



"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
&
SAN BRUNO SUCCESSOR AGENCY

February 11, 2014

7:00 p.m.

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

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 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:

4. PRESENTATIONS:

Receive Presentation on the San Francisco Public Utilities Commission Harry Tracey Water Treatment Plant Improvement Project.

5. REVIEW OF AGENDA:

6. APPROVAL OF MINUTES:

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 February 3, 2014.
- b. **Approve:** Payroll of January 12 and 26, 2014.
- c. **Adopt:** Resolution Approving the Recognized Obligation Payment Schedule 14-15A and Successor Agency Administrative Budget for the Period July 1, 2014 through December 31, 2014.
- d. **Approve:** Successor Agency Accounts Payable of September 16 and 30, October 7 and 21, November 25, 2013 and January 21, 2014.

8. PUBLIC HEARINGS:

- a. Hold Public Hearing, Waive First Reading and Introduce an Ordinance to Regulate the Inspection, Repair and Replacement of Private Orangeburg Pipe Sewer Laterals at the Time of Sale of Residential Property.
- b. Hold Public Hearing, Waive Second Reading and Adopt 2013 Fire and Building Code Ordinance to be Adopted by Reference with Amendments.

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. Receive Oral Report on Outreach to Solicit Applications for Vacant Citizen Advisory Committee, Board and Commission Positions and Consider Appointment of Park and Recreation Commission Youth Commissioner.
- b. Adopt Resolution Accepting the City's Comprehensive Annual Financial Report (CAFR), Single Audit, and Measure A Funds Audit Report for the Fiscal Year Ended June 30, 2013.
- c. Receive Quarterly Financial Update Report as of December 31, 2013 and Adopt Resolution Approving a Mid-Year Amendment for the 2013-14 General Fund, Special Revenues Funds, Enterprise Funds, and Capital Improvement Budgets.
- d. Adopt Resolution Approving Installation of a Two-Hour Time Limited Parking Restriction Zone Along Shelter Creek Lane to Provide Street Sweeping Access.
- e. Adopt Resolution Authorizing the City Manager to Execute a Multi-Year Contract with West Valley Construction, Inc. for Sewer Spot Repair Services in an Amount not to Exceed \$175,000 for Fiscal Year 2013-14.
- f. Adopt Resolution Authorizing the City to Co-Sponsor the Annual San Bruno Relay for Life Event.
- h. Receive Oral Report from City Clerk Bonner on her attendance at the New Election Law Seminar, December 4-6, 2013, San Diego, CA.

11. REPORT OF COMMISSIONS, BOARDS, & COMMITTEES:

Receive Annual Report from the Personnel Board.

12. COMMENTS FROM COUNCIL MEMBERS:

13. CLOSED SESSION:

14. ADJOURNMENT:

The next regular City Council Meeting will be held on February 25, 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

AGENDA

SAN BRUNO CITY COUNCIL – CLOSED SESSION SPECIAL MEETING

February 11, 2014

Immediately following the Regular Council Meeting

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

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1. CALL TO ORDER:

2. ROLL CALL:

3. 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.

4. CLOSED SESSION:

- a. Liability Claim pursuant to Government Code section 54956.95; Claimants: Ann Marie Buelow, John DeVincenzi; Agency Claimed Against: City of San Bruno/
- b. Conference with Labor Negotiators Pursuant to Gov't Code Section 54957.6; Agency Designated Representatives: City Manager, Human Resources Director, and City Labor Negotiator, Geoff Rothman; Employee Organizations: Miscellaneous, Police, Mid Management, Public Safety Mid Management and Fire Bargaining Units.
- c. Public Employee Performance Evaluation pursuant to Government Code section 54957: City Attorney.
- d. Public Employee Performance Evaluation pursuant to Government Code section 54957: City Manager.

5. ADJOURNMENT:

The next regular City Council Meeting will be held on February 25, 2014 at 7:00 p.m. at the Senior Center, 1555 Crystal Springs Road, San Bruno.

02/03/14

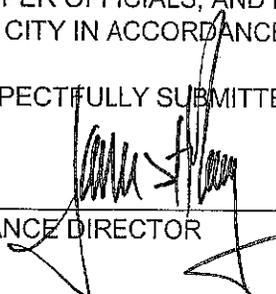
CITY OF SAN BRUNO
WARRANT REGISTER
TOTAL FUND RECAP

FUND	FUND NAME	AMOUNT
001	GENERAL FUND	\$85,170.40
132	AGENCY ON AGING	\$440.83
190	EMERGENCY DISASTER FUND	\$62,377.48
203	STREET IMPROVE. PROJECTS	\$4,646.00
611	WATER FUND	\$46,380.33
621	STORMWATER FUND	\$5,473.00
631	WASTEWATER FUND	\$12,452.79
641	CABLE TV FUND	\$18,787.01
701	CENTRAL GARAGE	\$15.47
702	FACILITY MAINT. FUND	\$9,844.81
707	TECHNOLOGY DEVELOPMENT	\$1,166.89
711	SELF INSURANCE	\$5,368.00
891	S.B. GARBAGE CO. TRUST	\$40,000.00
TOTAL FOR APPROVAL		\$292,123.01

HONORABLE MAYOR AND CITY COUNCIL:

THIS IS TO CERTIFY THAT THE CLAIMS LISTED ON PAGES NUMBERED FROM 1 THROUGH 3 INCLUSIVE, AND/OR CLAIMS NUMBERED FROM 146343 THROUGH 146466 INCLUSIVE, TOTALING IN THE AMOUNT OF \$292,123.01 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,


FINANCE DIRECTOR

2-4-2014

DATE

T.A.

Document group: komalley Bank: apbank 05507660

Vendor Code & Name	Check #	Check Date	Amount
0017188 3T EQUIPMENT COMPANY INC.	146343	2/3/2014	1,102.43
0000908 A-1 FENCE CO	146344	2/3/2014	4,980.00
0016499 ACTION SPORTS	146345	2/3/2014	1,021.38
0000858 ADECCO EMPLOYMENT SERVICES	146346	2/3/2014	4,623.84
0001170 AIRGAS NCN	146347	2/3/2014	118.35
0000163 AIRPORT AUTO PARTS INC.	146348	2/3/2014	222.76
0018611 ALL INDUSTRIAL ELECTRIC SUPPLY	146349	2/3/2014	6.94
0000372 ALLIED SECURITY ALARMS	146350	2/3/2014	525.50
0099465 AMANDEEP/KAREN ANAND	146352	2/3/2014	16.13
0000082 AMERICAN MESSAGING	146351	2/3/2014	158.94
0100921 AMIT CHARAYA	146368	2/3/2014	9.50
0097963 ANTHONY CHEROLIS	146370	2/3/2014	5.93
0001202 ARAMARK UNIFORM SERVICES	146353	2/3/2014	21.43
0001965 ARISTA BUSINESS	146354	2/3/2014	371.52
0104925 ASIA TV USA, LTD.	146356	2/3/2014	2,096.87
0016123 AT&T	146357	2/3/2014	15.78
0017191 AT&T	146358	2/3/2014	975.44
0000345 BAKER & TAYLOR BOOKS	146359	2/3/2014	2,157.85
0102737 BURKE, WILLIAMS & SORENSEN,LLP	146362	2/3/2014	111.60
0096798 BUSINESS PRODUCTS & SUPPLIES	146363	2/3/2014	1,046.18
0094705 CACEO	146364	2/3/2014	75.00
0018531 CAL-STEAM	146365	2/3/2014	1,428.18
0000729 CERTIFIED LABORATORIES	146367	2/3/2014	970.37
0017284 CHEMSEARCHFE	146369	2/3/2014	1,928.46
0016324 CINTAS CORPORATION #464	146372	2/3/2014	348.81
0096053 CINTAS DOCUMENT MANAGEMENT	146373	2/3/2014	45.00
0102572 CINTAS FIRE PROTECTION	146374	2/3/2014	271.87
0097464 CINTAS FIRST AID & SAFETY	146375	2/3/2014	309.26
0018978 CLEAN HARBORS ENV SERVICES INC	146376	2/3/2014	876.36
0017802 CLEANSOURCE, INC.	146377	2/3/2014	2,217.07
0105091 COLE SUPPLY CO., INC.	146378	2/3/2014	1,401.30
0098656 COMPLETE LINEN SERVICE	146379	2/3/2014	120.98
0102625 CONTEC, LLC	146380	2/3/2014	1,776.79
0100837 CORNELLS VAN DER BIJL	146360	2/3/2014	16.24
0015857 COUNTY OF SAN MATEO	146381	2/3/2014	152.00
0018382 COVANTA STANISLAUS	146382	2/3/2014	3,499.62
0105894 CRIME SCENE CLEANERS, INC.	146383	2/3/2014	70.00
0018979 CT CORPORATION	146384	2/3/2014	284.00
0018188 DAU PRODUCTS	146387	2/3/2014	3,237.06
0102820 DEBRA HALL	146401	2/3/2014	289.00
0093946 DELIGHT DAMOLE	146386	2/3/2014	68.83
0018169 DELL MARKETING L.P.	146388	2/3/2014	53.01
0097914 ELIZABETH JUNTILLA	146408	2/3/2014	30.00
0103887 FARHANG POURMEHRABAN	146430	2/3/2014	12.18
0102627 FASTRAK CUSTOMER SVC. CENTER	146391	2/3/2014	30.00
0000944 FEDEX	146392	2/3/2014	55.67
0001782 FLOWERS ELECTRIC & SVC.CO.INC.	146393	2/3/2014	2,558.57
0102869 FRANCHISE TAX BOARD	146394	2/3/2014	50.00
0104771 GILLERAN ENERGY MANAGEMENT SERVICES	146389	2/3/2014	604.25
0016969 GOLDEN IDEAS	146396	2/3/2014	226.00
0102735 GOPALAKRISHNAN PILLAI	146429	2/3/2014	7.92
0000162 GRAINGER	146397	2/3/2014	1,692.28
0017900 GREAT LAKES DATA SYSTEMS INC	146398	2/3/2014	863.58

Document group: komalley Bank: apbank 05507660

Vendor Code & Name	Check #	Check Date	Amount
0095966 GREATAMERICA FINANCIAL SVCS.	146399	2/3/2014	161.99
0017914 GSWAW INC.	146400	2/3/2014	19,627.95
0104705 HB CONSULTING GROUP	146402	2/3/2014	59,610.00
0105378 HOME MAID RAVIOLI COMPANY INC.	146403	2/3/2014	44.50
0104529 IMPACT TV	146404	2/3/2014	251.64
0015531 INTERSTATE BATTERY SYS. OF SF	146405	2/3/2014	98.03
0018557 INTERSTATE SALES	146406	2/3/2014	3,531.60
0098009 JANIECE RANSONE	146436	2/3/2014	14.25
0018376 JT2 INTEGRATED RESOURCES	146407	2/3/2014	5,368.00
0000075 K-119 TOOLS OF CALIFORNIA INC.	146409	2/3/2014	1,429.36
0000112 KAMAN INDUSTRIAL TECHNOLOGIES	146410	2/3/2014	313.20
0000132 KELLY-MOORE PAINT CO INC.	146411	2/3/2014	17.79
0000317 L.N. CURTIS & SONS	146412	2/3/2014	773.90
0102919 LABELMASTER	146413	2/3/2014	68.68
0098226 MARIA CHRISTINA CUSIO	146385	2/3/2014	103.00
0002106 MASATOSHI MORITA	146419	2/3/2014	52.80
0098699 MAUREEN MAHER	146415	2/3/2014	26.52
0095378 MAX MONTERROSA	146418	2/3/2014	43.30
0102770 METLIFE	146417	2/3/2014	320.46
0096665 MICHAEL SHEN	146445	2/3/2014	1,000.00
0000333 MOSS RUBBER & EQUIP. CORP.	146420	2/3/2014	498.17
0105238 NORTHERN SERVICES INC.	146421	2/3/2014	5,719.35
0092263 OFFICE DEPOT INC	146422	2/3/2014	504.86
0097567 ONE HOUR DRY CLEANING	146423	2/3/2014	135.60
0000012 PACIFIC GAS & ELECTRIC	146424	2/3/2014	28,308.88
0000012 PACIFIC GAS & ELECTRIC	146425	2/3/2014	20.37
0095834 PATRICK LUY	146414	2/3/2014	35.18
0096456 PB AMERICAS, INC.	146426	2/3/2014	4,646.00
0001154 PENINSULA LIBRARY SYSTEM	146427	2/3/2014	1,189.61
0103515 PENINSULA POWER WASH	146428	2/3/2014	4,350.00
0013981 QUILL CORPORATION	146432	2/3/2014	43.14
0000071 R & B COMPANY	146433	2/3/2014	5,577.78
0091044 R.A. METAL PRODUCTS, INC	146434	2/3/2014	2,199.35
0017111 RANDOM HOUSE INC	146435	2/3/2014	106.28
0000175 RECOLOGY SAN BRUNO	146437	2/3/2014	40,000.00
0104548 RENNE SLOAN HOLTZMAN SAKAI LLP	146438	2/3/2014	396.00
0100010 RICHARD BRAZIL	146361	2/3/2014	12.18
0103360 ROBERT MARTY	146416	2/3/2014	4,272.76
0102982 ROBERT'S APPLIANCE SERVICE,INC	146439	2/3/2014	202.10
0098783 RON CASTRO	146366	2/3/2014	184.00
0016213 ROZZI REPRODUCTION&SUPPLY INC.	146440	2/3/2014	755.15
0000569 SAN BRUNO AUTO CENTER, INC.	146441	2/3/2014	240.00
0017432 SAN MATEO COUNTY PUBLIC SAFETY COMMUNICA	146431	2/3/2014	567.20
0017842 SANDRA GAN	146395	2/3/2014	6.66
0101035 SARA ARWOOD	146355	2/3/2014	9.51
0104767 SESAC	146443	2/3/2014	685.00
0102917 SFPUC FINANCIAL SERVICES	146444	2/3/2014	6,187.00
0018962 SHOE DEPOT INC.	146446	2/3/2014	64.72
0000216 SHOWTIME NETWORKS INC.	146447	2/3/2014	6,670.82
0098030 SHRED-IT USA - SAN FRANCISCO	146448	2/3/2014	39.60
0017508 SOUTH CITY LUMBER AND SUPPLY	146449	2/3/2014	27.42
0097079 SPRINT	146450	2/3/2014	65.38
0099610 SUN CHUNG	146371	2/3/2014	1,000.00
0105796 SUNRISE FOOD DISTRIBUTOR INC.	146451	2/3/2014	396.33

Document group: komalley Bank: apbank 05507660

Vendor Code & Name	Check #	Check Date	Amount
0018813 TANKO LIGHTING	146452	2/3/2014	519.93
0002025 TELECOMMUNICATIONS ENGINEERING ASSOCIATE	146390	2/3/2014	85.00
0097184 TELEVISION DOMINICANA LLC	146453	2/3/2014	34.88
0017928 THE EDCCO GROUP, INC.	146454	2/3/2014	4,589.03
0105824 TRIVAD, INC.	146455	2/3/2014	1,591.40
0000665 TSQ SOLUTIONS INC.	146456	2/3/2014	325.00
0001362 TV GUIDE MAGAZINE, LLC	146457	2/3/2014	235.83
0102744 UNIVERSAL BUILDING SERVICES	146458	2/3/2014	243.00
0102865 UNIVERSAL SERVICE ADMINISTRATIVE CO.	146442	2/3/2014	4,838.66
0000584 USA MOBILITY WIRELESS INC.	146459	2/3/2014	33.18
0105133 UTILITY TELEPHONE, INC.	146460	2/3/2014	179.34
0102988 VANTAGEPOINT TRANSFER AGENTS	146461	2/3/2014	9,645.35
0018771 VAVRINEK TRINE DAY & CO LLP	146462	2/3/2014	12,000.00
0095749 VERIZON WIRELESS	146463	2/3/2014	1,310.43
0098917 VOLIKOS ENTERPRISES	146464	2/3/2014	2,256.12
0103044 WATER ENVIRONMENT FEDERATION	146465	2/3/2014	249.00
0016899 WECO INDUSTRIES LLC	146466	2/3/2014	855.46
		GrandTotal:	292,123.01
		Total count:	124



**City Council Agenda Item
Staff Report**

CITY OF SAN BRUNO

DATE: February 11, 2014
TO: Honorable Mayor and Members of the City Council
FROM: Jim O'Leary, Interim Finance Director
SUBJECT: Payroll Approval

City Council approval of City payrolls distributed January 17, 2014 and January 31, 2014 are recommended. The Labor Summary reports reflecting total payroll amounts of \$1,286,341.22 and \$1,269,675.32 for the bi-weekly pay periods ending January 12, 2014 and January 26, 2014 are attached.

LABOR SUMMARY FOR PAY PERIOD ENDING : January 12, 2014

pyLaborDist	01/17/14
Fund: 001 - GENERAL FUND	968,826.85
Fund: 122 - SOLID WASTE/RECYCL.	1,444.03
Fund: 190 - EMERGENCY DISASTER FUND	19,892.17
Fund: 201 - PARKS AND FACILITIES CAPITAL	231.32
Fund: 203 - STREET IMPROVE. PROJECTS	9,389.77
Fund: 611 - WATER FUND	70,106.80
Fund: 621 - STORMWATER FUND	12,901.95
Fund: 631 - WASTEWATER FUND	70,867.46
Fund: 641 - CABLE TV FUND	81,880.56
Fund: 701 - CENTRAL GARAGE	9,742.44
Fund: 702 - FACILITY MAINT.FUND	21,179.99
Fund: 707 - TECHNOLOGY DEVELOPMENT	13,423.60
Fund: 711 - SELF INSURANCE	6,454.28
Total	1,286,341.22

LABOR SUMMARY FOR PAY PERIOD ENDING : January 26, 2014

pyLaborDist	01/31/14
Fund: 001 - GENERAL FUND	953,914.88
Fund: 122 - SOLID WASTE/RECYCL.	1,447.67
Fund: 190 - EMERGENCY DISASTER FUND	22,409.52
Fund: 201 - PARKS AND FACILITIES CAPITAL	578.33
Fund: 203 - STREET IMPROVE. PROJECTS	8,276.67
Fund: 611 - WATER FUND	74,344.56
Fund: 621 - STORMWATER FUND	12,891.92
Fund: 631 - WASTEWATER FUND	59,107.90
Fund: 641 - CABLE TV FUND	84,677.33
Fund: 701 - CENTRAL GARAGE	10,575.91
Fund: 702 - FACILITY MAINT.FUND	21,417.55
Fund: 707 - TECHNOLOGY DEVELOPMENT	13,560.54
Fund: 711 - SELF INSURANCE	6,472.54
Total	1,269,675.32



**Successor Agency to the
San Bruno Redevelopment Agency
Staff Report**

CITY OF SAN BRUNO

DATE: February 11, 2014

TO: Successor Agency to the San Bruno Redevelopment Agency

FROM: Jim O'Leary, Interim Finance Director

SUBJECT: Adopt Resolution Approving the Recognized Obligation Payment Schedule 14-15A and Successor Agency Administrative Budget for the period of July 1, 2014 through December 31, 2014

BACKGROUND

On February 1, 2012, the San Bruno Redevelopment Agency was dissolved under AB 1x 26 (Dissolution Act) as affirmed by the California Supreme Court in December 2011. Since that time, the San Bruno Redevelopment Agency has been following the process outlined in the Dissolution Act to unwind the affairs of the former redevelopment agency.

As part of that Dissolution Act (AB 1484), the San Bruno Successor Agency must submit an Oversight Board approved Recognized Obligation Payment Schedule (ROPS 14-15A) to the Department of Finance by March 3, 2014. The period covered by ROPS 14-15A is July 1, 2014 through December 31, 2014. The Successor Agency must also prepare an Administrative Budget for Oversight Board approval, in accordance with the California Health and Safety Code Section 34177(j).

DISCUSSION

The ROPS 14-15A details outstanding expenditures anticipated to be paid between July 1, 2014 through December 31, 2014. The estimated total for this period is \$707,400 and is comprised of the four items summarized below. All of these items have been discussed, previously, with the Oversight Board and three of them have appeared on prior ROPS. The City Advances to the Redevelopment Agency in Accordance with Cooperation Agreement Dated August 10, 1998 is added to the ROPS 14-15A as approved by the Department of Finance and was reviewed by the Oversight Board on September 17, 2013.

- 1) **2000 Certificates of Participation:** The interest payment for the 2000 Certificates of Participation is included in this ROPS and is due on August 1, 2014.
- 2) **2000 Certificates of Participation Fiscal Agent Fees:** Annual fiscal agent fees for the 2000 Certificates of Participation are due in December of each year.

J.C.

- 3) **Administrative Costs:** The administrative allowance is the amount approved by the Oversight Board to cover administrative costs of the Successor Agency. The administrative allowance is supported by the attached Successor Agency Administrative Budget.
- 4) **City Advances to the Redevelopment Agency in Accordance with Cooperative Agreement Dated August 10, 1998:** On September 17, 2013, the Oversight Board approved a resolution authorizing repayment of \$2,977,000 owed the City of San Bruno by the former San Bruno Redevelopment Agency. Over a year earlier, the Oversight Board approved the 1998 Cooperative Agreement finding that the loan from the City to the Agency was for legitimate redevelopment purposes.

The Department of Finance approved repayment of this amount on December 24, 2013 and directed that this item be placed on the ROPS subject to the repayment formula outlined in Health and Safety Code section 34191.4 (b)(2) (A). A total of 20% of amounts to be repaid must be transferred to the low-moderate income housing fund for the City in accordance with the Health and Safety Code. The remainder will return to the General Fund Equipment Reserve, the original funding source of the advances.

The Oversight Board to the San Bruno Successor Agency approved a resolution covering ROPS 14-15A and the Administrative Budget at its regular meeting on February 3, 2014. Action by the Successor Agency is not specifically required but is recommended to assure coordination between the Successor Agency and the Oversight Board.

FISCAL IMPACT

The approval of ROPS 14-15A and the Successor Agency Administrative Budget are necessary to ensure that the Successor Agency for the San Bruno Redevelopment Agency receives the funds necessary to meet all enforceable obligations during the period July 1, 2014 through December 31, 2014.

ALTERNATIVES

1. Do not approve the Recognized Obligation Payment Schedule 14-15A or Successor Agency Administrative Budget for July 1, 2014 – December 31, 2014.

RECOMMENDATION

Adopt Resolution Approving the Recognized Obligation Payment Schedule 14-15A and Successor Agency Administrative Budget for the period of July 1, 2014 through December 31, 2014.

ATTACHMENTS

1. Resolution
2. Recognized Payment Obligation Schedule 14-15A for the period of July 1, 2014–December 31, 2014.
3. Successor Agency Administrative Budget for July 1, 2014–December 31, 2014.

DATE PREPARED: January 30, 2014

RESOLUTION NO. 2014 - ____

**A RESOLUTION OF THE SUCCESSOR AGENCY TO THE SAN BRUNO
REDEVELOPMENT AGENCY APPROVING THE RECOGNIZED OBLIGATION
PAYMENT SCHEDULE 14-15A AND SUCCESSOR AGENCY ADMINISTRATIVE
BUDGET FOR THE PERIOD
JULY 1 – DECEMBER 31, 2014**

WHEREAS, Section 34177(l)(2) of the Health and Safety Code requires the Successor Agency to the San Bruno Redevelopment Agency ("Successor Agency") to submit to the State Department of Finance ("DOF"), the State Controller, and the San Mateo County Auditor-Controller ("County Auditor") for review, a Recognized Obligation Payment Schedule for the period July 1 through December 31, 2013 ("ROPS") that has been reviewed and approved by the Oversight Board for the Successor Agency to the San Bruno Redevelopment Agency ("Board"); and

WHEREAS, Section 34177(m) of the Health and Safety Code requires that the approved ROPS be submitted no later than March 3, 2014; and

WHEREAS, pursuant to Section 34177(j) of the California Health and Safety Code, the Successor Agency has prepared and submitted a proposed administrative budget for the period of July 1, 2014 through December 31, 2014 ("Administrative Budget") to the Successor Agency Board and Oversight Board for approval.

**NOW, THEREFORE, THE SUCCESSOR AGENCY TO THE SAN BRUNO
REDEVELOPMENT AGENCY DOES RESOLVE AS FOLLOWS:**

1. The Recognized Obligation Payment Schedule for the period July 1 – December 31, 2014, in the form attached to this resolution and incorporated herein by reference, is hereby approved.
2. The Successor Agency Administrative Budget for the period of July 1, 2014 through December 31, 2014, in the form attached to this resolution and incorporated herein by reference, is hereby approved.
3. The staff of the Successor Agency is hereby directed to submit the ROPS and Administrative Budget to DOF, the State Controller and the County Auditor and post the ROPS on the Successor Agency's website in accordance with Health and Safety Code Section 34177(l)(2)(C), and to cooperate with DOF to the extent necessary to obtain DOF's acceptance of the ROPS, including, if necessary, making modifications to the ROPS determined by the Successor Agency's City Manager to be reasonable and financially feasible to meet its legally required financial obligations.

PASSED AND ADOPTED by the Successor Agency to the San Bruno
Redevelopment Agency this _____ day of _____, 2014, by the
following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

City Clerk

I HEREBY CERTIFY that the foregoing Resolution No. 2014 -__ was duly and regularly
adopted at a meeting of the Successor Agency to the San Bruno Redevelopment
Agency on _____, 2014.

Clerk of the Board

09/16/13

CITY OF SAN BRUNO
WARRANT REGISTER
TOTAL FUND RECAP
SUCCESSOR AGENCY

FUND	FUND NAME	AMOUNT
153	RDA OBLIGATION RETIREMENT FUND	\$918.84
TOTAL FOR APPROVAL		\$918.84

HONORABLE MAYOR AND CITY COUNCIL:

THIS IS TO CERTIFY THAT THE CLAIM LISTED ON PAGE NUMBERED 1, AND/OR CLAIM NUMBERED 100069, TOTALING IN THE AMOUNT OF \$918.84 HAS 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 ITS RESPECTIVE AMOUNT AS INDICATED THEREON.

RESPECTFULLY SUBMITTED,

Kim Inaw 9/17/13
FINANCE DIRECTOR DATE

7.d.

Document group: komalley Bank: sagnycy 06995403

<u>Vendor Code & Name</u>	<u>Check #</u>	<u>Check Date</u>	<u>Amount</u>
0102737 BURKE, WILLIAMS & SORENSEN,LLP	100069	9/16/2013	918.84
		GrandTotal:	918.84
		Total count:	1

09/30/13

CITY OF SAN BRUNO
WARRANT REGISTER
TOTAL FUND RECAP
SUCCESSOR AGENCY

FUND	FUND NAME	AMOUNT
153	RDA OBLIGATION RETIREMENT FUND	\$162,880.00
TOTAL FOR APPROVAL		\$162,880.00

HONORABLE MAYOR AND CITY COUNCIL:

THIS IS TO CERTIFY THAT THE CLAIM LISTED ON PAGE NUMBERED 1, AND/OR CLAIM NUMBERED 100070, TOTALING IN THE AMOUNT OF \$162,880.00 HAS 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 ITS RESPECTIVE AMOUNT AS INDICATED THEREON.

RESPECTFULLY SUBMITTED,


FINANCE DIRECTOR

10/2/13
DATE

Document group: komalley Bank: sagency 06995403

<u>Vendor Code & Name</u>	<u>Check #</u>	<u>Check Date</u>	<u>Amount</u>
0105838 AVALONBAY COMMUNITIES, INC.	100070	9/30/2013	162,880.00
		GrandTotal:	162,880.00
		Total count:	1

10/07/13

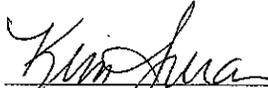
CITY OF SAN BRUNO
WARRANT REGISTER
TOTAL FUND RECAP
SUCCESSOR AGENCY

FUND	FUND NAME	AMOUNT
153	RDA OBLIGATION RETIREMENT FUND	\$1,748.76
TOTAL FOR APPROVAL		\$1,748.76

HONORABLE MAYOR AND CITY COUNCIL:

THIS IS TO CERTIFY THAT THE CLAIM LISTED ON PAGE NUMBERED 1, AND/OR CLAIM NUMBERED 100071, TOTALING IN THE AMOUNT OF \$1,748.76 HAS 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 ITS RESPECTIVE AMOUNT AS INDICATED THEREON.

RESPECTFULLY SUBMITTED,



FINANCE DIRECTOR



DATE

Document group: komalley Bank: sagency 06995403

<u>Vendor Code & Name</u>	<u>Check #</u>	<u>Check Date</u>	<u>Amount</u>
0102737 BURKE, WILLIAMS & SORENSEN,LLP	100071	10/7/2013	1,748.76
		GrandTotal:	1,748.76
		Total count:	1

10/21/13

CITY OF SAN BRUNO
WARRANT REGISTER
TOTAL FUND RECAP
SUCCESSOR AGENCY

FUND	FUND NAME	AMOUNT
153	RDA OBLIGATION RETIREMENT FUND	\$17.26
TOTAL FOR APPROVAL		\$17.26

HONORABLE MAYOR AND CITY COUNCIL:

THIS IS TO CERTIFY THAT THE CLAIM LISTED ON PAGE NUMBERED 1, AND/OR CLAIM NUMBERED 100072, TOTALING IN THE AMOUNT OF \$17.26 HAS 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 ITS RESPECTIVE AMOUNT AS INDICATED THEREON.

RESPECTFULLY SUBMITTED,


FINANCE DIRECTOR

10/23/13
DATE

Document group: komalley Bank: sagncy 06995403

<u>Vendor Code & Name</u>	<u>Check #</u>	<u>Check Date</u>	<u>Amount</u>
0013918 SAN MATEO COUNTY TAX COLLECTOR	100072	10/21/2013	17.26
		GrandTotal:	17.26
		Total count:	1

11/25/13

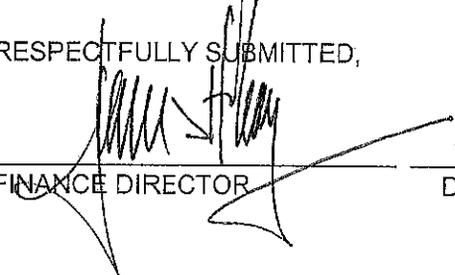
CITY OF SAN BRUNO
WARRANT REGISTER
TOTAL FUND RECAP
SUCCESSOR AGENCY

FUND	FUND NAME	AMOUNT
153	RDA OBLIGATION RETIREMENT FUND	\$3,055.08
TOTAL FOR APPROVAL		\$3,055.08

HONORABLE MAYOR AND CITY COUNCIL:

THIS IS TO CERTIFY THAT THE CLAIMS LISTED ON PAGE NUMBERED 1,
AND/OR CLAIMS NUMBERED FROM 100073 THROUGH 100074 INCLUSIVE, TOTALING
IN THE AMOUNT OF \$3,055.08 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,



FINANCE DIRECTOR

11-27-2013

DATE

Document group: komalley Bank: sagny 06995403

<u>Vendor Code & Name</u>	<u>Check #</u>	<u>Check Date</u>	<u>Amount</u>
0102737 BURKE, WILLIAMS & SORENSEN,LLP	100073	11/25/2013	1,393.08
0104879 LAW OFFICES OF CRAIG LABADIE	100074	11/25/2013	1,662.00
		GrandTotal:	3,055.08
		Total count:	2

01/21/14

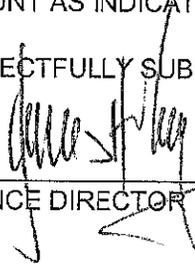
CITY OF SAN BRUNO
WARRANT REGISTER
TOTAL FUND RECAP
SUCCESSOR AGENCY

FUND	FUND NAME	AMOUNT
153	RDA OBLIGATION RETIREMENT FUND	\$2,393.00
TOTAL FOR APPROVAL		\$2,393.00

HONORABLE MAYOR AND CITY COUNCIL:

THIS IS TO CERTIFY THAT THE CLAIM LISTED ON PAGE NUMBERED 1, AND/OR CLAIM NUMBERED 100075, TOTALING IN THE AMOUNT OF \$2,393.00 HAS 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 ITS RESPECTIVE AMOUNT AS INDICATED THEREON.

RESPECTFULLY SUBMITTED,



FINANCE DIRECTOR

1-23-2014

DATE

Document group: komalley Bank: sagny 06995403

<u>Vendor Code & Name</u>	<u>Check #</u>	<u>Check Date</u>	<u>Amount</u>
0104879 LAW OFFICES OF CRAIG LABADIE	100075	1/21/2014	2,393.00
		GrandTotal:	2,393.00
		Total count:	1



**City Council Agenda Item
Staff Report**

CITY OF SAN BRUNO

DATE: February 11, 2014

TO: Honorable Mayor and Members of the City Council

FROM: Klara A. Fabry, Public Services Director
Marc Zafferano, City Attorney

SUBJECT: Hold Public Hearing, Waive First Reading, and Introduce an Ordinance to Regulate the Inspection, Repair and Replacement of Private Orangeburg Pipe Sewer Laterals at the Time of Sale of Residential Property

BACKGROUND:

On July 29, 2011, the City of San Bruno entered into a Consent Decree (CD) with the San Francisco Baykeeper to settle litigation that Baykeeper had filed against the City for alleged violations of the Clean Water Act. Primarily, Baykeeper asserted that Sanitary Sewer Overflows ("SSOs") throughout the City were contaminating the waters of the United States. While the City denied the allegations of the complaint and did not admit liability in the CD, the City nevertheless agreed to resolve the case to avoid the uncertainty and cost of further litigation.

At its January 28, 2014 meeting, the City Council reviewed and discussed the requirements of Paragraph 61 of the CD, which states:

61. If the requirements of Paragraph 60 are not triggered, the City shall comply with the requirements set forth in this Paragraph instead. By February 15, 2014, the City Manager shall present and recommend to its City Council for adoption amendments to its Municipal Code, with notice to Baykeeper, that requires (a) property owners of homes constructed during the period when Orangeburg pipe use was prevalent (1940-1960) to inspect their Private Laterals upon sale of their property; (b) to replace defective Orangeburg Private Laterals by a specified deadline as a requirement of transfer of the property, and (c) to provide evidence to the City that the defective Private Lateral has been repaired, rehabilitated, or replaced by the specified deadline. The City Council shall take final action on the City Manager's recommendation within sixty (60) days. If the City Council does not enact the Ordinance within ninety (90) days, the City shall adopt and commence implementation of an alternative means for securing inspection of such Private Laterals and replacement of defective Private Laterals at rates equivalent to the rates of inspection and/or replacement that would have been secured by implementation of the Ordinance.

For reference, an Orangeburg pipe is made of compressed wood fibers and pitch and was commonly used in the United States during the early to middle 1900's. The name comes from the Orangeburg Manufacturing Company, located in Orangeburg, New York where much of the country's sewer pipes were manufactured. Orangeburg pipes were eventually replaced with stronger and less corrosive PVC (polyvinyl chloride, or "plastic") pipes. Orangeburg pipes have a typical end of life of 50 years but often begin to deform after 30 years. All homes constructed before 1960 now exceed 54 years in age.

J.A.

At its last meeting, the City Council discussed the fact that other neighboring cities have broad ordinances that require inspection, and then repair or replacement of defective private laterals for all homes sold, and in many cases, homes that are being remodeled. The City Council considered the substance of a proposed ordinance for San Bruno that would implement the requirements of Paragraph 61, and directed staff to return at the next meeting with an ordinance for introduction.

DISCUSSION:

To comply with Paragraph 61 of the Baykeeper agreement, staff must present and recommend, and the City Council must consider adopting an ordinance with the following features:

1. A property owner of a home built between 1940-1960 would be required to (visually) inspect their private sewer lateral upon sale or transfer of the property;
2. If the inspection reveals that the lateral is Orangeburg pipe and if that pipe is defective, the property owner must repair, rehabilitate, or replace the lateral by a specified deadline and provide such evidence to the City.

At the last City Council meeting, the City Council recommended introducing an ordinance with the two primary features required by the Baykeeper agreement listed above. In addition, the City Council agreed that the ordinance utilize a Certificate of Compliance process, which allows the City to clearly document which laterals are compliant, and minimizes involvement from code enforcement staff. The option to extend the time to replace the lateral after the close of escrow would be subject to posting a deposit of \$7,500 to ensure performance of the work. The City Council found that 180 days would be a reasonable extension to account for sales that might occur during the rainy season during which work might be curtailed. Consistent with most other ordinances, property owners who have had their lateral tested within the past 5 years, or replaced within the past 20 years, would be exempted from the ordinance.

Pursuant to the deadline in Paragraph 61, the City Council has 90 days to consider and then adopt the ordinance, or no later than the May 13, 2014 City Council meeting. If the City Council declines to adopt an ordinance, the City must then propose an alternative designed to achieve a similar rate of inspection and replacement of private laterals. Staff is discussing one possible alternative with Baykeeper, the program to replace all private laterals in the Glenview/Crestmoor neighborhood. That program is anticipated to achieve replacement of up to 374 Orangeburg private laterals. By way of comparison, over the past five years, an average of 315 homes per year that were constructed between 1940-1960 have been transferred. Staff will advise the City Council about the results of that discussion.

Implementation:

The recommended ordinance would require the seller of a property built between 1940-1960 to present proof of video inspection of Orangeburg pipes, repair, or replacement of the sewer pipe before close of escrow. Costs to video inspect a private lateral are approximately \$350. Complete replacement of a private sewer lateral can vary between \$3,000-\$10,000. The City will require a permit cost of approximately \$150-\$300 to examine and process the sewer inspection.

Based on Council feedback, the City will begin communication and education outreach to the real estate community. An open-house will be held at City Hall for realtors and interested individuals, along with notices posted on the City's website, Cable Channel, and directly to realtors.

FISCAL IMPACT:

The cost to residents to fully inspect, repair, and replace an Orangeburg pipe for a typical home in San Bruno is approximately \$3,000-\$5,000, up to as much as \$10,000 depending on the size of the system. The minimum cost to a property owner will be the initial \$118.25 permit fee to inspect and verify whether the sewer lateral is an Orangeburg pipe. The maximum potential permit fee cost to a homeowner is \$286.50. There will be no additional costs to the City to implement this program. City staff costs will be funded by associated permit fees.

RECOMMENDATION:

Waive first reading, hold public hearing, and introduce Ordinance to regulate the inspection, repair and replacement of private Orangeburg pipe sewer laterals at the time of sale of residential property.

ATTACHMENTS:

1. Ordinance

DATE PREPARED:

January 31, 2014

ORDINANCE NO. _____

**AN ORDINANCE OF THE CITY OF SAN BRUNO ADDING
CHAPTER 10.13, INSPECTION, REPAIR, AND REPLACEMENT OF PRIVATE
ORANGEBURG PIPE SEWER LATERALS, TO TITLE 10 (MUNICIPAL SERVICES)
OF THE SAN BRUNO MUNICIPAL CODE**

WHEREAS, the City of San Bruno ("City") owns and maintains sanitary sewer mains, pumping stations, and appurtenant facilities as part of the City's wastewater collection system which is under the control of the City; and

WHEREAS, the testing, repair, maintenance, renovation, and timely replacement of private sewer laterals constructed from "Orangeburg" pipe between 1940 and 1960 that are connected to the City's wastewater collection system protects the public health, safety, and welfare by preventing or mitigating potentially harmful discharges of untreated wastewater into the environment through leaky or unsound sewer laterals; and

WHEREAS, a program to inspect, repair, and replace such private Orangeburg laterals fosters compliance with requirements of the Clean Water Act, 33 U.S.C. § 1251, et. seq., the U.S. Environmental Protection Agency ("EPA"), the State of California Water Resources Control Board ("SWRCB"), and the San Francisco Regional Water Quality Control Board ("SFRWQCB") by reducing both infiltration and inflow ("I&I") and sewer system spills and overflows ("SSOs").

NOW, THEREFORE, the City Council of the City of San Bruno Ordains as follows:

Section 1. Chapter 10.13, Inspection, Repair, and Replacement of Orangeburg Pipe Sewer Laterals, of Title 10 (Municipal Services) is hereby added to read as follows:

TITLE 10.13

**INSPECTION, REPAIR, AND REPLACEMENT OF
ORANGEBURG PIPE SEWER LATERALS**

Sections:

- 10.13.010 Purposes.**
- 10.13.020 Definitions.**
- 10.13.030 Inspection and correction upon sale.**
- 10.13.040 Time extension certificate.**
- 10.13.050 Notices to correct violations.**
- 10.13.060 Regulations to implement this chapter.**
- 10.13.070 Nuisance.**

10.13.010 Purposes.

The purposes of this chapter are as follows:

A. To provide for operation and maintenance of the city's sewer system in a reliable and serviceable condition;

B. To eliminate or minimize sanitary sewer overflows by eliminating or minimizing stoppages and reducing sources of inflow and infiltration into the city's sewer system;

C. To comply with applicable legal requirements pertaining to the city's sewer system;

and

D. To protect the public health and safety by establishing and providing a mechanism for inspection, repair, and replacement of private sewer laterals constructed from Orangeburg pipe used in homes between 1940 and 1960.

10.13.020 Definitions.

A. Unless otherwise defined within subsection B of this section, terms used in this chapter shall have the same meaning as those terms defined in section 10.12.030 of the San Bruno Municipal Code.

B. As used in this chapter, the following words, phrases, and terms shall have the following definitions.

1. "Sanitary sewer lateral" means that part of a drainage system which extends from the end of the building drain and conveys discharge to a public sewer or other point of disposal. The sanitary sewer lateral shall terminate at the wye or other manufactured connection to the public sewer.

2. "Certificate of compliance" means a written certificate issued to a property owner by the public services director or his/her designee certifying that a sanitary sewer lateral is properly equipped, structurally sound and complies with all standards of this chapter and any other applicable standards established by the city and applicable state law.

3. "Defective sewer lateral" means a sanitary sewer lateral that displays leaks or defects upon the completion of inspection or that is deemed by the city, in its discretion, to be defective upon completion of any other testing method required by the city.

4. "Orangeburg pipe" means pipe composed of compressed wood fibers and pitch commonly manufactured by the Orangeburg Pipe Company in Orangeburg, New York.

5. "Property owner" means any individual or entity owning property within the boundaries of the city that is connected to a public sewer.

10.13.030 Inspection and correction upon sale.

A. Except as provided in subsection C of this section, before a property originally constructed between 1940 and 1960 is to be transferred to, or vested in any other person or entity, the property owner must, at his/her own expense, conduct an inspection of the sanitary sewer lateral as required by this chapter. Any subsequent repair or replacement work deemed necessary as a result of that inspection shall be completed and approved by the city prior to issuance of a certificate of compliance and transfer of title.

B. For residential properties originally constructed between 1940 and 1960, the property owner shall, at his/her own expense, perform the following:

1. Contact the City of San Bruno to arrange for a visual inspection of the sanitary sewer lateral to determine if it is composed of Orangeburg pipe.

2. If the city's visual inspection determines that the building sanitary sewer lateral is composed of Orangeburg pipe, the property owner shall conduct a video inspection of the pipe in accordance with standards established by the City and make such video available to the city for review.

3. If the city's review of the video determines that the pipe is defective, the property owner shall repair or replace the pipe to the satisfaction of the city in accordance with all city standards, prior to transfer of such property.

4. Upon completion of the work in accordance with subsection 3 of this section, the city shall issue a certificate of compliance.

C. Exceptions: This section shall not apply:

1. To condominium or cooperative apartment buildings or the units within those buildings, except as a condition to conversion to a condominium or cooperative apartment building; or

2. To properties for five (5) years after issuance of a certificate of compliance by this city under this chapter; or

3. To properties for five (5) years after acceptance of a test pursuant to this chapter, if partial or no repairs of the lateral were required and any repairs were completed pursuant to permit and inspection by the city; or

4. For five (5) years after inspection and approval by the city of completed alterations to the lateral, if alterations pursuant to a city permit were made to the location of or connections to the lateral following a test pursuant to this section; or

5. To properties for twenty (20) years after city acceptance of construction work, provided that replacement of the complete sewer lateral was performed and accepted.

10.13.040 Time extension certificate.

A. Notwithstanding section 10.13.030, the requirement to obtain a certificate of compliance prior to transfer of title in no way affects the legality of the transfer of title of the underlying property transaction. If a certificate of compliance cannot be obtained prior to title transfer, the property owner may request to the public services director, in writing, for a time extension (time extension certificate) of up to one hundred eighty (180) days in which to perform the inspection, and/or repairs or replacement required by this chapter.

B. The time extension certificate request shall be submitted to the city with the required fee established by the San Bruno Master Fee Schedule.

C. As a condition of issuance of a time extension certificate, funds in the amount of \$7,500 are to be posted into an escrow account. Notwithstanding the escrow deposit, property owners are responsible for the full cost of sanitary sewer lateral compliance with city ordinance requirements, which may exceed the \$7,500 escrow deposit. Once the sanitary sewer lateral passes the required inspection and a certificate of compliance is issued by the city, funds will be released in accordance with escrow instructions.

D. In the event that the work required by this chapter is not completed within one hundred and eighty (180) days of issuance of the time extension certificate, or the work does not meet the conditions required by this chapter, the escrow funds may be forfeited following a hearing, as appropriate, and the current property owner will be responsible for compliance with the requirements of this chapter. The city will take possession of the forfeited escrow funds and the current property owner must affirmatively demonstrate that sewer lateral complies with this chapter prior to requesting that the city consider release of the forfeited funds, less the city's costs, which may include costs of abatement. After close of escrow, the current property owner shall be responsible for all costs associated with compliance of this chapter.

10.13.050 Notices to correct violations.

If the public services director receives notice that a sanitary sewer lateral does not or may not meet the standards set forth in this chapter and the property owner does not agree in writing to perform the repairs or replacements necessary to bring the building sewer lateral into compliance, then the public services director shall give written notice of violation to the property owner of any conditions that violate this chapter. Such notice shall be provided using first class U.S. mail and shall specify the repair or replacement necessary to correct the condition and the time in which to make the correction, and shall advise the property owner of the enforcement provisions of this chapter.

10.13.060 Regulations to implement this chapter.

The city manager or his/her designee is authorized to and may establish rules, regulations, guidelines, and policies for implementing this chapter.

10.13.070 Nuisance.

Any sanitary sewer lateral or appurtenance thereto that is in violation of this chapter is hereby declared to unlawful and a public nuisance and subject to abatement pursuant to the

applicable provisions of State law and the San Bruno Municipal Code, and as currently in effect or as hereafter amended.

Section 2. If any section, subsection, clause or phrase of this Ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portion or sections of the Ordinance. The City Council of the City of San Bruno hereby declares that it should have adopted the Ordinance and each section, subsection, sentence, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional.

Section 3. This Ordinance shall take effect and be in force 30 days after its adoption.

Section 4. The City Clerk shall publish this Ordinance according to law.

Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM

City Attorney

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I hereby certify that the foregoing Ordinance No. _____ 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: February 11, 2014

TO: Honorable Mayor and Members of the City Council

FROM: David Woltering, Community Development Director
Mark Ladas, Fire Chief

SUBJECT: Hold Public Hearing, Waive Second Reading, and Adopt 2013 Fire and Building Code Ordinances to be adopted by Reference with Amendments

BACKGROUND:

At the January 28, 2014 City Council meeting, staff presented its report (See Attached) regarding the adoption of the State-mandated 2013 California Building Codes (CBC), including the California Fire Code, with proposed local amendments. These Codes are divided into 12 parts and apply minimum construction standards for all built structures throughout the State. The Council indicated general support for the State-mandated Codes and the proposed local amendments. However, the Council directed that the proposed local amendments be returned for further consideration. Specifically, the Council wanted to further consider a proposed local amendment pertaining to a requirement to install fire sprinklers with specified additions and/or retrofits to one and two family residential structures. Further consideration of the retrofit fire sprinkler local amendment was scheduled for the City Council at a special City Council meeting on February 6, 2014. The outcome of that council consideration will be brought forward at the regular City Council meeting of February 11, 2014. Otherwise, the Council waived first reading, introduced the 2013 Fire and Building Code Ordinances to be adopted by reference, and set February 11, 2014 for the public hearing on the Ordinances. Therefore, this agenda item is to consider adoption of the 2013 Fire and Building Code Ordinances, with any approved local amendments.

DISCUSSION:

Most of the changes within the State-mandated 2013 CBC are minor or relate to basic code language clean-up. More substantive changes in areas related to the California Green Building Standards Code, the California Energy Code, and the California Building Code were reviewed by staff at the January 28, 2014 City Council meeting and described in detail in the January 28, 2014 City Council staff report. At the follow-up City Council meeting on February 6, 2014, Council will further consider the adoption of a resolution approving the local amendments to the 2013 CBC proposed by staff. A copy of the February 6, 2014, staff report is attached for review and information.

FISCAL IMPACT:

Property owner construction improvements to existing structures or constructing new structures may result in increased construction costs and increases in related permit fees. The City may

J.B.

need to devote additional inspection time to verify compliance with new code requirements. Inspection time costs are covered by permit fees collected by the City.

ALTERNATIVE:

Continue the item and request that staff bring back additional information to the City Council for further consideration.

RECOMMENDATION:

Hold Public Hearing, Waive Second Reading, and Adopt the attached 2013 Fire and Building Code Ordinances to be adopted by Reference with Amendments

ATTACHMENTS:

1. Ordinance adopting by reference the 2013 Administrative Code and the 2013 California Reference Standards Code (Ch. 11.02)
2. Ordinance adopting by reference the 2013 Building Code (Ch. 11.04)
3. Ordinance adopting by reference the 2013 Energy Code (Ch. 11.06)
4. Ordinance adopting by reference the 2013 Mechanical Code (Ch. 11.08)
5. Ordinance adopting by reference the 2013 Electrical Code (Ch. 11.16)
6. Ordinance adopting by reference the 2013 Plumbing Code (Ch. 11.20)
7. Ordinance adopting by reference the 2013 Fire Code (11.24)
8. January 28, 2014 City Council Staff Report
9. February 6, 2014 City Council Staff Report
10. Comparison Table of 2010 vs. 2013 California Green Building Standards Co
11. Proposed San Bruno Fire Sprinkler Ordinance Options
12. Survey Table of R-3 Fire Sprinkler Retrofit Requirements in nearby Cities

DISTRIBUTION:

California Building Standards Commission

DATE PREPARED: February 4, 2014

REVIEWED BY:

____CM

____CA

ORDINANCE NO. XXXX

AN ORDINANCE OF THE CITY OF SAN BRUNO REPEALING EXISTING CHAPTER 11.02 AND ADDING NEW CHAPTER 11.02 (ADMINISTRATIVE AND REFERENCED STANDARDS CODE) TO TITLE 11 (BUILDINGS, CONSTRUCTION AND FIRE PROTECTION) OF THE SAN BRUNO MUNICIPAL CODE ADOPTING BY REFERENCE THE 2013 CALIFORNIA REFERENCED STANDARDS CODE AND THE 2013 ADMINISTRATIVE CODE

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

Section 1. Existing Chapter 11.02 (Administrative and Referenced Standards Code) of Title 11 (Buildings, Construction and Fire Protection) of the San Bruno Municipal Code is hereby repealed.

Section 2. New Chapter 11.02 (Administrative and Referenced Standards Code) of Title 11 (Buildings, Construction and Fire Protection) is added to the San Bruno Municipal Code to read as follows:

Chapter 11.02

ADMINISTRATIVE AND REFERENCED STANDARDS CODE

Sections:

- 11.02.010 Adoption of the 2013 California Administrative Code and the 2013 California Referenced Standards Code.**
- 11.02.020 Violations.**

11.02.010 Adoption of the 2013 California Administrative Code and the 2013 California Referenced Standards Code.

A. Certain documents are marked the "2013 California Referenced Standards Code" and the "2013 California Administrative Code." One copy of these documents is on file in the office of the building official. The documents are published by the International Code Council and the California Building Standards Commission. The documents, together with any additions, deletions, amendments as set forth herein, and any future addenda or errata published by the State of California, are adopted as the administrative and referenced standards code for the building standards of the city of San Bruno, and may be cited as such.

B. No section of this chapter shall impose a mandatory duty of enforcement on the city, or on any officer, official, agent, employee, board, council, or commission thereof. Instead, if any section purports to impose a mandatory duty of enforcement, such section shall be deemed to invest the city, and the appropriate officer, official, agent, employee, board, council or commission thereof with the discretion to enforce the section, or not to enforce it.

11.02.020 Violations.

Any person, firm or corporation violating any provisions of this Code shall be deemed guilty of a misdemeanor, and each such person, firm or corporation shall be deemed guilty of a separate offense for each and every day or portion thereof during which such violation exists and shall be punished as set forth in San Bruno Municipal Code Chapter 1.28.

Section 3. If any section, subsection, sentence, clause, phrase, or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council of the City of San Bruno hereby declares that it would have adopted this ordinance and each section, subsection, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases, or portions be declared invalid or unconstitutional.

Section 4. The City Council finds, pursuant to Title 14 of the California Code of Regulations, Section 15378, that this ordinance is exempt from the requirements of the California Environmental Quality Act (CEQA) in that:

A. It is not a Project as provided by the Act, in that it does not have a potential for resulting in a detrimental physical change in the environment, directly or ultimately as provided in Title 14, Section 15378 (a);

B. In that it is further exempt under the definition of Project in Section 15378 (b) (3) in that it concerns general policy and procedure making;

C. In that it can be seen with certainty that there is no possibility that activity may have a significant effect upon the environment pursuant to Title 14, Section 15061(b) (3); and

D. In that the action taken is an action by a regulatory agency that will both enhance and protect the environment and thereafter categorically exempt pursuant to Title 14, Section 15308.

Section 5.

Ordinance shall be published as required by law, and shall become effective February 11, 2014.

ATTEST:

Jim Ruane, Mayor

City Clerk

APPROVED AS TO FORM:

, City Attorney

--oOo--

I hereby certify that foregoing **Ordinance No. XXXX**
was introduced at a regular meeting of the San Bruno City Council on
January 28, 2014, and adopted by the San Bruno City Council at a regular meeting on
February 11, 2014, by the following vote:

AYES: Councilmembers:

NOES: Councilmembers:

ABSENT: Councilmembers:

City Clerk

ORDINANCE NO. XXXX

AN ORDINANCE OF THE CITY OF SAN BRUNO REPEALING EXISTING CHAPTER 11.04 AND ADDING NEW CHAPTER 11.04 (BUILDING CODE) TO TITLE 11 (BUILDING, CONSTRUCTION AND FIRE PROTECTION) OF THE SAN BRUNO MUNICIPAL CODE ADOPTING BY REFERENCE THE 2013 EDITION OF THE CALIFORNIA BUILDING CODE VOLUMES 1 & 2, THE 2013 HISTORICAL BUILDING CODE, THE 2013 EXISTING BUILDING CODE, THE 2013 RESIDENTIAL BUILDING CODE, THE 2013 GREEN BUILDING STANDARDS AND THE 2012 INTERNATIONAL BUILDING CODE

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

Section 1. Existing Chapter 11.04 (Building Code) of Title 11 (Buildings, Construction and Fire Protection) is hereby repealed.

Section 2. Existing Chapter 11.04 (Building Code) of Title 11 (Buildings, Construction and Fire Protection) is amended to the San Bruno Municipal Code to read as follows:

Chapter 11.04

BUILDING CODE

Sections:

11.04.010 Adoption of the 2013 California Building Code, Volumes 1 & 2, the 2013 California Historical Code, the 2013 California Existing Building Code, the 2013 Residential Building Code, the 2013 Green Building Standards and the 2012 International Building Code.

11.04.020 Amendments.

11.04.040 Most restrictive code provision.

11.04.010 Adoption of the 2013 California Building Code, Volumes 1 & 2, the 2013 California Historical Code, the 2013 California Existing Building Code, the 2013 Residential Building Code, the 2013 Green Building Standards and the 2012 International Building Code.

A. Certain documents are marked 2013 California Building Code, Volumes 1 & 2, the 2013 California Historical Code, the 2013 California Existing Building Code, the 2013 Residential Building Code, the 2013 Green Building Standards and the 2012 International Building Code. The appendices to the 2013 California Building Code are excluded from adoption except for CBC Appendix F- Rodent Proofing; Appendix I – Patio Covers; and Appendix J – Grading, which are specifically adopted. The appendices to the 2013 Residential Building Code are excluded from adoption except Appendix C – Exit Terminals of Mechanical Draft and Direct Venting Systems; Appendix D – Recommended Procedure for Safety Inspection of (E) Appliance Installation, Appendix E – Manufactured Housing Use as Dwellings; Appendix G – Swimming Pools, Spas and Hot Tubs; Appendix H – Patio Covers; Appendix J – (E) Buildings and Structures, Appendix K – Sound Transmission; Appendix O – Gray Water Recycling Systems. A copy of these documents is on file in the office of the building official. The documents are published by the International Code Council and the California Building Standards Commission. The documents with additions, deletions and amendments set forth herein, and any future addenda or errata published by the State of California, are adopted as the building code for the building standards of the city of San Bruno, and may be cited as such.

B. No section of the city's building code shall impose a mandatory duty of enforcement on the city, or on any officer, official, agent, employee, board, council, or commission thereof. Instead, if any section purports to impose a mandatory duty of enforcement, such section shall be deemed to invest the city, and the appropriate officer, official, agent, employee, board, council or commission thereof with the discretion to enforce the section, or not to enforce it.

11.04.020 Amendments.

Amendments to the 2013 California Building Code are as follows:

A. Section 107.6 is added the 2013 California Building Code to read as follows:

Protection from Airport Noise. Any residential structure located within the 65 CNEL level as determined by the 1983 Noise Contour Map which is either newly constructed or renovated at a cost equal to or greater than 25% of the valuation shall meet noise insulation standards set by the Federal Aviation Administration.

Any section or table in any of the codes adopted by this chapter that allows any structure dimension to be unlimited, must be approved by the building official and the fire code official.

B. Section 113.1 of the California Building Code is amended to read as follows:

Appeal and Review. The building official shall be charged with the duty and responsibility of administering the provisions of this chapter.

Whenever it is provided herein that certain things shall be done in accordance with the order, opinion, or approval of the building official, such order, opinion or approval shall be complied with; provided, any person aggrieved thereby, or believing that such order, opinion or approval is erroneous or faulty, may appeal except as otherwise provided in this chapter, to the city manager in writing within seventy-two hours after such order, opinion or approval has been given, and the city manager shall affirm, modify or reverse the same within seventy-two hours thereafter; provided that, if dissatisfied with the city manager's ruling thereon, that person may appeal to the city council in accordance with San Bruno Municipal Code Chapter 1.32 and the decision of the council shall be final and conclusive. In the meantime, except in the case of immediate hazard, the order, opinion, or approval shall be deemed suspended until such person has exhausted his or her right of appeal as herein provided.

C. Section 114.4 California Building Code shall be amended to read as follows:

Violation Penalties.

Any person, firm, or corporation who violates a provision of this code or fails to comply with any of the requirements of thereof or who erects, constructs, alters or repairs a building or structure in violation of the approved construction documents or directive of the building official, or of a permit or certificate issued under the provisions of this code, shall be deemed guilty of a misdemeanor, and each such person, firm or corporation shall be deemed guilty of a separate offense for each and every day or portion thereof during which such violation exists and shall be punished as set forth in San Bruno Municipal Code Chapter 1.28.

D. Section 701A.4.3, Inspection and Certification, of the California Building Code shall be amended to read as follows:

The determination of Wildland-Urban Interface Fire areas and the appropriate non-combustible materials for construction in those areas shall be determined by the City Fire Marshal and Building Official.

E. Section 1505.1 Table 1505.1 is amended to read as follows:

The minimum roof covering classification for all Types of Construction regulated by this code in San Bruno shall be Class B fire-retardant rating.

F. Section R403.1.3 of the California Residential Code is amended as follows:

Minimum reinforcement shall be two continuous longitudinal reinforcing bars not smaller than No. 4 bars.

G. Section R602.10.4 and Table 602.10.4 of the California Residential Code is amended as follows:

Gypsum wall board (method GB) and plaster (method PCP) shall not be considered for braced wall panels.

11.04.040 Most restrictive code provision.

If a discrepancy occurs between the municipal code and the state building codes, the municipal code shall apply. If a discrepancy occurs between the state codes adopted pursuant to this chapter, the most restrictive code shall prevail as interpreted by the building official.

Section 3. If any section, subsection, sentence, clause, phrase, or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council of the City of San Bruno hereby declares that it would have adopted this ordinance and each section, subsection, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases, or portions be declared invalid or unconstitutional.

Section 4. The City Council finds, pursuant to Title 14 of the California Code of Regulations, Section 15378, that this ordinance is exempt from the requirements of the California Environmental Quality Act (CEQA) in that:

A. It is not a Project as provided by the Act, in that it does not have a potential for resulting in a detrimental physical change in the environment, directly or ultimately as provided in Title 14, Section 15378 (a);

B. In that it is further exempt under the definition of Project in Section 15378 (b) (3) in that it concerns general policy and procedure making;

C. In that it can be seen with certainty that there is no possibility that activity may have a significant effect upon the environment pursuant to Title 14, Section 15061(b) (3); and

D. In that the action taken is an action by a regulatory agency that will both enhance and protect the environment and thereafter categorically exempt pursuant to Title 14, Section 15308.

Section 5.

This ordinance shall take effect and be enforced 30 days after the adoption of the ordinance. The City Clerk shall publish this Ordinance according to law.

Jim Ruane, Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:

, City Attorney

--oOo--

I hereby certify that foregoing **Ordinance No. XXXX**
was introduced at a regular meeting of the San Bruno City Council on
January 28, 2014, and adopted by the San Bruno City Council at a regular meeting on
February 11, 2014, by the following vote:

AYES: Councilmembers:

NOES: Councilmembers:

ABSENT: Councilmembers:

City Clerk

ORDINANCE NO. XXXX

AN ORDINANCE OF THE CITY OF SAN BRUNO REPEALING EXISTING CHAPTER 11.06 AND ADDING NEW CHAPTER 11.06 (ENERGY CODE) TO TITLE 11 (BUILDINGS, CONSTRUCTION AND FIRE PROTECTION) OF THE SAN BRUNO MUNICIPAL CODE ADOPTING BY REFERENCE THE 2013 CALIFORNIA ENERGY CODE

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

Section 1. Existing Chapter 11.06 (Energy Code) of Title 11 (Buildings, Construction and Fire Protection) of the San Bruno Municipal Code is hereby repealed.

Section 2. New Chapter 11.06 (Energy Code) of Title 11 (Buildings, Construction and Fire Protection) is added to the San Bruno Municipal Code to read as follows:

Chapter 11.06

ENERGY CODE

Sections:

- 11.06.010 Adoption of the 2013 California Energy Code.**
- 11.06.020 Violations.**

11.06.010 Adoption of the 2013 California Energy Code.

A. Certain documents are marked "2013 California Energy Code". One copy of this document is on file in the office of the City Building Official. The documents are published by the International Conference of Building Officials and the California Building Standards Commission. The documents and appendix 1 A, printed therein, together with any additions, deletions, amendments as set forth herein, and any future addenda or errata published by the State of California, are adopted as the energy code for the building standards of the city of San Bruno, and may be cited as such.

B. No section of the City's Energy Code shall impose a mandatory duty of enforcement on the city, or on any officer, official, agent, employee, board, council, or commission thereof. Instead, if any section purports to impose a mandatory duty of enforcement, such section shall be deemed to invest the city, and the appropriate officer, official, agent, employee, board, council or commission thereof with the discretion to enforce the section, or not to enforce it.

11.06.020 Violations.

Any person, firm, or corporation violating any provisions of this code shall be deemed guilty of a misdemeanor, and each such person, firm, or corporation, shall be deemed guilty of a separate offense for each and every day or portion thereof during which such violation exists and shall be punished as set forth in San Bruno Municipal Code Chapter 1.28.

Section 3. If any section, subsection, sentence, clause, phrase, or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council of the City of San Bruno hereby declares that it would have adopted this ordinance and each section, subsection, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases, or portions be declared invalid or unconstitutional.

Section 4. The City Council finds, pursuant to Title 14 of the California Code of Regulations, Section 15378, that this ordinance is exempt from the requirements of the California Environmental Quality Act (CEQA) in that:

- A. It is not a Project as provided by the Act, in that it does not have a potential for resulting in a detrimental physical change in the environment, directly or ultimately as provided in Title 14,

Section 15378 (a);

B. In that it is further exempt under the definition of Project in Section 15378 (b) (3) in that it concerns general policy and procedure making;

C. In that it can be seen with certainty that there is no possibility that activity may have a significant effect upon the environment pursuant to Title 14, Section 15061(b) (3); and

D. In that the action taken is an action by a regulatory agency that will both enhance and protect the environment and thereafter categorically exempt pursuant to Title 14, Section 15308.

Section 5. This ordinance shall be published as required by law, and shall be effective on February 11, 2014.

Jim Ruane, Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:

, City Attorney

--oOo--

I hereby certify that foregoing **Ordinance No. XXXX**
was introduced at a regular meeting of the San Bruno City Council on
January 28, 2014, and adopted by the San Bruno City Council at a regular meeting on
February 11, 2014, by the following vote:

AYES: Councilmembers:

NOES: Councilmembers:

ABSENT: Councilmembers:

, City Clerk

ORDINANCE NO. XXXX

AN ORDINANCE OF THE CITY OF SAN BRUNO REPEALING EXISTING CHAPTER 11.08 AND ADDING NEW CHAPTER 11.08 (MECHANICAL CODE) TO TITLE 11 (BUILDINGS, CONSTRUCTION AND FIRE PROTECTION) OF THE SAN BRUNO MUNICIPAL CODE ADOPTING BY REFERENCE THE 2013 CALIFORNIA MECHANICAL CODE

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

Section 1. Existing Chapter 11.08 (Mechanical Code) of Title 11 (Buildings, Construction and Fire Protection) of the San Bruno Municipal Code is hereby repealed.

Section 2. New Chapter 11.08 (Mechanical Code) of Title 11 (Buildings, Construction and Fire Protection) is added to the San Bruno Municipal Code to read as follows:

Chapter 11.08

MECHANICAL CODE

Sections:

- 11.08.010 **Adoption of the 2013 California Mechanical Code.**
- 11.08.020 **Amendments.**

11.08.010 Adoption of the 2013 California Mechanical Code.

A. Certain documents are marked "2013 California Mechanical Code." One copy of this document is on file in the office of the building official. The documents are published by the International Code Council and the California Building Standards Commission. The documents (and any appendices printed therein, if any) with additions, deletions and amendments as set forth herein, and any future addenda or errata published by the State of California, are adopted as the mechanical code for the building standards of the city of San Bruno, and may be cited as such.

B. No section of the City's Mechanical Code shall impose a mandatory duty of enforcement on the city, or on any officer, official, agent, employee, board, council, or commission thereof. Instead, if any section purports to impose a mandatory duty of enforcement, such section shall be deemed to invest the city, and the appropriate officer, official, agent, employee, board, council or commission thereof with the discretion to enforce the section, or not to enforce it.

11.08.020 Amendments.

Amendments, additions, and deletions to the 2013 California Mechanical Section are as follows:

A. Section 108.4.2, Fees and plan review, is amended by the addition of the following:

Section 108.4.2.1—General—Fees shall be assessed as set forth in the fee schedule adopted the City Council.

Section 108.4.2.2—Permit Fees—The fee for each permit shall be established by resolution of the City Council.

Section 108.4.2.3—Plan Review Fees—When submittal documents are required by Section 108.4.3, a plan review fee shall be paid at the time of submitting the submittal documents for plan review. Said plan review fee shall be established by resolution of the City Council. The plan review fees specified in this subsection are separate fees from the permit fees specified in Section 108.4.2.1 and are in addition to the permit fees.

When submittal documents are incomplete or changed so as to require additional plan review, an additional plan review fee shall be charged as established by resolution of the City Council.

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B. Section 108.8 of the 2013 California Mechanical Code, is amended to read as follows:

Appeal and Review

- a) The building official shall be charged with the duty and responsibility of administrating the provisions of this chapter.
- b) Whenever it is provided herein that certain things shall be done in accordance with the order, opinion, or approval of the building official, such order, opinion or approval shall be complied with; provided, any person aggrieved thereby, or believing that such order, opinion or approval is erroneous or faulty, may appeal except as otherwise provided in this chapter, to the city manager in writing within seventy-two hours after such order, opinion or approval has been given, and the city manager shall affirm, modify or reverse the same within seventy-two hours thereafter; provided that, if dissatisfied with the city manager's ruling thereon, that person may appeal to the city council in accordance with San Bruno Municipal Code Chapter 1.32 and the decision of the council shall be final and conclusive. In the meantime, except in the case of immediate hazard, the order, opinion, or approval shall be deemed suspended until such person has exhausted his or her right of appeal as herein provided.

C. Section 111.2.1.3 of the 2013 California Mechanical Code, is amended to read as follows:

Any person, firm or corporation violating any provisions of this Code shall be deemed guilty of a misdemeanor, and each such person, firm or corporation shall be deemed guilty of a separate offense for each and every day or portion thereof during which such violation exists and shall be punished as set forth in San Bruno Municipal Code Chapter 1.28.

Section 3. If any section, subsection, sentence, clause, phrase, or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council of the City of San Bruno hereby declares that it would have adopted this ordinance and each section, subsection, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases, or portions be declared invalid or unconstitutional.

Section 4. The City Council finds, pursuant to Title 14 of the California Code of Regulations, Section 15378, that this ordinance is exempt from the requirements of the California Environmental Quality Act (CEQA) in that:

- A. It is not a Project as provided by the Act, in that it does not have a potential for resulting in a detrimental physical change in the environment, directly or ultimately as provided in Title 14, Section 15378 (a);
- B. In that it is further exempt under the definition of Project in Section 15378 (b) (3) in that it concerns general policy and procedure making;
- C. In that it can be seen with certainty that there is no possibility that activity may have a significant effect upon the environment pursuant to Title 14, Section 15061(b) (3); and
- D. In that the action taken is an action by a regulatory agency that will both enhance and protect the environment and thereafter categorically exempt pursuant to Title 14, Section 15308.

Section 5. This ordinance shall be published as required by law, and shall be effective on February 11, 2014

Jim Ruane, Mayor

ATTEST:

, City Clerk

APPROVED AS TO FORM:

, City Attorney

--oOo--

I hereby certify that foregoing **Ordinance No. XXXX**
was introduced at a regular meeting of the San Bruno City Council on
January 28, 2014, and adopted by the San Bruno City Council at a regular meeting on
February 11, 2014, by the following vote:

AYES: Councilmembers:

NOES: Councilmembers:

ABSENT: Councilmembers:

City Clerk

ORDINANCE NO. XXXX

AN ORDINANCE OF THE CITY OF SAN BRUNO REPEALING EXISTING CHAPTER 11.16 AND ADDING NEW CHAPTER 11.16 (ELECTRICAL CODE) TO TITLE 11 (BUILDINGS, CONSTRUCTION AND FIRE PROTECTION) OF THE SAN BRUNO MUNICIPAL CODE ADOPTING BY REFERENCE THE 2013 CALIFORNIA ELECTRICAL CODE

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

Section 1. Existing Chapter 11.16 (Electrical Code) of Title 11 (Buildings, Construction and Fire Protection) of the San Bruno Municipal Code is hereby repealed.

Section 2. New Chapter 11.16 (Electrical Code) of Title 11 (Buildings, Construction and Fire Protection) is added to the San Bruno Municipal Code to read as follows:

Chapter 11.16

ELECTRICAL CODE

Sections:

- 11.16.010** **2013 Adoption of the California Electrical Code.**
- 11.16.020** **Amendments, additions and deletions to the 2013 California Electrical Code.**

11.16.010 **Adoption of the 2013 California Electrical Code.**

A. The code of rules and regulations known and designated as the 2013 California Electrical Code as published by the California Building Standards Commission as adopted and amended by the State of California is adopted. The documents (and the appendices printed with additions, deletions and amendments, and any future addenda or errata published by the State of California, are adopted as the electrical code for the building standards of the City of San Bruno, and may be cited as such. A copy of the code shall be kept in the office of the building official.

B. No section of the California Electrical Code shall impose a mandatory duty of enforcement on the city, or on any officer, official, agent, employee, board, council, or commission thereof. Instead, if any section purports to impose a mandatory duty of enforcement, such section shall be deemed to invest the city, and the appropriate officer, official, agent, employee, board, council or commission thereof with discretion to enforce the section, or not to enforce it.

11.16.020 **Amendments, additions and deletions to the 2013 California Electrical Code.**

The amendments, additions and deletions to the 2013 California Electrical Code are as follows:

A. Section 89.108.8, Appeals Board, is amended to read as follows:

Appeal and Review

- a. The building official shall be charged with the duty and responsibility of administering the provisions of this chapter.
- b. Whenever it is provided herein that certain things shall be done in accordance with the order, opinion, or approval of the building official, such order, opinion or approval shall be complied with; provided, any person aggrieved thereby, or believing that such order, opinion or approval is erroneous or faulty, may appeal except as otherwise provided in this chapter, to the city manager in writing within seventy-two hours after such order, opinion or approval has been given, and the city manager shall affirm, modify or reverse the same within seventy-two hours thereafter; provided that, if dissatisfied with

the city manager's ruling thereon, that person may appeal to the city council in accordance with San Bruno Municipal Code Chapter 1.32 and the decision of the council shall be final and conclusive. In the meantime, except in the case of immediate hazard, the order, opinion, or approval shall be deemed suspended until such person has exhausted his or her right of appeal as herein provided.

- B. Section 90.4, Enforcement, is amended by the addition of the following:

The authority having jurisdiction for enforcing this Code is the building official.

- C. Section 89.108.9.2, Action and Proceedings, is amended as follows:

Violation Penalties. Any person, firm, or corporation violating any provision of this code shall be deemed guilty of a misdemeanor, and each such person, firm or corporation shall be deemed guilty of a separate offense for each and every day or portion thereof during which such violation exists and shall be punished as set forth in San Bruno Municipal Code Chapter 1.28.

Section 3. If any section, subsection, sentence, clause, phrase, or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council of the City of San Bruno hereby declares that it would have adopted this ordinance and each section, subsection, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases, or portions be declared invalid or unconstitutional.

Section 4. The City Council finds, pursuant to Title 14 of the California Code of Regulations, Section 15378, that this ordinance is exempt from the requirements of the California Environmental Quality Act (CEQA) in that:

A. It is not a Project as provided by the Act, in that it does not have a potential for resulting in a detrimental physical change in the environment, directly or ultimately as provided in Title 14, Section 15378 (a);

B. In that it is further exempt under the definition of Project in Section 15378 (b) (3) in that it concerns general policy and procedure making;

C. In that it can be seen with certainty that there is no possibility that activity may have a significant effect upon the environment pursuant to Title 14, Section 15061(b) (3); and

D. In that the action taken is an action by a regulatory agency that will both enhance and protect the environment and thereafter categorically exempt pursuant to Title 14, Section 15308.

Section 5. This ordinance shall be published as required by law, and shall be effective February 11, 2014.

Jim Ruane, Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

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I hereby certify that foregoing **Ordinance No. XXXX**
was introduced at a regular meeting of the San Bruno City Council on
January 28, 2014, and adopted by the San Bruno City Council at a regular meeting on
February 11, 2014, by the following vote:

AYES: Councilmembers:

NOES: Councilmembers:

ABSENT: Councilmembers:

City Clerk

ORDINANCE NO. XXXX

AN ORDINANCE OF THE CITY OF SAN BRUNO REPEALING EXISTING CHAPTER 11.20 AND ADDING NEW CHAPTER 11.20 (PLUMBING CODE) TO TITLE 11 (BUILDINGS, CONSTRUCTION AND FIRE PROTECTION) OF THE SAN BRUNO MUNICIPAL CODE ADOPTING BY REFERENCE THE 2013 CALIFORNIA PLUMBING CODE

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

Section 1. Existing Chapter 11.20 (Plumbing Code) of Title 11 (Buildings, Construction and Fire Protection) of the San Bruno Municipal Code is hereby repealed.

Section 2. New Chapter 11.20 (Plumbing Code) of Title 11 (Buildings, Construction and Fire Protection) is added to the San Bruno Municipal Code to read as follows:

Chapter 11.20

PLUMBING CODE

Sections:

- 11.20.010 Adoption of the 2013 California Plumbing Code.**
- 11.20.020 Amendments, additions and deletions to the 2013 California Plumbing Code.**

11.20.010 Adoption of the 2013 California Plumbing Code.

A. Certain documents are marked "2013 California Plumbing Code." One copy of this document is on file in the office of the building official. The documents are published by California Building Standards Commission and the International Association of Plumbing and Mechanical Officials. The documents (and any appendices printed therein) together with additions, deletions and amendments as set forth herein, and any future addenda or errata published by the State of California, are adopted as the plumbing code for the building standards of the City of San Bruno, and may be cited as such.

B. No section of the City's Plumbing Code shall impose a mandatory duty of enforcement on the city, or on any officer, official, agent, employee, board, council, or commission thereof. Instead, if any section purports to impose a mandatory duty of enforcement, such section shall be deemed to invest the city, and the appropriate officer, official, agent, employee, board, council or commission thereof with the discretion to enforce the section, or not to enforce it.

11.20.020 Amendments, additions and deletions to the California Plumbing Code. The amendments, additions and deletions to the 2013 California Plumbing Code are as follows:

- A. Section 108.4.2, Fees, of the 2013 California Plumbing Code, is amended by the addition of the following:

Section 108.4.2.1—Permit Fees—Fees shall be assessed as set forth in the fee schedule adopted the City Council.

Section 108.4.2.2—Plan Review Fees—When submittal documents are required by Section 108.4.3, a plan review fee shall be paid at the time of submitting the submittal documents for plan review. Said plan review fee shall be established by resolution of the City Council.

The plan review fees specified in this subsection are separate fees from the permit fees specified in Section 108.4.2.1 and are in addition to the permit fees. When submittal documents are incomplete or changed so as to require additional plan review, an additional plan review fee shall be charged as established by resolution of the City Council.

- B. Section 108.8, Appeals Board, is amended to read:

Appeal and Review

- a) The building official shall be charged with the duty and responsibility of administering the provisions of this chapter.
- b) Whenever it is provided herein that certain things shall be done in accordance with the order, opinion, or approval of the building official, such order, opinion or approval shall be complied with; provided, any person aggrieved thereby, or believing that such order, opinion or approval is erroneous or faulty, may appeal except as otherwise provided in this chapter, to the city manager in writing within seventy-two hours after such order, opinion or approval has been given, and the city manager shall affirm, modify or reverse the same within seventy-two hours thereafter; provided that, if dissatisfied with the city manager's ruling thereon, that person may appeal to the city council in accordance with San Bruno Municipal Code Chapter 1.32 and the decision of the council shall be final and conclusive. In the meantime, except in the case of immediate hazard, the order, opinion, or approval shall be deemed suspended until such person has exhausted his or her right of appeal as herein provided.
- C. Section 108.9.2, Actions and proceedings, is amended to read

Violation Penalties. Any person, firm, or corporation violating any provision of this code shall be deemed guilty of a misdemeanor, and each such person, firm or corporation shall be deemed guilty of a separate offense for each and every day or portion thereof during which such violation exists and shall be punished as set forth in San Bruno Municipal Code Chapter 1.28.

- D. Section 203.0 of the 2013 California Plumbing Code, is amended to read as follows:

Authority Having Jurisdiction—The administrative authority is the official authorized by the city to administer and enforce the provisions of the plumbing code as adopted or amended. The administrative authority shall be the building official.

Section 3. If any section, subsection, sentence, clause, phrase, or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council of the City of San Bruno hereby declares that it would have adopted this ordinance and each section, subsection, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases, or portions be declared invalid or unconstitutional.

Section 4. The City Council finds, pursuant to Title 14 of the California Code of Regulations, Section 15378, that this ordinance is exempt from the requirements of the California Environmental Quality Act (CEQA) in that:

A. It is not a Project as provided by the Act, in that it does not have a potential for resulting in a detrimental physical change in the environment, directly or ultimately as provided in Title 14, Section 15378 (a);

B. In that it is further exempt under the definition of Project in Section 15378 (b) (3) in that it concerns general policy and procedure making;

C. In that it can be seen with certainty that there is no possibility that activity may have a significant effect upon the environment pursuant to Title 14, Section 15061(b) (3); and

D. In that the action taken is an action by a regulatory agency that will both enhance and protect the environment and thereafter categorically exempt pursuant to Title 14, Section 15308.

Section 5.

This ordinance shall be published as required by law, and shall be effective February 11, 2014.

, Mayor

ATTEST:

, Deputy City Clerk

APPROVED AS TO FORM:

, City Attorney

--oOo--

I hereby certify that foregoing **Ordinance No.**
was introduced at a regular meeting of the San Bruno City Council on
January 28, 2014, and adopted by the San Bruno City Council at a regular meeting on
February 11, 2011, by the following vote:

AYES: Councilmembers:

NOES: Councilmembers:

ABSENT: Councilmembers:

Vicky Hasha, Deputy City Clerk

ORDINANCE No. XXXX

AN ORDINANCE OF THE CITY OF SAN BRUNO REPEALING EXISTING CHAPTER 11.24 AND ADDING NEW CHAPTER 11.24, INTERNATIONAL FIRE CODE, TO TITLE 11 (BUILDINGS, CONSTRUCTION AND FIRE PROTECTION) OF THE SAN BRUNO MUNICIPAL CODE; ADOPTING BY REFERENCE THE 2013 CALIFORNIA FIRE CODE AND THE 2012 INTERNATIONAL FIRE CODE

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

Section 1. Chapter 11.24, Fire Code, of Title 11 (Buildings, Construction, and Fire Protection) of the San Bruno Municipal Code is hereby repealed.

Section 2. New Chapter 11.24, Fire Code, of Title 11 (Buildings, Construction and Fire Protection) is hereby added to the San Bruno Municipal Code to read as follows, and also with text in brackets [example], which is explanatory and not part of the ordinance, and also with ~~strikeout (example)~~ to show deleted text:

Chapter 11.24

INTERNATIONAL FIRE CODE

Sections:

- 11.24.010 Adoption of text of 2013 California Fire Code & the 2012 International Fire Code.**
- 11.24.020 Establishment and duties of Fire Prevention Division.**
- 11.24.030 Amendments.**
- 11.24.040 Violations.**

11.24.010 Adoption of text of 2013 California Fire Code & the 2012 International Fire Code.

- A. There is adopted by the city for the purpose of prescribing regulations governing conditions hazardous to life and property from fire or explosion, those certain codes which marked as the 2013 California Fire Code and the International Fire Code, 2012 Edition. One copy of these documents is on file in the office of the building official. The documents are published by the California Building Standards Commission. The documents (and appendices printed therein, with the exception of Appedix J), together with additions, deletions, and amendments as set forth herein, and any future addenda or errata published by the State of California, are adopted as the Fire Code for the City of San Bruno and may be cited as such.
- B. No section of the fire code for the building standards of the City of San Bruno shall impose a mandatory duty of enforcement on the city, or on any officer, official, agent, employee, board, council or commission thereof. Instead, if any section purports to impose a mandatory duty of enforcement, said section shall be deemed to invest the city, and the appropriate officer, official, agent, employee, board, council or commission thereof with discretion to enforce the section, or not to enforce it.

11.24.020 Establishment and duties of the Fire Prevention Division.

- A. The California Fire Code as adopted and amended herein shall be enforced by the city fire prevention division which is hereby established and which shall be operated under the supervision of the fire marshal.
- B. The chief of the fire department shall recommend to the city manager the employment of technical personnel responsible for enforcement of this code and may also detail such members as shall from time to time be necessary.

11.24.030 Amendments, additions and deletions to the California Fire Code, 2013 Edition.

Amendments, additions, and deletions to the California Fire Code, 2013 are as follows:

- A Section 108.2.1 CFC - Alternate Means of Protection is added:
108.2.1 Applications for appeal specific to "Request for alternate means of protection" in buildings regulated by the State Fire Marshal shall utilize the process identified in Section 1.11.2.5 in Chapter 1 of this Code.
- B Section 202 CFC – Definitions is amended as follows.

The specific following definitions in Section 202, General Definitions, are amended to read as follows: [All other definitions in this section remain the same.]

Administrator. Shall mean the Chief of the Fire Department.

All-weather surface. Shall mean a finished surface with asphalt, concrete, or road pavers.

City Council. Shall mean the governing body of the City.

Firebreak. Shall mean a continuous strip of land upon and from which all rubbish, weeds, grass or other growth that could be expected to burn has been abated or otherwise removed in order to prevent extension of fire from one area to another.

Fire code official. Shall mean the Fire Marshal.

Fire trail. Shall mean a graded firebreak of sufficient width, surface, and design to provide access for personnel and equipment to suppress and to assist in preventing a surface extension of fires.

Jurisdiction. As used in the California Fire Code shall be held to mean the City.

Occupancy classification [page 48] is amended by deleting "Clinic-outpatient" from Business Group B definition and adding Group I-2.2 Outpatient Clinic to Institutional Group I [page 51] as follows: Group I-2.2 Outpatient Clinic. A healthcare facility that receives five or less persons for outpatient medical care that may render the patient incapable of unassisted self-preservation, also known as an Outpatient Clinic.

Response time. Is the elapsed time from receipt of call to the arrival of the first unit on scene.

Running time. Is the calculated time difference between leaving the first-due station and arriving on the emergency scene.

Sky Lantern. An unmanned device with a fuel source that incorporates an open flame in order to make the device airborne.

Temporary fire department access road for construction. Is a temporary roadway for emergency vehicle use during project construction.

Temporary fire department access road for construction of one (1) residential (R3) unit. Is a temporary roadway for emergency vehicle use during construction of an individual residential (R3) structure where a fire department access road is required as part of the project.

Temporary water supply. Is stored water for firefighting purposes in an aboveground tank during combustible construction.

C Section 308 CFC - Open Flames is amended as follows:

308.1.6.3 Sky Lanterns. No person shall release or cause to be released an untethered sky lantern.

D Sections 315 CFC - Miscellaneous Combustible Materials Storage is amended.

Section 315.1 CFC is amended by adding the following exception to read as follows:

Section 315.1 General. Storage, use and handling of miscellaneous combustible materials shall be in accordance with this section. A permit shall be obtained in accordance with Section 105.6.

Exception: Storage of combustible materials other than motorized vehicles or vessels shall not be permitted in a public parking garage or in a garage or carport serving a Group R, Division 1 or Group R, Division 2 Occupancy, unless the method of storage is approved by the Fire Code Official.

E Section 505.1 through 505.1.3 CFC - Premises Identification is amended as follows:

505.1.1 is added to read as follows:

1. When the structure is thirty six (36) to fifty (50) feet from the street or fire apparatus access, a minimum of one-half inch (1/2") stroke by six inches (6") high is required.

2. When the structure is more than fifty (50) feet from the street or Fire Department access, a minimum of one-inch (1") stroke by nine inches (9") high is required.

Section 505.1.2 Multi-Tenant Buildings. Numbers or letters shall be designated on all occupancies within a building. Size shall be one-half inch (1/2") stroke by four inches (4") high and on a contrasting background. Directional address numbers or letters shall be provided. Said addresses or numbers shall be posted at a height no greater than 5 feet, 6 inches (5' 6") above the finished floor and shall be either internally or externally illuminated in all new construction.

Section 505.1.3 –Rear Addressing. When required by the Fire Chief, approved numbers or addresses shall be placed on all new and existing buildings in such a position as to be plainly visible and legible from the fire apparatus road at the back of a property or where rear parking lots or alleys provide and acceptable vehicular access. Number stroke and size shall comply with 505.1.1.

F Section 506.1 CFC - Key Boxes is amended as follows:

506.1 Where Required. The key box shall be of an approved type and shall contain contents as established in Section 506.1.1.1.

Section 506.1.1.1 is added to read as follows:

Section 506.1.1.1 Key box contents requirements. The keys provided shall be two master keys to all spaces including multi-tenant spaces. Additional keys shall be included for elevator control, fire alarm control panels, and fire sprinkler control valve access. Contents inside key box shall follow approved fire department standards

G Section 507.5.2 CFC - Inspection, Testing and Maintenance is amended as follows:

Section 507.5.2 is amended by adding Section 507.5.2.1:

Section 507.5.2.1: Where the duty of maintaining fire hydrants are not specified in any legal document, fire hydrants that are adjacent to public streets, or streets accepted with public easements, or streets with water mains maintained by the City, are to be maintained by the City. Fire hydrants that are adjacent to privately controlled or owned streets, or streets with water mains maintained by the property owner(s), are to be maintained by the private property owner(s) in accordance with the City Water Division and Fire Department adopted standards.

H Section 508 CFC – Fire Command Center is amended as follows:

Section 508.1.1.1 is added to read as follows:

Section 508.1.1.1. Requirements. Fire command center shall be equipped with an exterior door and be located at the exterior of the building at a location approved by the Fire Chief or designee.

I Section 607.6 CFC - Shunt Trip is amended as follows:

Section 607.6 shall be deleted in its entirety and replaced with the following:

Section 607.6. Shunt Trip Prohibited. Where elevator hoistways and/or elevator machine rooms containing elevator control equipment are located within buildings equipped with automatic fire sprinklers, the following is required in lieu of a shunt trip:

J Section 903.1.1 of the fire code is deleted in its entirety.

K Section 903.1.2 CFC - Additions and Alterations is amended as follows:

Section 903.1.2 is added to read as follows:

1. An automatic fire sprinkler system shall be installed in the occupancies and locations as set forth in this Section, unless the Fire Chief determines that the public health and safety do not require installation of a fire sprinkler system. Fire sprinkler systems shall be installed in accordance with Section 903 and the California Residential Code or the most current addition of the following as a minimum standard:

- a. NFPA Pamphlet 13D for residential, one and two family dwelling occupancies.
- b. NFPA Pamphlet 13R for multi-family dwellings up to four stories in height, and
- c. NFPA Pamphlet 13 for all other types of occupancies for which fire sprinkler systems are required.

2. The square footage of every room being added or altered shall be included in the calculation of total square footage of an addition or alteration.

- a. The entire square footage of an individual room shall be considered added or altered when at least fifty percent (50%) or greater of the linear length of interior wall sheeting or ceiling, concrete, brick or masonry substance of any one wall within the room is new, removed, or replaced.
- b. The conversion of a single-family dwelling to a two-family dwelling or a multi-unit structure shall be subject to this Section.

L. Section 903.2 CFC – Automatic Sprinkler Systems, Where Required is amended as follows:

Section 903.2. Where Required. Approved automatic sprinkler systems shall be installed throughout all new occupiable and/or habitable buildings and structures. This requirement does not affect the designer's ability to use a fire sprinkler system for area and height increases that are allowed by the Fire or Building Codes.

M. Section 903.2.8.1 of the fire code is deleted in its entirety and replaced with the following:

Section 903.2.8.1 Existing Group R Occupancies. All existing one and two family dwellings and structures shall be retroactively protected by an approved automatic extinguishing system when they meet one or more of the following criteria:

1. When additions, remodels or alterations involve 70% or more of the existing structure or if the building's roof and walls are removed so that only 30% or less of the building remains. Calculations of square footage involved will be based on criteria set forth in section 903.1.2.
2. A total building floor area equal to or in excess of 3000 square feet in size.
3. More than three stories or 33 feet in height measured from the lowest grade of Fire Department access to the top sill plate.

4. Work performed requiring a permit within a 36 month time period will be accumulative, and subject to retroactive protection.

N. Section 903.3.1.1.1 CFC - Exempt Locations is amended by adding the following exempt location:

Section 903.3.1.1.1. Exempt Locations.

8. At the top of elevator hoist ways and elevator machine rooms enclosed by fire barrier as required by the Building Code.

O. Section 903.3.1.4 CFC is added to read as follows:

Section 903.3.1.4 Inspectors Test Valves. Inspector Test Valves shall be provided for each system and located at the furthest point away from the sprinkler riser.

P. Section 903.3.1.5 CFC is added to read as follows:

Section 903.3.1.5 Additional Residential Sprinkler Locations. The installation of a residential fire sprinkler system shall conform to the following:

1. Sprinklers shall be required throughout carports and garages.

Exception: Detached carports and garages less than 400 square feet in area and separated from residential buildings complying with Section 503.1.2 of the Building Code and assuming a property line between all other structures.

2. Sprinkler coverage shall be provided in the following additional locations:

a. Attics adjacent to storage, mechanical equipment, electrical equipment and attic access openings.

b. Attics and crawl spaces containing mechanical and/or electrical equipment.

1. The elevator machine room shall be constructed with the minimum fire rating as the hoistway.

2. Fire sprinklers at the top of the hoistway and inside the elevator machine room shall not be installed.

3. Means for elevator shutdown shall not be installed.

Q. Section 903.3.8 CFC - Floor Control Valves shall be deleted and replaced as follows:

903.3.8 Floor Control Valves.

Floor control valves and waterflow detection assemblies shall be installed at each floor.
[this replaces existing text.]

R. Section 903.4.2 CFC – Alarms is amended as follows:

903.4.2 An approved exterior rated horn/strobe shall be connected to every automatic sprinkler system. The alarm device shall be provided on the exterior of the building in an approved location. Where a fire alarm system is installed, actuation of the automatic sprinkler system shall actuate the building fire alarm system. [This replaces the existing text.]

903.4.3- Floor control valves is amended as follows:

Approved supervised indicating control valves shall be provided at the point of connection to the riser on each floor in all buildings. [This replaces the existing text.]

S. Section 903.6 CFC - Existing Buildings and Structures is added to read as follows:

903.6.1. An automatic fire extinguishing system shall be installed throughout (except one or two-family dwellings) when an addition, alteration, modification, remodel or modernization occurs to an existing building or structure over 7,500 square feet in gross floor area, which would require a building permit for construction valued in excess of \$30,000 in a 12 month period.

903.6.2. An automatic fire extinguishing system shall be installed when any change in the use or occupancy creating a more hazardous fire/life safety condition, as determined by the Fire Chief, requires that an automatic fire sprinkler system be installed in the space where the change in use or occupancy is proposed.

903 *Exception:* When an addition is less than 250 square feet.

T. Section 905 CFC – Standpipe Systems is amended as follows:

Section 905.3 required installations. Standpipe systems shall be installed where required by Sections 905.3.1 through 905.3.10.1 and in the locations indicated in Sections 905.4, 905.5 and 905.6. Standpipe systems shall be combined with *automatic sprinkler systems*.

Exception: Standpipe systems are not required in Group R-3 occupancies.

Section 905.3.1 Height. *In other than Group R-3 and R-3.1 occupancies, class III standpipe systems shall be installed throughout at each floor where any of the following occur:*

1. (Unchanged)
2. *Buildings that are two or more stories in height*
3. (Unchanged)
4. Buildings that are one or more stories below the highest level of fire department vehicle access.

Exceptions:

1. Class I standpipes are allowed in buildings equipped throughout with an *automatic sprinkler system* in accordance with Section 903.3.1.1 or 903.3.1.2.

2. (Deleted)
3. Class I manual dry standpipes are allowed in *open parking garages* that are subject to freezing temperatures, provided that the hose connections are located as required for Class II standpipes in accordance with Section 905.5.
4. Class I standpipes *shall be provided* in basements equipped throughout with an *automatic sprinkler system*.
5. In determining the lowest level of fire department vehicle access, it shall not be required to consider:

5.1. – 5.2 (Unchanged)

Section 905.3.2 Group A. Class I automatic wet standpipes shall be provided *all* Group A buildings.

Exceptions:

1. (Unchanged)
2. (Deleted)

Section 905.3.5 Underground buildings. Underground buildings shall be equipped throughout with a Class I automatic wet system.

Section 905.3.10.1 *All other stations shall be provided with a class I approved wet standpipe system; a manual dry class I standpipe system may be allowed in areas subject to freezing.*

Section 905.4 Location of Class I standpipe hose connections. Class I standpipe hose connections shall be provided in all of the following locations:

In every required *stairway*, a hose connection shall be provided for each floor level. Those connections shall be located at an intermediate floor level landing between floors, unless otherwise *approved* by the fire code official. See *Section 909.20.3.2 for additional provisions in smoke proof enclosures.*

- U. Section 5601 CFC Scope is amended by adding Sections 5601.1 Exception, 5601.2,5601.3,5601.3.1, 5601.4, and 5601.5 to read as follows: [All of previous Section 33XX numbers in this section changed to 56XX numbers]

5601.1.1-Established limits. Storage of explosive materials is prohibited with the limits established by law as the limits of districts in which such storage is prohibited, see Section 7. In districts where the storage of explosive materials is permitted the quantities of explosives and distances shall be in accordance with the *International Fire Code sections 5601.8.1 and 5601.8.1.1.*

Exceptions: Approved storage of "safe and sane" fireworks as defined by the State Fire Marshal and regulated by the City Municipal Code Chapter 6.50.

5601.2-Fireworks. *The possession, manufacture, storage, sale, handling and use of fireworks are prohibited.* The possession, manufacture, storage, sale, handling and use of fireworks or pyrotechnic materials within the jurisdiction of the City are prohibited.

Exceptions:

1. Firework storage within the jurisdiction of the City is limited to aerial fireworks in conjunction with an approved and permitted aerial display, see also Section 5601.4.
2. Safe and Sane fireworks as defined by the State Fire Marshal shall be allowed as regulated by the City Municipal Code Chapter 6.50.
3. Snap Caps and Party Poppers as classified by the State Fire Marshal as pyrotechnic devices.

5601.3-Rocketry. The storage, handling and use of model and high-power rockets shall comply with the requirements of *California Code of Regulations, Title 19, Article 17* and when appropriate NFPA 1122, NFPA 1125, and NFPA 1127.

5601.3.1-Ammonium nitrate. The storage and handling of ammonium nitrate shall comply with the requirements of Chapter 40 and NFPA 490.

Exception: Storage of ammonium nitrate in magazines with blasting agents shall comply with the requirements of NFPA 495.

5601.4-Residential uses. No person shall keep or store, nor shall any permit be issued to keep or store, any explosives, fireworks or pyrotechnic material at any place of habitation, or within 100 feet (30 480mm) thereof.

Exception: Storage of smokeless propellant, black powder, and small arms primers for personal use and not for resale in accordance with *International Fire Code* Section 5606.

5601.5-Sale and retail display. The possession, manufacture, storage, sale, handling and use of fireworks or pyrotechnic materials within the jurisdiction of the City are prohibited.

Exceptions:

1. Safe and sane fireworks as defined by the State Fire Marshal and regulated by the City Municipal Code Chapter 6.50.
2. Snap Caps and Party Poppers as classified by the State Fire Marshal as pyrotechnic devices.

- V. Section 5608 CFC Fireworks display is amended by adding Sections 5608.2, 5608.2.1, and 5608.3 to read as follows:

5608.2-Permit required. Permits to conduct an aerial display shall be required as set forth in Section 105.6.51 and regulated in accordance with *California Code of Regulations, Title 19, Chapter 6* and this section.

Exception: Snap Caps and Party Poppers as classified by the State Fire Marshal as pyrotechnic devices.

5608.2.1-Prohibited and Limited Acts. Storage of explosive materials is prohibited with the limits established by law as the limits of districts in which such storage is prohibited, see Section 7. In districts where the storage of explosive materials is permitted, the quantities of explosives and distances shall be in accordance with the *International Fire Code* Sections 5601.8.1 and 5601.8.1.1.

5608.3-Financial responsibility. Before a permit is issued, as required by Section 5608.2, the applicant shall provide a hold harmless agreement agreeing to indemnify the city and shall provide a liability insurance policy in an amount and form to be set by the city attorney for payment of all damages to persons or property which arise from the activity. The city attorney is authorized to specify a greater or lesser amount when, in his or her opinion, conditions at the location of use indicate a greater or lesser amount is required.

W. Appendix A is amended to read as follows:

Appeal and Review

- A The chief of the fire department shall be charged with the duty and responsibility of administrating the provisions of this chapter.
- B Whenever it is provided herein that certain things shall be done in accordance with the order, opinion, or approval of the chief of the fire department, such order, opinion or approval shall be complied with; provided, any person aggrieved thereby, or believing that such order, opinion or approval is erroneous or faulty, may appeal except as otherwise provided in this chapter, to the city manager in writing within seventy-two hours after such order, opinion or approval has been given, and the city manager shall affirm, modify or reverse the same within seventy-two hours thereafter; provided that, if dissatisfied with the city manager's ruling thereon, that person may appeal to the city council in accordance with San Bruno Municipal Code Chapter 1.32 and the decision of the council shall be final and conclusive. In the meantime, except in the case of immediate hazard, the order, opinion, or approval shall be deemed suspended until such person has exhausted his or her right of appeal as herein provided.

11.24.040 Violations.

Any person, firm, or corporation violating any provision of this Code shall be deemed guilty of a misdemeanor, and each such person, firm, or corporation, shall be deemed guilty of a separate offense for each and every day or portion thereof during which such violation exists and shall be punished as set forth in San Bruno Municipal Code Chapter 1.28.

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. The City Council finds, pursuant to Title 14 of the California Code of Regulations, Section 15378, that this ordinance is exempt from the requirements of the California Environmental Quality Act (CEQA) in that:

- A. It is not a Project as provided by the Act, in that it does not have a potential for resulting in a detrimental physical change in the environment, directly or ultimately as provided in Title 14, Section 15378 (a);

- B. In that it is further exempt under the definition of Project in Section 15378 (b) (3) in that it concerns general policy and procedure making;
- C. In that it can be seen with certainty that there is no possibility that activity may have a significant effect upon the environment pursuant to Title 14, Section 15061(b) (3); and
- D. In that the action taken is an action by a regulatory agency that will both enhance and protect the environment and thereafter categorically exempt pursuant to Title 14, Section 15308.

Section 5. This Ordinance shall be published as required by law and shall be effective on February 11, 2014.

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 January 28, 2014 and adopted at a regular meeting of the San Bruno City Council on February 11, 2014, by the following vote:

AYES: COUNCILMEMBERS: _____

NOES: COUNCILMEMBERS: _____

ABSENT: COUNCILMEMBERS: _____

City Clerk



City Council Agenda Item Staff Report

CITY OF SAN BRUNO

DATE: January 28, 2014

TO: Honorable Mayor and Members of the City Council

FROM: David Woltering, Community Development Director
Mark Ladas, Fire Chief

SUBJECT: Receive Report, Waive First Reading, and Introduce 2013 Fire and Building Code Ordinances to be Adopted by Reference, Set Public Hearing for Adoption and Adopt Resolution Approving Findings of Necessity and Need for Amendments, Deletions and Additions to the Codes

BACKGROUND:

Commencing January 1, 2014, new State of California Building Codes, including the California Fire Code, referenced as the 2013 California Building Codes became effective. These Codes apply minimum construction standards for all built structures throughout the State. These 2013 California Building Codes consist of 12 parts as follows:

Part 1	Administrative Code	Part 7	(Currently Vacant)
Part 2	California Building Code (CBC)	Part 8	California Historical Building Code
Part 2.5	California Residential Code (CRC)	Part 9	California Fire Code (CFC)
Part 3	California Electrical Code (CEC)	Part 10	California Existing Building Code
Part 4	California Mechanical Code (CMC)	Part 11	California Green Building Standards
Part 5	California Plumbing Code (CPC)	Part 12	California Reference Standards Code
Part 6	California Energy Code		

As of January 1, 2014, the City's Building Division is required by State law to enforce the 2013 California Building Standards Codes (CBC). All projects submitted on or before December 31, 2013 are permitted to comply with the 2010 Edition of the California Building Codes.

Cities can adopt amendments to the mandated State Building and Fire codes to address unique local climatic, geographical and topographical conditions. Local amendments to the State Building Codes are effective after copies of both the adopting ordinance(s) and adopted finding of need resolution are filed with the California Buildings Standards Commission (CBSC). Local amendments to the State Fire Code are effective after copies of the adopted ordinance(s) and adopted finding of need resolution are filed with the State Department of Housing and Community Development.

During the last code adoption cycle, referenced as the 2010 California Building Codes, the City Council adopted a number of local amendments. These amendments were approved and filed with the CBSC, and have been implemented since that time. These amendments are carried forward in the attached ordinances. There are no new Building Code local amendments being

proposed as part of the 2013 cycle. However, there are a limited number of new local amendments to the Fire Code being proposed for consideration by the City Council as part of the 2013 cycle.

In preparation for this code adoption cycle, staff prepared and posted an announcement on the City's website, including links to resources, for stakeholders to review and obtain information regarding the new codes. Additionally, a notification has been posted at the Community Development Department counter. In the next month, staff will host an outreach meeting for design and construction professionals to provide information and to answer questions regarding implementation related to changes within the new codes.

DISCUSSION:

Most of the changes within the 2013 CBC are minor or relate to basic code language clean-up. However, there are more substantive changes in areas related to the California Green Building Standards Code, the California Energy Code, and the California Building Code. These changes are described below in this report.

1. 2013 California Green Building Standards Code

Mandatory Measures Now Apply to Additions and Alterations

As compared with the 2010 California Green Building Standards Code, the 2013 Green Building Standards Code will extend beyond new construction and apply to additions or alterations of existing residential buildings where the addition or alteration increases the building's conditioned area, volume or size. These requirements apply only to and/or within the specific area of addition or alteration. The 2013 standard mandatory measures also apply to nonresidential additions of 1,000 square feet or greater or alterations with a permit valuation of \$200,000 or above.

Water Conserving Fixtures, Senate Bill 407

As of January 1, 2014, SB 407 requires non-compliant plumbing fixtures (e.g., toilets, faucets, and shower heads) to be replaced with water-conserving plumbing fixtures in particular areas when a property is undergoing additions, alterations, or improvements. This law only applies to properties built on or before January 1, 1994. Repair or maintenance will not trigger the need to replace non-compliant plumbing fixtures. Specific examples of work that will not require replacement of plumbing fixtures include the following:

- changes to electrical systems (e.g., electrical service upgrades)
- changes to mechanical systems (e.g., heating or air conditioning replacements)
- water heater replacement
- sewer line replacement
- roof replacement
- siding, stucco or any exterior finish replacement
- window replacement
- chimney repair
- dry rot repair
- termite repair

Additionally, there are general exceptions to the requirement for plumbing fixture replacements that include the following:

- work that does not require entry into the structure
- work that does not involve construction to the primary structure itself such as the following:
 - accessory structures
 - swimming pools or spas
 - site work: retaining walls, fences, patios, walkways, etc.
- work related to renewable energy systems, such as solar photovoltaic installations and electric vehicle charging stations

Some examples of work that will trigger replacement of non-compliant water fixtures in applicable structures are described below. In the circumstance that construction work does trigger replacement of non-compliant water fixtures, staff recommends a self-certification process to verify compliance with this requirement. The property owner would be required to submit a form certifying compliance to the Community Development Department.

Residential Example - Any alteration to a room that contains non-compliant plumbing fixtures will require all the plumbing fixtures in that room to be replaced with prescribed water-conserving fixtures.

Multifamily Residential Example - If the sum of concurrent building permits by the same permit applicant would increase the floor area of the building by more than 10%, water conserving plumbing fixtures will be required throughout the building. This would include all common area plumbing fixtures as well as private individual dwelling unit plumbing fixtures.

Commercial Example - If the total construction cost of the associated building permit for building alterations or improvements exceeds \$150,000, all non-compliant plumbing fixtures that service the specific area of the alteration or improvement will be required to be replaced with water-conserving plumbing fixtures.

2013 California Green Building Standards Mandatory Measures versus 2010 Tier 1 measures

During the 2010 code adoption discussions held by City Council, the City Council directed staff to prepare an ordinance to implement "Tier 1" Green Building Code requirements as "Mandatory Measures" for all newly constructed residential and non-residential buildings. Since this action was taken, changes in the process for adopting the voluntary "Tiers" have been made. The California Energy Commission (CEC) now requires a process of acceptance and findings of need to be approved by the CEC to allow adoption of the voluntary "Tiers." The process involves the following:

- The City must prepare findings to support any proposed energy requirement that exceeds the prescribed model code (i.e., the 2013 California Green Building Standards Code) and the findings must be supported by a cost-benefits analysis of implementation.
- Findings must then be submitted to the California Energy Commission (CEC) for evaluation and approval prior to enforcement by the local jurisdiction.

Therefore, adopting the new Tier 1 requirements in this Code cycle requires adoption of a local ordinance that includes energy standards that would need to be approved by the CEC before they could take effect. The documentation would contain the local standards and supporting analysis on the energy savings along with an analysis of the cost effectiveness of the local regulations. At this time, the CEC software to analyze the energy cost effectiveness

is not ready. Given this circumstance, it will be necessary to defer consideration of voluntary Tiers until needed information is available from the CEC. This approach is consistent with how other jurisdictions are handling this matter. When the needed information is available from the CEC, and the required analyses prepared, staff will bring the voluntary Tiers back to the City Council for consideration.

Implementing State mandated CalGreen measures comes with some elevated building costs as compared to standard construction methods and materials. However, these costs are typically recovered over time through reduction of monthly energy bills. Moreover, it is anticipated that as the market increases for these building materials, additional manufacturers will enter the market and the cost of construction materials will drop. The short-term construction costs of the mandatory CalGreen residential standards, including costs associated with the 25% increase to the 2013 Energy Code (CEC) lighting requirements are estimated to be in the range of \$10,000-\$20,000 for a new 2,025 square foot home.

For non-residential projects, the cost can vary depending on the size and type of building being constructed. Typically, the cost associated with achieving conformance with CalGreen mandatory measures is estimated to be 1 to 5 percent of the total construction costs.

The benefits associated with adopting green building measures are substantial. These include less dependence on non-renewable energy sources, reduced impact on the City's stormwater system through the use of permeable paving and conservation of water. The use of permeable paving also allows water to return to the City's aquifer. All of these sustainability measures are consistent with the goals of state law (i.e, AB32) and the City's adopted General Plan.

2. 2013 California Energy Code

Changes to mandatory Title 24 lighting requirements for Residential and Nonresidential buildings improve energy efficiency of homes by 25% and nonresidential buildings by 30% as compared with the 2010 code standards. These 2013 Building Energy Efficiency Standards become effective July 1, 2014.

3. 2013 Disability Accessibility Standards

Chapter 11 of the CBC addresses disability accessibility standards for new or altered buildings. The Chapter merges State Disability Accessibility Standards with the Federal Americans with Disabilities Act (ADA) and Americans with Disabilities Act Standards (ADAS) to provide a single design standard and to improve uniformity of implementation by design professionals and building officials.

Proposed Building and Fire Code Local Amendments

Staff recommends that the City Council carry forward the Building Code amendments that were adopted during the last code cycle with the exception of the Tier 1 Green Building Standards as discussed previously in this report. Additionally, staff is recommending a limited number of amendments to the 2013 Fire Code, as described below. These proposed amendments are consistent with practices of other nearby communities and reflect standard construction practices as well as address local needs.

1. 2010 Local Amendments Proposed to be Re-adopted and carried forward to the 2013 Code

The following information summarizes the several relatively minor local amendments that are proposed to be re-adopted and carried forward in the 2013 Code.

- A. Section 107.6 was added to California Building Code related to protecting residential structures from Airport noise impacts.
- B. Section 113.1 amended the California Building Code to describe the responsibility of the building official to administer the Code.
- C. Section 114.4 amended the California Building Code to describe penalties for violating the Code.
- D. Section 701A.4.3 amended the California Building Code related to appropriate non-combustible materials for construction in Wildland-Urban Interface Fire areas.
- E. Section 1505.1 Table 1505.1 amended the California Building Code related to the minimum roof covering classification for all Types of Construction in San Bruno to be Class B fire-retardant rating.
- F. Section R403.1.3 amended the California Residential Code related to minimum reinforcement design requirements.
- G. Section R602.10.4 and Table 602.10.4 amended the California Residential Code to describe Gypsum wall board (method GB) and plaster (method PCP) not to be considered for braced wall panels.

2. 2010 Local Amendments Proposed to be Deleted and not Carried Forward to the 2013 Code

~~Green Building (A5.601.1): As directed by the City Council, this requires that all new structures be constructed to Tier 1 green building standards.~~

3. Proposed New Local Amendments to take effect with the 2013 Fire Code

The State mandated 2013 amendments to the 2013 Fire Code are generally minor in nature and reflect either existing municipal amendments or address the current 2013 edition section and/or page number differences. In addition, staff is proposing a number of local amendments to the Fire Code for City Council consideration. There are six categories of these proposed amendments. These amendments are being proposed to help both firefighters responding on emergency incidents and to increase the life safety of citizens within the community. Included in this proposal is an amendment that adds a new retrofit sprinkler requirement for one and two family residential properties.

Fire Sprinkler Amendment Background

Industry standards show that installing a sprinkler system into a residence increases survival rate in a fire to ninety seven percent (97%). Modern fire sprinkler systems are proven to be reliable, as statistics show an accidental discharge rate of less than one in 16 million sprinkler heads that are currently in service. Residential fire sprinkler statistics also show that ninety percent (90%) of all sprinkler activations involve only 1 to 2 sprinkler heads being discharged during an active fire.

Currently the fire code mandates sprinklers in all new construction of buildings both commercial and residential. San Bruno's existing commercial retrofit sprinkler ordinance only applies to commercial buildings when improvements to an existing building is over 7500 square feet and when a building permit for construction is issued in excess of \$30,000 during a one year period.

San Bruno is one of only four municipalities in San Mateo County (i.e., Menlo Park, East Palo Alto, and Atherton) that has no requirement for installation of fire sprinklers when an existing one or two family home is remodeled, expanded or altered. Since San Bruno has many smaller homes in comparison to the County average, staff is proposing a sprinkler retrofit requirement that would be triggered when 70% or more of the existing residence is involved in a remodel or rehabilitation project. This requirement would be the same as the one currently in affect in the city of Millbrae, one of the cities partners in the initiative to consolidate fire service delivery. Staff recommends that this requirement would be a positive step toward San Bruno having a standardized sprinkler requirement similar to other San Mateo County agencies.

This proposal requires the retrofit of an entire existing one or two family dwelling with fire sprinklers when additions, remodels or alterations involve 70% or more of the existing or entire new floor area of the structure regardless of size. This means that any home that is remodeled, expanded or altered and over 70% of the existing home or 70% of the existing home combined with new square footage is affected, sprinklers would be required throughout the entire structure. (e.g., If a 1000 sq. ft. home is remodeled and the remodel affects 70% (700 sq. ft.) of the existing home, sprinklers would be required. This proposal also requires sprinklers when the total new square footage of the residence is greater than 3000 sq. ft. and/or the home is upgraded to over three stories or 33 feet in height. The 70% calculation would be inclusive of a 36 month window of work performed on the residence should construction projects be distributed over time.

This requirement would potentially have less impact to homeowners doing additions or alterations to smaller San Bruno properties. To meet this 70% threshold, the home would have to be almost entirely altered throughout. Typically homes in this state of construction are completely "guttled", are unoccupied and have access for installation that is comparable to new construction. It is estimated that five to ten projects per year would be subject to this new retrofit sprinkler ordinance. The use of a clear threshold would provide clarity regarding the need for fire sprinkler upgrades on existing residential projects.

Single-family residential fire sprinkler systems range in cost from one to three percent of the square footage cost of a project, based upon whether it's new construction or a remodel. This equates to an average cost of \$5,000 to \$7,000 to install a complete fire sprinkler system for a typical single family dwelling. This is consistent with contracts that accompany fire sprinkler permits throughout the County. These costs have dropped significantly over the past few years since industry standards now allow for use of CPVC plastic piping. In perspective, this has been compared to the cost of upgraded floor coverings such as carpets in a home, yet provides a high degree of life-safety in addition to comfort for homeowners.

Staff has provided an attachment with options for one and two family fire sprinkler retrofitting for City Council consideration. The first would be to adopt a more stringent 50% sprinkler requirement criteria which many cities in the county have already adopted. The formula for the requirement would be the same criteria as has previously been discussed. Another alternative would be to adopt the previous ordinance that does not include a retrofit sprinkler ordinance. Lastly, staff proposes consideration of a voluntary residential sprinkler program in lieu of a required sprinkler ordinance. This program would target major remodels of residential properties that might otherwise meet a mandatory requirement. The building permit applicant would be advised that they meet the city's outlined criteria for sprinklers and would be encouraged to add sprinklers to their project. The program would include public outreach regarding the benefits of having sprinklers in residences. All alternatives would include a campaign to distribute informational fliers, FOCUS articles, and City Cable Television PSA's providing information on sprinkler systems related to life safety in residences. Information will be available and distributed by the Community Development Department during issuance of permits for large remodels.

Listed below are the proposed amendments to the Fire Code:

- A. Fire Sprinkler Systems, proposes modifications to the current San Bruno Fire Sprinkler ordinances as follows:

Commercial properties - the existing language is proposed to remain, with the exception of addition to the language that would grant the Fire Chief the ability to require the installation of a fire sprinkler system if a change in use or occupancy creates a more hazardous fire/life safety condition in the space where the change in use or occupancy is proposed. The existing language requires sprinklers when improvements occur to an existing building over 7,500 square feet in gross floor area and there is a permit for construction valued in excess of \$30,000 in a one year period.

Residential (Group R-3) properties (one and two family dwellings) - new language is proposed to require fire sprinklers related to retrofits and additions meeting a prescribed threshold. This language requires the retrofit of an entire existing one and two family dwelling with an automatic fire sprinkler system when additions, remodels or alterations involve seventy percent (70%) or more of the existing or cumulative square footage of the entire new structure regardless of its size. It also requires sprinklers when alterations to buildings increase the size to more than 3000 square feet and/or involve buildings over three stories, or 33 feet in height to the sill plate. The 70% calculation would be inclusive of a 36 month window of work performed on the residence, should construction projects be distributed over time.

- B. Prohibits use of "Sky Lanterns", which are balloon-type unmanned devices with a fuel source (typically a candle or sterno-type of material) that are released untethered into the sky. Sky lanterns are sometimes used during certain cultural ceremonies.
- C. Building Addressing Identifies the requirements for the marking of buildings with addresses, and specifies rules pertaining to required locations and sizes of numbering. Requirements involve either four inch, six inch or nine inch numbers depending on the buildings distance from the street. This parallels existing code requirements currently being enforced and standardizes language with neighboring jurisdictions.
- D. Fire Department key boxes (Knox Boxes) are required for emergency access to commercial buildings.
- E. Fire command control rooms in new buildings are required to be constructed with at least one exterior door for firefighter safety.
- F. Elevator shunt trips are deleted. This prevents the shutdown of elevators for firefighting operations. This has been added to San Bruno and neighboring jurisdiction's construction projects as a fire condition for several years.

FISCAL IMPACT:

Property owner construction improvements to existing structures or constructing new structures may result in increased construction costs and increases in related permit fees. The City may need to devote additional inspection time to verify compliance with new code requirements. Inspection time costs are covered by permit fees collected by the City.

ALTERNATIVES:

1. Adopt only the State model codes without adopting any local amendments at this time.
2. Direct staff to revise or remove specific local amendments.
3. Request that staff bring back additional information to the City Council for consideration

RECOMMENDATION:

Receive Report, Waive First Reading, and Introduce 2013 Fire and Building Codes to be Adopted by Reference, Set Public Hearing for Adoption and Adopt Resolution Approving Findings of Necessity and Need for Amendments, Deletions, and Additions to the 2013 Fire and Building Codes.

ATTACHMENTS:

1. Resolution
2. Comparison Table of 2010 vs. 2013 California Green Building Standards Code
3. Proposed San Bruno Fire Sprinkler Ordinance Options
4. Survey Table of R-3 Fire Sprinkler Retrofit Requirements in nearby Cities
5. Ordinance adopting by reference the 2013 Administrative Code and the 2013 California Reference Standards Code (Ch. 11.02)
6. Ordinance adopting by reference the 2013 Building Code (Ch. 11.04)
7. Ordinance adopting by reference the 2013 Energy Code (Ch. 11.06)
8. Ordinance adopting by reference the 2013 Mechanical Code (Ch. 11.08)
9. Ordinance adopting by reference the 2013 Electrical Code (Ch. 11.16)
10. Ordinance adopting by reference the 2013 Plumbing Code (Ch. 11.20)
11. Ordinance adopting by reference the 2013 Fire Code (11.24)

DISTRIBUTION:

California Building Standards Commission

DATE PREPARED: January 16, 2014

REVIEWED BY:

____ CM

____ CA



City Council Agenda Item Staff Report

CITY OF SAN BRUNO

DATE: February 6, 2014

TO: Honorable Mayor and Members of the City Council

FROM: David Woltering, Community Development Director
Mark Ladas, Fire Chief

SUBJECT: Adopt a Resolution Approving Findings of Necessity and Need for Amendments, Deletions and Additions to the 2013 Building and Fire Code Ordinances

BACKGROUND:

At the City Council meeting on January 28, 2014, staff presented its report to the City Council regarding adoption of the State-mandated 2013 California Building Codes, including the California Fire Code, with specified local amendments. Four members of the City Council were present at the meeting. After receiving staff's report and discussing the matter, the City Council waived the first reading, introduced the State-mandated 2013 Building and Fire Code ordinances to be adopted by reference, and set February 11, 2014 as the date for the public hearing on the ordinances. The City Council did not approve the proposed resolution that would establish the need and necessity for the proposed local amendments and, instead, the Council directed that the proposed amendments be brought back for further discussion when all five members would be present. The members of the City Council present indicated support for the State-mandated Building and Fire Codes as well as the proposed local amendments, except there were concerns about the proposed new fire sprinkler requirement for additions and retrofits to one and two family residential properties. The resolution presenting findings of necessity and need for amendments to the 2013 Building and Fire Code ordinances is being brought back for further consideration. At the February 11, 2014 City Council meeting, the meeting will include a public hearing on the proposed ordinances and the Council will consider the ordinances for final approval.

DISCUSSION:

At the January 28th meeting, Fire Department staff introduced six categories of proposed local amendments to the State-mandated 2013 California Fire Code (See attached Staff Report). These amendments were proposed both to improve safety of residents in the community and help firefighters responding on emergency incidents. The Council considered and indicated support for the majority of the proposed local amendments to the 2013 Fire Code. However, there were concerns over the proposed amendment that added a new fire sprinkler requirement for additions and retrofits to one and two family residential properties.

The Council discussion on this fire sprinkler matter included the following questions: what neighboring jurisdictions required?; why is the 70% threshold being proposed?; what are the increased costs to homeowners wanting to improve their homes?; how many projected remodeled homes would be affected by the requirement?; why are fire sprinkler requirements for additions and retrofits of one and two family homes not State-mandated?; and, why is this requirement needed with the Green Building Standards Code requiring new building materials and

technologies that presumably are making homes safer? The following information addresses each of these items.

San Bruno remains one of only four municipalities in San Mateo County (i.e., Menlo Park, East Palo Alto, and Atherton) that has not adopted a retrofit fire sprinkler ordinance for residential properties. The 70% threshold for requiring the installation of the fire sprinklers is a conservative requirement in comparison to many jurisdictions within the County who have adopted a more stringent 50% threshold. This 70% threshold parallels the local amendment that was adopted by the City of Millbrae which is one of San Bruno's fire service consolidation partners. As discussed at the January 28th meeting, to reach this 70% threshold a home, typically, would be almost entirely altered throughout. Homes in this state of construction, generally, are completely "gutted", unoccupied and have ready access for installation of a sprinkler system that is comparable to new construction. The 70% threshold parallels the State requirement of sprinklers in new construction, as these major remodels resemble new construction.

Staff anticipates the cost associated with the installation of a fire sprinkler system in the retrofit situation described above would range from one to three percent of the total square footage cost of a project. Generally, this cost ranges from about \$5,000 to \$7,000 to install a complete fire sprinkler system for a typical single-family dwelling. Costs to install residential sprinklers have dropped significantly over the past few years since industry standards now allow for use of CPVC plastic piping. This additional cost is equivalent to the cost of upgraded floor coverings, such as carpets, in a home, yet provides a high degree of life-safety in addition to comfort for homeowners.

Approximately five to ten homes annually are expected to be affected by the proposed fire sprinkler retrofit requirement, with fifty to one hundred families being protected by fire sprinklers in safer homes during a 10-year period. Industry standards show that installing a sprinkler system in a residence increases survival rate in a fire to ninety seven percent (97%) over fifty percent (50%) with smoke alarms alone.

The State has not yet mandated fire sprinklers for retrofits of one and two family homes. However, with the 2013 code adoption cycle, the State is now mandating that the green building standards extend to residential construction additions and retrofits, whereas in the previous cycle this requirement pertained to new construction only. And, as noted above, most local communities in San Mateo County have elected to extend the requirement of fire sprinklers to additions and retrofits of one and two family homes to improve the safety of their citizens.

It was mentioned at the January 28th City Council meeting, that new green building measures are improving the safety of homes. However, depending on the specific materials and design of newer homes, building measures may not necessarily be safer for the following reasons:

1. Nationally, twenty-five percent (25%) of all new homes are over 2500 square feet in size compared to the original 1250 square foot homes traditionally built on similar-sized lots.
2. Modern open floor plans, often with reduced bearing walls, allow for faster fire spread and increased incidents of roof collapse.
3. Materials used in both construction and furnishings have changed from primarily a natural or solid wood base, to synthetic and polyurethane materials. In addition, asphalt wall boards and polystyrene foams used to keep buildings green compliant all contribute to an increased rate of fire spread.
4. Void spaces, or open areas in attics in modern construction due to roof trusses, allow for better oxygen and fuel mixtures. These create a fire that spreads more rapidly.
5. New technologies, such as solar panels and battery systems, create challenges for firefighting operations.

Included in the January 28th staff report were additional options to be considered. The first was a more stringent 50% sprinkler requirement criteria which many cities in the County have already adopted. Another alternative was to adopt the previous ordinance that does not include a residential retrofit sprinkler ordinance, yet maintains the previously-adopted commercial retrofit sprinkler ordinance. Lastly, was a voluntary residential sprinkler program in lieu of a required residential sprinkler ordinance. The program would target major remodels where building permit applicants would be advised that they meet the City's outlined criteria for sprinklers and would be encouraged to add sprinklers to their project.

Regardless of the City Council's final decision on the issue of a local amendment requiring fire sprinkler installation, staff recommends that informational materials be prepared and distributed to encourage voluntary installation of sprinklers. This will include distribution of informational fliers, FOCUS articles, and City Cable Television public service announcements (PSA's) providing information on sprinkler systems related to life safety in residences. This information will be available and distributed by the Community Development Department during issuance of permits for large remodels.

Staff continues to recommend that the City Council adopt the originally proposed fire sprinkler local amendment which includes the 70% retrofit threshold to require fire sprinklers to be installed in one and two family homes. This requirement would be a positive step toward San Bruno having a standardized sprinkler requirement similar to our neighbors and other San Mateo County agencies. This amendment will help protect families within the community by adding a life safety feature that's proven to save lives.

FISCAL IMPACT:

Property owner construction improvements to existing structures or constructing new structures may result in increased construction costs and increases in related permit fees. The City may need to devote additional inspection time to verify compliance with new code requirements. Inspection time costs are covered by permit fees collected by the City.

ALTERNATIVES:

1. Adopt only the State model codes without adopting any local amendments at this time.
2. Direct staff to revise or remove specific local amendments.
3. Request that staff bring back additional information to the City Council for consideration

RECOMMENDATION:

Adopt a Resolution Approving Findings of Necessity and Need for Amendments, Deletions and Additions to the 2013 Building and Fire Code Ordinances

ATTACHMENTS:

1. Resolution
2. January 28, 2014 Staff Report with selected Attachments

DISTRIBUTION:

California Building Standards Commission

DATE PREPARED: February 3, 2014

REVIEWED BY:

____CM

____CA



INTEROFFICE MEMORANDUM

CITY OF SAN BRUNO

COMMUNITY DEVELOPMENT DEPARTMENT
BUILDING OFFICIAL

DATE: January 10, 2014

TO: David Woltering, Community Development Director

FROM: Roy Bronold, Chief Building Official

SUBJECT: Comparison Table of 2010 vs. 2013 California Green Building Standards Code

During the 2010 code adoption discussions held by City Council, the City Council directed staff to prepare an ordinance to implement "Tier 1" Green Building Code requirements as "Mandatory Measures" for all newly constructed residential and non-residential buildings. However, re-adopting Tier 1 requirements into this Code cycle requires adoption of a local ordinance that includes energy standards and would need to be submitted to the California Energy Commission prior to enforcement. The documentation would contain the local standards and supporting analysis on the energy saving with the cost effectiveness of the local regulations. At this time, the CEC software to analyze the energy cost effectiveness is not ready. If an alternative study is provided to the CEC it would have to include findings that the measure is at least energy neutral, is cost effective and incorporate any negative declarations or environmental impact reports. Additionally any ordinance would have to be written to accommodate new "green" regulations or designs that would be propagated. The 2013 California Green Building Standards Code, is a progression from the 2010 Codes as it now applies to alterations and additions. The changes are summarized in Table below.

RESIDENTIAL CONSTRUCTION

2010 California Green Building Standards Mandatory Measures and Tier 1	2013 California Green Building Standards Mandatory Measures
New Construction Only	New Construction, *Additions and Alterations
<ul style="list-style-type: none"> Storm Water, Drainage and Retention: Requires a plan to manage storm water drainage during construction. 	<ul style="list-style-type: none"> Storm Water, Drainage and Retention: Requires a plan to manage storm water drainage during construction.
<ul style="list-style-type: none"> Surface Drainage: Requires a plan to manage post construction surface water drainage. 	<ul style="list-style-type: none"> Surface Drainage: Requires a plan to manage post construction surface water drainage.
<ul style="list-style-type: none"> Energy Efficiency: Establishes minimum level of energy efficiency for heating and cooling of buildings. 	<ul style="list-style-type: none"> Energy Efficiency: Establishes minimum level of energy efficiency for heating and cooling of buildings.
<ul style="list-style-type: none"> Water Savings: Requires 20% reduction in indoor water use, controls gallons per minute in showers, and requires irrigation controllers to be 	<ul style="list-style-type: none"> Water Savings: Implements SB 407 and requires 20% reduction in indoor water use, controls gallons per minute in showers, and requires irrigation

weather or soil moisture based or equipped with rain sensors.

- Construction Requirements: Requires joints and openings to be sealed and construction waste reduction through recycling. Manuals and education materials for equipment maintenance and operation must be kept and passed to new owners.
- Environmental Quality: Requires covering of duct openings during construction, vapor barriers in slab construction, exhaust fans in every bathroom or whole house ventilation system, certifications and training for heating and air installation professionals, third party verification of HVAC installation and framing material moisture inspections.

controllers to be weather or soil moisture based or equipped with rain sensors.

- Construction Requirements: Requires joints and openings to be sealed and construction waste reduction through recycling. Manuals and education materials for equipment maintenance and operation must be kept and passed to new owners.
- Environmental Quality: Requires covering of duct openings during construction, vapor barriers in slab construction, exhaust fans in every bathroom or whole house ventilation system, certifications and training for heating and air installation professionals, third party verification of HVAC installation and framing material moisture inspections.

Tier 1 measures adopted:

Requirements in addition to Mandatory Measures

- Topsoil protection
- 30% reduction of indoor potable water usage
- 20% permeable paving
- Exceed California Energy Standards by 15%
- Reduce flow rates of kitchen faucets
- Landscape irrigation reduction requirements.
- 20% cement reduction
- 10% recycled content
- 65% reduction in construction waste
- 80% resilient flooring system requirements
- Low VOC thermal insulation requirements

- ***Tier 1 items are not included in 2013 Mandatory Measures.***

NONRESIDENTIAL CONSTRUCTION

2010 California Green Building Standards
 Mandatory Measures and Tier 1

2013 California Green Building Standards
 Mandatory Measures

New Construction Only

New Construction *Additions and Alterations

- Stormwater pollution prevention BMP
- Bicycle parking
- Light pollution reduction
- Grading and paving
- Separate water sub-meters for subsystems
- 20% reduction in indoor water use
- Prescriptive and performance standards with updated table
- Waste water reduction
- Plumbing fixtures and fittings (standards)
- Design for moisture control
- Entries and openings
- Construction waste reduction of 50%
- Waste management plan requirements
- Exception for isolated jobsites
- Recycling by occupants
- Building commissioning for new buildings 10,000 square ft. and over
- Testing and adjusting for buildings less than 10,000 square ft.
- Temporary construction ventilation

- Finish materials
- Carpet systems
- Composite wood products
- Resilient flooring

- Clarifies that it also applies to additions
- Updated for additions and alterations
- Clarifies that it applies to new construction only
- Exception: for additions and alterations
- Clarifies that it also applies to additions

- *New sections:* "Water Reduction": Comply with reduced flow rate table; "Water conserving plumbing fixtures and fittings": Prescriptive reduced flow rates for: water closets, Urinals, and Showerheads and
- New Exceptions for performance 20% reduction
- Clarifies that it applies to effected areas of additions and alterations
- Clarifies that it applies to new construction only
- *New Section:* References the California Plumbing Code

- Exterior door protection: removed notes and updated requirement

- Added demolition requirement
- Added demolition requirement
- Removed exception

- Added clarification for ordinance requirements
- *New Section:* Clarifies requirements
- Clarifies requirements for new construction only
- *Note:* All energy related requirements for Commissioning, OPR & BOD now have a reference to the Energy Code
- *New Section:* Clarifies requirements for new buildings or new systems to serve additions or alterations

- Clarifies requirements for areas of additions or alterations

Filters requirements for small H.E. ductless units

- Clarifies VOC emissions limits and testing requirements
- Added CA-CHPS to list of approved methods of compliance
- Clarifies the formaldehyde limits in a revised table
- Clarifies VOC emissions limits and testing
- Added CA-CHPS to list of approved methods of compliance

- Clarifies MERV exceptions and added new exception for existing mechanical equipment
- *New section:* Labeling requirements
- Clarifies that it also applies to additions
- Clarifies applications to additions or altered envelope

- *New Sections:*
- Supermarket refrigerant leakage reduction: for retail food stores 8,000 square foot or more
- Refrigerant piping: meet California Mechanical Code
- Values: meet California Mechanical Code
- Refrigerated services cases: use corrosion-resistant materials
- Refrigerant receivers: if over 200 lbs, provide level indicator
- Pressure testing: test during installation
- Evacuation: evacuate after pressure testing and prior to charging

- ***Tier 1 items are not included in 2013 Mandatory Measures.***

Proposed San Bruno Fire Sprinkler Ordinance Options

Current proposal for San Bruno as outlined in Staff Report is as follows:

Commercial properties :

The current language requires sprinklers when improvements occur to an existing building over 7,500 square feet in gross floor area and there is a permit for construction valued in excess of \$30,000 in a one year period. Additional language is proposed to grant the Fire Chief the ability to require the installation of a fire sprinkler system if a change in the use or occupancy creates a more hazardous fire/life safety condition in the space where the change in use or occupancy occurs.

Residential (Group R-3) properties (one and two family dwellings) :

New language is proposed to require fire sprinklers in residential properties meeting a prescribed construction threshold. This language requires the retrofit of an entire existing one and two family dwelling with an automatic fire sprinkler system when additions, remodels or alterations involve seventy percent (70%) or more of the existing cumulative square footage of the entire new structure regardless of its size. It also requires sprinklers when alterations to buildings increase the size to more than 3000 square feet and/or involve buildings over three stories, or 33 feet in height to the sill plate. The 70% calculation would be inclusive of a 36 month window of work performed on the residence, should construction projects be distributed over time.

Alternate Proposal 1:

Commercial:

As proposed above. New language is introduced that allows the Fire Chief to require a sprinkler system when a commercial property becomes more hazardous.

Residential:

A more stringent requirement would be proposed that includes a fifty percent (50%) retrofit sprinkler threshold for residential properties This would be in line with the majority of other jurisdictions within the county that require a complete retrofit sprinkler installation when any additions, remodels or

alterations involve fifty percent (50%) of the existing or cumulative new floor area of the building.

Alternate Proposal 2:

Adopt the previous Commercial and Residential requirements from the past code cycle. This would mean there would be no residential retrofit sprinkler ordinance or changes to the existing commercial sprinkler requirements. It would eliminate proposed language to commercial properties giving the Fire Chief the discretion to require a sprinkler system in a more hazardous commercial occupancy.

Alternate Proposal 3:

Commercial:

As proposed above in option number 2. No changes to existing requirements.

Residential:

In lieu of a required sprinkler ordinance, create a new voluntary fire sprinkler program for residential sprinkler retrofit projects. This program would target major remodels of residential properties that might meet the criteria for an otherwise mandatory requirement. The program would include the following:

1. Public outreach regarding the benefits of having fire sprinklers in residences.
2. Informational fliers, FOCUS articles, and City Cable Television PSA's providing information on sprinkler systems related to life safety in residences.
3. Information to be available and provided as a flier by Community Development during the issuance of permits for large remodels.
4. Staff would compile statistics and complete an evaluation of the effectiveness of the voluntary program. This would be completed throughout the duration of this current code cycle to determine the impact on projects that might have been effected by a retrofit sprinkler requirement.

**Cities in San Mateo County Single-Family Residential
(R-3) Fire Sprinkler Retrofit Requirements**

CITY	AMENDMENT	EXCEPTION
San Bruno	(Proposed) Renovation, addition or repair exceeds 70% of gross floor area.	
Millbrae	Renovation, addition or repair exceeds 70% of gross floor area.	
San Mateo	Renovation, addition or repair exceeds 50% of gross floor area.	
Foster City	Renovation, addition or repair exceeds 50% of gross floor area.	
Belmont	Renovation, addition or repair exceeds 50% of gross floor area.	
Daly City	Renovation, addition or repair exceeds 50% of gross floor area.	
Colma	Renovation, addition or repair exceeds 50% of gross floor area.	
Half Moon Bay	Renovation, addition or repair exceeds 50% of gross floor area.	
Brisbane	Renovation, addition or repair exceeds 50% of gross floor area.	
SSF	When addition exceeds 50% of gross floor area.	If total area under 2000 ft. in size or one story in height.
Pacifica	Throughout with any addition to building.	If building less than 1000 ft. in size and addition less than 500 ft.
Burlingame	Throughout when existing floor area over 2000 ft. and alteration exceeds 750 ft.	
Hillsborough	Throughout when existing floor area over 2000 ft. and alteration exceeds 1500 ft.	
Woodside	Additions or reconstructions (damage) of 50% of gross floor area or alterations of 75%.	
Portola Valley	Additions or reconstructions (damage) of 50% of gross floor area or alterations of 75%.	
Redwood City	When 1000 ft. or more added and new plus existing totals 3000 ft. or more.	
San Carlos	When existing residence is demolished, and replaced at over 2500 ft. in size.	
Menlo Park	No Requirement	
E. Palo Alto	No Requirement	
Atherton	No Requirement	



**City Council Agenda Item
Staff Report**

CITY OF SAN BRUNO

DATE: February 11, 2014
TO: Honorable Mayor and Members of the City Council
FROM: Jim O'Leary, Interim Finance Director
SUBJECT: Adopt Resolution Accepting the City's Comprehensive Annual Financial Report (CAFR), Single Audit, and Measure A Funds Audit Report for the Fiscal Year Ended June 30, 2013

BACKGROUND

The City's independent auditor, Vavrinek, Trine, Day & Company, LLP, has completed the audit of the City's financial statements and provided the auditor's reports for the fiscal year ended June 30, 2013. The Finance Department prepared the City's financial statements in the form required of the Comprehensive Annual Financial Report (CAFR). The Government Accounting Standards Board (GASB) recommends the elements for the CAFR format. The CAFR and the related financial statements fully disclose the financial condition of the City and other the reporting units of the City.

The following statements for the year ended June 30, 2013 are presented for the City Council's review:

1. Comprehensive Annual Financial Report (CAFR)
2. Single Audit
3. Audit of Measure A Funds

The primary report, the CAFR, contains three sections. The first is the introductory section, which includes the transmittal letter, list of principle officials and an organization chart. The financial section includes the independent auditor's report, Management's Discussion and Analysis for the fiscal year, the basic financial statements and notes that explaining the City's financial position and operating results, and supplementary statements, schedules, and notes providing additional detailed information to the basic financial statements. Finally, the statistical section includes pertinent financial and non-financial statistical data that presents various economic, social, and demographic trends and other information about the City for the past ten years.

The format of the CAFR is designed to serve the needs of three primary users. These include the City Council and other governmental oversight bodies, the public, and agencies assessing the City's creditworthiness.

10.6.

For the third consecutive year, the City's CAFR for the fiscal year ended June 30, 2012 was awarded the Certificate of Achievement for Excellence in Financial Reporting by the Government Finance Officer's Association (GFOA) of the United States and Canada. The Certificate of Achievement is the highest form of recognition for excellence in state and local government reporting and it ensures that the published CAFR is an easily readable and efficiently organized comprehensive annual financial report.

DISCUSSION

The auditor completed audits of the City's financial statements, Federal Awards, and the Measure A sales tax special revenue. The audits found no exception to conformance with generally accepted accounting standards, the Government Auditing Standards issued by the Comptroller of the United States, or the U.S. Office of Management and Budget Circular A-133 for state and local governments.

Vavrinek found the general-purpose financial statements present fairly, in all material ways, the City's financial position as of June 30, 2013. The audited financial statements include the statement of net position, statements of activities and changes in net position, balance sheets, statements of revenues, expenditures, and, changes in fund balances, and statements of cash flows.

The CAFR has been prepared in accordance with the requirements for GASB 34. The Governmental Accounting Standards Board (GASB) established this framework for the financial reports of state and local governments. Important financial statement changes during 2012-13 include:

- The City's government-wide net position decreased by \$7 million, bringing the total net position to \$111 million. The decrease in net position is primarily the result of issuing pension obligation bonds to pay off the City's CalPERS side fund liability. Of the government-wide net position, \$86 million is invested in capital assets, \$15.7 million is restricted for specific use, and the balance of \$9.2 million is unrestricted for the City's operations and capital investments (pg. 18).
- The City's governmental activities expenses were \$44.1 million, representing a 5% increase over 2011-12. These expenses were offset by \$17.1 million in program revenues, which includes charges for services and operating and capital grants and contributions. The resulting difference of \$27 million is funded through general revenues (taxes and investment income) of \$27.4 million. As noted above, the City issued \$12.5 million of pension obligation bonds to pay off the City's CalPERS safety side fund. This extraordinary item is recognized and absorbed into the City's net position, resulting in an ending balance of \$54.6 million (pg. 21).
- Business-type activities expenses of \$29.2 million were offset by charges for services totaling \$34.2 million. Combined with non-program revenues totaling \$0.1 million, net position increased by \$5.1 million (pg. 21).

- June 30, 2013 reserve fund balances amount to: General Fund Reserve, \$8 million, General Fund Contingency Fund, \$1.5 million, Emergency Disaster Reserve, \$3 million, Capital Improvement/One-Time Initiative Reserves, \$5 million, Central Garage Reserve, \$0.15 million, Building and Facilities Reserve, \$0.22 million, and Technology Reserve, \$0.12 million. The City Council adopted a reserve policy on January 22, 2013 to support their commitment to ensuring financial stability and sustainability of operations during times of fiscal constraint and emergencies.
- In accordance with the guidelines of GASB 45 Other Post Employment Benefits (OPEB), the City's net OPEB obligation and updated actuarial analysis is provided in the Notes to the Basic Financial Statements (Note 13 on page 73-75). The City's Net OPEB obligation as of June 30, 2013 is \$12.8 million, as the City's pay-as-you-go contribution of \$1 million was less than the Annual OPEB Cost of \$3.9 million. This Annual OPEB cost is the amount that the City would have to pay annually to fully fund its current OPEB obligation over the next 30 years.

The Finance Department believes that Vavrinek has rigorously adhered to the three-year audit contract requirements and productively worked with the Department in the audits and audit report preparations. This June 2013 audit and CAFR covers the third and final year of the existing audit contract. The Department believes that retaining a quality firm and avoiding the unnecessary expenses of a proposal process is in the best interests of the City.

A two-year contract extension is recommended to the City Council, to run the June 2015 audit period. If the City Council is agreeable to this extension, an amended agreement will be brought on the February 25, 2014 City Council agenda. Prior to this action, Vavrinek will be requested to submit an updated proposal and verify its status related to state regulatory agencies.

FISCAL IMPACT

Financial reports are to be submitted to the City Council in accordance with section 2.28.030 of the Municipal Code. The CAFR and other financial statements have no direct fiscal impact on the City. However, the reports are necessary to allow City Council oversight and failing to prepare such reports could jeopardize the City's credit rating and its ability to obtain grants and debt financing.

ALTERNATIVES

1. Request additional analysis or the preparation of other financial statements prior to accepting the audit reports as of June 30, 2013.
2. Complete further review of the audit reports.

RECOMMENDATION

Adopt Resolution Accepting the City's Comprehensive Annual Financial Report (CAFR), Single Audit, and Measure A Funds Audit Report for the Fiscal Year Ended June 30, 2013.

DISTRIBUTION

None

ATTACHMENTS

Resolution

DATE PREPARED

January 22, 2014

REVIEWED BY

_____ CM

RESOLUTION NO. 2014 _____

RESOLUTION ACCEPTING THE CITY'S COMPREHENSIVE ANNUAL FINANCIAL REPORT (CAFR), SINGLE AUDIT REPORT, AND MEASURE A FUNDS AUDIT REPORT FOR THE FISCAL YEAR ENDED JUNE 30, 2013

WHEREAS, the independent audit provides an annual report on the financial condition of the City in accordance with Municipal Code Section 2.28.030, and;

WHEREAS, the City retained the firm of Vavrinek, Trine, Day and Company, LLP, to audit the financial statements of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information of the City of San Bruno for the fiscal year ended June 30, 2013, and;

WHEREAS, the audit was conducted in accordance with generally accepted auditing standards in the United States and the standards applicable to financial audits contained in the Government Auditing Standards, issued by the Comptroller General of the United States, and;

WHEREAS, the City applies all applicable Government Accounting Standards Board (GASB) pronouncements as well as the following pronouncements issued on or before November 30, 1989 to the business-type activities, unless those pronouncements conflict with or contradict GASB pronouncements: Financial Accounting Standards Board (FASB) statements and Interpretations, Accounting Principles Board (APB) Opinions, and Accounting Research Bulletins (ARB) of the Committee of Accounting Procedure. The City applies all applicable FASB Statements and Interpretations issued after November 30, 1989, except those that conflict with or contradict GASB pronouncements, and;

WHEREAS, the financial statements include the statement of net position, statements of activities and changes in net position, balance sheets, statements of revenues, expenditures, and changes in fund balances, and statements of cash flows.

WHEREAS, the Comprehensive Annual Financial Report (CAFR) for the fiscal year ended June 30, 2013 has been reviewed by the City Council, and;

WHEREAS, the Audit of Compliance with the Agreement for the Distribution of San Mateo County Measure A Funds for Local Transportation Purposes for the fiscal year ended June 30, 2013 has been reviewed by the City Council.

WHEREAS, the Single Audit Report for the fiscal year ended June 30, 2013 has been reviewed by the City Council, and;

NOW THEREFORE, the City Council of the City of San Bruno hereby resolves to accept the following reports of the City's independent auditors for the year ended June 30, 2013:

1. City's Comprehensive Annual Financial Report
2. Single Audit
3. Audit of Measure A Funds

—oOo—

I hereby certify the foregoing Resolution No. 2014-
was introduced and adopted by the San Bruno City Council
at a regular meeting on February 11, 2014 by the following vote:

AYES:

NOES:

ABSENT:

City Clerk



**City Council Agenda Item
Staff Report**

CITY OF SAN BRUNO

DATE: February 11, 2014
TO: Honorable Mayor and Members of the City Council
FROM: Jim O'Leary, Interim Finance Director
SUBJECT: Receive Quarterly Financial Update Report as of December 31, 2013 and Adopt Resolution Approving a Mid-Year Amendment for the 2013-14 General Fund, Special Revenues Funds, Enterprise Funds, and Capital Improvement Program Budgets

BACKGROUND

The City Council approved 2013-14 General Fund, Special Revenue Funds, Enterprise Funds, and Internal Service Funds Budget is the annual plan and resource allocation that guide and ensure implementation of City Council policies and priorities. The budget implements the vision and direction for the broad range of services that meet the needs of the community in accordance with City Council policy.

This financial review as of December 31, 2013 provides the mid-year budget update to the City Council for the current fiscal year. Analysis of the revenues collected and all expenditures through December 31, 2013 measures the budget's adherence to the established resource allocation plan. In addition, a budget amendment is proposed to make the necessary budget adjustments for the period October to December 2013 identified in the mid-year financial review.

DISCUSSION

The Adopted Budget incorporates the estimated revenues and planned expenditures for all funds. The attached 2013-14 Mid-Year Financial Report as of December 31, 2013 provides the revenue and expenditure summary for the General Fund, Enterprise Funds, Internal Service Funds, and Special Revenue Funds. The following discussion focuses on variances from the revenue and expenditure plans and allocations reflected in the budgets.

General Fund

The General Fund finances the operations of the City that have no special or dedicated revenue source and pays for basic municipal services. The 2013-14 Adopted General Fund Budget projected revenues totaling \$34,947,200 and expenditures totaling \$34,938,700, for a projected budget surplus of \$8,500.

Revenue and expenditure data from the first six-months of the fiscal year begins indicating trends for actual year-end revenues. General Fund revenue and expenditure percentages through December 31, 2013 are consistent with the same 2012-13 period. A more detailed review of revenues and expenditures are discussed below:

10.c.

General Fund Revenue

- **Property Tax** (46% of budget compared to 48% in 2012-13)
The budget for Property Tax revenue is \$377,900 higher compared to the 2012-13 budget due to the continuing re-distribution of (Redevelopment) tax increment funds to the City as property tax. Secured Property Tax revenue is \$92,000 greater in the first six-months of 2013-14, while total Property Tax revenues increased by \$116,300 over the prior fiscal year. The first County payment from the (Redevelopment) tax increment-property tax redistribution was recorded in January 2014.
- **Sales Tax** (34% of budget compared to 40% in 2012-13)
The budget for Sales Tax revenue is \$494,000 higher than the budget of \$6,850,000 in 2012-13. Based on General Sales Tax and Property Tax In-Lieu: Sales Tax (Triple-Flip) revenues recorded in the first six-months, sales tax revenue in 2013-14 is anticipated to at least meet the revenue budget. However, the City was one of a number of cities notified on December 16, 2013 that the state intended to hold back Triple Flip amounts due this year because of the state's re-calculations of prior County ERAF reimbursements. The amount of Sales Tax revenue to be taken on a one-time basis amounts to \$401,000.
- **Hotel/Motel Occupancy Tax** (54% of budget compared to 51% in 2012-13)
Each year's reported revenues are for five months of the fiscal year as payments are received one month after being earned. Current year revenues are up \$195,000 over the prior year, an increase of 18%.
- **Business Tax** (97% of budget compared to 82% in 2012-13)
The budget for Business Tax revenue is \$470,000 higher in 2013-14 reflecting new businesses locating in San Bruno, including Walmart.com. Current year revenues are \$744,000 higher than in the same period in 2012-13.
- **Recreation (Departmental)** (50% of budget compared to 48% in 2012-13)
The budget for Recreation revenues is \$255,000 higher in 2013-14 compared with the 2012-13 budget. Actual revenues are \$146,500 greater in the first six-months. Higher participation rates in After School and Youth Sports programs resulted in \$82,000 in greater revenue; with Facility Rental, Contract/Fee Classes, and ASES revenue \$52,800 greater compared with revenue in 2012-13.

General Fund Expenditures

- **General Fund Total Expenditures** (50% of budget compared to 51% in 2012-13)
Expenditures at mid-year total \$17,563,000, which is 50% of the total budget. All departments are within the expected range as of the end of the second quarter.

Enterprises & Internal Service Funds

Four Enterprise Funds make up the City's business type operations. The Water Fund, Stormwater Fund, Wastewater Fund, and Cable Television Fund are City municipal operations designed to fully recover costs through user fees. Internal Service Funds also operate as business activities, providing exclusive support to the City's internal operations. The Central Garage, Building & Facilities Maintenance, Self Insurance, and Technology Support make up these funds.

Revenues

- **Water** (56% of budget compared to 54% in 2012-13)
Revenues through December 31, 2013 was \$6,824,000, about \$700,000 higher than in the prior year. One-time capacity charges and investment earnings account for \$175,000 of the increase. Higher service charge rates, in accordance with the five-year rate program approved by the City Council in 2012, result in the majority of the increase. Water consumption in the six-month period is unchanged from 2012-13.
- **Cable Television** (44% of budget compared to 48% in 2012-13)
The \$562,000 increase in the 2013-14 budget anticipated higher revenues from projected higher service charges. Actual revenues of \$4,642,100 are below revenue levels in the 2012-13 period. Cable Operations revenue for video is down 10% as the Department continues working to slow the trend of video-customer loss.

Expenditures

Expenditures for the four Enterprise Funds and the four Internal Service Funds are all within their respective budget levels for the six-month period of the fiscal year, with the exception of the Self Insurance Fund.

- **Self-Insurance Fund** (77% of budget compared to 59% in 2012-13)
The six-month expenditure total is \$346,800 higher than in 2012-13. In 2013-14, the General Liability insurance premium and self-insured workers compensation claim costs increased compared to 2012-13 expenditures. ABAG premium costs increased by \$180,000. While the number of open workers compensation claims was reduced in the six-month period, the average cost per claim trend is increasing.

Budget Amendment

The City Council approves annual budgets based on the best revenue and expenditure information available several months prior to the actual adoption of budget appropriations. As a result, budget adjustments are periodically necessary for changes that arise requiring additional budget appropriations or re-appropriations between budget line items.

Each of the revenues and expenditures in the proposed amendment has previously been presented to and approved by the City Council. The proposed amendments are summarized below including the purpose of the expenditure, amount, funding source, and date the matter was previously acted on by the City Council:

General Fund Appropriations

- Increase in Fire Tools & Equipment by \$25,000 to fund an accelerated schedule for the replacement of fire hose (approved on August 27, 2013).

Capital Project Revenue/Appropriations

- Grand Boulevard Initiative's Complete Streets Case Study – Allocate \$11,000 of Measure M to fund personnel costs for the Grand Boulevard Initiative study led by Sam Trans, C/CAG, and Santa Clara VTA (approved on September 10, 2013).

FISCAL IMPACT

The Mid-Year Financial Report as of December 31, 2013 for the General Fund, Special Revenue Funds, Enterprise Funds, and Capital Improvement Program Budgets provides the City Council a periodic update on the 2013-14 budget.

The proposed budget amendment adjusts revenues and expenditures for the City's 2013-14 General Fund, Special Revenue Funds, and Enterprise Funds, and Capital Improvement Program Budgets and is summarized as follows:

Fund	Revenue Increase / (Decrease)	Appropriation Increase / (Decrease)	Inter-fund Transfers in/(out)
General Fund	\$ 0	\$ 25,000	
Measure M	11,000		
Streets Capital		11,000	

ALTERNATIVES

1. Do not approve the proposed budget amendments and maintain budgeted amounts as approved in the 2013-14 budgets.
2. Amend the proposed budget adjustments by adding to or eliminating any proposed appropriation changes to any line item.

RECOMMENDATION

Receive Quarterly Financial Update Report as of December 31, 2013 and Adopt Resolution Approving a Mid-Year Budget Amendment for 2013-14 General Fund, Special Revenue Funds, Enterprise Funds, and Capital Improvement Program Budgets.

ATTACHMENTS

1. Mid-Year Financial Report as of December 31, 2013.
2. Resolution

DATE PREPARED: January 22, 2014

RESOLUTION NO. 2014-_____

RESOLUTION APPROVING MID-YEAR BUDGET AMENDMENT FOR 2013-14 GENERAL FUND, SPECIAL REVENUES FUNDS, ENTERPRISE FUNDS, AND CAPITAL IMPROVEMENT PROGRAM BUDGETS

WHEREAS, the City prepares and adopts its budgets with the intent of providing a planned policy program for City services and a financial system to carry out the planned program of services; and

WHEREAS, the City Council approved Resolution no. 2013-55 adopting the 2013-14 Operating Budget on June 25, 2013; and

WHEREAS, the City Council may amend the budget as necessary to account for changing conditions; and

WHEREAS, amendments for revenues and expenditures impacting the various funds should be approved consistent with the operating requirements and previous City Council actions and consistent with the information provided with the mid-year financial status report received by the City Council on February 11, 2014:

General Fund

Expenditures

Tools & Equipment (001-2110-6650)	\$ 25,000
Fire Hose Replacement	

Capital Projects Fund

Streets Capital Revenues

Measure M (4999)	11,000
Grand Blvd Initiative's Case Study	

Streets Capital Expenditures

City's staff support (5101)	11,000
Grand Blvd Initiative's Case Study	

NOW THEREFORE, the City Council of the City of San Bruno hereby resolves to amend the 2013-14 General Fund, Special Revenue Funds, Enterprise Funds, and Capital Improvement Program Budgets and that specific revenue and expenditure line items enumerated are hereby amended.

—o0o—

I hereby certify that foregoing Resolution No. 2014-_____ was introduced and adopted by the San Bruno City Council at a regular meeting on February 11, 2014 by the following vote:

AYES:

NOES:

ABSENT:

City Clerk

City of San Bruno
2013-14 Mid-Year Financial Report
As of December 31, 2013

GENERAL FUND	2013-14			2012-13			2013-14 v 2012-13	
	December 31, 2013			December 31, 2012			Yr to Yr Change (\$)	Yr to Yr Change (%)
	Amended Budget	YTD 12/31/2013	% of Budget	Amended Budget	YTD 12/31/2012	% of Budget		
Revenues								
GENERAL GOVERNMENT								
Property Tax	6,579,213	3,021,366	46%	6,101,300	2,905,081	48%	116,285	4%
Sales Tax	7,343,812	2,491,515	34%	6,850,000	2,736,625	40%	(245,109)	-9%
Hotel/Motel Occupancy Tax	2,350,000	1,266,391	54%	2,100,000	1,070,959	51%	195,431	18%
Motor Vehicle License Fee	3,100,000	1,768,555	57%	3,210,000	1,672,487	52%	96,068	6%
Regulatory (Card Room) Tax	1,655,511	826,452	50%	1,572,700	808,434	51%	18,018	2%
Business Taxes	2,328,000	2,268,726	97%	1,856,000	1,524,699	82%	744,027	49%
Franchise Fees	1,722,147	626,556	36%	1,745,180	681,150	39%	(54,594)	-8%
Use of Money and Property	1,444,385	736,029	51%	1,551,000	793,451	51%	(57,422)	-7%
Charges for Services	2,586,592	1,293,295	50%	2,376,952	1,188,474	50%	104,821	9%
Recoveries & One-time	707,600	88,916	13%	580,000	76,033	13%	12,883	17%
PO Carryover Balance	287,009	287,009	100%	79,484	79,484	100%	207,525	261%
Sub Total	30,104,269	14,674,812	49%	28,022,616	13,536,878	48%	1,137,934	8%
DEPARTMENTAL								
Police	1,416,433	646,141	46%	1,402,433	634,130	45%	12,011	2%
Fire	413,470	317,833	77%	441,886	264,624	60%	53,209	11%
Engineering & Streets	900,200	445,354	49%	963,515	450,586	47%	(5,232)	-1%
Planning	50,000	26,846	54%	37,500	22,123	59%	4,722	21%
Building	720,500	417,389	58%	1,134,000	473,362	42%	(55,973)	-12%
Recreation	1,310,000	651,339	50%	1,055,000	504,805	48%	146,534	29%
Parks	17,110	17,405	102%	15,110	17,895	118%	(490)	-3%
Senior Services	208,200	6,671	3%	165,346	1,459	1%	5,212	n/a
Library	94,000	46,731	50%	111,000	49,008	44%	(2,276)	-5%
Sub Total	5,129,913	2,575,708	50%	5,325,790	2,417,991	45%	157,717	7%
Total Revenues	35,234,182	17,250,520	49%	33,348,406	15,954,869	48%	1,295,651	8%
Expenditures								
General Administration								
City Council	175,644	64,100	36%	162,401	80,999	50%	(16,899)	-21%
City Clerk	278,866	112,225	40%	226,514	106,788	47%	5,437	5%
City Treasurer	78,431	37,580	48%	89,635	40,299	45%	(2,719)	-7%
City Attorney's Office	419,200	182,485	44%	401,357	160,436	40%	22,048	14%
City Manager's Office	807,419	230,578	29%	675,681	221,297	33%	9,282	4%
Human Resources	490,202	222,130	45%	419,918	211,045	50%	11,085	5%
Finance - Administration	868,848	461,736	53%	789,162	422,763	54%	38,973	9%
Finance - Revenue Services	784,037	404,968	52%	875,320	352,017	40%	52,951	15%
Police	13,831,753	6,931,029	50%	13,576,732	7,021,663	52%	(90,635)	-1%
Fire	8,027,693	4,253,221	53%	7,711,160	4,254,890	55%	(1,669)	0%
Engineering & Streets	2,594,452	1,437,136	55%	2,530,667	1,330,569	53%	106,568	8%
Planning	1,129,911	391,772	35%	997,485	349,931	35%	41,840	12%
Building	1,305,443	632,828	48%	1,277,080	591,630	46%	41,198	7%
Recreation	1,637,048	878,928	54%	1,444,625	867,439	60%	11,490	1%
Parks	2,361,428	1,169,516	50%	2,303,454	1,163,442	51%	6,074	1%
Senior Services	890,885	447,290	50%	868,790	444,024	51%	3,266	1%
Library	1,893,136	953,648	50%	1,852,618	973,651	53%	(20,004)	-2%
Non-Departmental	-2,311,215	-1,247,934	54%	-2,465,943	-1,358,264	55%	110,330	-8%
Total Expenditures	35,263,181	17,563,237	50%	33,736,656	17,234,617	51%	328,620	2%

City of San Bruno
2013-14 Mid-Year Financial Report
As of December 31, 2013

**ENTERPRISES & INTERNAL
SERVICE FUNDS**

	2013-14			2012-13			2013-14 v 2012-13	
	December 31, 2013			December 31, 2012			Yr to Yr Change (\$)	Yr to Yr Change (%)
	Amended Budget	YTD 12/31/2013	% of Budget	Amended Budget	YTD 12/31/2012	% of Budget		
Central Garage								
Revenue	614,773	307,386	50%	625,056	312,534	50%	(5,148)	-2%
Expenditure	614,865	233,631	38%	626,316	301,569	48%	(67,938)	-23%
Buildings & Facilities Maintenance								
Revenue	866,971	433,486	50%	881,655	441,026	50%	(7,538)	-2%
Expenditures	867,962	462,087	53%	887,111	427,286	48%	34,801	8%
Self-Insurance								
Revenue	1,809,515	902,808	50%	1,762,477	805,740	46%	97,068	12%
Expenditure	1,809,515	1,389,478	77%	1,770,578	1,042,702	59%	346,776	33%
Technology Support								
Revenue	520,773	260,388	50%	512,652	242,214	47%	18,174	8%
Expenditure	532,022	295,334	56%	678,406	267,396	39%	27,938	10%
Water Enterprise								
Revenue	12,237,766	6,823,977	56%	11,152,000	6,051,755	54%	772,221	13%
Expenditure	7,769,818	3,811,174	49%	7,915,540	3,900,747	49%	(89,572)	-2%
Stormwater Enterprise								
Revenue	652,888	309,664	47%	599,500	290,958	49%	18,706	6%
Expenditure	634,102	307,016	48%	642,880	250,741	39%	56,275	22%
Wastewater Enterprise								
Revenue	13,356,129	6,711,347	50%	12,044,000	6,026,375	50%	684,972	11%
Expenditure	7,646,267	3,472,023	45%	7,545,674	3,330,238	44%	141,784	4%
Cable Television Enterprise								
Revenue	10,598,474	4,642,149	44%	10,036,180	4,828,548	48%	(186,399)	-4%
Expenditure	9,889,405	4,434,597	45%	9,591,486	4,263,586	44%	171,010	4%



City Council Agenda Item Staff Report

CITY OF SAN BRUNO

DATE: February 11, 2014

TO: Honorable Mayor and Members of the City Council

FROM: Klara A. Fabry, Public Services Director

SUBJECT: Adopt Resolution Approving Installation of a Two-Hour Time Limited Parking Restriction Zone Along Shelter Creek Lane to Provide Street Sweeping Access

BACKGROUND:

Regular street sweeping improves the overall look and feel of the City's neighborhoods and business districts. Street sweeping is also a vital element in the City's obligation, under the county-wide National Pollutant Discharge Elimination System (NPDES) permit, to remove debris and pollutants from the storm runoff before it drains into San Francisco Bay. The long-term regional trend, and the regulations of the San Francisco Bay Regional Water Quality Control Board (Water Board), are to further reduce the trash and debris that makes its way into the Stormwater system. To reach these long-term goals, one of the Water Board's key recommendations is to enhance street sweeping. One area identified to meet the Water Board's goals is to reduce trash and debris entering Shelter Creek Lane.

The City Council, at its January 22, 2013 meeting, approved changes to the City's Street Sweeping Program. Under the new street sweeping schedule, commercial and industrial areas are cleaned four times a month between 6:00 and 9:00 a.m., and residential streets are cleaned two times a month after 9:00 a.m. to provide sweeper trucks better curb access when most residents are at work. Areas east of El Camino have signs restricting parking during scheduled street sweeping times. Parking is not allowed 9:00–10:00 a.m. and 11:00–1:00 p.m. on the first and third Mondays of each month. This new street sweeping schedule began February 4, 2013.

In August 2013, the property manager of the Shelter Creek Condominium approached the City and inquired about the possibility of adding parking restrictions on Shelter Creek Lane in order to improve the effectiveness of the ongoing street sweeping at this location.

DISCUSSION:

Shelter Creek Lane, west of El Camino Real along I-280, is almost entirely bounded by I-280 along the east side, and by the Shelter Creek Condominium complex along the west side. (See Attachment 1 for Location Map). Prior to 1984, a no-parking zone was established along the entire east side of Shelter Creek Lane. In June 1984, the City Council authorized removal of the no-parking restriction. Shelter Creek Condominium agreed to maintain, prune, and remove trees, if needed, along east side of the street.

10.d.

Since 1984, street parking on both sides of Shelter Creek Lane is not time restricted. Shelter Creek Lane, between San Bruno Avenue to Whitman Way, has historically been full of parked vehicles and are primarily the result of overflow parking from Shelter Creek Condominium. The condominium complex has 1,296 units, with 1,600 assigned parking spaces and 117 additional parking spaces for condominium residents to rent. All of the 117 additional spaces have been rented and there is a waiting list for when any space becomes available.

Shelter Creek Lane and the surrounding neighborhood streets are currently swept on the second and fourth Thursday of each month. With both sides of Shelter Creek Lane typically full of parked vehicles, the street sweeper only sweeps the center of the street because it cannot reach all the way to the curb. Shelter Creek Condominium has expressed concern with the amount of leaves, vegetation, and debris that accumulate along the Shelter Creek Lane parking lane. This problem is especially apparent on the east side of the street where there are existing large trees, shrubs, and other miscellaneous vegetation.

To address both the overflow parking situation and manage trash and debris entering the Shelter Creek waterway, the City has been providing two special street cleaning and sweeping days each year along Shelter Creek Lane. One special cleaning occurs during the first half of May and another prior to the winter rainy season. Temporary parking restrictions are established along the east side of Shelter Creek Lane so City's maintenance crews have access to the curb area. Towing and police enforcement are also used during these special cleaning events.

Shelter Creek Condominium appreciates the City's efforts, however they do not feel the special semi-annual events are sufficient to address the litter and debris problem. They have requested the City consider implementing parking restrictions along Shelter Creek Lane for street sweeping.

In response to this request, staff evaluated possible alternatives and discussed those with the Traffic Safety and Parking Committee (TSPC) at their September 4, 2013 meeting. Alternatives included leaving the street sweeping program "as is", with restricted parking two times a year to accommodate the semi-annual cleaning program. Also considered was the establishment of parking restrictions to the broader Shelter Creek neighborhood. This option would impact a larger area and require additional parking enforcement by the Police Department and would not be consistent with the City Council prior policy decision.

Creating parking restrictions will require residents move their vehicles from Shelter Creek Lane to avoid a traffic citation. The City proposes setting the parking restrictions later in the morning, between 9:00 a.m. to 11:00 a.m., to reduce the impact on residents. Parking restrictions would also only affect one side of the street one time a month. One concern is that condominium residents may choose to park on other streets such as Whitman Way or Courtland Drive on scheduled cleaning days. This may create new parking capacity issues and reduce street cleaning effectiveness. This change will require additional parking enforcement by the Police Department which the Department believes can be accomplished with existing personnel.

The City considered two alternative sweeping schedules for Shelter Creek Lane. The first would clean Shelter Creek the same day as the rest of the neighborhood. Parking would be restricted on the second Tuesday of the month on the west side of Shelter Creek Lane and on the fourth Thursday of the month on the east side. The other option would be to clean Shelter Creek on a different day as the rest of the neighborhood. The proposal would clean Shelter

Creek on Fridays (the west side of the street on the first Friday and the east side of the street on the third Friday). Moving Shelter Creek Lane to Fridays may limit the impact of overflow parking into the surrounding neighborhood. Friday cleanings will also add approximately one half hour of staff and equipment overtime. The cost for this alternative would be \$6,664 (\$4,930 for the signs, and \$1,734 for additional overtime and equipment costs).

Staff recommends cleaning Shelter Creek on a different day from the rest of the neighborhood because it may reduce the impact of overflow parking to the surrounding neighborhood on street cleaning days.

The new street sweeping times along Shelter Creek Lane would begin, if approved, in early April 2014. City crews will install the new parking restriction signs the last two (2) weeks of March 2014. The City will mail two (2) notification letters to Shelter Creek Condominium residents. An initial notification letter will be mailed in early March with a second letter mailed out mid-March. The City will also work with the condominium home owner association (HOA) to post internal notices.

FISCAL IMPACT:

The total cost to install and operate parking restrictions along Shelter Creek Lane is \$6,664 (\$4,930 for one-time installation of 28 parking signs and related parts, and \$1,734 for additional annual overtime and equipment costs), and will be funded by the 2013-14 Street Maintenance Operating budget. The current cost of the semi-annual sweeping of Shelter Creek Lane is \$7,845.

RECOMMENDATION:

Adopt resolution approving installation of a two-hour time limited parking restriction zone along Shelter Creek Lane to provide Street Sweeping access.

ATTACHMENTS:

1. Resolution
2. Location Map

DATE PREPARED:

January 31, 2014

RESOLUTION NO. 2014- ____

**RESOLUTION APPROVING INSTALLATION OF A TWO-HOUR TIME LIMITED
PARKING RESTRICTION ZONE ALONG SHELTER CREEK LANE
TO PROVIDE STREET SWEEPING ACCESS**

WHEREAS, pursuant to Title VII, Section 7.08.050, of the San Bruno Municipal Code, any action of the City Council following a recommendation from the Department of Public Services and the Traffic Safety and Parking Committee (TSPC) shall be taken by resolution; and

WHEREAS, the City Council, at its June 12, 2012 meeting requested staff to provide the City Council with an informational report on the City's street sweeping program to include why certain streets in the City are subject to parking restrictions for street sweeping while other streets are not; and

WHEREAS, the City Council, at its November 27, 2012 meeting, considered alternatives to address resident street sweeping and related parking restriction concerns and directed staff to modify the City's street sweeping route times and frequency for the residential, commercial, and major arterial areas of the City; and

WHEREAS, the City Council, at its January 22, 2013 meeting, approved the modified street sweeping program; and

WHEREAS, staff and the Traffic Safety and Parking Committee (TSPC) reviewed a request at the September 24, 2013 TSPC Committee Meeting from the property manager of the Shelter Creek Condominium to add Shelter Creek Lane to the City's signed Street Sweeping Program; and

WHEREAS, on February 11, 2014, the City Council considered the recommendation from Staff and the TSPC.

NOW, THEREFORE, BE IT RESOLVED by the San Bruno City Council to approve the installation of a two-hour time limited parking restriction along Shelter Creek Lane.

Dated: February 11, 2014

ATTEST:

Carol Bonner, City Clerk

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 11th day of February 2014 by the following vote:

AYES: Councilmembers: _____
NOES: Councilmembers _____
ABSENT: Councilmembers: _____

Attachment 1 – Location Map





**City Council Agenda Item
Staff Report**

CITY OF SAN BRUNO

DATE: February 11, 2014

TO: Honorable Mayor and Members of the City Council

FROM: Klara A. Fabry, Public Services Director

SUBJECT: Adopt Resolution Authorizing the City Manager to Execute a Multi-Year Contract with West Valley Construction Company, Inc. for Sewer Spot Repair Services in an Amount not to Exceed \$175,000 for Fiscal Year 2013-14

BACKGROUND:

The City owns, operates and maintains approximately 85 miles of sewer pipe and related manholes. Like most cities in the area, the City of San Bruno contracts with a private company for annual spot maintenance and emergency repair services. Current sewer system spot repair maintenance activities include repair and replacement of sewer mains; repair and installation of manholes; repair and installation of sewer laterals and cleanouts; and emergency response as needed. According to the contract between the City and the company, the contractor must be available twenty-four hours a day, seven days a week and have a facility within twenty miles of the City of San Bruno. The current sewer spot repair services contract with Trinet Construction, Inc. was executed in February 2012. The original terms of the contract were for two (2) years with the option for the City to unilaterally renew the contract for an additional two (2) year term. The low bid amount for the full four (4) year contract by Trinet Construction, Inc. was \$1,203,500. The first two (2) year term of the current contract expires February 8, 2014.

DISCUSSION:

In summer 2013, the current contractor, Trinet Construction, Inc. requested that the City terminate their two (2) year contract early. The City prepared to advertise a new sewer spot repair bid to test the market and secure continuing and uninterrupted services. The scope of the new contract remains essentially unchanged, and includes repair and replacement of sewer mains; repair and installation of manholes; repair and installation of sewer laterals and cleanouts; and as needed spot repairs to the sewer collection system. The new contract would have a total possible term of approximately four years and five months, extending through June 30, 2018 (to coincide with the City's fiscal year), and could be terminated by the City at any time. Bidders were required to include all required labor, parts, and equipment.

In January 2014, the City issued an advertisement for sealed project bids, posted the bid on the City's website, and advertised in the *San Mateo Daily Journal* newspaper as well as regional construction plan holder companies. The City received a total of three (3) bids: 1) Trinet Construction, Inc., \$1,647,100; 2) West Valley Construction Co., Inc., \$1,773,750; and 3) Express Plumbing and Sewer Service, \$1,833,000.

The lowest submitted bid, from Trinet Construction, Inc., was rejected as non-responsive because the bid prices were unbalanced and reflected Trinet's use of inside knowledge of City projects to increase some unit prices and reduce other unit prices. Also of concern is the fact

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that Trinet Construction had indicated their desire in summer 2013 to terminate the remaining term of their contract, and then submitted a bid to for the same project once the City advertised in January 2014. After reviewing the remaining two bids, the City recommends awarding the contract to the next lowest responsive bidder, West Valley Construction Company, Inc. West Valley Construction has extensive experience providing utility pipe repair and maintenance services for both private and public organizations including the California Water Service and the Los Altos Hills Fire District. West Valley Construction, Inc. currently provides water main spot repair and maintenance services for the City. The City is pleased with their responsiveness and their consistent quality of work. As described below, there are sufficient funds to accommodate West Valley's total bid amount.

FISCAL IMPACT:

The Council approved \$450,000 for contractual services with an estimated \$400,000 for sanitary sewer spot repair maintenance in the FY 2013-14 Wastewater Operating Budget. Approximately \$225,000 has been spent to date, with approximately \$175,000 remaining. This new contract has a total possible term of approximately four years and five months, extending through June 30, 2018, and can be terminated by the City at any time. The anticipated accumulated contract amount may be up to \$1,775,000, with \$175,000 for the remaining five months of FY 2013-14, and assuming a similar \$400,000 budget allocation for the following four years. Based on current Operating budget projections, there are sufficient funds to accommodate the bid from West Valley Construction.

ALTERNATIVES:

1. Do not authorize the contract award and re-advertise the work.

RECOMMENDATION:

Adopt resolution authorizing the City Manager to execute a multi-year contract with West Valley Construction Company, Inc. for Sewer Spot Repair Services in an amount not to exceed \$175,000 for fiscal year 2013-14.

ATTACHMENTS:

1. Resolution

DATE PREPARED:

January 28, 2014

RESOLUTION NO. 2014- _____

**RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE
A MULTI-YEAR CONTRACT WITH WEST VALLEY CONSTRUCTION COMPANY, INC.
FOR SEWER SPOT REPAIR SERVICES
IN AN AMOUNT NOT TO EXCEED \$175,000 FOR FISCAL YEAR 2013-14**

WHEREAS, the City of San Bruno desires to utilize the services of a well-qualified contractor to assist the City with annual sewer spot repair services for the City's approximately 85 miles of sanitary sewer system; and

WHEREAS, services include, but not limited to repair and replacement of sewer mains; repair and installation of manholes; repair and installation of sewer laterals and cleanouts; and emergency response as needed. The Contractor must also be available 24-hours a day, 7 days a week, with a facility within 20 miles of the City of San Bruno; and

WHEREAS, the City issued a request for bids to provide sanitary sewer spot repair and maintenance services and evaluated the bids based on the bid amount, expertise and experience; and

WHEREAS, the City selected West Valley Construction Company, Inc. as the lowest responsible bidder based on their bid amount, their experience, and ability to perform annual sewer spot repair and maintenance services of the City's approximately 85 miles of sanitary sewer system; and

WHEREAS, West Valley Construction Company, Inc. is a professional utility pipe system repair and service company with extensive experience in maintenance for both private companies and public agencies; and

WHEREAS, the contract will be funded from the Wastewater, Contractual Services Operations and Maintenance budget.

NOW, THEREFORE, BE IT RESOLVED, that the City Council hereby authorizes the City Manager to execute a multi-year contract with West Valley Construction Company, Inc. for sewer spot repair services in an amount not to exceed \$175,000 for fiscal year 2013-14.

Dated: February 11, 2014

ATTEST:

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 11th day of February 2014 by the following vote:

AYES: Councilmembers: _____

NOES: Councilmembers _____

ABSENT: Councilmembers: _____