housing Element Programs by Amending Title 12 (Land Use) of the San Bruno Municipal Code as Follows: (1) Add Chapter 12.240 to Establish a Reasonable Accommodation Process for Persons with Disabilities; (2) Add Chapter 12.250 to Establish a Density Bonus Program; and (3) Amend Section 12.80.445 to Add Transitional Housing and Supportive Housing as Permitted Uses within the Definition of "Special Residential Care Facility."

**Community Development Director Woltering** highlighted the subject matter. **Housing and Development Manager Sullivan** gave an in depth overview of the staff report in a power point presentation and asked for questions.

**Councilmember Salazar** asked for a summary of the changes to the ordinance received on the dias this evening, vs. what was in the original packet? **Woltering** said there was a single change. In some areas in the density bonus draft ordinance, staff had indicated only concessions or only incentives, the two should be named together. Standard throughout it should be concessions and incentives.

**Vice Mayor Medina** suggested when we get something as late as this was delivered, could something be done to highlight and make the change stand out?

**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** asked if the density bonus is offered to new developments. **Woltering** concurred. **Councilmember Ibarra** what is the incentive to a multi-residential owner? **Sullivan** said there were funds through a bond measure of which a certain amount was dedicated to housing and the funds are being fully depleted. There is a new source coming through the State that is being considered.

**Councilmember Salazar** asked if the builder would have the option of suggesting concessions. A developer could ask for exceptions from whatever guidelines we have. He asked what is being changed. **Woltering** said there is a higher burden on staff. He said it sounded like where people would ask for a variance to a development standard today outside this density ordinance being discussed. It is a different process for findings for a variation from a development standard. He said the concessions and incentives are linked for providing affordable housing units.

**Councilmember Salazar** said he read they are not required to provide any financial proof of what they are claiming as required to make the project profitable for them. Do we take their word? **Woltering** said the ordinance was set up to direct the applicants to concessions and incentives that would seem more in keeping with the policies and development objectives of San Bruno.

**Councilmember O'Connell** stated if Council did not approve this or some derivation of it, what the State dictated is the default position of whatever we do. She said what is presented to us is more related to our community and our community concerns and from what Council said during the study sessions. **Woltering** said that was very accurate.

**M/S O'Connell/Ibarra** waived the first reading and passed with all ayes.

**Councilmember O'Connell** introduced the ordinance Adding Chapter 12.240 to Establish a Reasonable Accommodation Process for Persons with Disabilities and passed with a unanimous vote.

**Councilmember O'Connell** introduced the ordinance Adding Chapter 12.250 to Establish a Density Bonus Program and passed with a unanimous vote.

**Councilmember O'Connell** introduced the ordinance amending Section 12.80.445 to Add Transitional Housing and Supportive Housing as Permitted Uses within the Definition of Special Residential Care Facility and passed with a unanimous vote.

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

**Allison Jenkin, Skycrest Dr., Skycrest HOA Treasurer** expressed her concern with the garbage rates that have transpired over less than a two-year period. **Mayor Ruane** advised her to give her name to the City Clerk and someone would get back to her.

#### **10. CONDUCT OF BUSINESS:**

Receive Oral Report from Culture and Arts Commission Regarding Placement of the Centennial Mural at Posy Park.

**Assistant Community Services Director Alita** gave a powerpoint presentation of the proposed mural placement at Posy Park. He said they expect the project to be 50% complete by mid-October and then after staff checks in with the artist, the completion is anticipated to be done by mid-December.

**Mayor Ruane** asked if the wall was curved and **Alita** said they are looking at a couple of different options, one of them is to work with some backer board or very light metallic backing board. The other option would be to use spacers behind the panels.

**Councilmember Ibarra** asked if the entire panel is mosaic tile. **Alita** said yes.

**Vice Mayor Medina** asked what steps are being taken to protect the art. **Alita** said they will be anti-graffiti coated. He said the strength of the tile is pretty resistant to tampering. There are also provisions in the contract for the artist to return.

**Councilmember Salazar** asked about lighting. **Alita** said right now it would just be the lighting that is in the plaza.

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

Receive Annual Report from Culture and Arts Commission.

**Tami Parker, Chair Culture and Arts Commission** presented their year-end review of what the Commission has done during the last year and their plans for the year coming up. **Mayor Ruane** thanked them for all they do.

**12. COMMENTS FROM COUNCIL MEMBERS:**

**Councilmember O’Connell** thanked those that helped with the second tree planting this last Saturday for the centennial tree project sponsored by the City and the Beautification Task Force.

**Councilmember Ibarra** talked about San Bruno Park and how full it is during the summer. He said it is a testament to what we provide to our community.

**13. CLOSED SESSION:**

**Mayor Ruane** said they would be going into closed session with no reportable action.

- a. Conference with Real Property Negotiator Pursuant to Government Code Section 54956.8  
Property: 324 Florida Ave., San Bruno  
Agency Negotiator: City Manager  
Negotiating Parties: City of San Bruno, Clayton Family  
Under Negotiation: Price and Terms of Payment
- b. Conference with Real Property Negotiator Pursuant to Government Code Section 54956.8  
Property: Parcel Nos. 020-013-250 and 020-013-260  
Agency Negotiator: City Manager  
Negotiating Parties: City of San Bruno and OTO Development, LLC  
Under Negotiation: Price and Terms of Payment

**14. ADJOURNMENT:**

**Mayor Ruane** closed the meeting at 8:37 p.m. The next regular City Council Meeting will be held on September 9, 2014 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  
September 9, 2014

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Carol Bonner, City Clerk

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Jim Ruane, Mayor

08/25/14

CITY OF SAN BRUNO  
WARRANT REGISTER  
TOTAL FUND RECAP

FUND	FUND NAME	AMOUNT
001	GENERAL FUND	\$191,773.73
132	AGENCY ON AGING	\$1,898.18
133	RESTRICTED DONATIONS	\$1,755.00
190	EMERGENCY DISASTER FUND	\$23,905.66
201	PARKS AND FACILITIES CAPITAL	\$5,836.00
207	TECHNOLOGY CAPITAL	\$9,900.00
611	WATER FUND	\$225,286.69
621	STORMWATER FUND	\$3,746.64
631	WASTEWATER FUND	\$7,490.24
641	CABLE TV FUND	\$49,430.45
701	CENTRAL GARAGE	\$9,175.28
702	FACILITY MAINT. FUND	\$6,272.17
707	TECHNOLOGY DEVELOPMENT	\$4,223.64
711	SELF INSURANCE	\$1,584.73
880	PROJECT DEVELOP. TRUST	\$4,722.08
891	S.B. GARBAGE CO. TRUST	\$385,127.64
TOTAL FOR APPROVAL		\$932,128.13

HONORABLE MAYOR AND CITY COUNCIL:

THIS IS TO CERTIFY THAT THE CLAIMS LISTED ON PAGES NUMBERED FROM 1 THROUGH 4 INCLUSIVE, AND/OR CLAIMS NUMBERED FROM 150157 THROUGH 150330 INCLUSIVE, TOTALING IN THE AMOUNT OF \$932,128.13 HAVE BEEN CHECKED IN DETAIL AND APPROVED BY THE PROPER OFFICIALS, AND IN MY OPINION REPRESENT FAIR AND JUST CHARGES AGAINST THE CITY IN ACCORDANCE WITH THEIR RESPECTIVE AMOUNTS AS INDICATED THEREON.

RESPECTFULLY SUBMITTED,

Wendee Wong for      9/5/14  
FINANCE DIRECTOR      DATE

*Jim O'Leary*

Document group: komalley Bank: apbank 05507660

Vendor Code & Name	Check #	Check Date	Amount	
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0106023	AIMCO SAN BRUNO APARTMENT PARTNERS,LP	150180	8/25/2014	4,722.08
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0000163	AIRPORT AUTO PARTS INC.	150163	8/25/2014	49.26
0018611	ALL INDUSTRIAL ELECTRIC SUPPLY	150164	8/25/2014	81.25
0000372	ALLIED SECURITY ALARMS	150165	8/25/2014	383.56
0018976	ALPHA ANALYTICAL LAB. INC.	150166	8/25/2014	1,794.00
0104542	ALTA LANGUAGE SERVICES, INC.	150167	8/25/2014	60.00
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0096700	ANDY'S WHEELS & TIRES	150169	8/25/2014	508.40
0001965	ARISTA BUSINESS	150170	8/25/2014	653.67
0000118	ART'S PENINSULA LOCKSMITH	150171	8/25/2014	49.60
0016123	AT&T	150173	8/25/2014	780.43
0017191	AT&T	150174	8/25/2014	1,269.01
0018363	AT&T LONG DISTANCE	150175	8/25/2014	15.93
0018465	AT&T MOBILITY	150176	8/25/2014	46.26
0000345	BAKER & TAYLOR BOOKS	150177	8/25/2014	1,322.93
0100428	BLAKE DAVIS	150204	8/25/2014	8.06
0105665	BRIAN CAMPBELL	150182	8/25/2014	850.00
0017434	BROWN & CALDWELL	150179	8/25/2014	1,309.00
0102937	CABLE LEAKAGE TECHNOLOGIES	150181	8/25/2014	1,199.00
0017843	CENTRAL COUNTY FIRE DEPT.	150183	8/25/2014	70.00
0099980	CHANG SELF LEARNING	150184	8/25/2014	1,000.00
0100957	CHARLENE TAI	150303	8/25/2014	5.41
0100319	CHELLAH YANGA	150330	8/25/2014	10.53
0106021	CHEMICAL EXHAUST	150186	8/25/2014	400.00
0017284	CHEMSEARCHFE	150187	8/25/2014	386.50
0016324	CINTAS CORPORATION	150188	8/25/2014	363.61
0106017	CITY BOY ROCK ENTERTAINMENT,LLC	150178	8/25/2014	1,000.00
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0000386	CITY OF SOUTH SAN FRANCISCO	150190	8/25/2014	2,109.00
0017802	CLEANSOURCE, INC.	150191	8/25/2014	438.11
0105860	CONTRA COSTA COUNTY LIBRARY ADMINISTRATION	150196	8/25/2014	462.79
0106012	COPLOGIC, INC.	150193	8/25/2014	14,900.00
0103230	CORELOGIC SOLUTIONS, LLC	150194	8/25/2014	536.67
0015857	COUNTY OF SAN MATEO	150197	8/25/2014	3,561.13
0104729	CRESTMoor AUTO CENTER	150198	8/25/2014	486.32
0099498	CRISTINA UGAITAFA	150319	8/25/2014	46.35
0105811	CSAC EXCESS INSURANCE AUTHORITY	150214	8/25/2014	12,165.06
0106011	CWEA-SFBS	150200	8/25/2014	150.00
0097934	CWEA-TCP	150201	8/25/2014	215.00
0106018	DANIEL DESHARA	150206	8/25/2014	1,200.00
0018166	DANIELLE KRANITZ	150202	8/25/2014	139.10
0018188	DAU PRODUCTS	150203	8/25/2014	1,381.04
0094224	DEBBY AND MIKE SCERRI	150291	8/25/2014	1,923.25
0093479	DEPARTMENT OF JUSTICE	150205	8/25/2014	881.00
0018092	DISCOVERY COMMUNICATIONS LLC	150207	8/25/2014	1,385.69
0102673	EBI AGGREGATES	150209	8/25/2014	792.65
0000073	ENGINEERING DATA SERVICES	150211	8/25/2014	1,020.12

8/25/2014 4:02:50PM

City of San Bruno

Document group: komalley Bank: apbank 05507660

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0017300 ENVIRONMENTAL HEALTH FEE	150213	8/25/2014	828.00
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0096289 FELIX PERALTA	150271	8/25/2014	20.59
0001782 FLOWERS ELECTRIC & SVC.CO.INC.	150216	8/25/2014	2,937.34
0018117 FLYERS ENERGY, LLC	150217	8/25/2014	6,378.81
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0017983 GLORIA DEETER	150221	8/25/2014	500.00
0016154 GOETZ BROTHERS SPORTING GOODS	150223	8/25/2014	406.57
0000162 GRAINGER	150225	8/25/2014	530.95
0000541 GRANITE ROCK COMPANY	150226	8/25/2014	1,812.77
0017900 GREAT LAKES DATA SYSTEMS INC	150227	8/25/2014	21,756.70
0095966 GREATAMERICA FINANCIAL SVCS.	150228	8/25/2014	577.51
0096837 GYM DOCTORS	150230	8/25/2014	150.00
0018544 HEART OF SAN MATEO COUNTY	150231	8/25/2014	13,525.00
0098831 HELEN DRECSLER	150208	8/25/2014	8.23
0105790 HORIZON BROTHERS PAINTING	150232	8/25/2014	5,836.00
0103976 HUB TELEVISION NETWORKS, LLC	150233	8/25/2014	356.44
0001786 IN DEMAND-NYC	150234	8/25/2014	1,789.59
0099054 INTERSTATE TRS FUND	150235	8/25/2014	541.15
0095201 JENNY GOAK	150222	8/25/2014	9.95
0000075 K-119 TOOLS OF CALIFORNIA INC.	150239	8/25/2014	113.33
0000132 KELLY-MOORE PAINT CO INC.	150241	8/25/2014	86.17
0018561 LANCE BAYER	150243	8/25/2014	1,562.50
0103049 LAURETTA PRINTING&COPY CENTER	150244	8/25/2014	435.00
0103799 LDVALI LLC	150245	8/25/2014	218.40
0000849 LEAGUE OF CALIFORNIA CITIES	150246	8/25/2014	550.00
0099895 LESLIE JOY CRUZ	150199	8/25/2014	5.83
0105752 LEVEL 3 COMMUNICATIONS, LLC	150247	8/25/2014	3,670.51
0018777 LEXISNEXIS RISK DATA MANAGEMENT	150284	8/25/2014	50.00
0104424 LIDIA'S ITALIAN DELICACIES	150248	8/25/2014	1,680.00
0017924 LORAL LANDSCAPING INC.	150249	8/25/2014	2,407.50
0099716 LOVELY VAKAUTA	150321	8/25/2014	500.00
0100176 MARIA GUZMAN	150229	8/25/2014	400.00
0105949 MCLELLAN INDUSTRIES, INC.	150250	8/25/2014	2,685.65
0092285 MICROMARKETING LLC	150251	8/25/2014	95.97
0016863 MIDWEST TAPE, LLC	150252	8/25/2014	106.11
0001709 MILLBRAE LOCK	150253	8/25/2014	24.20
0096800 MOBILE CALIBRATION SVCS. LLC	150254	8/25/2014	235.14
0000333 MOSS RUBBER & EQUIP. CORP.	150256	8/25/2014	129.06
0101399 MOST DEPENDABLE FOUNTAINS INC	150257	8/25/2014	3,200.35
0017289 MUNISERVICES, LLC	150258	8/25/2014	318.47
0106006 NANCY WYNSHENK	150328	8/25/2014	5,600.00
0105725 NATIONAL ACADEMY OF ATHLETICS	150259	8/25/2014	1,875.90
0000357 NATIONAL CABLE TV CO-OP, INC.	150260	8/25/2014	1,007.34
0104655 NICHOLAS OLIVERA	150264	8/25/2014	200.00
0098911 NICOLAS GANGOFF	150218	8/25/2014	6.14
0018157 OCLC INC	150261	8/25/2014	414.42
0092263 OFFICE DEPOT INC	150262	8/25/2014	1,916.32
0000210 OLE'S CARBURETOR &ELECTRIC INC	150263	8/25/2014	930.26
0100990 OLIVER ROSALES	150285	8/25/2014	1,000.00

8/25/2014 4:02:50PM

City of San Bruno

Document group: komalley Bank: apbank 05507660

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0016320	P.C. SCHAFFER CO.	150268	8/25/2014	1,079.10
0099123	PABLO GONZALEZ	150224	8/25/2014	1,000.00
0000012	PACIFIC GAS & ELECTRIC	150269	8/25/2014	20,323.82
0106009	PAUL JOYCE	150238	8/25/2014	150.00
0098370	PAUL KILBO	150242	8/25/2014	43.09
0102941	PAUL ORELLA	150266	8/25/2014	1,200.00
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0015163	PENINSULA SPORTS OFFICIALS ASSOC.INC.	150298	8/25/2014	832.00
0018130	PITNEY BOWES INC.	150272	8/25/2014	370.58
0016770	PRAXAIR DISTRIBUTION INC -192	150273	8/25/2014	150.35
0102915	PRECISE PRINTING & MAILING	150274	8/25/2014	769.47
0000285	PREFERRED ALLIANCE, INC.	150275	8/25/2014	295.84
0000071	R & B COMPANY	150276	8/25/2014	4,647.25
0017111	RANDOM HOUSE INC	150278	8/25/2014	28.61
0000175	RECOLOGY SAN BRUNO	150279	8/25/2014	385,127.64
0090749	RED WING SHOE STORE	150280	8/25/2014	244.12
0104637	REGIONAL GOVERNMENT SERVICES	150281	8/25/2014	7,297.50
0104548	RENNE SLOAN HOLTZMAN SAKAI LLP	150282	8/25/2014	2,025.00
0016729	RICOH AMERICAS CORPORATION	150283	8/25/2014	328.19
0106005	ROBERT AND STEPHANIE KAYS	150240	8/25/2014	6,125.00
0018839	RYAN JOHANSEN	150286	8/25/2014	74.85
0092153	SAN BRUNO CHAMBER OF COMMERCE	150287	8/25/2014	60.00
0017807	SAN MATEO COUNTY CONTROLLER'S OFFICE	150195	8/25/2014	10,540.70
0099047	SAN MATEO CTY SHERIFF'S OFFICE	150288	8/25/2014	28,442.23
0018597	SAN MATEO DAILY JOURNAL	150289	8/25/2014	400.00
0017145	SAN MATEO LAWN MOWER SHOP	150290	8/25/2014	1,572.38
0100863	SEPAND ASSADI	150172	8/25/2014	6.32
0018461	SERRAMONTE FORD, INC.	150292	8/25/2014	153.96
0000074	SFPUC - WATER DEPARTMENT	150293	8/25/2014	223,977.69
0018962	SHOE DEPOT INC.	150294	8/25/2014	181.44
0098030	SHRED-IT USA - SAN FRANCISCO	150295	8/25/2014	42.57
0105916	SMITH'S GOPHER TRAPPING SVC.	150296	8/25/2014	1,605.00
0103492	SMITHSONIAN NETWORKS	150297	8/25/2014	282.94
0097079	SPRINT	150299	8/25/2014	528.98
0105899	SUN RIDGE SYSTEMS, INC	150301	8/25/2014	680.00
0105796	SUNRISE FOOD DISTRIBUTOR INC.	150302	8/25/2014	144.71
0018073	TEAMSTERS LOCAL 350	150304	8/25/2014	2,782.00
0015691	TEAMSTERS LOCAL 856	150305	8/25/2014	12,866.00
0002025	TELECOMMUNICATIONS ENGINEERING ASSOCIATES	150210	8/25/2014	2,704.00
0096616	TENNANT SALES AND SERVICE CO.	150306	8/25/2014	1,368.58
0017659	THE CALIFORNIA CHANNEL	150307	8/25/2014	122.58
0018736	THE COPY SHOP	150308	8/25/2014	49.16
0018717	THE E GROUP LLC	150309	8/25/2014	300.00
0000036	THOMSON WEST	150310	8/25/2014	602.16
0105031	TMNDRT	150311	8/25/2014	1,164.51
0000831	TONER CARTRIDGE&INKJET EXPRESS	150312	8/25/2014	1,155.18
0018818	TOSHIBA BUSINESS SOLUTIONS CA	150313	8/25/2014	2.57
0105953	TRIO, LLC	150314	8/25/2014	140.00
0105824	TRIVAD, INC.	150315	8/25/2014	2,016.50
0098926	TROY STRINGER	150300	8/25/2014	9.12
0017133	TURBO DATA SYSTEMS INC	150316	8/25/2014	2,569.86

8/25/2014 4:02:50PM

City of San Bruno

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Document group: komailey      Bank: apbank      05507660

Vendor Code & Name	Check #	Check Date	Amount
0103095      TUTV	150317	8/25/2014	113.16
0106008      TYLER CHARLES	150185	8/25/2014	200.00
0000019      U.S. POSTMASTER	150318	8/25/2014	3,800.00
0018618      UNITED SITE SERVICES INC.	150320	8/25/2014	185.40
0095749      VERIZON WIRELESS	150322	8/25/2014	2,357.74
0018899      WECO INDUSTRIES LLC	150323	8/25/2014	707.91
0099540      WESLEY COLE	150192	8/25/2014	500.00
0096421      WEST-LITE SUPPLY CO., INC.	150324	8/25/2014	443.71
0000612      WESTVALLEY CONSTRUCTION CO.INC	150325	8/25/2014	473.38
0100184      WILLIAM J. FEISTER	150215	8/25/2014	300.00
0013841      WITMER-TYSON IMPORTS INC	150326	8/25/2014	781.63
0104022      WORLD JOURNAL	150327	8/25/2014	255.00
0102630      XO COMMUNICATIONS, LLC	150329	8/25/2014	2,910.03
		<b>GrandTotal:</b>	<b>932,128.13</b>
		<b>Total count:</b>	<b>174</b>

09/02/14

CITY OF SAN BRUNO  
WARRANT REGISTER  
TOTAL FUND RECAP

FUND	FUND NAME	AMOUNT
001	GENERAL FUND	\$86,373.93
003	ONE-TIME REVENUE	\$3,000.00
132	AGENCY ON AGING	\$1,858.13
133	RESTRICTED DONATIONS	\$19,947.42
190	EMERGENCY DISASTER FUND	\$219,459.81
203	STREET IMPROVE. PROJECTS	\$800.00
302	LEASE DEBT SERVICE	\$38,497.99
611	WATER FUND	\$78,416.54
621	STORMWATER FUND	\$190.32
631	WASTEWATER FUND	\$72,771.50
641	CABLE TV FUND	\$91,362.21
701	CENTRAL GARAGE	\$13,345.90
702	FACILITY MAINT. FUND	\$3,095.46
707	TECHNOLOGY DEVELOPMENT	\$14,234.36
711	SELF INSURANCE	\$20,741.78
891	S.B. GARBAGE CO. TRUST	\$40,000.00
TOTAL FOR APPROVAL		\$704,095.35

HONORABLE MAYOR AND CITY COUNCIL:

THIS IS TO CERTIFY THAT THE CLAIMS LISTED ON PAGES NUMBERED FROM 1 THROUGH 4 INCLUSIVE, AND/OR CLAIMS NUMBERED FROM 150331 THROUGH 150517 INCLUSIVE, TOTALING IN THE AMOUNT OF \$704,095.35 HAVE BEEN CHECKED IN DETAIL AND APPROVED BY THE PROPER OFFICIALS, AND IN MY OPINION REPRESENT FAIR AND JUST CHARGES AGAINST THE CITY IN ACCORDANCE WITH THEIR RESPECTIVE AMOUNTS AS INDICATED THEREON.

RESPECTFULLY SUBMITTED,

*Wendene Wang* for 9/5/14  
FINANCE DIRECTOR *Jim O'Leary* DATE

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Vendor Code & Name	Check #	Check Date	Amount	
0000368	ABCO PRINTERS	150332	9/2/2014	352.71
0017053	ACCOUNTEMP	150333	9/2/2014	1,920.00
0016499	ACTION SPORTS	150334	9/2/2014	640.75
0000858	ADECCO EMPLOYMENT SERVICES	150335	9/2/2014	2,405.04
0093358	ADVANCED BUSINESS FORMS	150336	9/2/2014	1,916.46
0103202	ADVANCED MOBILE COMMUNICATIONS	150337	9/2/2014	75.00
0001170	AIRGAS NCN	150338	9/2/2014	52.93
0000163	AIRPORT AUTO PARTS INC.	150339	9/2/2014	128.72
0000082	AMERICAN MESSAGING	150340	9/2/2014	16.02
0098335	ANGELICA GARCIA	150392	9/2/2014	125.00
0099058	APPRAISAL RESEARCH CORP.	150341	9/2/2014	3,000.00
0096113	AR AUTO GLASS	150342	9/2/2014	300.00
0001202	ARAMARK UNIFORM SERVICES	150343	9/2/2014	760.06
0001965	ARISTA BUSINESS	150344	9/2/2014	130.31
0000118	ART'S PENINSULA LOCKSMITH	150346	9/2/2014	22.95
0106014	ARTHUR ORRANTE	150447	9/2/2014	3,900.00
0016123	AT&T	150347	9/2/2014	488.38
0017191	AT&T	150348	9/2/2014	245.90
0018583	AT&T MOBILITY	150349	9/2/2014	62.54
0000345	BAKER & TAYLOR BOOKS	150351	9/2/2014	1,456.31
0018567	BATTERY SYSTEMS	150353	9/2/2014	511.71
0017431	BAY AREA AIR QUALITY MANAGEMENT DISTRICT	150464	9/2/2014	185.00
0018011	BAY POWER LLC	150354	9/2/2014	9,079.07
0016736	BAYSHORE TRUCK EQUIPMENT CO	150355	9/2/2014	139.81
0018093	BBC WORLDWIDE AMERICA INC.	150356	9/2/2014	741.02
0103924	BEAR DATA SOLUTIONS, INC.	150357	9/2/2014	18,095.00
0101007	BETHANY AZEVEDA	150350	9/2/2014	100.00
0017361	BOETHING TREELAND FARMS, INC.	150359	9/2/2014	2,144.42
0098002	BRAD MCCURDY	150429	9/2/2014	100.00
0099069	BRIAN CORDIAL	150374	9/2/2014	229.18
0100570	BRIDGET OCALLAGHAN	150439	9/2/2014	100.00
0106016	BROWN CONSULTING	150360	9/2/2014	900.00
0018722	CA SURVEYING & DRAFTING SUPPLY	150362	9/2/2014	10,316.84
0018531	CAL-STEAM	150364	9/2/2014	647.11
0097892	CAMPANELLA CORP.	150365	9/2/2014	969.84
0018977	CBS TELEVISION STATIONS	150366	9/2/2014	9,990.27
0104703	CHASE EQUIPMENT FINANCE	150367	9/2/2014	38,497.99
0017284	CHEMSEARCHFE	150368	9/2/2014	450.10
0016324	CINTAS CORPORATION	150370	9/2/2014	501.50
0013595	CITY OF SAN BRUNO	150371	9/2/2014	140.00
0105989	CLASSIC AMUSEMENT LLC	150372	9/2/2014	12,000.00
0017802	CLEANSOURCE, INC.	150373	9/2/2014	1,313.41
0093286	COUNTY OF SAN MATEO-SHERIFF	150375	9/2/2014	225.00
0105741	COX MEDIA GROUP	150376	9/2/2014	7,661.25
0014338	CREST/GOOD MANUFACTURING CO.	150377	9/2/2014	1,000.87
0018924	CYO TRANSPORTATION	150378	9/2/2014	4,369.00
0017360	DALY CITY POLICE DEPARTMENT	150379	9/2/2014	3,851.93
0100822	DAMIEN MAR CHONG	150427	9/2/2014	200.00
0018188	DAU PRODUCTS	150380	9/2/2014	1,784.32
0000197	DEMCO SUPPLY INC.	150381	9/2/2014	459.81
0098091	DENNIS KOENIG	150416	9/2/2014	300.00
0017879	DISNEY ABC CABLE NETWORKS GROUP AFFILIATE	150383	9/2/2014	4,719.33
0106022	ED STOKES	150489	9/2/2014	3,650.00

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Vendor Code & Name	Check #	Check Date	Amount	
0094788	ENGE0 INC	150385	9/2/2014	2,377.50
0102362	ESPN INC.	150386	9/2/2014	976.00
0001782	FLOWERS ELECTRIC & SVC.CO.INC.	150387	9/2/2014	8,187.10
0018117	FLYERS ENERGY, LLC	150388	9/2/2014	12,483.73
0102869	FRANCHISE TAX BOARD	150389	9/2/2014	50.00
0014910	G & M AUTO BODY	150391	9/2/2014	88.56
0105960	GARRATT CALLAHAN	150393	9/2/2014	4,214.58
0096932	GENESIS EMPLOYEE BENEFITS, INC	150395	9/2/2014	305.94
0098080	GERHARD DOST	150384	9/2/2014	100.00
0104135	GLOBAL TRACKING COMMUNICATIONS, INC.	150497	9/2/2014	239.92
0016154	GOETZ BROTHERS SPORTING GOODS	150396	9/2/2014	1,592.49
0016969	GOLDEN IDEAS	150397	9/2/2014	344.00
0000162	GRAINGER	150399	9/2/2014	215.57
0095966	GREATAMERICA FINANCIAL SVCS.	150400	9/2/2014	467.70
0096316	GREEN CARPET LANDSCAPING & MAINTENANCE	150419	9/2/2014	1,100.00
0105378	HOME MAID RAVIOLI COMPANY INC.	150402	9/2/2014	120.45
0096344	HUNT & SONS, INC.	150404	9/2/2014	4,266.51
0105735	HYDROSCIENCE ENGINEERS, INC.	150405	9/2/2014	3,467.50
0015531	INTERSTATE BATTERY SYS. OF SF	150406	9/2/2014	187.75
0099054	INTERSTATE TRS FUND	150407	9/2/2014	441.15
0099735	ISLA CHEUNG	150369	9/2/2014	99.00
0099900	JAIME TEJEDA	150492	9/2/2014	100.00
0103342	JMB CONSTRUCTION, INC.	150409	9/2/2014	136,665.23
0101257	JOEL MORIN	150410	9/2/2014	207.09
0098397	JOHN HUANG	150403	9/2/2014	8.12
0096838	JOHN MURPHY	150411	9/2/2014	102.66
0000771	JT2 INTEGRATED RESOURCES	150331	8/28/2014	20,741.78
0102254	JUNAIDA DJUNAIDY	150412	9/2/2014	5,575.00
0000075	K-119 TOOLS OF CALIFORNIA INC.	150413	9/2/2014	92.39
0096379	KAREN OJAKIAN	150443	9/2/2014	369.85
0106019	KATHI S. & RICK H. SILVERMAN	150484	9/2/2014	3,418.25
0000132	KELLY-MOORE PAINT CO INC.	150414	9/2/2014	82.26
0101866	KIDZ LOVE SOCCER	150415	9/2/2014	5,103.00
0000317	L.N. CURTIS & SONS	150417	9/2/2014	1,214.63
0096347	LA LORICK ASSOCIATES	150418	9/2/2014	9,645.20
0017435	LECH AUTO AIR CONDITIONING	150420	9/2/2014	170.00
0105034	LFP BROADCASTING, LLC	150421	9/2/2014	49.36
0104424	LIDIA'S ITALIAN DELICACIES	150422	9/2/2014	1,400.00
0016034	LINDA RUSSELL	150472	9/2/2014	530.40
0093412	LYNN NIEMIRA	150436	9/2/2014	2,131.35
0105991	MAIN STAR PRODUCTIONS	150425	9/2/2014	2,000.00
0105907	MARGARITA SOYFERTIS	150485	9/2/2014	2,133.00
0000376	MARILYN BENNETT	150358	9/2/2014	202.80
0103162	MARK LILLIE	150423	9/2/2014	6,594.00
0096796	MARSETTI	150428	9/2/2014	850.00
0097183	MARTA PAZ	150450	9/2/2014	58.24
0102770	METLIFE	150430	9/2/2014	350.46
0092285	MICROMARKETING LLC	150431	9/2/2014	56.95
0016863	MIDWEST TAPE, LLC	150432	9/2/2014	84.84
0103600	MOMENTUM TELECOM, INC.	150433	9/2/2014	20,880.22
0104730	MUNICIPAL EMERGENCY SERVICES	150434	9/2/2014	726.70
0000762	MUNICIPAL MAINTENANCE EQUIPMENT INC.	150426	9/2/2014	59.39
0105793	NADEZHDA BASALSKI	150352	9/2/2014	5,787.00
0096266	NANCY BURNS	150361	9/2/2014	3,200.00

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Vendor Code & Name	Check #	Check Date	Amount	
0018319	NEAL MARTIN & ASSOCIATES	150435	9/2/2014	180.00
0015839	NOR-CAL SIGNS	150437	9/2/2014	566.80
0105238	NORTHERN SERVICES INC.	150438	9/2/2014	534.26
0092263	OFFICE DEPOT INC	150441	9/2/2014	602.29
0018284	OFFICEMAX INC.	150442	9/2/2014	361.64
0000210	OLE'S CARBURETOR &ELECTRIC INC	150444	9/2/2014	239.72
0106024	ONCE UPON A PONY	150445	9/2/2014	625.00
0097567	ONE HOUR DRY CLEANING	150446	9/2/2014	101.70
0000012	PACIFIC GAS & ELECTRIC	150448	9/2/2014	30,424.80
0000101	PACIFIC NURSERIES	150449	9/2/2014	545.00
0098636	PAULA PERSE	150456	9/2/2014	11.84
0001154	PENINSULA LIBRARY SYSTEM	150451	9/2/2014	124.59
0001327	PENINSULA PUMP & EQUIPMENT INC	150452	9/2/2014	4,964.06
0098995	PENINSULA TRANSMISSION	150453	9/2/2014	2,195.76
0096530	PENINSULA WATER WORKS ASSOC.	150454	9/2/2014	15.00
0018283	PERFORMANCE TOW LLC	150455	9/2/2014	120.00
0018721	PETER J. SPEROS	150457	9/2/2014	87.18
0106015	PHILLIPE GASCARD	150394	9/2/2014	11,500.00
0104960	POWER SYSTEMS DESIGN	150458	9/2/2014	13,640.00
0016770	PRAXAIR DISTRIBUTION INC -192	150459	9/2/2014	154.63
0102915	PRECISE PRINTING & MAILING	150460	9/2/2014	535.41
0105548	PROVEN MANAGEMENT, INC.	150461	9/2/2014	10,152.00
0097558	PURCHASE POWER	150462	9/2/2014	200.00
0104869	PURSUIT NORTH	150463	9/2/2014	54.02
0000071	R & B COMPANY	150465	9/2/2014	5,400.82
0017111	RANDOM HOUSE INC	150466	9/2/2014	77.67
0000175	RECOLOGY SAN BRUNO	150467	9/2/2014	40,000.00
0090749	RED WING SHOE STORE	150468	9/2/2014	199.19
0105372	RICHARD JAJEH	150408	9/2/2014	12,500.00
0000022	ROBERT LOUIE	150424	9/2/2014	234.65
0106026	ROBIN GOLTSMAN	150398	9/2/2014	200.00
0013581	ROVI GUIDES, INC.	150470	9/2/2014	10,163.72
0016213	ROZZI REPRODUCTION&SUPPLY INC.	150471	9/2/2014	966.01
0000569	SAN BRUNO AUTO CENTER, INC.	150473	9/2/2014	190.00
0000081	SAN BRUNO CABLE TV	150474	9/2/2014	72.04
0096659	SAN BRUNO PET HOSPITAL	150475	9/2/2014	320.00
0017145	SAN MATEO LAWN MOWER SHOP	150476	9/2/2014	36.76
0018461	SERRAMONTE FORD, INC..	150477	9/2/2014	284.58
0103732	SFO MEDICAL CLINIC	150478	9/2/2014	253.00
0102917	SFPUC FINANCIAL SERVICES	150479	9/2/2014	7,075.00
0098308	SHIRLEY HEIDELBERGER	150401	9/2/2014	8.35
0018962	SHOE DEPOT INC.	150481	9/2/2014	127.49
0000216	SHOWTIME NETWORKS INC.	150482	9/2/2014	6,744.30
0001225	SIERRA PACIFIC TURF SUPPLY,INC	150483	9/2/2014	704.84
0105992	SPOK, INC.	150486	9/2/2014	33.15
0097079	SPRINT	150487	9/2/2014	141.36
0103599	STEVEN FREITAS	150390	9/2/2014	500.00
0000801	STEWART AUTOMOTIVE GROUP	150488	9/2/2014	268.36
0105796	SUNRISE FOOD DISTRIBUTOR INC.	150490	9/2/2014	337.68
0098798	T. MAFFEI	150491	9/2/2014	45.43
0096616	TENNANT SALES AND SERVICE CO.	150493	9/2/2014	308.67
0103559	THE MLB NETWORK, LLC	150494	9/2/2014	1,881.22
0018275	THE REGENTS OF THE UNIVERSITY OF CA	150440	9/2/2014	196.46
0098193	THOMAS P. DESMOND	150382	9/2/2014	269.98

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Vendor Code & Name	Check #	Check Date	Amount
0000036 THOMSON WEST	150495	9/2/2014	413.18
0017527 TIFCO INDUSTRIES INC.	150496	9/2/2014	842.95
0099106 TOM ARRUDA	150345	9/2/2014	81.93
0096003 TRACI DOS SANTOS	150383	9/2/2014	761.80
0017932 TRILLIUM USA INC.	150498	9/2/2014	14.95
0105824 TRIVAD, INC.	150499	9/2/2014	7,558.38
0018744 TUMBLEWEED PRESS INC.	150500	9/2/2014	349.30
0095538 TV GUIDE NETWORK, INC.	150501	9/2/2014	751.66
0000783 UNION BANK OF CALIFORNIA N.A.	150502	9/2/2014	875.00
0018618 UNITED SITE SERVICES INC.	150503	9/2/2014	43.60
0099592 UNIVISION COMMUNICATIONS, INC.	150504	9/2/2014	3,613.05
0098625 UPS	150505	9/2/2014	32.45
0105133 UTILITY TELEPHONE, INC.	150506	9/2/2014	179.35
0017083 VALI COOPER & ASSOCIATES INC	150507	9/2/2014	620.00
0102988 VANTAGEPOINT TRANSFER AGENTS	150508	9/2/2014	10,763.53
0101045 VERONICA SHERIDAN	150480	9/2/2014	3,200.00
0104256 VIBO MUSIC CENTER	150509	9/2/2014	566.40
0105762 VUBIQUITY INC.	150510	9/2/2014	4,521.95
0016899 WECO INDUSTRIES LLC	150511	9/2/2014	4,051.35
0104660 WEST YOST ASSOCIATES, INC.	150512	9/2/2014	33,444.55
0000612 WESTVALLEY CONSTRUCTION CO.INC	150513	9/2/2014	20,767.57
0018385 WFCB - OSH COMMERCIAL SERVICES	150514	9/2/2014	801.49
0018580 WILEY PRICE & RADULOVICH LLP	150515	9/2/2014	356.00
0096893 WILSEY HAM	150516	9/2/2014	4,310.00
0013841 WITMER-TYSON IMPORTS INC	150517	9/2/2014	12,265.00
0018069 WULFSBERG REESE COLVIG & FIRSTMAN	150469	9/2/2014	165.00
		<b>GrandTotal:</b>	<b>704,095.35</b>
		<b>Total count:</b>	<b>187</b>



## City Council Agenda Item Staff Report

CITY OF SAN BRUNO

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DATE: September 9, 2014  
TO: Honorable Mayor and Members of the City Council  
FROM: Jim O'Leary, Interim Finance Director  
SUBJECT: Payroll Approval

City Council approval of the City payroll distributed August 29, 2014 is recommended. The Labor Summary report reflecting the total payroll amount of \$1,357,296.13 for the bi-weekly pay period ending August 24, 2014 is attached.

**LABOR SUMMARY FOR PAY PERIOD ENDING : August 24, 2014**

<b>pyLaborDist</b>	<b>08/29/14</b>
Fund: 001 - GENERAL FUND	1,014,674.96
Fund: 122 - SOLID WASTE/RECYCL.	1,607.83
Fund: 190 - EMERGENCY DISASTER FUND	20,764.83
Fund: 201 - PARKS AND FACILITIES CAPITAL	769.95
Fund: 203 - STREET IMPROVE. PROJECTS	2,263.90
Fund: 611 - WATER FUND	96,444.97
Fund: 621 - STORMWATER FUND	14,268.96
Fund: 631 - WASTEWATER FUND	66,075.23
Fund: 641 - CABLE TV FUND	85,033.91
Fund: 701 - CENTRAL GARAGE	10,621.92
Fund: 702 - FACILITY MAINT.FUND	23,727.92
Fund: 707 - TECHNOLOGY DEVELOPMENT	16,143.11
Fund: 711 - SELF INSURANCE	4,898.64
<b>Total</b>	<b>1,357,296.13</b>



## City Council Agenda Item Staff Report

CITY OF SAN BRUNO

**DATE:** September 9, 2014

**TO:** Honorable Mayor and Members of the City Council

**FROM:** David Woltering, Community Development Director

**SUBJECT:** Waive Second Reading and Adopt Three Ordinances to Implement Housing Element Programs by Amending Title 12 (Land Use) of the San Bruno Municipal Code as Follows: (1) Add Chapter 12.240 to Establish a Reasonable Accommodation Process for Persons with Disabilities; (2) Add Chapter 12.250 to Establish a Density Bonus Program; and (3) Amend Section 12.80.445 to Add Transitional Housing and Supportive Housing as Permitted Uses within the Definition of "Special Residential Care Facility"

### BACKGROUND

The ordinances before the City Council will implement three programs in the City's current 2007-2014 Housing Element to advance the goal of providing decent housing and a suitable living environment to meet the current and future housing needs of all economic segments of the community. Adoption of these ordinances will also satisfy requirements of state housing element law (Government Code Section 65580-65590) to adopt these changes during the current Housing Element cycle. Satisfying this requirement will make the City eligible for the State's streamlined review process for the 2014-2022 Housing Element Update, which is due January 31, 2015. The consequence of not meeting the deadline would result in requiring the City to update the Housing Element in four years instead of eight years.

The proposed Municipal Code amendments will address the three Housing Element programs summarized below:

- *Program 3-F. Reasonable Accommodations.* Adopt a written reasonable accommodations procedure into the Zoning Ordinance to provide exceptions in zoning and land use for housing for persons with disabilities. This program addresses the federal Fair Housing Act ("FHA") and the California Fair Employment and Housing Act requirements that local governments make reasonable accommodations (i.e., modifications or exceptions) in their zoning laws and other land use regulations and practices when such accommodations "may be necessary to afford" disabled persons "an equal opportunity to use and enjoy a dwelling."
- *Program 5-B. Density bonus.* Amend the Zoning Ordinance to include a density bonus program for residential developments, including defining incentives such as reductions in parking, open space, setbacks, etc. This program addresses requirements of SB-1818 (Government Code Section 65915), which directs local jurisdictions to adopt State Density Bonus Law into their municipal codes. The law allows developers who offer affordable units in their developments a density bonus, allowing more units than the City's zoning ordinance would typically permit.

7.C.

- *Program 6-E. Transitional and supportive housing.* Amend the Zoning Ordinance definition of “Special residential care facilities”, already allowed by right in any residential zone, to include transitional and supportive housing uses. This program addresses the requirements of SB-2 (Government Section Code 65583) to permit transitional and supportive housing as a residential use in the zoning code subject only to those restrictions that apply to other residential dwellings of the same type in the same zone.

Staff provided a report on the proposed Municipal Code amendments to implement Housing Element programs to the Planning Commission on March 18, 2014 and to the City Council on April 8, 2014.

On May 6, 2014, the Planning Commission reviewed the three Housing Element implementation ordinances and unanimously recommended their approval to the City Council. However, the Planning Commission requested more information before making a decision on the fourth implementation action related to zoning for emergency shelters within the General Plan TOD land use classification. Seven residents spoke at the meeting, expressing concerns about potential concentration of homeless persons and impacts on the quality of life on the surrounding neighborhood, and asked the City to explore alternative locations for emergency shelters. The Planning Commission directed staff to return with more information about characteristics of the homeless population in San Bruno, potential alternative locations for emergency shelters and review performance standards for shelters in San Bruno. While fully supportive of the emergency shelter zoning, the Planning Commission seeks to ensure that the ordinance is sensitive to residents while providing needed shelter for homeless persons in compliance with State law. The Planning Commission found that the proposed Municipal Code Amendments are consistent with the General Plan of the City of San Bruno and were reviewed according to the standards and requirements of the California Environmental Quality Act (CEQA).

On July 8, 2014, the City Council held a study session to review the three Housing Element implementation ordinances. The City Council expressed some concerns about each of the three proposed Municipal Code amendments, summarized below:

- The concessions and incentives listed in the Density Bonus ordinance may result in unintended consequences contrary to Transit Corridors Plan objectives and other adopted community development objectives for architectural and land use quality. It would be desirable to steer developers towards concessions and incentives that do not conflict with these objectives. The City Council asked staff to research the flexibility available in the concessions and incentives offered. The City Council agreed that request for a density bonus only could be approved by the Planning Commission, but the granting of concessions, incentives or waivers must be approved by the City Council.
- Certain types of transitional and supportive housing may require community care licensing by the state, which is not addressed in the ordinance as written. What is the state requirement for community care licensing and can the City require licensing. If not licensed, what is the oversight?
- Authority to approve a reasonable accommodation request for housing for disabled persons should include the Community Development Director and his/her designee.

On August 26, 2014, the City Council reviewed the three ordinances, accepted the changes proposed by staff as outlined in this staff report, and introduced the three ordinances for

adoption by a unanimous vote. The ordinances are now presented for second reading and adoption. In accordance with the Municipal Code, the three ordinances would go into effect 30 days after the second reading.

## **DISCUSSION**

The proposed ordinances are included as Attachments 1, 2 and 3. The adoption of the ordinances is critical to the current Housing Element remaining in compliance with state housing law and to ensure that the City qualifies for streamlined review of the Housing Element update. The discussion below provides a summary of each proposed Municipal Code amendment with an explanation of why the action is necessary.

### Reasonable Accommodation

The proposed Municipal Code amendment would add a Chapter 12.240 (Reasonable Accommodation) to Title 12 (Land Use). The ordinance would establish a process for persons with disabilities to seek a modification to the zoning regulations, thereby eliminating regulatory barriers to providing housing for persons with disabilities as required by state law. Typical improvements that would be considered for reasonable accommodation include ramps, walls, handrails, elevators or lifts, or similar physical improvements necessary to accommodate a person's disability. For example, an applicant could request a reasonable accommodation for a wheelchair ramp to encroach within a setback without the requirement of planning review. The procedure will be a ministerial process, with minimal or no processing fee, subject to approval by the Community Development Director. If there are other discretionary items that require review, the reasonable accommodation request would be part of the discretionary review. But the reviewing body would not have discretionary review over the reasonable accommodation request.

In response to the City Council's request, the ordinance was amended to authorize both Community Development Director and his/her designee to approve a reasonable accommodation request.

### Density Bonus Ordinance

The proposed Municipal Code amendment would add a new Chapter 12.250 (Density Bonus) to Title 12 (Land Use) of the San Bruno Municipal Code. The Density Bonus program would allow the City to take local concerns into account when considering density bonus projects. The program would include the state mandated density bonuses for residential developments, with a bonus of up to 35 percent based on the number of affordable units in the development and a flat density bonus of 20 percent for all senior housing. Granting of a density bonus would require review and approval by the Planning Commission.

Currently, a developer may request a density bonus, concessions and incentives, and waivers of development standards using the state Density Law, and the City has little control over what might be requested or approved. The proposed San Bruno Density Bonus program allows the City to exercise control over this process and steer a developer toward suitable concessions and incentives that align with the community interests and the Transit Corridors Plan (TCP). It should also be noted that the TCP was developed as a market based plan, recommending new development standards that will likely facilitate financially feasible housing projects and minimize the need for developers of affordable housing to use a density bonus. The TCP analyzed prototypical development sites and performed pro forma analysis of mixed use housing project in preparing the development standards for the TCP area. Finally, state law

requires that jurisdictions adopt a local density bonus law, which must be completed by the end of the current Housing Element cycle at the end of this year.

In response to the City Council comments regarding concessions and incentives that might be contrary to the community's development objectives, such as the Residential Transition Measures in the TCP area, staff made minor revisions to approval process related to the concessions and incentives being offered, which are summarized below:

- A limited number of concessions and incentives can be approved through a relatively simple process that does not require a financial pro forma analysis. These include reductions in minimum building separation, lot coverage, building setbacks, and open space requirements, and allowing tandem parking, which would have limited impacts on adjacent property. A density bonus project would be subject to the normal public review, including evaluation of its compliance with any applicable specific plan, such as the Transit Corridors Plan Design Guidelines and Mixed-Use to Residential Transition Measures. (see Density Bonus Ordinance Section 12.250.070)
- All other concessions and incentives requested would require a more thorough and lengthy review process, including evaluating the project's compliance, as applicable, with the Transit Corridors Plan Mixed-Use to Residential Transition Measures, and the submittal of a detailed financial pro forma that demonstrates to the City Council the need for the cost reductions associated with the concessions and incentives to achieve the affordability objectives of the proposed development project.
- Staff added a requirement that an application for a density bonus include a housing plan, providing detailed information about the proposed project and justifying why the density bonus, incentive, concession or waiver is needed to make the project affordable. (see Density Bonus Ordinance Section 12.250.070)
- Other minor changes include reorganization and minor revisions to clarify the required findings for approval or denial of an application. Findings for approval include a determination that any requested incentive, concession or waiver will result in identifiable, financially sufficient, and actual cost reductions based upon appropriate financial analysis and documentation as required. Findings for denial include a determination that the concession, incentive or waiver would have a specific adverse impact upon public health or safety or the physical environment. (see Density Bonus Ordinance Section 12.250.110)
- The granting of concessions and incentives would require review and approval by the City Council.

The density bonus program will be an important tool in the production of affordable housing in San Bruno, as well as helping the City attain its Housing Element and Regional Housing Needs Allocation (RHNA) goal. San Bruno's ability to promote affordable housing has been limited by recent events including the elimination of Redevelopment and the Palmer vs. City of Los Angeles decision. The Palmer decision invalidated local inclusionary housing programs related to new rental housing developments or require payment of in-lieu fees as an alternative.

While staff recommends that the approach outlined above, the City Council could consider adjusting the proposed process for offering concessions and incentives to those applicants proposing density bonus projects and seeking concessions and incentives. The approach/process recommended by staff is intended to direct applicants to those concessions

and incentives that the City believes to be most suitable, given local conditions and development goals and objectives. Based on staff's research, this is how other communities are addressing this matter.

#### Transitional and Supportive Housing

The proposed Municipal Code amendment would amend Section 12.80.445 (definition of Special Residential Care Facility), to include transitional and supportive housing within the definition of Special Residential Care Facilities. The proposed amendment is to satisfy California law, which requires that transitional or supportive facility serving six persons or fewer be treated for zoning purposes like any other residences of the same type in the same zoning district. Transitional housing is defined as rental housing for stays of at least six months but where the units are re-circulated to another program recipient after a set period. Transitional housing may be designated for a homeless individual or family transitioning to permanent housing. Supportive housing has no limit on the length of stay, is linked to onsite or offsite services, and is occupied by a target population such as low income persons with mental disabilities, AIDS, substance abuse, or chronic health conditions or persons whose disabilities originated before the person turned 18.

The City Council expressed their concern that the ordinance removes language from the definition of Residential Care Facilities referring to state-authorization, certification or licensing. State law provides safeguards to the community by requiring community care licensing by the state for transitional or supportive housing that serves persons who may not be able to live independently or who need supervision. Facilities that require state licensing include housing that serves only people with disabilities who are in need of care and supervision, such as assistance with dressing and personal hygiene, with taking medication, maintenance of house rules for the protection of clients, supervision of client schedules and activities, etc. Otherwise, state licensing is not required, nor can the City require state licensing, for housing that serves tenants who are competent to select their own housing, capable of exercising choice about what services to access and where, tenants who are referred to housing as a solution to homelessness, tenants who receive services consistently from service providers not affiliated with the housing provider.

#### Environmental Review

The potential environmental impacts of Housing Element programs were reviewed as a part of the Negative Declaration prepared for the Housing Element. The three proposed Municipal Code amendments are implementation actions contained in the current Housing Element to carry out housing programs. This document determined that no adverse environmental impacts would result from implementation of the policies and programs outlined in the Housing Element, and the Negative Declaration and Housing Element were approved by the City Council on March 23, 2010. Individual development project will be also subject to environmental review.

#### Next Steps

The ordinances would go into effect 30 days after the second reading.

#### **FISCAL IMPACT**

No direct impact. However, City staff will work with HCD and C/CAG staff on the Housing Element update.

**ALTERNATIVES**

1. Do not approve the three Ordinances implementing Housing Element programs
2. Request Changes be Made to the Ordinances implementing Housing Element programs

**RECOMMENDATION**

Waive Second Reading and Adopt Three Ordinances to Implement Housing Element Programs by Amending Title 12 (Land Use) of the San Bruno Municipal Code as Follows: (1) Add Chapter 12.240 to Establish a Reasonable Accommodation Process for Persons with Disabilities; (2) Add Chapter 12.250 to Establish a Density Bonus Program; and (3) Amend Section 12.80.445 to Add Transitional Housing and Supportive Housing as Permitted Uses within the Definition of "Special Residential Care Facility"

**DISTRIBUTION**

None.

**ATTACHMENTS**

1. Ordinance adding Chapter 12.240 (Reasonable Accommodation)
2. Ordinance adding Chapter 12.250 (Density Bonus)
3. Ordinance amending Section 12.80.445 (Special Residential Care Facility)

**DATE PREPARED**

August 29, 2014

**REVIEWED BY**

\_\_\_\_\_ CM

**ORDINANCE No. 2014-\_\_**

**AN ORDINANCE OF THE CITY OF SAN BRUNO ADDING CHAPTER 12.240 (REASONABLE ACCOMMODATION) TO TITLE 12 (LAND USE) OF THE SAN BRUNO MUNICIPAL CODE TO IMPLEMENT ADOPTED POLICIES IN THE 2007-2014 HOUSING ELEMENT**

The City Council of the City of San Bruno ordains as follows:

**Section 1.** The City Council finds and declares as follows.

1. California State law requires that all local governments adopt a comprehensive General Plan and the Housing Element is one of the seven mandated elements of the General Plan. State law sets forth many content and schedule requirements for the Housing Element.
2. The City Council adopted the 2007-2014 Housing Element on March 23, 2010 and it was certified by the State Department of Housing and Community Development on June 15, 2010. The Housing Element includes programs and implementation actions that must be completed during the 2007-2014 Housing Element period in order to be in compliance with State law.
3. The federal Fair Housing Act ("FHA") and the California Fair Employment and Housing Act ("FEHA") require local governments to make reasonable accommodations (i.e., modifications or exceptions) in their zoning laws and other land use regulations and practices when such accommodations "may be necessary to afford" disabled persons "an equal opportunity to use and enjoy a dwelling."
4. The implementation actions required by Housing Element Program 3-F, Fair Housing Act, and California Fair Employment and Housing Act require amendments to Title 12 of the San Bruno Municipal Code (the San Bruno Zoning Code) related to reasonable accommodation.
5. On May 6, 2014 the Planning Commission conducted a duly noticed public hearing and passed a resolution recommending that the City Council adopt said ordinance.
6. On \_\_\_ the City Council conducted a duly noticed public hearing and the City Council introduced said Ordinance.

**Section 2.** New Chapter 12.240 (Reasonable Accommodation) is added to Title 12 of the San Bruno Municipal Code (the San Bruno Zoning Code) as follows:

Sections:

- 12.240.010 Purpose
- 12.240.020 Applicability
- 12.240.030 Review Authority
- 12.240.040 Application Submittal and Review
- 12.240.050 Criteria for Decision
- 12.240.060 Conditions of Approval

## 12.240.070 Post-Decision Procedures

### 12.240.010 Purpose

This chapter establishes a procedure for requesting Reasonable Accommodation for persons with disabilities seeking equal access to housing. A Reasonable Accommodation is typically an adjustment to physical design standards to accommodate the placement of wheelchair ramps or other exterior modifications to a dwelling in response to the needs of a disabled resident.

### 12.240.020 Applicability

A. Eligible Applicants. A request for Reasonable Accommodation may be made by any person with a disability, their representative, or any entity, when the application of the Zoning Ordinance or other land use regulations, policy, or practice acts as a barrier to fair housing opportunities.

B. Definition. A person with a disability is a person who has a physical or mental impairment that limits or substantially limits one or more major life activities, anyone who is regarded as having this type of impairment, or anyone who has a record of this type of impairment as further defined under Section 12102 of the Americans with Disabilities Act and applicable State law.

C. Eligible Request. A request for Reasonable Accommodation may include a modification or exception to the rules, standards, and practices for the siting, development, and use of housing or housing-related facilities that would eliminate regulatory barriers and provide a person with a disability equal opportunity to housing of their choice

### 12.240.030 Review Authority

A. The Community Development Director or his/her designee shall take action on all Reasonable Accommodation applications.

B. The Community Development Director or his/her designee may refer any Reasonable Accommodation application to the Planning Commission for review and final decision.

### 12.240.040 Application Submittal and Review

An application for a Reasonable Accommodation shall include drawings, data, or information deemed necessary by the Community Development Director to accomplish the purposes of this title, state law, or the American with Disabilities Act.

### 12.240.050 Criteria for Decision

The Community Development Director shall make a written decision and either approve, approve with modifications, or deny a request for Reasonable Accommodation based on consideration of all of the following factors:

A. Whether the housing which is the subject of the request will be used by an individual with a disability thereunder;

B. Whether the request for Reasonable Accommodation is necessary to make specific housing available to an individual with a disability;

C. Whether the requested Reasonable Accommodation would impose an undue financial or administrative burden on the City;

D. Whether the requested Reasonable Accommodation would require a fundamental alteration in the nature of a City program or law, including but not limited to land use and zoning;

E. Potential impacts on surrounding uses;

- F. Physical attributes of the property and structures; and
- G. Other Reasonable Accommodations that may provide an equivalent level of benefit.

**12.240.060 Conditions of Approval**

In approving a request for Reasonable Accommodation, the Community Development Director or his/her designee may impose conditions of approval deemed reasonable and necessary to ensure that the Reasonable Accommodation will comply with the criteria required by Section 12.240.050 (Criteria for Decision).

**12.240.070 Post-Decision Procedures**

The decision of the Community Development Director or his/her designee may be appealed to the Planning Commission. Any person may submit an appeal, which shall be filed within ten days following the date the decision was made. An appeal shall be submitted in writing on an official City application form together with all required application fees.

**Section 3. Validity.** The City Council of the City hereby declares that should any section, paragraph, sentence or work of this code as adopted and amended herein be declared for any reason to be invalid, it is the intent of the City Council of the City that it would have passed all other portions or provisions of this Ordinance independent of the elimination here from any such portion or provision as may be declared invalid.

**Section 4.** This Ordinance has been reviewed with respect to applicability of the California Environmental Quality Act (CEQA). The proposed zoning ordinance amendment is an Implementation Actions contained in the current Housing Element to carry out housing programs. The potential environmental impacts of implementation of the Housing Element programs were reviewed as a part of the Negative Declaration prepared for the Housing Element. This document determined that no adverse environmental impacts would result from implementation of the policies and programs outlined in the Housing Element, and the Negative Declaration and Housing Element were approved by the City Council on March 23, 2010.

**Section 5.** This Ordinance shall be published as required by law and shall be in force 30 days after its adoption.

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Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

APPROVED AS TO FORM

\_\_\_\_\_  
City Attorney

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I hereby certify that the foregoing Ordinance No. XXXX was introduced on \_\_\_\_\_, 2014 and adopted at a regular meeting of the San Bruno City Council on \_\_\_\_\_, 2014, by the following vote:

AYES: COUNCILMEMBERS: \_\_\_\_\_

NOES: COUNCILMEMBERS: \_\_\_\_\_

ABSENT: COUNCILMEMBERS: \_\_\_\_\_

\_\_\_\_\_  
City Clerk

ORDINANCE No. 2014-\_\_\_\_

**AN ORDINANCE OF THE CITY OF SAN BRUNO ADDING CHAPTER 12.250  
(DENSITY BONUS) TO TITLE 12 (LAND USE) OF THE SAN BRUNO  
MUNICIPAL CODE TO IMPLEMENT ADOPTED POLICIES IN THE  
2007-2014 HOUSING ELEMENT**

The City Council of the City of San Bruno ordains as follows:

**Section 1.** The City Council finds and declares as follows.

1. California State law requires that all local governments adopt a comprehensive General Plan and the Housing Element is one of the seven mandated elements of the General Plan. State law sets forth many content and schedule requirements for the Housing Element.
2. The City Council adopted the 2007-2014 Housing Element on March 23, 2010 and it was certified by the State Department of Housing and Community Development on June 15, 2010. The Housing Element includes programs and implementation actions that must be completed during the 2007-2014 Housing Element period in order to be in compliance with State law.
3. In 2004, the State legislature passed Senate Bill 1818, which significantly changed State Density Bonus Law including requiring local jurisdictions to adopt the law into their municipal codes.
4. The implementation actions required by Housing Element Program 5-B and Senate Bill 1818 require amendments to Title 12 of the San Bruno Municipal Code (the San Bruno Zoning Code) related to density bonus.
5. On May 6, 2014 the Planning Commission conducted a duly noticed public hearing and passed a resolution recommending that the City Council adopt said ordinance.
6. On \_\_\_\_ the City Council conducted a duly noticed public hearing and the City Council introduced said Ordinance.

**Section 2.** New Chapter 12.250 (Density Bonuses) is added to Title 12 of the San Bruno Municipal Code (the San Bruno Zoning Code) as follows:

**Sections:**

- 12.250.010 Purpose
- 12.250.020 Definitions
- 12.250.030 Eligibility
- 12.250.040 Amount of Density Bonus
- 12.250.050 Standards for Affordable Units
- 12.250.060 Donations of Land
- 12.250.070 Incentives
- 12.250.080 Waivers or Reductions of Development Standards

- 12.250.090 Reduced Parking Requirement
- 12.250.0100 Housing with Child Care Facilities
- 12.250.0110 Application and Review
- 12.250.0120 Continued Affordability
- 12.250.0130 Density Bonus Housing Agreement

**12.250.010 Purpose**

This article implements Government Code Section 65915, which requires the City to provide incentives for affordable housing, senior housing, and child care facilities. In the event of any conflict between this article and Section 65915 of the Government Code, the provisions of the Government Code shall apply.

**12.250.020 Definitions**

A. "Affordable Housing Project" means a Housing Project which will be made available to and reserved for very low-income households, low-income households, or moderate-income households at a monthly rent or payment not to exceed 30 percent of the total combined monthly income of the targeted income group.

B. "Density Bonus" means a density increase over the otherwise maximum allowable residential density as permitted by the applicable zoning district in the Zoning Ordinance.

C. "Common-Interest Development" means a community apartment project, a condominium project, a planned development, or a stock cooperative.

D. "Child Care Facility," means an establishment providing child day care services, other than a family day care home, including, but not limited to, infant centers, preschools, extended day care facilities, and school-age child care centers.

E. "Development Standard" means any adopted City standard or regulation related to the physical location or type of construction, including but not limited to, setbacks, parking, floor area ratio, and the placement of public works improvements. As defined in this section, development standards do not include land use regulations, permitting procedures, inclusionary housing requirements, or development impact fees.

F. "Housing Project" means a development project for five or more residential units, a subdivision or common interest development of five or more unimproved residential parcels, a development project to substantially rehabilitate and convert an existing commercial building to contain five or more residential units, or the substantial rehabilitation of an existing multifamily dwelling where the result of the rehabilitation would be a net increase in five or more residential units.

G. "Concessions or incentives" means the reduction or waiver of a City standard, regulation, or requirement as necessary to render an Affordable Housing Project financially feasible.

H. "Low-Income Households" means a household with a total combined income not exceeding 80 percent of the Area Median Income, adjusted for household size, as established by the U.S. Department of Housing and Urban Development.

I. "Maximum Allowable Residential Density" means the maximum residential density permitted by the applicable zoning district as established in the Zoning Ordinance.

J. "Moderate Income Household" means a household with a total combined income not exceeding 120 percent of the Area Median Income, adjusted for household size, as established by the U.S. Department of Housing and Urban Development.

K. "Senior Housing" means a development project of at least 35 dwelling units reserved for households headed by a person 62 years of age or older.

L. "Very Low Income Household" means a household with a total combined income not exceeding 50 percent of the Area Median Income, adjusted for household size, as established by the U.S. Department of Housing and Urban Development.

**12.250.030 Eligibility**

The following types of development projects are eligible for a density bonus and incentives as identified in this section.

A. Affordable Housing Projects. Affordable housing projects include one or more of the following:

1. At least 10 percent of the units affordable for low-income households.
2. At least 5 percent of the units affordable for very low-income households.
3. At least 10 percent of the total dwelling units in a common-interest development

affordable to moderate-income households, provided that all units are offered to the public for purchase.

A. Senior Housing. A senior housing development or a mobile home park that limits residency based on age requirements for housing for older persons, in compliance with Civil Code Section 798.76 or 799.5.

B. Donation of Land. A donation of land for the purpose of constructing housing for very low income households.

C. Condominium Conversions. The conversion of apartments to condominiums that provides either of the following:

1. At least 33 percent of the units affordable to low- or moderate-income households.
2. At least 15 percent of the units affordable to very low-income households.

**12.250.040 Amount of Density Bonus**

If requested by the applicant, the City shall grant density bonuses in the amounts identified below.

A. Very Low-Income Projects. Housing projects with at least 5 percent of units affordable to very low-income households are entitled to a density bonus as shown in Table 12.250-1.

**TABLE 12.250-1 AMOUNT OF DENSITY BONUS FOR VERY LOW-INCOME PROJECTS**

<b>Percent of Very Low-Income Units</b>	<b>Amount of Density Bonus</b>
5%	20%
6%	22.5%
7%	25%
8%	27.5%
9%	30%
10%	32.5%

11%	35%
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B. Low-Income Projects. Housing projects with at least 10 percent of units affordable to low income households are entitled to a density bonus as shown in Table 12.250-2.

**TABLE 12.250-2 AMOUNT OF DENSITY BONUS FOR LOW-INCOME PROJECTS**

<b>Percent of Low-Income Units</b>	<b>Amount of Density Bonus</b>
10%	20%
11%	21.5%
12%	23%
13%	24.5%
14%	26%
15%	27.5%
16%	29%
17%	30.5%
18%	32%
19%	33.5%
20%	35%

C. Moderate-Income Projects. Common interest development projects with at least 10 percent of units affordable to moderate-income households are entitled to a density bonus as shown in Table 12.250-3.

**TABLE 12.250-3 AMOUNT OF DENSITY BONUS FOR MODERATE-INCOME PROJECTS**

<b>Percent of Moderate-Income Units</b>	<b>Amount of Density Bonus</b>
10%	5%
11%	6%
12%	7%
13%	8%

14%	9%
15%	10%
16%	11%
17%	12%
18%	13%
19%	14%
20%	15%
21%	16%
22%	17%
23%	18%
24%	19%
25%	20%
26%	21%
27%	22%
28%	23%
29%	24%
30%	25%
31%	26%
32%	27%
33%	28%
34%	29%
35%	30%
36%	31%
37%	32%
38%	32%
39%	34%
40%	35%

D. Senior Housing. Senior housing projects are entitled to a density bonus of 20 percent of the number of senior housing units.

E. Donations of Land. Projects that donate land for very low-income housing consistent with Section 12-250.060 (Donations of Land) are entitled to a density bonus as shown in Table 12.250-4.

**TABLE 12.250-4 AMOUNT OF DENSITY BONUS FOR DONATIONS OF LAND**

<b>Percent of Very Low-Income Units</b>	<b>Amount of Density Bonus</b>
10%	15%
11%	16%
12%	17%
13%	18%
14%	19%
15%	20%
16%	21%
17%	22%
18%	23%
19%	24%
20%	25%
21%	26%
22%	27%
23%	28%
24%	29%
25%	30%
26%	31%
27%	32%
28%	33%
29%	34%
30%	35%

F. Condominium Conversions

1. Condominium conversion projects meeting affordability requirements identified in Section 12.250.030 (Eligibility) are entitled to a density bonus of 25 percent of the number of apartments within the structure to be converted.

2. As an alternative to the 25 percent density bonus, the City may provide an incentive of equivalent value.

3. Condominium conversions are ineligible for a density bonus if the rental units to be converted received a density bonus when they were originally constructed.

G. Calculation of Density Bonus

1. All density calculations resulting in fractional units shall be rounded up to the next whole number.

2. Affordable housing projects shall choose a density bonus from only one affordability category (e.g. very low-income) and may not combine categories.

3. A density bonus for a senior housing project may not be combined with a density bonus for an affordable housing project.

4. A density bonus for the donation of land may be combined with density bonuses for affordable and senior housing. However, in no case may a total density bonus exceed 35 percent.

**12.250.050 Standards for Affordable Units**

All affordable units built under the provisions of this section shall meet the following requirements:

A. Concurrency. Affordable units shall be built concurrently with market rate units unless the City and the applicant agree within the density bonus housing agreement to an alternative schedule for development.

B. Location. Affordable units shall be built on-site wherever possible and, where practical, shall be dispersed within the housing development.

C. Unit Size. The average number of bedrooms of the affordable units shall be equivalent or greater to the bedroom mix of the housing development's other units.

D. Design. The design and appearance of the affordable units shall be compatible with the design of the housing development as a whole.

E. Development Standards. Housing developments shall comply with all applicable development standards, except those that may be modified as permitted by this section.

F. Linked Sites. Circumstances may arise in which the public interest would be served by allowing some or all of the affordable units associated with one housing development to be produced and operated at an alternative development site. If the developer and the City agree to allow the production and operation of affordable units at an alternative site, the resulting linked development(s) shall be considered a single housing development for the purposes of this section.

**12.250.060 Donations of Land**

All land donated for the purpose of constructing affordable housing shall meet the following requirements:

A. Date of Transfer. The applicant shall donate and transfer the land no later than the date of approval of the final subdivision map, parcel map, or residential development application.

B. Developable Acreage. The developable acreage of the land being transferred shall be sufficient to permit construction of units affordable to very low-income households in an amount not less than 10 percent of the number of residential units in the proposed development.

C. Minimum Size. The transferred land shall have an area sufficient to permit development of at least 40 units.

D. Appropriate Regulations and Infrastructure. The transferred land shall have the appropriate General Plan land use designation, zoning and development standards to make the development of affordable units feasible. It shall have existing or planned public facilities and infrastructure that are adequate to support the development.

E. Entitlements. No later than the date of approval of the final subdivision map, parcel map, or residential development application, the transferred land shall have all of the permits and approvals, other than building permits, necessary for the development of the very low-income housing units on the transferred land.

F. Deed Restriction. The transferred land and the affordable units shall be subject to a deed restriction ensuring continued affordability of the units consistent with the requirements of this section. The restriction shall be recorded on the property at the time of dedication.

G. Recipient. The land shall be transferred to the City or to a housing developer approved by the City. The City may require the applicant to identify and transfer the land to the developer.

H. Location. The transferred land shall be within the boundary of the proposed development or, if the City agrees, within ¼-mile of the boundary of the proposed development.

#### **12.250.070 Concessions or Incentives**

A. Eligibility. An applicant who applies for a density bonus may also request one to three concessions or incentives, as described in Subsection B (Number of Incentives) and in Subsection D (Available Incentives), as needed to contribute to a development project's financial feasibility.

B. Number of Incentives. An applicant may request the following number of incentives:

1. One concession or incentive for projects that include at least 10 percent of the total units for low-income households, at least 5 percent for very low-income households, or at least 10 percent for persons and families of moderate income in a common-interest development.

2. Two concessions or incentives for projects that include at least 20 percent of the total units for low income households, at least 10 percent for very low-income households, or at least 20 percent for persons and families of moderate income in a common-interest development.

3. Three concessions or incentives for projects that include at least 30 percent of the total units for low income households, at least 15 percent for very low-income households, or at least 30 percent for persons and families of moderate income in a common-interest development.

C. City Concessions or Incentives for Below Market Rate Units. The City may, at its discretion, grant additional concessions and incentives to increase the number of affordable units provided or to increase the affordability of the affordable units, described below:

1. Flexible Parking Standards. Residential developments with one or more on-site below market rate units shall be allowed limited reductions in the parking requirements related to any dwelling units or allowed limited use of tandem and/or shared parking arrangements on-site within a mixed-use project, or allowed a combination of these modified parking standards.

2. Flexible Setback Allowance. Residential developments with one or more on-site below market rate units may be allowed limited reductions in the minimum setback requirements if the following findings are made through the design review process:

a. That the proposed alternative design at the proposed location will not be detrimental or injurious to improvements in the vicinity and will not be detrimental to the public health, peace, safety, comfort, general welfare or convenience;

b. The proposed alternative design shall not significantly reduce the privacy of the adjoining property owners or significantly reduce sunlight into adjoining properties; and

c. The proposed alternative design shall be significantly consistent with the development standards and design guidelines of any applicable specific plan.

D. Concessions or Incentives Not Requiring Financial Pro Forma from Applicant. The following concessions or incentives, in accordance with 12.250.70.B (Number of Incentives), shall be available to the builder without any requirement that the builder submit a pro forma to the City demonstrating that the requested concession or incentive results in identifiable, financially sufficient, and actual cost reductions:

1. Reduced minimum parcel sizes or dimensions.

2. Reduced minimum building separation requirements.

3. Reduced minimum usable open space.

4. Increased maximum floor area ratio so long as the design is consistent with any applicable design guidelines.

5. Increased maximum coverage by structures.

6. Deferral until occupancy of development impact fees.

7. Approval of mixed-use zoning for the project site in conjunction with the housing development, if commercial, office, industrial or other land uses will reduce the cost of the housing development and if the commercial, office, industrial or other land uses are compatible with the housing development and the existing or planned development in the area where the proposed development will be located.

8. Any of the City incentives listed in Section 12.250.70.C.

E. Concessions or Incentives Requiring Financial Pro Forma from Applicant.

1. All other concessions or incentives shall require the builder to demonstrate to the City Council through the provision of a pro forma that the requested concession or incentive results in identifiable, financially sufficient, and actual cost reductions to the residential development. The pro forma shall include:

a. The actual cost reduction achieved through the concession or incentive;

d. Evidence that the cost reduction allows the builder to provide affordable rents or affordable sales prices; and

e. All other information as may be requested by the Administrator to ensure that the required findings can be made.

2. Financial Assistance. To the extent budgeted by the City Council and otherwise available, financial assistance from the City or from sources as may be available to the City may be available to the builder in the form of loans or grants for the below market rate housing component of the residential development. The builder shall be responsible for complying with all requirements associated with the particular funding source(s), including any requirements imposed by the State for payment of prevailing wages. Rental residential developments that offer the deepest affordability and which lack alternative funding sources shall be given the highest priority for financial assistance, in particular, rental residential developments affordable to very low- and low-income households.

#### **12.250.080 Waivers or Reductions of Development Standards**

A. Eligibility. An applicant who applies for a density bonus may also request a waiver or reduction of any development standard that would physically prevent the construction of the development project.

B. Number of Waivers or Reductions.

1. There shall be no limit to the number of waivers or reductions available to an applicant.
2. The approval of waivers or reductions shall neither reduce nor increase the number of incentives available to a project pursuant to Section 12.250.070 (Incentives).
- C. Justification for Approval. The City shall approve the requested waiver or reduction if the applicant can demonstrate that it is physically impossible to construct the project without the waiver or reduction.
- D. Provision of Waivers or Reductions. The City shall approve the requested waiver or reduction, unless the City makes a written finding, based upon substantial evidence, of either of the following:
  1. The waiver or reduction would have a specific adverse impact, as defined in Government Code Section 65589.5(d)(2), upon public health and safety or the physical environment, or on any real property that is listed in the California Register of Historical Resources, and there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact without rendering the development unaffordable to low-income and moderate income households.
  2. The waiver or reduction is contrary to State or federal law.

#### **12.250.090 Reduced Parking Requirement**

Development projects entitled to a density bonus and incentives are also entitled to a reduced on-site parking requirement as described below.

- A. Number of Spaces. Upon the request of the applicant, the City shall reduce the required on-site parking requirement to one parking space for every 0 to 1 bedroom dwelling unit.
- B. Calculation of Required Parking. If the total number of parking spaces required for a development is other than a whole number, the number shall be rounded up to the next whole number.
- C. Configuration and Location of Parking. A development project may provide on site parking through tandem parking, but not through on-street parking.
- D. Additional Parking Incentives. An applicant may request parking incentives beyond those provided in this section pursuant to Section 12.250.070 (Incentives).

#### **12.250.100 Housing with Child Care Facilities**

A. Additional Bonus or Incentive. A development project eligible for a density bonus or incentive that includes a child care facility as part of the project is entitled to one of the following:

1. An additional density bonus equal to the amount of square footage of the facility; or
2. One additional incentive that contributes significantly to the economic feasibility of the child care facility.

B. Conditions. The City shall require, as a condition of approving a housing development with a child care facility, that the following occur:

1. The child care facility shall remain in operation for a period of time that is as long as or longer than the period of time during which the density bonus units are required to remain affordable.
2. Of the children who attend the child care facility, the percentage of children who reside in affordable units shall equal or exceed the percentage of dwelling units that are available for very low-income, low-income, or moderate-income households.

C. Basis for Denial. The City is not required to provide a density bonus or incentive for a child care facility if it finds, based upon substantial evidence, that the vicinity of the proposed project is adequately served by existing child care facilities.

#### **12.250.110 Application and Review**

A. Application. A developer seeking approval of a density bonus and one or more concessions or incentives shall file an application with the Community Development Department, which includes a Density Bonus Housing Plan, described in subsection B, below of this section. The Department shall process the application concurrently with any other application required for the development project. The form and content of the application shall be as specified by the Department and subject to a fee established by resolution of the City Council.

B. Density Bonus Housing Plan. All requests for density bonuses, concessions or incentives, City incentives, parking reductions, and waivers provided pursuant to Sections 12.250.40, 12.250.70 and 12.250.80 shall be submitted with a Density Bonus Housing Plan, which shall include the following information:

1. A site plan depicting the number and location of all market rate units, below market rate units, density bonus BMR units, and bonus units.

2. A calculation of the maximum number of dwelling units permitted by the City's Zoning Ordinance, General Plan and applicable Specific Plan for the residential development, excluding any density bonus.

3. The targeted income level of the proposed density bonus BMR units.

4. Description of any requested concessions, incentives, waivers of development standards, or parking reductions requested pursuant to Section 12.250.70.

5. For all concessions or incentives except those listed in Section 12.250.70(D), a pro forma demonstrating that the requested concessions or incentives result in identifiable, financially sufficient, and actual cost reductions. The pro forma shall include the information pursuant to 12.250.70(E).

6. For waivers of development standards: evidence that the development standards for which the waivers are requested will have the effect of physically precluding the construction of the residential development with the density bonus, concessions, or incentives requested.

7. The Administrator may require that any pro forma submitted pursuant to subsection (B)(5) of this section include information regarding capital costs, equity investment, debt service, projected revenues, operating expenses, and such other information as is required to evaluate the pro forma. The cost of reviewing any required pro forma data, including but not limited to the cost to the City of hiring a consultant to review the pro forma, shall be borne by the builder.

8. If a mixed-use building or development is proposed, the builder shall provide evidence that nonresidential land uses will reduce the cost of the residential development, and the nonresidential land uses are compatible with the residential development and existing or planned surrounding development.

9. If a density bonus is requested for a land donation, the Density Bonus Housing Plan shall show the location of the land to be dedicated, provide proof of site control, and provide evidence that each of the findings included in Government Code Section 65915(g) can be made.

10. If a density bonus, concession or incentive is requested for a child care facility or condominium conversion, the below market rate housing plan shall provide evidence that the findings in Government Code Section 65915(h) or 65915.5, as appropriate, can be made.

C. City Review of Application for Density Bonus, Concessions, or Incentives.

1. Any request for a density bonus shall be heard and decided by the Planning Commission. The procedure for giving notice of the application shall be as specified in Chapter 12.132 (Public Hearing), except that the notice shall also identify the density bonus and additional incentive or incentives requested for the project.

2. Any request for concessions or incentives shall be heard and decided by the City Council with a recommendation from the Planning Commission. The procedure for giving notice of the application shall be as specified in Chapter 12.132 (Public Hearing), except that the notice shall also identify the density bonus and additional incentive or incentives requested for the project.

3. In accordance with State law, neither the granting of a concession or incentive, nor the granting of a density bonus, shall be interpreted, in and of itself, to require a General Plan amendment, zoning change, or other discretionary approval.

D. Findings for Approval of Density Bonus, Concessions, or Incentives. Before approving an application that includes a request for a density bonus, incentive, concession, waiver, or parking reduction provided pursuant to Sections 12.250.40, 12.250.70 and 12.250.80, the decision-making body shall make the following findings, as applicable:

1. The residential development is eligible for a density bonus and any concessions, incentives, waivers, or parking reductions requested.

2. Any requested incentive or concession will result in identifiable, financially sufficient, and actual cost reductions based upon appropriate financial analysis and documentation if required.

3. If the density bonus is based all or in part on donation of land, the findings included in Government Code Section 65915(g).

4. If the density bonus, incentive, or concession is based all or in part on the inclusion of a child care facility, the findings included in Government Code Section 65915(h).

5. If the incentive or concession includes mixed-use development, the findings included in Government Code Section 65915(k)(2).

6. If a waiver is requested, the development standards for which a waiver is requested would have the effect of physically precluding the construction of the residential development with the density bonus, concessions, or incentives permitted.

E. Findings for Denial of Incentives, Concessions or Waivers.

1. Denial of Concessions or Incentives. If the findings required by subsection D of this section can be made, the decision-making body may deny a concession or incentive only if it makes a written finding, supported by substantial evidence, of either of the following:

a. The concession or incentive is not required to provide for affordable rents or affordable ownership costs.

b. The concession or incentive would have a specific adverse impact upon public health or safety or the physical environment or on any real property that is listed in the California Register of Historical Resources, and there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact without rendering the development unaffordable to low- and moderate-income households. For the purpose of this subsection, "specific adverse impact" means a significant, quantifiable, direct, and unavoidable impact, based on objective, identified, written public health or safety standards, policies, or conditions as they existed on the date that the application for the residential development was deemed complete.

c. The concession or incentive would be contrary to State or Federal law.

2. Denial of Waivers. If the findings required by subsection D of this section can be made, the decision-making body may deny a waiver only if it makes a written finding, supported by substantial evidence, of either of the following:

a. The waiver would have a specific adverse impact upon health, safety, or the physical environment, and there is no feasible method to satisfactorily mitigate or avoid the

specific adverse impact without rendering the development unaffordable to low- and moderate-income households. For the purpose of this subsection, "specific adverse impact" means a significant, quantifiable, direct, and unavoidable impact, based on objective, and identified, written public health or safety standards, policies, or conditions as they existed on the date that the application was deemed complete.

b. The waiver would have an adverse impact on any real property that is listed in the California Register of Historical Resources.

c. The waiver would be contrary to State or Federal law.

3. Denial of Incentive or Bonus for Child Care Center. If the findings required by subsection D of this section can be made, the decision-making body may deny a density bonus, incentive, or concession that is based on the provision of child care facilities only if it makes a written finding, based on substantial evidence, that the City already has adequate child care facilities.

### **12.250.120 Continued Affordability**

The following requirements apply to all affordable units that qualify for a density bonus or other incentive.

A. Duration of Affordability.

1. All units shall remain affordable for 30 years, or a longer period of time if required by the construction or mortgage financing assistance program, mortgage insurance program, or rental subsidy program.

2. Rents shall be set at affordable levels as defined in Health and Safety Code Section 50053.3. Owner-occupied units shall be available at an affordable cost as defined in Health and Safety Code Section 50052.5.

B. Equity Sharing Agreement. The City shall enforce an equity sharing agreement for the resale of all common interest moderate-income units. The following apply to the equity sharing agreement:

1. Upon resale, the seller of the unit shall retain the value of any improvements, the down payment, and the seller's proportionate share of appreciation.

2. The City shall recapture any initial subsidy, and its proportionate share of appreciation, which shall be used by the City within five years as described in Health and Safety Code Section 33334.2(e).

3. The City's initial subsidy shall be equal to the fair market value of the home at the time of initial sale minus the initial sale price to the moderate-income household, plus the amount of any down-payment assistance or mortgage assistance. If upon resale the market value is lower than the initial market value, then the value at the time of the resale shall be used as the initial market value.

4. The City's proportionate share of appreciation shall be equal to the ratio of the City's initial subsidy to the fair market value of the home at the time of initial sale.

### **12.250.130 Density Bonus Housing Agreement**

A. Agreement Required. As a condition for the approval of a density bonus and additional incentives, the applicant shall agree to enter into a density bonus housing agreement with the City. The executed density bonus housing agreement shall be recorded on the parcel or parcels designated for the construction of affordable units, or donated for the purpose of constructing housing units as specified in this section. The approval and recordation shall occur prior to final map approval or, where a map is not being processed, prior to the issuance of building permits for the parcels or units. The density bonus housing agreement shall be binding upon all future owners and successors in interest.

B. Content of Agreement. The density bonus housing agreement shall, at a minimum, include all of the following:

1. The total number of units approved for the housing development, including the number of affordable units.

2. A description of the household income groups to be accommodated by the housing development, and the standards for determining the corresponding affordable rent or affordable sales price and housing cost.

3. The location, unit size in square feet, and number of bedrooms of each affordable unit.

4. The location and square footage of any land being donated for the purpose of constructing housing units that are affordable to very low-income households.

5. The location and square footage of any child care facility for which a density bonus or additional incentive is being granted.

6. Tenure of use restrictions for affordable units and units built on donated land.

7. A schedule for the completion and occupancy of affordable units.

8. Description of any requested concessions, incentives, waivers of development standards, or parking reductions

9. A description of remedies for breach of the agreement, by either party, including the provision that tenants or qualified purchasers are third-party beneficiaries under the agreement.

10. Other provisions as appropriate to ensure implementation and compliance with this section's requirements for density bonuses and additional incentives.

C. For-Sale Requirements. In the case of for-sale housing developments, excluding affordable units for moderate-income households, the density bonus housing agreement shall provide for the following requirements during the use restriction period:

1. The initial sale of each affordable unit shall be to a household that meets the income requirement for the affordable unit or, for senior citizen housing, to a senior citizen.

2. The initial occupant of each affordable unit shall be a household that meets the income requirement for the affordable unit or, for senior citizen housing, a senior citizen.

3. The initial purchaser of each affordable unit shall execute an instrument or agreement approved by the City restricting the sale of the affordable unit during the duration of affordability period as set forth in Section 12.250.0120 (Continued Affordability). The instrument or agreement shall be recorded against the parcel containing the affordable unit and shall contain provisions, as required by the City, to ensure continued compliance with this chapter and with State law.

D. Moderate-Income Requirements. In the case of affordable units for moderate-income households, the density bonus housing agreement shall provide for the following requirements:

1. The initial sale of each affordable unit shall be to a household that meets the income requirement for the affordable unit.

2. When the initial purchaser sells the unit, the initial purchaser shall retain the value of any improvements, the down payment and the value of the unit's appreciation, less the City's share of the appreciation.

3. When the initial purchaser sells the unit, the City shall receive a share of the unit's appreciation equal to the percentage by which the initial sale price to the moderate income household was less than the fair market value of the home at the time of initial sale. The City shall use this share of appreciation for any of the purposes described in subdivision of Health and Safety Code Section 33334.2(e).

E. Rental Requirements. In the case of rental housing developments, the density bonus housing agreement shall provide for the following requirements during the use restriction period:

1. Rules and procedures for qualifying each tenant, determining affordable rents, filling vacancies and retaining affordable units for qualified tenants.

2. Provisions requiring owners to verify tenant incomes and maintain books and records to demonstrate compliance with this section.

3. Provisions requiring owners to submit an annual report to the City, including the name, address and income of each person occupying an affordable unit and the bedroom size and monthly rent or cost of each affordable unit.

F. Child Care Facility Requirements. In the case of child care facilities for which a density bonus or additional incentive is being granted, the density bonus housing agreement shall provide for the following requirements:

1. Operating duration requirements for the child care facility, such that the child day care facility shall remain in operation for as long as or longer than the period of time during which the density bonus units are required to remain affordable.

2. Provisions requiring that for children who attend the child care facility, the percentage of children from the income group associated with the development's affordable units shall be equal to or greater than the minimum percentage of affordable units that shall be provided for that income group in order to receive a density to the requirements of this section.

**Section 3. Validity.** The City Council of the City hereby declares that should any section, paragraph, sentence or work of this code as adopted and amended herein be declared for any reason to be invalid, it is the intent of the City Council of the City that it would have passed all other portions or provisions of this Ordinance independent of the elimination here from any such portion or provision as may be declared invalid.

**Section 4.** This Ordinance has been reviewed with respect to applicability of the California Environmental Quality Act (CEQA). The proposed Zoning Ordinance Amendment is an Implementation Action contained in the current Housing Element to carry out housing programs. The potential environmental impacts of implementation of the Housing Element programs were reviewed as a part of the Negative Declaration prepared for the Housing Element. This document determined that no adverse environmental impacts would result from implementation of the policies and programs outlined in the Housing Element, and the Negative Declaration and Housing Element were approved by the City Council on March 23, 2010.

**Section 5.** This Ordinance shall be published as required by law and shall be in force 30 days after its adoption.

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Mayor

ATTEST:

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City Clerk

APPROVED AS TO FORM

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City Attorney

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I hereby certify that the foregoing Ordinance No. XXXX was introduced on \_\_\_\_, 2014 and adopted at a regular meeting of the San Bruno City Council on \_\_\_\_, 2014, by the following vote:

AYES: COUNCILMEMBERS: \_\_\_\_\_

NOES: COUNCILMEMBERS: \_\_\_\_\_

ABSENT: COUNCILMEMBERS: \_\_\_\_\_

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City Clerk

ORDINANCE NO. 2014-\_\_\_

**AN ORDINANCE OF THE CITY OF SAN BRUNO AMENDING SECTION 12.80.445 OF TITLE 12 (LAND USE) OF THE SAN BRUNO MUNICIPAL CODE TO IMPLEMENT ADOPTED POLICIES IN THE 2007-2014 HOUSING ELEMENT RELATED TO TRANSITIONAL AND SUPPORTIVE HOUSING**

The City Council of the City of San Bruno ordains as follows:

**Section 1.** The City Council finds and declares as follows.

1. California State law requires that all local governments adopt a comprehensive General Plan and the Housing Element is one of the seven mandated elements of the General Plan. State law sets forth many content and schedule requirements for the Housing Element.
2. The City Council adopted the 2007-2014 Housing Element on March 23, 2010 and it was certified by the State Department of Housing and Community Development on June 15, 2010. The Housing Element includes programs and implementation actions that must be completed during the 2007-2014 Housing Element period in order to be in compliance with State law.
3. In 2008, the State legislature passed Senate Bill 2, which requires jurisdictions to permit transitional housing and supportive housing as a residential use of property.
4. The implementation actions required by Housing Element Program 6-E and Senate Bill 2 require amendments to Title 12 of the San Bruno Municipal Code (the San Bruno Zoning Code) related to transitional housing and supportive housing.
5. On May 6, 2014 the Planning Commission conducted a duly noticed public hearing and passed a resolution recommending that the City Council adopt said ordinance.
6. On \_\_\_ the City Council conducted a duly noticed public hearing and the City Council introduced said Ordinance.

**Section 2.** Title 12 of the San Bruno Municipal Code (the San Bruno Zoning Code) is amended by adding the text shown in bold italics (***example***) and deleting the text shown in strikeout (~~example~~), as follows.

Section 12.80.445 (Special residential care facility) is amended as follows:

~~“Special residential care facility” means a state-authorized, certified or licensed family care home, foster home, or group home serving six or fewer mentally-disordered or otherwise handicapped persons or dependent or neglected children or the elderly, when such home provides care on a twenty-four hour a day basis.~~ ***residential facility providing social and personal care for six or fewer residents. Excludes facilities where medical care is a core service provided to residents, such as nursing homes and convalescent homes.***

**Examples of special residential care facilities include the following:**

**A. Children's homes**

**B. Orphanages**

**C. Care facilities for the elderly**

**D. Transitional housing, which means buildings configured as rental housing developments, but operated under program requirements that require the termination of assistance and recirculating of the assisted unit to another eligible program recipient at a predetermined future point in time that shall be no less than six months from the beginning of the assistance.**

**E. Supportive housing, which means housing with no limit on the length of stay, that is occupied by the target population, and that is linked to an onsite or offsite service that assists the supportive housing resident in retaining the housing, improving his or her health status, and maximizing his or her ability to live and, when possible, work in the community. Target population means persons with low incomes who have one or more disabilities, including mental illness, HIV or AIDS, substance abuse, or other chronic health condition, or individuals eligible for services provided pursuant to the Lanterman Developmental Disabilities Services Act (Division 4.5 (commencing with Section 4500) of the Welfare and Institutions Code) and may include, among other populations, adults, emancipated minors, families with children, elderly persons, young adults aging out of the foster care system, individuals exiting from institutional settings, veterans, and homeless people.**

**Section 3. Validity.** The City Council of the City hereby declares that should any section, paragraph, sentence or work of this code as adopted and amended herein be declared for any reason to be invalid, it is the intent of the City Council of the City that it would have passed all other portions or provisions of this Ordinance independent of the elimination here from any such portion or provision as may be declared invalid.

**Section 4.** This Ordinance has been reviewed with respect to applicability of the California Environmental Quality Act (CEQA). The proposed zoning ordinance amendment is an Implementation Actions contained in the current Housing Element to carry out housing programs. The potential environmental impacts of implementation of the Housing Element programs were reviewed as a part of the Negative Declaration prepared for the Housing Element. This document determined that no adverse environmental impacts would result from implementation of the policies and programs outlined in the Housing Element, and the Negative Declaration and Housing Element were approved by the City Council on March 23, 2010.

**Section 5.** This Ordinance shall be published as required by law and shall be in force 30 days after its adoption.

\_\_\_\_\_

Mayor

ATTEST:

\_\_\_\_\_

City Clerk

APPROVED AS TO FORM

\_\_\_\_\_

City Attorney

---o0o---

I hereby certify that the foregoing Ordinance No. XXXX was introduced on \_\_\_\_ 2014 and adopted at a regular meeting of the San Bruno City Council on \_\_\_\_ 2014, by the following vote:

AYES: COUNCILMEMBERS: \_\_\_\_\_

NOES: COUNCILMEMBERS: \_\_\_\_\_

ABSENT: COUNCILMEMBERS: \_\_\_\_\_

\_\_\_\_\_

City Clerk



**City Council Agenda Item  
Staff Report**

CITY OF SAN BRUNO

**DATE:** September 9, 2014

**TO:** Honorable Mayor and City Council Members

**FROM:** Ray Razavi, Interim Public Services Director

**SUBJECT:** Adopt Resolution Authorizing the City Manager to:

- Execute a Funding Agreement with the San Mateo County Transportation Authority to Accept Measure A Pedestrian and Bicycle Project Funding in the Amount of \$300,000
- Appropriate \$30,000 from Measure A Local Streets and Transportation Program Funding for City's Contribution

**BACKGROUND:**

Improving the existing pedestrian and bicycle networks in the City is a major component of the City of San Bruno's Capital Improvement Program (CIP) and overall General Plan. The City's vision to establish a multimodal friendly environment is further defined in the Transit Corridors Plan. With the support of the City's Bicycle and Pedestrian Advisory Committee, the City is working to establish a bicycle and pedestrian network that will promote safety, connectivity, efficiency and convenience for alternative transportation modes.

In January 2014, the City Council authorized staff to submit a grant application to the San Mateo County Transportation Authority (SMCTA) in response to the Measure A Pedestrian and Bicycle Call for Projects. This grant was approved for funding in June 2014. The grant provides for design and construction of improvements to the El Camino Real and Angus Avenue intersection.

**DISCUSSION:**

This Project is part of the San Bruno Complete Streets Case Study and is consistent with the vision of the Grand Boulevard Initiative, a larger regional effort to revitalize the El Camino Real corridor. The El Camino Real/Angus Avenue intersection has a high volume of both vehicle and pedestrian traffic to the City Civic Center, Allen Elementary School, and Samtrans transit. The agreement provides funding for the City to design and construct improvements including high-visibility crosswalks, new corner curb bulb-outs, median refuge areas and upgraded traffic signals to increase safety and accessibility at this high pedestrian and vehicle traffic intersection.

The agreement would commit SMCTA to contribute up to \$300,000 for the project with a City matching contribution of \$30,000. Design is tentatively scheduled to be completed by the end of 2014 and construction is planned for spring 2015. Projects funded under the grant program have a maximum period of two (2) years to complete all design work and three (3) years from final design to complete construction.

The Project funding and design/construction schedule will be reflected in the upcoming 2014-19 CIP budget.

**FISCAL IMPACT:**

The local match of \$30,000 will be appropriated from available City Measure A funds for a total project amount of \$330,000. The funding allocation for design and construction is as follows:

	<b>Measure A Grant Funds</b>	<b>Local City Match</b>
<b>Design</b>	\$ 50,000	\$10,000
<b>Construction</b>	250,000	20,000
<b>TOTAL</b>	<b>\$300,000</b>	<b>\$30,000</b>

**RECOMMENDATION:**

Adopt resolution authorizing the City Manager to:

- Execute a Funding Agreement with the San Mateo County Transportation Authority to accept Measure A Pedestrian and Bicycle Project Funding in the amount of \$300,000;
- Appropriate \$30,000 from Measure A Local Streets and Transportation Program Funding for City's contribution.

**ALTERNATIVES:**

1. Do not accept the SMCTA grant funding and do not complete the project.
2. Do not accept the SMCTA grant funding and seek other funding sources for the project.
3. Accept the SMCTA grant funding but provide the local City matching funds from a different funding source.

**DISTRIBUTION:**

None

**ATTACHMENTS:**

1. Resolution
2. Transit Corridor Pedestrian Improvement Project description

**DATE PREPARED:**

August 20, 2014

**REVIEWED BY:**

\_\_\_\_\_ CM

RESOLUTION NO. 2014- \_\_\_\_

**RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A FUNDING AGREEMENT WITH THE SAN MATEO COUNTY TRANSPORTATION AUTHORITY TO ACCEPT MEASURE A PEDESTRIAN AND BICYCLE PROGRAM FUNDING IN THE AMOUNT OF \$300,000 AND APPROPRIATE \$30,000 FROM MEASURE A LOCAL STREETS AND TRANSPORTATION PROGRAM FUNDING**

**WHEREAS**, on June 7, 1988, the voters of San Mateo County approved a ballot measure to allow the collection and distribution by the San Mateo County Transportation Authority (TA) of a half-cent transactions and use tax in San Mateo County for 25 years, with the tax revenues to be used for highway and transit improvements pursuant to the Transportation Expenditure Plan presented to the voters (Original Measure A); and

**WHEREAS**, on November 2, 2004, the voters of San Mateo County approved the continuation of the collection and distribution by the TA the half-cent transactions and use tax for an additional 25 years to implement the 2004 Transportation Expenditure Plan beginning January 1, 2009 (New Measure A); and

**WHEREAS**, the TA issued a Call for Projects for the Measure A Pedestrian and Bicycle Program on December 9, 2013; and

**WHEREAS**, the TA approved the City's application for \$300,000 in San Mateo County Measure A Pedestrian and Bicycle Program funds with a \$30,000 local match for the El Camino Real/Angus Avenue intersection improvements; and

**WHEREAS**, the TA requires a governing board resolution from the City committing the City to the completion of the El Camino Real/Angus Avenue intersection improvements, including the commitment of \$30,000 in matching funds needed for implementation.

**NOW, THEREFORE, BE IT RESOLVED**, that the City Council hereby authorizes the City Manager to execute a Funding Agreement with the San Mateo County Transportation Authority to accept Measure A Pedestrian and Bicycle Program funding in the amount of \$300,000 and appropriate \$30,000 from Measure A Local Streets and Transportation Program funding.

Dated: September 9, 2014

ATTEST:

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Carol Bonner, City Clerk

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I, Carol Bonner, City Clerk, do hereby certify that the foregoing Resolution was duly and regularly passed and adopted by the City Council of the City of San Bruno this 9th day of September 2014 by the following vote:

AYES: Councilmembers: \_\_\_\_\_

NOES: Councilmembers \_\_\_\_\_

ABSENT: Councilmembers: \_\_\_\_\_

## Transit Corridor Pedestrian Connection Improvement Project

### PROJECT INFORMATION

Origination Year: 2010-11

Project Number: 82709

Projected Completion Date: December 2013

Life Expectancy: 20 years

Total Project Cost: \$ 1,505,432

### Project Description:

This project aims to improve sidewalk conditions for pedestrians along El Camino Real, San Bruno Avenue and Huntington Avenue. Per the City's General Plan, this project will create a pedestrian-oriented environment and improve streetscape, ensuring full access to and between public areas/transit stations and private developments. Work includes the installation of street trees, irrigation systems, bus benches, pedestrian way finding signage, and recycling/trash receptacles; the construction of accessible curb ramps and pedestrian crossings; landscape improvements near the I-380 over crossing of Huntington Avenue; and lighting and possible public art improvements near the I-380 over crossing of El Camino Real. As this project is primarily funded from federal and local grant funding with different timelines attached to each funding source, this project will be completed in two contracts.

The first contract includes the construction of accessible curb ramps, sidewalk repairs, and the planting of street trees. The \$262,500 Transportation for Livable Communities Grant required that a final design for this phase be approved by Caltrans (the administrator of the grant) and submitted to the Metropolitan Transportation Commission (MTC). This project included a landscape improvement option to enhance the existing open area east of Huntington Avenue between the I-380 overpass and the Bart station. The City did not complete this work due to lack of available funding.

The second construction project is funded by two additional grants recently obtained by the City: \$350,000 from the San Mateo County Bicycle and Pedestrian Program, and \$500,000 from the Safe Routes to Transit (SR2T) Grant. With \$850,000 that funds both design and construction, this contract will include additional street trees, the improvements near I-380, street furniture, bicycle signage and pavement markings, and the potential for pedestrian-scale lighting, if funding allows. Although local match is not required, both the San Mateo County Bicycle and Pedestrian Grant and the SR2T Grant do not fund agency overhead. Therefore, the City will need to fund the ineligible overhead cost, which is estimated to be \$15,000. Project construction is not scheduled to begin until after the completion of the Caltrain Grade Separation Project.

In December 2012, the City submitted a project to C/CAG in response to their call for projects for the Transportation for Livable Communities grant opportunity under the Metropolitan transportation commission (MTC) OneBayArea Grant Program. This project is the third construction project of the overall program and will provide for the landscape improvement of the open area east of Huntington Avenue between the I-380 overpass and the Bart station, which was excluded from the first contract. Upon MTC's funding approval, this project is eligible to receive \$265,000 for the cost of construction in FY 2014-15. The required local match is approximately \$34,350 in construction cost.

### 2012-13 Status:

Construction for the first contract was completed in early 2013. Started the application process for another Transportation for Livable Communities grant.

### 2013-14 Work Plan:

Formally accept \$850,000 in additional grant funding for the second contract. Design the pedestrian and bicycle improvements for the second contract. Perform construction of improvements after completion of the Caltrain Grade Separation. Continue grant funding application process for the second Transportation for Livable Communities grant. Upon securing of grant funding, finish

construction of the landscape improvements that were excluded from the first contract anticipated in fiscal year 2014-15.

**Project Appropriations:  
Current Year Appropriations:**

Projects	Funding Source	Prior Approp.	Prior Expense	Carryover Approp.	2013-14 Funding Request	2013-14 Total Funds Available	Total Project Cost
Contract 1	Various	341,082	(318,180)	22,902	0	22,905	341,082
Contract 2	Various	850,000	0	850,000	15,000	865,000	865,000
Huntington Ave	Various	0	0	0	0	0	299,350
<b>Total</b>		<b>1,191,082</b>	<b>(318,180)</b>	<b>872,902</b>	<b>15,000</b>	<b>887,902</b>	<b>1,505,432</b>

Funding Source	Prior Approp.	Prior Expense	Carryover Approp.	2013-14 Funding Request	2013-14 Total Funds Available	Total Project Cost	
Streets Capital	87,500	(80,385)	7,115	0	7,115	87,500	
TLC Grant #1	253,582	(237,795)	15,786	0	15,786	253,582	
TLC Grant #2	0	0	0	0	0	265,000	
SMC Transportation Authority Grant	350,000	0	350,000	0	350,000	350,000	
Safe Routes to Transit	500,000	0	500,000	0	500,000	500,000	
Measure A	0	0	0	15,000	15,000	49,350	
<b>Total</b>		<b>1,191,082</b>	<b>(318,180)</b>	<b>872,902</b>	<b>15,000</b>	<b>887,902</b>	<b>1,505,432</b>

**Five-Year Work Program Appropriations:**

Projects	Funding Source	2013-14	2014-15	2015-16	2016-17	2017-18	Total Request
Contract 2	Measure A	15,000	0	0	0	0	15,000
Huntington Ave Landscape	TLC Grant #2	0	265,000	0	0	0	265,000
Huntington Ave Landscape	Measure A	0	34,350	0	0	0	34,350
<b>Total</b>		<b>15,000</b>	<b>299,350</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>314,350</b>



## City Council Agenda Item Staff Report

CITY OF SAN BRUNO

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**DATE:** September 9, 2014

**TO:** Honorable Mayor and Members of the City Council

**FROM:** Kerry Burns, Community Services Director

**SUBJECT:** Receive Report Providing an Update on the City's Year-Long Centennial Celebration and Budget Status

### BACKGROUND:

On December 23, 2014, the City of San Bruno will celebrate its first 100 years of incorporation and Centennial. Staff is bringing this item forward to provide the City Council with an update on the events and programs delivered to date, those which will be delivered over the remaining four months of the City's Centennial celebration, and budget update.

This report provides an update on the status on the delivery of these events and programs as well as information on the status of Centennial budget.

### DISCUSSION:

Throughout the year-long Centennial celebration, the City is delivering a wide array of events and programs. To create community excitement and to celebrate the City's milestone birthday, a Centennial website, logo, and slogan, 100 Years of Progress, were developed, banners were installed on City facilities and along San Mateo Avenue, a pictorial display of San Bruno's history is displayed at City Hall, and commemorative Centennial lapel pins are available to the community, free of charge. Centennial memorabilia is available for purchase including polo shirts, sweatshirts, baseball hats, coffee mugs, water bottles, license plate frames, and reusable bags.

Existing events, with a Centennial flair, have been delivered throughout the year. Kick-off of the year-long celebration commenced at the City's 2013 Tree Lighting Event attended by more than 300 children and adults and included snow, actors in period costume, and special refreshments. The annual Pancake Breakfast and Easter Egg Hunt, attended by more than 500 people included a period craft project, special Centennial egg collection bags, and expanded programming for children including a magic show. This year's Operation Clean Sweep also took on a Centennial flair with the launch of the Centennial Tree Planting Program lead by the Beautification Task Force. Another special annual event, the Posy Parade, was transformed into a special tribute to the City's Centennial with the inclusion of a City float showcasing photographs of historical and present day Posy Parades. The City also gave the much anticipated Grade Separation Dedication a Centennial flair by recognizing the history of rail, air, and other transportation modes and milestones in San Bruno's history.

Cultural activities and events have also been a focal point of the year-long celebration. The City commissioned a Centennial Mosaic Mural at Posy Park which will be completed late this year and was invited by the San Mateo County Historical Association and Museum to partner in the

## Honorable Mayor and Members of the City Council

September 9, 2014

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development of a special edition of the La Peninsula Journal showcasing San Bruno's Centennial which will be sent to each San Bruno residence and business in late September. A History Walking Tour in August attended by nearly 100 was delivered in partnership with the San Mateo County Historical Association and Museum and the City delivered an Architectural Walking Tour in April which also had a robust turn out, with attendance of nearly 60 members of the community.

Special new programs were also offered throughout the year in tribute to the City's Centennial. They included:

- Centennial Scavenger Hunt blending history and present day technology by requiring scavenger hunt participants to take a "Selfie" photograph as proof the Hunt site was identified and visited;
- To be showcased later this month, production of an interactive timeline of San Bruno history and individual oral histories for the City's webpage as well as a Centennial history photo display at the Shops at Tanforan;
- Inclusion of a Centennial project as part of the City's Summer Reading Program and After School Adventures Program; and,
- Production of a special Centennial Cable documentary about the City's history scheduled for debut later in the year and release of a Centennial DVD pictorially showcasing San Bruno's history.

While the year has been filled with an array of events and programs, the two capstone events have yet to be enjoyed by the community. On September 27, 2014 San Bruno City Park will be transformed into a Centennial Carnival with field and carnival games, rides, entertainment, and food. The Centennial Carnival will begin at 10:30 a.m. with an opening ceremony and will run until 4:00 p.m. At 3:30 p.m., those in attendance will have an opportunity to sing Happy Birthday to San Bruno and witness the dedication of the Centennial Time Capsule. Entertainment will be provided by local school, service and community groups as well as a musical band.

The final event in the year-long celebration will be the semi-formal Centennial Gala on December 6, 2014. The Centennial Gala which will be held at Skyline College, will be a ticketed event with music, dining, and dancing and will include a special Centennial Gift for those in attendance. Planning for the event is underway and the sale of tickets is anticipated in October. It is currently estimated the ticket price will be approximately \$100 per person. The Centennial Gala is expected to be a special and memorable evening.

### **FISCAL IMPACT:**

Each fiscal year for the past four years, \$10,000 has been appropriated to offset the expenses associated with the Centennial events and programs. In addition, on February 3, 2014, the City received a very generous donation of \$50,000 from Artichoke Joe's to support the delivery of Centennial events and programs. As planning for the Community Carnival and Gala commenced, a letter was sent to City businesses and community organizations inviting sponsorship. To date, \$7,500 in sponsorship funding has been received with more anticipated over the coming weeks. Provided below is an overview of the budget for the events and programs associated with the delivery of Centennial festivities:

**Revenues**

City Appropriation	\$ 40,000
Artichoke Joe's General Purpose Donation	50,000
Artichoke Joe's Children's Project Donation	3,000
Community Carnival and Centennial Gala Sponsorship	<u>7,500</u>
<b>Subtotal - Revenues</b>	<b><u>\$100,500</u></b>

**Expenditures**

Lapel Pins	\$6,000
Logo and Centennial Webpage Design	700
Centennial Photo Boards and Displays	4,000
Centennial Banners – City Facilities	4,500
Centennial Banners – Downtown	4,000
Apparel and Memorabilia	5,000
La Peninsula Journal (No Fall FOCUS)	2,500
Youth Program Funded by Artichoke Joe's	3,000
Centennial Kick-Off at Tree Lighting	3,000
Easter Egg Hunt Program Enhancements	1,350
Architectural Walking Tour	200
Scavenger Hunt	200
History Walking Tour	200
Interactive Stories and Oral Histories	Grant
Posy Parade Float, Medallions and Band	4,500
Community Day in the Park	25,000
Centennial Gala	<u>35,000</u>
<b>Subtotal - Expenses</b>	<b><u>\$ 99,150</u></b>

**ALTERNATIVES:**

1. Modify the remaining events, programs, and/or budget discussed above.
2. Add additional events and/or programs.

**RECOMMENDATION:**

Receive a report providing an update on the City's year-long Centennial celebration and budget status.

**DISTRIBUTION:**

None

**ATTACHMENTS:**

None

**DATE PREPARED:**

September 4, 2014