



“The City With a Heart”

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

AGENDA **Revised 3-25-13**
SAN BRUNO CITY COUNCIL

March 26, 2013

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 you **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 from the San Francisco Public Utilities Commission (SFPUC) on the Regional Groundwater Storage and Recovery Project.

5. REVIEW OF AGENDA:

6. APPROVAL OF MINUTES: Regular City Council Meeting of March 12, 2013.

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 March 11, 2013.

b. **Approve:** Payroll of March 10, 2013.

c. **Accept:** Reconciliation of General Ledger to Bank Reports and the Investment Reports Dated February 28, 2013.

d. **Adopt:** Resolution Supporting Senate Bill 135 to Create a Statewide Earthquake Early Warning System in California.

8. PUBLIC HEARINGS:

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

10. CONDUCT OF BUSINESS:

- a. Adopt Resolution Supporting Federal and State Gun Violence Legislation; Provide Direction to Amend the Municipal Code to Establish Police Permit System for New Firearms Dealers and to Amend the Zoning Code to Permit New Firearms Dealers Only in the M-1 Industrial Zoning District.
- b. Adopt Resolution Authorizing Purchase of Street Light Poles and Pole Arms from Alameda Electrical Distributors in the Amount of \$34,519.27.

11. REPORT OF COMMISSIONS, BOARDS, & COMMITTEES:

Receive Annual Report from the Bicycle & Pedestrian Advisory Committee

12. COMMENTS FROM COUNCIL MEMBERS:

13. CLOSED SESSION:

14. ADJOURNMENT:

The next regular City Council Meeting will be held on April 9, 2013 at 7:00 p.m. at the Senior Center, 1555 Crystal Springs Road, San Bruno.

"The City With a Heart"



Jim Ruane, Mayor
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**SPECIAL STUDY SESSION
SAN BRUNO CITY COUNCIL
AGENDA**

March 26, 2013

Immediately Following Regular City Council Meeting

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

- 1. ROLL CALL:**
- 2. PUBLIC COMMENT ON ITEMS NOT ON THE 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 agendaized pursuant to State Law.
- 3. CONDUCT OF BUSINESS:**
Conduct Study Session to Discuss Priorities and Issues for Preparation of the FY 2013-14 City Budgets.
- 4. ADJOURNMENT:**
The next Regular City Council Meeting will be held on April 9, 2013, at 7:00 p.m. at the Senior Center, 1555 Crystal Springs Road.

Posted Pursuant to Law 03/22/13

"The City With a Heart"



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

MINUTES

SAN BRUNO CITY COUNCIL

March 12, 2013

7:00 p.m.

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

1. CALL TO ORDER: THIS IS TO CERTIFY THAT the San Bruno City Council met on March 12, 2013 at the San Bruno Senior Center, 1555 Crystal Springs Rd., San Bruno, CA. The meeting was called to order at 7:00 p.m. **Mayor Ruane** thanked the Garden Club for the flower arrangement.

2. ROLL CALL/PLEDGE OF ALLEGIANCE: Presiding was Mayor Ruane, Vice Mayor O'Connell, Council Members Ibarra, Medina, and Salazar. **City Attorney Zafferano** led the Pledge of Allegiance. Recording by Clerk Bonner.

3. ANNOUNCEMENTS:

Mayor Ruane announced the Annual Pancake Breakfast and Easter Egg Hunt would be held Saturday, March 23, 9:00 to 11:00 a.m. at San Bruno City Park. The Easter Egg Hunt begins promptly at 11:00 a.m.

4. PRESENTATIONS:

Mayor Ruane presented a Proclamation to **Trish Clement** from the Bay Area Chapter Volunteers of the American Red Cross Recognizing American Red Cross Month 2013. Trish Clement thanked the City of San Bruno and shared some of the things the Red Cross has done. She said May 30 would be the Hero's Breakfast. Other upcoming events can be found at redcrossbayarea.org.

5. REVIEW OF AGENDA: No changes.

6. APPROVAL OF MINUTES: Regular City Council Meeting of February 26, 2013, approved as submitted.

7. CONSENT CALENDAR:

a. **Approve:** Accounts Payable of February 19, 25 and March 4, 2013.

b. **Approve:** Payroll of February 24, 2013.

c. **Accept:** Housing Element Annual Progress Report (APR) for Calendar Year 2012 and Direct Staff to Forward the Report to the California State Office of Planning and Research and the California Department of Housing and Community Development.

d. **Adopt:** Resolution Approving Side Letter Agreement Between the City of San Bruno and the Police Bargaining Unit, Represented by Teamsters Union Local 856, and Authorizing its Execution by the City Manager.

M/S Ibarra/Medina to approve the Consent Calendar and passed with all ayes.

8. PUBLIC HEARINGS: None.

9. PUBLIC COMMENT ON ITEMS NOT ON AGENDA:

John Barrilier, N. Anselmo talked about the dangers of firefighters shopping on City time during work hours.

10. CONDUCT OF BUSINESS:

a. Adopt Resolution Authorizing the City Manager to Execute the Amended Water Supply Agreement with the City and County of San Francisco.

Public Services Director Fabry gave an overview of the staff report and asked for questions.

Vice Mayor O'Connell introduced the resolution for adoption and passed with a unanimous vote.

b. Adopt Resolution Adopting the 2012 Updated Water System Master Plan.

Public Services Director Fabry gave an overview of the staff report and asked for questions.

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

c. Adopt Resolution Authorizing the Mayor to Execute and File the Articles of Incorporation for the San Bruno Community Foundation.

City Attorney Zafferano gave an overview of the staff report and highlighted some of the articles of incorporation and asked for questions.

Councilmember Ibarra asked if we wanted to help a privately owned entity would we have to go through a third party that would be helping them? **Zafferano** said it would depend on the situation but in most cases as long as there is a public purpose and the purpose is charitable, the language is broad enough to provide the Board with that discretion. **Councilmember Ibarra** said in the case of another disaster, there are privately owned buildings that are in dire need of some assistance. **Zafferano** said the distinction is the funds of the corporation cannot inure to the benefit of private persons. That does not mean that private persons can't get a benefit, it means they cannot get an improper benefit. Money cannot be doled out to a bunch of individuals without also having a public and/or charitable purpose.

Vice Mayor O'Connell introduced the resolution for adoption and passed with a unanimous vote.

11. REPORT OF COMMISSIONS, BOARDS, & COMMITTEES:

12. COMMENTS FROM COUNCIL MEMBERS:

13. CLOSED SESSION:

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

a. Conference with Real Property Negotiator Pursuant to Government Code Section 54956.8
Property: Parcel Nos. 019-041-010; 019-043-020; 019-024-230; 019-014-180; 019-023-250; 019-043-460; 019-043-010; 019-041-030; 019-023-280; 019-014-150; 019-023-080.

Agency Negotiator: City Manager Negotiating Parties: City of San Bruno and PG&E Under Negotiation: Price and Terms of Payment.

b. Conference with Real Property Negotiator Pursuant to Government Code Section 54956.8
Property: Property Address 105 Cabrillo Way Agency Negotiator: City Manager Negotiating Party: City of San Bruno Under Negotiation: Price and Terms of Payment.

14. ADJOURNMENT:

Mayor Ruane closed the meeting at 7:27 p.m. The next regular City Council Meeting will be held on March 26, 2013 at 7:00 p.m. at the Senior Center, 1555 Crystal Springs Road, San Bruno.

Respectfully submitted for approval
at the City Council Meeting of
March 26, 2013

Carol Bonner, City Clerk

Jim Ruane, Mayor

03/11/13

CITY OF SAN BRUNO
WARRANT REGISTER
TOTAL FUND RECAP

FUND	FUND NAME	AMOUNT
001	GENERAL FUND	\$441,793.31
111	POLICE ASSET FORFEITURE	\$1,155.52
132	AGENCY ON AGING	\$3,709.67
133	RESTRICTED DONATIONS	\$48.94
190	EMERGENCY DISASTER FUND	\$88,057.25
201	PARKS AND FACILITIES CAPITAL	\$61.36
203	STREET IMPROVE. PROJECTS	\$850.00
611	WATER FUND	\$80,945.01
621	STORMWATER FUND	\$581.42
631	WASTEWATER FUND	\$12,651.44
641	CABLE TV FUND	\$324,257.84
701	CENTRAL GARAGE	\$1,212.65
702	FACILITY MAINT. FUND	\$12,116.08
703	GENERAL EQUIPMENT REVOLVING	\$30,252.24
707	TECHNOLOGY DEVELOPMENT	\$402.48
711	SELF INSURANCE	\$46,910.05
880	PROJECT DEVELOP. TRUST	\$1,822.10

TOTAL FOR APPROVAL \$1,046,827.36

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 140322 THROUGH 140476 INCLUSIVE, TOTALING IN THE AMOUNT OF \$1,046,827.36 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

3/12/13
DATE

Document group: komalley Bank: apbank 05507660

Vendor Code & Name	Check #	Check Date	Amount
0096852 ABAG PLAN CORPORATION	140322	3/11/2013	41,693.84
0016499 ACTION SPORTS	140323	3/11/2013	519.49
0000858 ADECCO EMPLOYMENT SERVICES	140324	3/11/2013	2,142.88
0098933 ADIL ASSLAM	140335	3/11/2013	98.00
0093358 ADVANCED BUSINESS FORMS	140325	3/11/2013	1,796.18
0018601 ADVANCED MEDIA TECH., INC.	140326	3/11/2013	23,790.96
0001170 AIRGAS NCN	140327	3/11/2013	119.31
0000163 AIRPORT AUTO PARTS INC.	140328	3/11/2013	19.40
0097137 ALERT DOOR SERVICE INC	140329	3/11/2013	600.00
0000372 ALLIED SECURITY ALARMS	140330	3/11/2013	1,441.50
0017359 AMERICAN EXPRESS	140331	3/11/2013	3,123.67
0000082 AMERICAN MESSAGING	140332	3/11/2013	36.07
0105651 ANNAMARIA VAFIADIS	140465	3/11/2013	100.00
0001202 ARAMARK UNIFORM SERVICES	140333	3/11/2013	159.54
0001965 ARISTA BUSINESS	140334	3/11/2013	915.87
0105148 ASTREYA PARTNERS, INC.	140336	3/11/2013	483.75
0014617 AT&T	140337	3/11/2013	140.03
0016123 AT&T	140338	3/11/2013	2,637.89
0017191 AT&T	140339	3/11/2013	326.11
0105649 ATLAS PLUMBING AND ROOTER	140340	3/11/2013	276.00
0000345 BAKER & TAYLOR BOOKS	140341	3/11/2013	2,105.08
0017431 BAY AREA AIR QUALITY MANAGEMENT DISTRICT	140428	3/11/2013	1,530.00
0015628 BAY AREA TREE CO., INC.	140342	3/11/2013	850.00
0105652 CARL NICOLARI	140418	3/11/2013	200.00
0016623 CAROLLO ENGINEERS	140343	3/11/2013	1,349.60
0018977 CBS TELEVISION STATIONS	140344	3/11/2013	6,511.69
0017843 CENTRAL COUNTY FIRE DEPT.	140345	3/11/2013	30,296.75
0013965 CH BULL CO.	140346	3/11/2013	536.64
0016324 CINTAS CORPORATION #464	140349	3/11/2013	358.79
0097464 CINTAS FIRST AID & SAFETY	140350	3/11/2013	364.64
0000227 CITY OF SAN BRUNO	140351	3/11/2013	3,472.68
0017802 CLEANSOURCE, INC.	140352	3/11/2013	467.39
0098656 COMPLETE LINEN SERVICE	140353	3/11/2013	81.92
0102625 CONTEC, LLC	140354	3/11/2013	3,241.02
0015857 COUNTY OF SAN MATEO	140355	3/11/2013	76.00
0018331 CSG CONSULTANTS INC.	140357	3/11/2013	472.50
0000251 CUMMINS WEST INC.	140358	3/11/2013	2,679.95
0104141 DC&E	140360	3/11/2013	10,344.08
0105661 EDDIE GOMEZ	140374	3/11/2013	630.00
0017300 ENVIRONMENTAL HEALTH FEE	140363	3/11/2013	276.00
0102362 ESPN	140364	3/11/2013	5,519.41
0013683 F. FERRANDO & CO.	140365	3/11/2013	3,187.00
0105667 FINE LINE FENCING	140367	3/11/2013	4,248.00
0013714 FIRST NATIONAL BANK	140368	3/11/2013	10,191.71
0001782 FLOWERS ELECTRIC & SVC.CO.INC.	140369	3/11/2013	689.94
0105648 G-MAX CONSTRUCTION	140372	3/11/2013	276.00
0099087 GABRIEL CHAN	140347	3/11/2013	100.00
0018881 GARY LEPORI	140404	3/11/2013	162.72
0103258 GC MICRO CORPORATION	140370	3/11/2013	68.36
0096695 GEORGE MITROPOULOS	140413	3/11/2013	100.00
0096213 GERALD T. AND CAROLE J. GUERNSEY	140380	3/11/2013	40,000.00
0105640 GILBERT TAKAHASHI	140447	3/11/2013	100.00
0095666 GLOBAL TELECOM & TECHNOLOGY	140371	3/11/2013	7,636.69

3/11/2013 4:31:32PM

City of San Bruno

Document group: komalley Bank: apbank 05507660

Vendor Code & Name	Check #	Check Date	Amount	
0001137	GOLDEN NURSERY	140373	3/11/2013	8.69
0000162	GRAINGER	140375	3/11/2013	70.23
0000541	GRANITE ROCK COMPANY	140376	3/11/2013	813.75
0017900	GREAT LAKES DATA SYSTEMS INC	140377	3/11/2013	1,850.00
0095966	GREATAMERICA FINANCIAL SVCS.	140378	3/11/2013	402.48
0096799	GROUNDWATER RESOURCES ASSOCIATION OF CA	140433	3/11/2013	230.00
0017914	GSWAW INC.	140379	3/11/2013	2,546.97
0096837	GYM DOCTORS	140381	3/11/2013	125.00
0000385	HACH COMPANY	140382	3/11/2013	302.32
0095792	HARRISON & BONINI	140383	3/11/2013	770.13
0105518	HELEN WONG	140471	3/11/2013	200.00
0097585	HIGHWAY TECHNOLOGIES INC.	140385	3/11/2013	611.29
0095899	HISAKO HINOKI	140386	3/11/2013	100.00
0096498	HITESMAN & WOLD, P.A.	140387	3/11/2013	37.50
0105378	HOME MAID RAVIOLI COMPANY INC.	140389	3/11/2013	61.00
0017150	INSTRUMENT TECHNOLOGY CORP.	140392	3/11/2013	248.12
0015531	INTERSTATE BATTERY SYS. OF SF	140393	3/11/2013	240.67
0104018	INTERSTATE TRAFFIC CONTROL	140394	3/11/2013	530.57
0105653	JACKY CHUN KIT HO	140388	3/11/2013	300.00
0096838	JOHN MURPHY	140395	3/11/2013	108.28
0018376	JT2 INTEGRATED RESOURCES	140396	3/11/2013	5,161.54
0018050	KAISER FOUNDATION HEALTH PLAN	140397	3/11/2013	3,666.00
0000132	KELLY-MOORE PAINT CO INC.	140398	3/11/2013	61.36
0018498	KONICA MINOLTA BUSINESS SOL.	140399	3/11/2013	836.79
0105000	L.A. JESSUP CONSTRUCTION	140400	3/11/2013	30.00
0018561	LANCE BAYER	140401	3/11/2013	875.00
0014262	LC ACTION POLICE SUPPLY	140402	3/11/2013	30,993.03
0101794	LEONOR WATTS	140466	3/11/2013	88.00
0104424	LIDIA'S ITALIAN DELICACIES	140405	3/11/2013	525.00
0018177	LOWE'S	140407	3/11/2013	1,159.52
0105680	MICHAEL MANGIBUYAT	140408	3/11/2013	200.00
0092285	MICROMARKETING LLC	140411	3/11/2013	34.95
0016863	MIDWEST TAPE, LLC	140412	3/11/2013	39.99
0017289	MUNISERVICES, LLC	140414	3/11/2013	2,823.92
0002107	NANCY HERNANDEZ	140384	3/11/2013	109.20
0000357	NATIONAL CABLE TV CO-OP, INC.	140415	3/11/2013	216,518.39
0102408	NATIONAL GEOGRAPHIC CHANNEL HD	140416	3/11/2013	62.00
0100206	NAW ALTHEA KACHER	140417	3/11/2013	100.00
0000522	NORTH COAST COUNTY WATER DISTRICT(NCCWD)	140356	3/11/2013	21,425.06
0105238	NORTHERN SERVICES INC.	140419	3/11/2013	4,802.38
0092263	OFFICE DEPOT INC	140420	3/11/2013	1,466.80
0000210	OLE'S CARBURETOR & ELECTRIC INC	140421	3/11/2013	203.46
0097567	ONE HOUR DRY CLEANING	140422	3/11/2013	96.80
0000012	PACIFIC GAS & ELECTRIC	140423	3/11/2013	51,792.33
0000101	PACIFIC NURSERIES	140424	3/11/2013	135.63
0104656	PAULA-JO HUSACK, MA, LMFT, CGP	140390	3/11/2013	925.00
0015163	PENINSULA SPORTS OFFICIALS ASSOC.INC.	140443	3/11/2013	785.00
0105641	PETER HWEE	140391	3/11/2013	200.00
0098199	PHOEBE CHAN	140348	3/11/2013	100.00
0102915	PRECISE PRINTING & MAILING	140425	3/11/2013	762.04
0097558	PURCHASE POWER	140427	3/11/2013	200.00
0105677	QUALITY TELECOM	140429	3/11/2013	1,096.07
0013981	QUILL CORPORATION	140430	3/11/2013	1.72
0090749	RED WING SHOE STORE	140431	3/11/2013	199.99

Document group: komalley Bank: apbank 05507660

Vendor Code & Name	Check #	Check Date	Amount	
0000229	REEVES CO., INC.	140432	3/11/2013	27.22
0096458	RMC WATER AND ENVIRONMENT	140434	3/11/2013	6,092.00
0104622	ROBERT K. AND LINDA METCALFE	140410	3/11/2013	40,000.00
0000022	ROBERT LOUIE	140406	3/11/2013	25.35
0096772	ROBERT MIGUEL	140435	3/11/2013	500.00
0013581	ROVI GUIDES, INC.	140436	3/11/2013	10,547.11
0016213	ROZZI REPRODUCTION&SUPPLY INC.	140437	3/11/2013	738.07
0103144	SACRAMENTO REGIONAL PUBLIC SAFETY TRAININ	140426	3/11/2013	118.00
0097371	SAMUEL TAKAOKA	140448	3/11/2013	100.00
0093355	SAN BRUNO FLOWER FASHIONS	140438	3/11/2013	179.03
0105679	SANDRA MASTERSON	140409	3/11/2013	100.00
0105552	SCHAAF & WHEELER	140439	3/11/2013	2,120.00
0099704	SETH & CYNTHIA DASHO	140359	3/11/2013	100.00
0102917	SFPUC FINANCIAL SERVICES	140440	3/11/2013	3,515.00
0097656	SHIRLEY YUKI	140474	3/11/2013	100.00
0098030	SHRED-IT USA - SAN FRANCISCO	140441	3/11/2013	37.02
0017676	SIEMENS INDUSTRY, INC.	140442	3/11/2013	4,214.00
0097079	SPRINT	140444	3/11/2013	141.87
0018072	STANDARD INSURANCE COMPANY	140445	3/11/2013	25,476.63
0097110	STEPHEN DICKINSON	140361	3/11/2013	100.00
0098590	STEVE FANCHIU	140366	3/11/2013	100.00
0104834	SURPLUS SWITCHING INC.	140446	3/11/2013	4,994.95
0000431	TEAMSTERS LOCAL #856	140449	3/11/2013	328,611.00
0002025	TELECOMMUNICATIONS ENGINEERING ASSOCIATE	140362	3/11/2013	85.00
0017659	THE CALIFORNIA CHANNEL	140450	3/11/2013	131.02
0103559	THE MLB NETWORK, LLC	140451	3/11/2013	1,391.65
0093506	THE U.S. CONFERENCE OF MAYORS	140452	3/11/2013	2,616.75
0097449	THYSSENKRUPP ELEVATOR CORP.	140453	3/11/2013	378.83
0017932	TRILLIUM USA INC.	140454	3/11/2013	23.50
0000665	TSQ SOLUTIONS INC.	140456	3/11/2013	325.00
0103095	TUTV	140457	3/11/2013	80.51
0001362	TV GUIDE MAGAZINE, LLC	140458	3/11/2013	162.44
0018618	UNITED SITE SERVICES INC.	140459	3/11/2013	185.10
0102744	UNIVERSAL BUILDING SERVICES	140460	3/11/2013	449.00
0092154	UNIVERSITY ENTERPRISES INC.	140461	3/11/2013	91.47
0099592	UNIVISION COMMUNICATIONS, INC.	140462	3/11/2013	3,731.10
0000584	USA MOBILITY WIRELESS INC.	140463	3/11/2013	32.66
0105133	UTILITY TELEPHONE, INC.	140464	3/11/2013	177.18
0104660	WEST YOST ASSOCIATES, INC.	140467	3/11/2013	1,566.00
0000612	WESTVALLEY CONSTRUCTION CO.INC	140468	3/11/2013	2,102.64
0018385	WFCB - OSH COMMERCIAL SERVICES	140469	3/11/2013	594.06
0013841	WITMER-TYSON IMPORTS INC	140470	3/11/2013	811.40
0097976	WORLDWIDE DIGITAL LLC	140472	3/11/2013	11.77
0105170	XIAO LU ZHOU	140476	3/11/2013	875.00
0102630	XO COMMUNICATIONS, LLC	140473	3/11/2013	5,329.01
0096295	YAN LEE	140403	3/11/2013	100.00
0104033	ZCORUM, INC.	140475	3/11/2013	21,960.00
0105681	ZORISLAV TSEYREF	140455	3/11/2013	100.00
			GrandTotal:	1,046,827.36
			Total count:	155



**City Council Agenda Item
Staff Report**

CITY OF SAN BRUNO

DATE: March 26, 2013
TO: Honorable Mayor and Members of the City Council
FROM: Kim Juran, Finance Director
SUBJECT: Payroll Approval

City Council approval of the City payroll distributed March 15, 2013 is recommended. The Labor Summary report reflecting the total payroll amount of \$1,212,075.22 for the bi-weekly pay period ending March 10, 2013 is attached.

LABOR SUMMARY FOR PAY PERIOD ENDING : March 10, 2012

pyLaborDist	03/15/13
Fund: 001 - GENERAL FUND	920,649.49
Fund: 122 - SOLID WASTE/RECYCL.	1,357.57
Fund: 153 -RDA OBLIGATION RETIREMENT FUND	5,986.38
Fund: 190 - EMERGENCY DISASTER FUND	17,731.82
Fund: 201 - PARKS AND FACILITIES CAPITAL	285.62
Fund: 207 - TECHNOLOGY CAPITAL	4,757.92
Fund: 203 - STREET IMPROVE. PROJECTS	1,831.37
Fund: 611 - WATER FUND	66,669.24
Fund: 621 - STORMWATER FUND	12,415.22
Fund: 631 - WASTEWATER FUND	50,092.33
Fund: 641 - CABLE TV FUND	83,789.49
Fund: 701 - CENTRAL GARAGE	9,547.98
Fund: 702 - FACILITY MAINT.FUND	21,017.75
Fund: 707 - TECHNOLOGY DEVELOPMENT	9,534.74
Fund: 711 - SELF INSURANCE	6,408.30
Total	\$1,212,075.22



John E. Marty
City Treasurer

RECONCILIATION OF GENERAL LEDGER TO BANK

MONTH ENDING FEBRUARY 2013

City of San Bruno Cash

City of San Bruno General Ledger

Investment Balance	\$ 43,579,523.14
Glenview Fire LAIF	3,027,560.78
Checking	2,952,519.12
Police Checking	9,098.95
Glenview Fire Recovery	4,745.16
Glenview Counseling Assist	19,056.00
Successor Agency of SB RDA	443,600.27
Successor Housing Agency	782,124.77
City of SB as Custodian - WFB	68,757,744.06

Bank Balances as of 1/31/13 119,575,972.25

General Ledger Balance \$ 119,278,991.11

Outstanding checks \$ (653,181.64)

FNB Deposit Transit	45,173.58
FNB Deposit Transit	222,544.91
FNB Deposit Transit	14,012.66
FNB Deposit Transit	29,484.65
Finance CC	3,718.01
Finance CC	3,189.68
CATV Merchant Bankcard CC	4,748.79
Utility Online Billpay - ACH	1,276.99
Utility Online Billpay - ACH	1,342.37
Utility Online Billpay - ACH	4,057.06
Utility Online Billpay - cc	1,130.43
Utility Online Billpay - cc	3,440.54
Utility Online Billpay - cc	5,867.99
Utility Online Billpay - VISA	17,170.66
Mercchant Bankcard	208.61
FNB Misc Debit	4.50
Deposit Short 1/29	187.00

CATV Checkfree	1,298.49
Library Elavon CC	54.94
Oct FNB misc adjustment	4.50

Adjusted Balance \$ 119,280,349.04

Adjusted Balance \$ 119,280,349.04



INVESTMENT REPORT

Month ending February 2013

INVESTMENTS				YIELD
INVESTMENT POOLS				
Local Agency Investment Fund	\$11,077,568.90			0.286
Glenview Fire LAIF	3,027,560.78			0.286
San Mateo County Pool	20,268,614.43			0.750
INVESTMENTS HELD AT UNION BANK				
	PAR VALUE	COST BASIS	MKT. VALUE	YIELD
Federal home Loan Mtg 0.375 mat 10/30/13	\$ 2,000,000.00	\$ 2,003,356.08	\$ 2,002,180.00	0.370
Federal Farm Credit Bank 0.20% mat 12/3/13	\$ 1,000,000.00	\$ 1,000,000.00	\$ 1,000,000.00	0.200
Federal Farm Credit Bank 0.20 mat 2/26/14	\$ 1,000,000.00	\$ 1,000,000.00	\$ 1,000,000.00	0.200
Federal Farm Credit Bank 0.25% MAT 4/4/14	\$ 1,000,000.00	\$ 1,000,399.00	\$ 1,000,440.00	0.250
Federal Home Loan Bank 1.42 mat 5/30/14	\$ 1,000,000.00	\$ 1,000,000.00	\$ 1,014,880.00	1.400
Federal Home Loan Bank 0.50 mat 2/24/15	\$ 800,000.00	\$ 799,200.00	\$ 800,024.00	0.500
Federal Farm Credit Bank 0.50% mat 11/5/15	\$ 1,000,000.00	\$ 1,000,000.00	\$ 1,001,100.00	0.500
Federal Home Loan Bank Bond	\$ 1,000,000.00	\$ 1,000,000.00	\$ 1,000,110.00	0.550

0.55% mat 11/13/15

Federal Natl Mtg Assoc mat 12/26/2017	\$ 2,000,000.00	\$ 2,000,000.00	\$ 2,001,860.00	0.700
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US Govt Money Market	\$ 274,613.82	\$ 274,613.82	\$ 274,613.82	0.000
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INVESTMENTS HELD AT WELLS FARGO BANK

City of San Bruno as Temporary Custodian	68,757,744.06			0.142
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TOTAL	\$114,206,101.99			
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Expenditure Status Report
 City of San Bruno
 2/1/2013 through 2/28/2013

Account Number	Adjusted Appropriation	Expenditures	Year-to-date Expenditures	Year-to-date Encumbrances	Balance	Prct Used
Total GENERAL FUND	33,350,246.67	2,249,065.45	22,005,150.15	67,446.67	11,277,649.85	66.18
Total GENERAL FUND RESERVE	123,500.00	0.00	123,500.00	0.00	0.00	100.00
Total ONE-TIME REVENUE	2,240,585.00	0.00	1,456,564.33	0.00	782,000.67	65.10
Total GAS TAX	1,697,516.00	29,285.00	1,289,285.00	0.00	408,231.00	75.95
Total MEASURE A TRANSPORTATION TAX	782,500.00	0.00	782,500.00	0.00	0.00	100.00
Total TRAFFIC CONGESTION RELIEF	0.00	0.00	0.00	0.00	0.00	0.00
Total POLICE ASSET FORFEITURE	16,500.00	4,208.71	10,058.79	5,510.73	930.48	94.36
Total SAFETY AUGMENT. -PROP.172	86,000.00	0.00	60,070.00	0.00	25,930.00	69.85
Total POLICE SPECIAL REVENUE	100,000.00	0.00	22,410.00	0.00	77,590.00	22.41
Total TRAFFIC SAFETY GRANT	0.00	0.00	0.00	0.00	0.00	0.00
Total FEDERAL/STATE GRANTS	720.07	0.00	0.00	720.07	0.00	100.00
Total SOLID WASTE/RECYCL.	71,716.00	3,502.83	16,544.28	0.00	55,171.72	23.07
Total LIBRARY SPECIAL REVENUE	99,000.00	3,250.00	86,000.00	0.00	13,000.00	86.87
Total IN-LIEU FEES	43,500.00	0.00	0.00	0.00	43,500.00	0.00
Total AGENCY ON AGING	123,258.00	4,071.53	65,266.73	0.00	57,991.27	52.95
Total RESTRICTED DONATIONS	128,479.00	4,366.09	46,898.47	0.00	81,580.53	36.50
Total ED JOHNSON BEQUEST FUND	0.00	0.00	0.00	0.00	0.00	0.00
Total GLENVIEW FIRE DONATIONS	0.00	0.00	0.00	0.00	0.00	0.00
Total PGE	0.00	0.00	0.00	0.00	0.00	0.00
Total SUCCESSOR AGENCY TO THE SB RDA - OPS	0.00	0.00	0.00	0.00	0.00	0.00
Total CITY OF SB AS SUCCESSOR HOUSING AGENCY	0.00	0.00	2,482,666.00	0.00	-2,482,666.00	0.00
Total RDA OBLIGATION RETIREMENT FUND	1,093,809.00	42,763.84	249,505.70	10,257.97	834,045.33	23.75
Total EMERGENCY DISASTER FUND	15,078,080.49	286,073.39	3,349,151.79	2,514,065.96	9,214,862.74	38.89
Total PARKS AND FACILITIES CAPITAL	2,337,756.70	6,662.58	1,041,621.58	139,756.80	1,156,378.32	50.53
Total STREET IMPROVE. PROJECTS	6,020,287.08	32,819.01	678,439.36	67,147.96	5,274,699.76	12.38
Total TECHNOLOGY CAPITAL	299,900.26	8,070.59	48,488.68	0.00	250,411.58	16.50
Total SUCCESSOR AGENCY TO THE SB RDA - CAPITAL	0.00	0.00	0.00	0.00	0.00	0.00
Total LEASE DEBT SERVICE	686,856.00	648,357.50	686,855.49	0.00	0.51	100.00

Expenditure Status Report

expstat.rpt
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Periods: 8 through 8

City of San Bruno

2/1/2013 through 2/28/2013

Account Number	Adjusted Appropriation	Expenditures	Year-to-date Expenditures	Year-to-date Encumbrances	Balance	Prct Used
Total SUCCESSOR AGENCY TO THE SB RDA -2000 COP	0.00	0.00	0.00	0.00	0.00	0.00
Total WATER FUND	16,279,677.73	644,311.16	5,372,664.61	1,608,394.11	9,298,619.01	42.88
Total STORMWATER FUND	1,298,508.65	46,798.76	658,468.56	41,242.61	598,797.48	53.89
Total WASTEWATER FUND	12,362,824.83	313,626.98	4,345,438.63	968,610.21	7,048,775.99	42.98
Total CABLE TV FUND	10,340,005.28	614,574.03	6,071,050.76	1,415,795.52	2,853,159.00	72.41
Total CENTRAL GARAGE	626,316.00	39,935.37	389,368.49	0.00	236,947.51	62.17
Total FACILITY MAINT.FUND	887,111.00	69,022.16	609,224.39	0.00	277,886.61	68.68
Total GENERAL EQUIPMENT REVOLVING	308,554.70	29,837.51	86,552.18	86,237.21	135,765.31	56.00
Total TECHNOLOGY DEVELOPMENT	678,406.26	36,961.70	483,947.24	1,549.06	192,909.96	71.56
Total SELF INSURANCE	1,770,578.00	73,857.94	1,152,091.13	0.00	618,486.87	65.07
Grand Total	108,932,172.72	5,191,522.13	53,672,782.94	6,926,734.88	48,332,655.50	55.63

Revenue Status Report

City of San Bruno
 2/1/2013 through 2/28/2013

Account Number	Adjusted Estimate	Revenues	Year-to-date Revenues	Balance	Prct Rcvd
Total GENERAL FUND	33,268,921.61	1,651,990.59	20,448,792.69	12,820,128.92	61.47
Total GENERAL FUND RESERVE	0.00	0.00	0.00	0.00	0.00
Total ONE-TIME REVENUE	457,000.00	766,723.55	1,133,665.01	-676,665.01	248.07
Total GAS TAX	1,189,432.00	1,723.00	595,607.86	593,824.14	50.07
Total MEASURE A TRANSPORTATION TAX	701,763.00	80,390.25	563,942.48	137,820.52	80.36
Total STREET SPECIAL REVENUE	772.00	435.00	464.00	308.00	60.10
Total TRAFFIC CONGESTION RELIEF	0.00	0.00	0.00	0.00	0.00
Total POLICE ASSET FORFEITURE	5,160.00	91.00	2,630.67	2,529.33	50.98
Total SAFETY AUGMENT. -PROP.172	86,115.00	12,252.00	72,366.62	13,748.38	84.03
Total POLICE SPECIAL REVENUE	100,029.00	30.00	22,442.02	77,586.98	22.44
Total TRAFFIC SAFETY GRANT	148.00	86.00	128.60	19.40	86.89
Total FEDERAL/STATE GRANTS	109.00	16,899.90	18,086.90	-17,977.90	16593.49
Total SOLID WASTE/RECYCL.	68,814.00	6,592.73	45,133.46	23,680.54	65.59

Revenue Status Report

City of San Bruno
2/1/2013 through 2/28/2013

Account Number	Adjusted Estimate	Revenues	Year-to-date Revenues	Balance	Prct Rcvd
Total LIBRARY SPECIAL REVENUE	1,065.00	496.00	1,289.93	-224.93	121.12
Total IN-LIEU FEES	764,751.00	5,186.00	127,304.75	637,446.25	16.85
Total AGENCY ON AGING	173,418.00	15,356.87	101,640.71	71,777.29	58.61
Total RESTRICTED DONATIONS	111,270.00	8,531.76	102,365.24	8,904.76	92.00
Total ED JOHNSON BEQUEST FUND	64.00	36.00	80.89	-16.89	126.39
Total GLENVIEW FIRE DONATIONS	0.00	0.00	4.78	-4.78	0.00
Total PGE	0.00	0.00	5,152.53	-5,152.53	0.00
Total SUCCESSOR AGENCY TO THE SB RDA - OPS	0.00	0.00	0.00	0.00	0.00
Total CITY OF SB AS SUCCESSOR HOUSING AGENCY	0.00	0.00	0.00	0.00	0.00
Total RDA OBLIGATION RETIREMENT FUND	250,000.00	0.00	817,183.00	-567,183.00	326.87
Total EMERGENCY DISASTER FUND	5,368,159.00	0.00	243,130.78	5,125,028.22	4.53
Total PARKS AND FACILITIES CAPITAL	195,258.00	429.00	198,110.93	-2,852.93	101.46

Revenue Status Report

City of San Bruno
2/1/2013 through 2/28/2013

Account Number	Adjusted Estimate	Revenues	Year-to-date Revenues	Balance	Prct Rcvd
Total STREET IMPROVE. PROJECTS	2,212,097.00	1,577.00	1,609,751.41	602,345.59	72.77
Total TECHNOLOGY CAPITAL	203,680.00	113.00	204,262.21	-582.21	100.29
Total SUCCESSOR AGENCY TO THE SB RDA - CAPITAL	0.00	0.00	0.00	0.00	0.00
Total LEASE DEBT SERVICE	686,856.00	2.94	38,516.35	648,339.65	5.61
Total SUCCESSOR AGENCY TO THE SB RDA -2000 COP	0.00	0.00	0.00	0.00	0.00
Total WATER FUND	11,152,000.00	866,527.47	6,968,511.42	4,183,488.58	62.49
Total STORMWATER FUND	599,500.00	21,314.84	358,429.09	241,070.91	59.79
Total WASTEWATER FUND	12,044,000.00	959,948.10	7,132,700.27	4,911,299.73	59.22
Total CABLE TV FUND	10,036,180.00	782,902.96	6,436,262.04	3,599,917.96	64.13
Total CENTRAL GARAGE	625,056.00	52,652.00	417,275.00	207,781.00	66.76
Total FACILITY MAINT.FUND	881,655.00	73,471.00	587,974.64	293,680.36	66.69
Total GENERAL EQUIPMENT REVOLVING	430,597.00	35,882.00	287,056.00	143,531.00	66.67
Total TECHNOLOGY DEVELOPMENT	512,652.26	40,369.00	349,352.00	163,300.26	68.15

Revenue Status Report

City of San Bruno
 2/1/2013 through 2/28/2013

<u>Account Number</u>	<u>Adjusted Estimate</u>	<u>Revenues</u>	<u>Year-to-date Revenues</u>	<u>Balance</u>	<u>Prct Rcvd</u>
Total SELF INSURANCE	1,762,477.00	134,290.00	1,074,320.00	688,157.00	60.96
Grand Total	83,888,988.87	5,536,299.96	49,963,934.28	33,925,064.59	59.55

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Through period: 8

City of San Bruno
Through February 2013

	Cash	Investments	Fund Total
001 GENERAL FUND	5,092,635.44	53,638.44	5,146,273.88
002 GENERAL FUND RESERVE	2,902,946.11	0.00	2,902,946.11
003 ONE-TIME REVENUE	5,203,742.14	0.00	5,203,742.14
101 GAS TAX	483,752.56	0.00	483,752.56
102 MEASURE A TRANSPORTATION TAX	891,439.50	0.00	891,439.50
103 STREET SPECIAL REVENUE	307,374.09	0.00	307,374.09
104 TRAFFIC CONGESTION RELIEF	0.00	0.00	0.00
111 POLICE ASSET FORFEITURE	64,935.50	0.00	64,935.50
112 SAFETY AUGMENT. -PROP.172	23,573.40	0.00	23,573.40
113 POLICE SPECIAL REVENUE	20,890.18	0.00	20,890.18
114 TRAFFIC SAFETY GRANT	60,834.73	0.00	60,834.73
121 FEDERAL/STATE GRANTS	52,311.91 CR	0.00	52,311.91 CR
122 SOLID WASTE/RECYCL.	214,297.61	0.00	214,297.61
123 LIBRARY SPECIAL REVENUE	283,850.41	0.00	283,850.41
131 IN-LIEU FEES	3,661,612.64	0.00	3,661,612.64
132 AGENCY ON AGING	42,600.62	0.00	42,600.62
133 RESTRICTED DONATIONS	996,172.07	0.00	996,172.07
134 ED JOHNSON BEQUEST FUND	25,382.26	0.00	25,382.26
135 GLENVIEW FIRE DONATIONS	4,745.16	0.00	4,745.16
136 PGE	3,027,560.78	0.00	3,027,560.78
151 SUCCESSOR AGENCY TO THE SB RDA - OPS	515,792.23	0.00	515,792.23
152 CITY OF SB AS SUCCESSOR HOUSING AGENCY	0.04	0.00	0.04
153 RDA OBLIGATION RETIREMENT FUND	2,078,495.37	0.00	2,078,495.37
190 EMERGENCY DISASTER FUND	3,541,420.73 CR	0.00	3,541,420.73 CR
201 PARKS AND FACILITIES CAPITAL	140,777.71 CR	0.00	140,777.71 CR
203 STREET IMPROVE. PROJECTS	2,408,761.88	0.00	2,408,761.88
207 TECHNOLOGY CAPITAL	239,350.91	0.00	239,350.91
251 SUCCESSOR AGENCY TO THE SB RDA - CAPITAL	52,945.90	0.00	52,945.90
302 LEASE DEBT SERVICE	648,342.08 CR	2.94	648,339.14 CR
351 SUCCESSOR AGENCY TO THE SB RDA -2000 COP	157,580.00	649,962.50	807,542.50
611 WATER FUND	12,886,169.53	0.00	12,886,169.53
621 STORMWATER FUND	1,128,835.35	0.00	1,128,835.35
631 WASTEWATER FUND	7,425,359.78	629,715.35	8,055,075.13
641 CABLE TV FUND	3,301,349.19 CR	200.00	3,301,149.19 CR
701 CENTRAL GARAGE	487,656.87	0.00	487,656.87
702 FACILITY MAINT.FUND	949,203.96	0.00	949,203.96
703 GENERAL EQUIPMENT REVOLVING	3,594,244.88	0.00	3,594,244.88
707 TECHNOLOGY DEVELOPMENT	365,699.79	0.00	365,699.79
711 SELF INSURANCE	2,103,081.66	91,118.50	2,194,200.16
870 CRESTMOOR GLENVIEW RESTITUTION FUND	68,757,744.06	0.00	68,757,744.06
880 PROJECT DEVELOP. TRUST	109,056.26	0.00	109,056.26
891 S.B. GARBAGE CO. TRUST	394,869.06	0.00	394,869.06
Grand Total:	119,278,991.11	1,424,637.73	120,703,628.84



City Council Agenda Item Staff Report

CITY OF SAN BRUNO

DATE: March 26, 2013
TO: Honorable Mayor and Members of the City Council
FROM: Connie Jackson, City Manager
SUBJECT: Adopt Resolution Supporting Senate Bill 135 to Create a Statewide Earthquake Early Warning System in California

BACKGROUND:

California State Senator Alex Padilla has requested the City's support for his proposed legislation to create a statewide earthquake early warning system in California. The State of California is a seismically active state and while earthquakes cannot be prevented, this bill provides a proactive approach to better prepare citizens in the event of a large earthquake. Current California law does not include the development of an early warning system. Senator Padilla has introduced Senate Bill 135 (SB 135) calling for the development of an early warning system as has been established in other seismically active areas of the world.

DISCUSSION:

SB 135 has been initiated to build upon the current earthquake early warning system used in California called the California Integrated Seismic Network operated by the California Institute of Technology, U.C. Berkley, U.S. Geological Survey, California Geological Survey and others. The current system is a demonstration warning system with sparse sensors around the state providing limited data and public notification ability. SB 135 would further develop a comprehensive statewide system, which would more accurately detect seismic activity to alert citizens of an oncoming earthquake in an effort to mitigate damage and potentially save lives. A fully developed system would detect the initiation of an earthquake through an array of sensors throughout the state, which would measure the expected ground shaking and issue an early warning alert before the ground shaking begins. An early warning alert could provide citizens and public safety personnel up to 60 seconds to prepare themselves and others to relocate to a safer location, exit a building or avoid a dangerous area. An early warning alert would also allow time to power down or initiate safety precautions related to critical infrastructure. An earthquake early warning system would alert the public by notification through television, radio and smartphones.

Similar systems have been developed in other earthquake prone nations, including Japan, which have demonstrated to be successful during recent seismic activity.

FISCAL IMPACT:

No fiscal impact

RECOMMENDATION:

Adopt resolution supporting Senate Bill 135 to create a statewide earthquake early warning system in California.

ALTERNATIVES:

1. Do not adopt resolution for support of Senate Bill 135.
2. Direct staff to research an alternative plan or mechanism for earthquake preparedness.

ATTACHMENTS:

1. Resolution
2. SB 135 Fact Sheet
3. Senate Bill No. 135

REVIEWED BY:

_____ CM

RESOLUTION NO. 2013 _____

Adopt Resolution Supporting Senate Bill 135 to Create a Statewide Earthquake Early Warning System in California

WHEREAS, according to the United State Geological Survey, California is one of the most seismically active states, second only Alaska, and;

WHEREAS, California has experienced dozens of disastrous earthquakes that have caused fatalities, serious injuries, and significant economic loss, and;

WHEREAS, ninety percent of the world's earthquakes and over eighty percent of the world's largest earthquakes occur along the Circum-Pacific Belt, also known as the Pacific Ring of fire. The Pacific Ring of Fire includes the very active San Andreas Fault Zone in California, and;

WHEREAS, the Uniform California Earthquake Rupture Forecast (UCERF) release in 2008 predicted a 99.7 percent likelihood of a magnitude 6.7 or larger earthquake in California in the next 30 years, and;

WHEREAS, a 2013 study published by the Caltech and the Japan Agency for Marine-Earth Science and Technology discovered that a statewide California earthquake involving both the Los Angeles and San Francisco metropolitan areas may be possible, and;

WHEREAS, Japan, Taiwan, Mexico, Turkey, Romania, Italy and China either have or are working on earthquake early warning systems that are capable of saving lives and helping to mitigate loss, and;

WHEREAS, California Emergency Management Agency, Caltech, California Geological Survey, University of California Berkeley, United States Geological Survey and others have been conducting earthquake early warning research and development in California and together they operate the California Integrated Seismic Network, which has a demonstration earthquake early warning capability, and;

WHEREAS, by building upon the California Integrated Seismic Network and processing data from an array of sensors throughout the state, a fully developed earthquake early warning system would effectively detect the strength and progression of earthquakes and alert the public within seconds, up to 60 seconds, before potentially damaging ground shaking is felt, and;

WHEREAS, the City of San Bruno must do all it can to better prepare for future earthquakes and that an earthquake early warning system should disseminate earthquake information in support of public safety, emergency response, and loss mitigation, and;

NOW THEREFORE, the City Council of the City of San Bruno hereby supports the Senate Bill 135 (Padilla) that would create an earthquake early warning system in California.

—oOo—

I hereby certify the foregoing Resolution No. 2013-____ was introduced and adopted by the San Bruno City Council at a regular meeting on March 26, 2013 by the following vote:

AYES:

NOES:

ABSENT:

City Clerk

Senator Alex Padilla

Fact Sheet

SB 135 – PADILLA

Earthquake Early Warning System

Summary

SB 135 would require the development of a comprehensive statewide earthquake early warning system in California.

Background

Ninety percent of the world's earthquakes and over eighty percent of the world's largest earthquakes occur along the Circum-Pacific Belt, also known as the Pacific Ring of Fire. The Pacific Ring of Fire includes the very active San Andreas fault zone here in California. The San Andreas is the "master" fault of an intricate fault network that cuts through rocks of the California coastal region. The entire San Andreas fault system is more than 800 miles long and extends to depths of at least 10 miles within the Earth.

Predictions from the Uniform California Earthquake Rupture Forecast released in 2008 states there is a 99.7% likelihood of a magnitude 6.7 earthquake and a 94% chance of a 7.0 magnitude earthquake in California within the next 30 years. In other words, a major earthquake in California is not a matter of *if*, but *when*.

In January, 2013, the California Institute of Technology and the Japan Agency for Marine-Earth Science and Technology published a study concluding for the first time that a *statewide* California earthquake involving both the

Los Angeles and San Francisco metropolitan areas may be possible.

While earthquakes cannot be predicted or prevented, using advanced science and technology we can detect seismic activity to provide an advanced warning, save lives and help mitigate damage.

The objective of earthquake early warning is to rapidly detect the initiation of an earthquake, estimate the level of ground shaking to be expected, and issue a warning before significant ground shaking begins. This can be done by detecting the first energy to radiate from an earthquake, the P-wave energy, which rarely causes damage. Using P-wave information, we can first estimate the location and the magnitude of the earthquake. We then use this to estimate the anticipated ground shaking across the region to be affected. The method can provide warning before the S-wave, which brings the strong shaking that usually causes most of the damage, arrives.

California currently has the California Integrated Seismic Network (CISN), which is a demonstration earthquake early warning system. A fully developed system would process data from an array of sensors throughout the state. The system would effectively detect the strength and the progression of earthquakes, alert the public within seconds and provide up to 60 seconds advanced warning before potentially damaging ground shaking is felt.

FOR MORE INFORMATION – Contact Angela Manetti, Office of Senator Alex Padilla (916) 651-4020

Early warning systems are in place, or in the works, in a number of earthquake prone nations including Japan, Taiwan, Mexico, Turkey, Italy, China and Romania. Their success has been demonstrated in recent earthquakes.

Japan's earthquake early warning system provided the public with critical advanced warning of the 9.0 magnitude earthquake in March 2011. Earthquake warnings were automatically broadcast on television and radio, and 52 million people received the warning on their smartphones. Millions more downloaded the early warning app after the quake to receive warnings in advance of large aftershocks.

The warnings allowed people to take cover, assist loved ones, pull to the side of the road or exit a building. The system brought bullet trains to a stop, and triggered the automatic shutdown of operations at critical companies. A professor at the University of Sendai received a text message of the warning and was able to warn his students to duck for cover before the shaking began and the light fixtures fell from the ceiling.

Earthquake early warning systems not only alert the public, they also speed the response of police, fire and other safety personnel by quickly identifying areas hardest hit by the quake.

Existing Law

Current California law is silent on the development of an earthquake early warning system.

This Bill

This bill would designate The Office of Emergency Services, in collaboration with the California Institute of Technology (Caltech), the California Geological Survey, the University of California Berkeley, the United States Geological Survey, and others, to develop a comprehensive statewide earthquake early warning system in California.

Introduced by Senator Padilla

January 28, 2013

An act to add Section 8587.8 to the Government Code, relating to earthquake safety.

LEGISLATIVE COUNSEL'S DIGEST

SB 135, as introduced, Padilla. Earthquake early warning system. There is in state government, pursuant to the Governor's Reorganization Plan No. 2, operative July 1, 2013, the Office of Emergency Services. Existing law requires the office to develop and distribute an educational pamphlet for use by kindergarten, any of grades 1 to 12, inclusive, and community college personnel to identify and mitigate the risks posed by nonstructural earthquake hazards.

This bill would require the office, in collaboration with various entities, including the United States Geological Survey, to develop a comprehensive statewide earthquake early warning system in California.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. The Legislature finds and declares the following:
- 2 (a) According to the United States Geological Survey, California
- 3 is one of the most seismically active states, second only to Alaska.
- 4 (b) California has experienced dozens of disastrous earthquakes,
- 5 which have caused loss of life, injury, and economic loss. Some
- 6 of the most significant earthquakes in California's history include:

1 (1) The 1906 San Francisco earthquake, which, at a magnitude
2 of 7.8, resulted in an estimated 3,000 deaths and over \$500 million
3 in property losses.

4 (2) The 1971 San Fernando earthquake, which, at a magnitude
5 of 6.7, resulted in at least 65 deaths and caused property damage
6 of over \$500 million.

7 (3) The 1989 Loma Prieta earthquake, which, at a magnitude
8 of 6.9, rocked the bay area and caused 63 fatalities and over \$6
9 billion in property damage.

10 (4) The 1994 Northridge earthquake, which, at a magnitude of
11 6.7, claimed the lives of 60 people and caused estimated property
12 damage of between \$13 and \$32 billion.

13 (c) About 90 percent of the world's earthquakes and over 80
14 percent of the world's largest earthquakes occur along the
15 Circum-Pacific Belt, also known as the Pacific Ring of Fire. The
16 Pacific Ring of Fire includes the very active San Andreas Fault
17 Zone in California.

18 (d) The Uniform California Earthquake Rupture Forecast
19 (UCERF) released in 2008 predicted a 99.7 percent likelihood of
20 a magnitude 6.7 or larger earthquake in California in the next 30
21 years.

22 (e) A 2013 study published by the Caltech and the Japan Agency
23 for Marine-Earth Science and Technology discovered that a
24 statewide California earthquake involving both the Los Angeles
25 and San Francisco metropolitan areas may be possible.

26 (f) Japan, Taiwan, Mexico, Turkey, Romania, Italy, and China
27 either have or are working on earthquake early warning systems
28 that are capable of saving lives and helping to mitigate loss.

29 (g) The Office of Emergency Services, Caltech, California
30 Geological Survey, University of California at Berkeley, United
31 States Geological Survey, and others have been conducting
32 earthquake early warning research and development in California.
33 They operate the California Integrated Seismic Network, which
34 has a demonstration earthquake early warning capability.

35 (h) By building upon the California Integrated Seismic Network
36 and processing data from an array of sensors throughout the state,
37 a fully developed earthquake early warning system would
38 effectively detect some strength and progression of earthquakes
39 and alert the public within seconds, sometimes up to 60 seconds,
40 before potentially damaging ground shaking is felt.

1 (i) An earthquake early warning system should disseminate
2 earthquake information in support of public safety, emergency
3 response, and loss mitigation.

4 SEC. 2. Section 8587.8 is added to the Government Code, to
5 read:

6 8587.8. The Office of Emergency Services, in collaboration
7 with the California Institute of Technology (Caltech), the California
8 Geological Survey, the University of California Berkeley, the
9 United States Geological Survey, and others, shall develop a
10 comprehensive statewide earthquake early warning system in
11 California.



City Council Agenda Item Staff Report

CITY OF SAN BRUNO

DATE: March 26, 2013

TO: Honorable Mayor and Members of the City Council

FROM: Marc Zafferano, City Attorney
Neil Telford, Police Chief

SUBJECT: Adopt Resolution Supporting Federal and State Gun Violence Legislation;
Provide Direction to Amend the Municipal Code to Establish Police Permit
System for New Firearms Dealers and to Amend the Zoning Code to Permit New
Firearms Dealers only in the M-1 Industrial Zoning District

BACKGROUND:

Responding to the tragic events at the Sandy Hook Elementary School in Newtown, the City Council considered various potential measures relating to gun violence at its meeting of February 26, 2013.

The City Council discussed supporting the President's Plan to Protect Our Children and Our Communities by Reducing Gun Violence. That Plan, which the U.S. Conference of Mayors is actively supporting, would:

- Require criminal background checks for all gun sales;
- Ensure that information about dangerous individuals is available to the background check system;
- Reinstate and strengthen the assault weapons ban;
- Restore the 10-round limit on ammunition magazines;
- Prohibit possession and transfer of armor-piercing bullets;
- Enact a series of steps to prevent and prosecute gun crimes;
- End the freeze on gun violence research;
- Preserve the rights of doctors to report patients who threaten violence;
- Use the COPS program to fund additional school resource officers and school counselors; and
- Augment mental health services, especially for young adults

The City Council also requested that staff follow the various Assembly and Senate bills pending in the State Legislature that would further strengthen California's laws regulating guns and ammunition.

At the February 26, 2013 meeting, the City Council received public input regarding San Francisco's proposed ordinance to ban the sale of hollow-point ammunition and require dealers to report purchases of 500 or more rounds to the police department. At that meeting, staff presented several options for amending the City's Municipal and Zoning Code to better address the potential risk of gun violence.

Staff has prepared a Resolution (Attachment 1) reflecting the City Council's direction to support President Obama's Plan. The remainder of this report will focus on the various proposed ordinances discussed at the last meeting, and any voluntary efforts that the City should implement.

DISCUSSION:

Proposed Ordinance from City of San Francisco

As discussed at the February 26, 2013 meeting, the City of San Francisco, through Mayor Lee's office, had sent a letter to the San Bruno City Council and other cities in the nine Bay Area counties requesting support for two pieces of legislation introduced to the San Francisco Board of Supervisors: 1) a ban on the sale and possession of hollow-point ammunition; and 2) a requirement that licensed gun dealers report individual purchases of 500 rounds of ammunition or more to the police department.

After additional analysis, it may be prudent for the City to defer action on these issues. San Francisco is already in litigation over its existing ban on sales of certain ammunition and expects to be involved in further litigation over the newly signed ordinance. If implementation and enforcement of a similar ordinance that San Bruno might adopt is hampered by ongoing legal challenges, the ordinance is unlikely to have the desired effect of reducing the risk of gun violence.

Proposed Municipal Code Amendments

Several California cities, including Palo Alto, Lafayette, Pleasanton, Campbell, Capitola, and Sacramento, have implemented permit systems for firearms dealers. As noted in the prior staff report, the courts have upheld these types of ordinances. At the City Council's direction, staff has drafted a proposed permit system to be implemented by the police department. The draft ordinance (Attachment 2), would:

- Apply to new businesses that are buying or selling firearms;
- Require an application certifying the applicant has met eligibility requirements for licensed firearm sales in California and is free of disqualifying convictions for certain offenses;
- Establish a 250' proximity limit to residential districts, schools, day care centers, or parks, and a 1,200' proximity limit to other firearms dealers, cardrooms, massage establishments, and adult entertainment establishments;
- Require keeping firearms secure, with additional security measures to the building (for example, alarms, security cameras, reinforcement of doors and windows, and other measures), and \$1M in liability insurance;
- Allow the permit to be valid for one year, renewable yearly; and
- Authorize a hearing if is permit denied or revoked.

The ordinance also carries forward an existing provision of the code that prohibits the unauthorized discharge of firearms within the City limits.

In response to questions raised at the last meeting, staff confirmed that online sales of firearms are currently regulated in California. When a potential buyer places an online order for a firearm,

the weapon is shipped to a licensed dealer. The buyer completes the eligibility forms and then waits the required time for the background check before the weapon is transferred to the buyer.

Proposed Zoning Code Amendments

The City of San Bruno currently allows "gun shops" as a permitted use only in the "C-B-D" Central Business District (Section 12.96.120(B)(20)), located along San Mateo Avenue. At this time, there are two establishments that are federally licensed to buy or sell guns and ammunition. Golden Gate Guns, at 360 El Camino Real, is in the "C" General Commercial zoning district. Big-5, at 855 El Camino Real, is in the "C-O" Community Offices zoning district. Neither business is subject to a conditional use permit. Tabor's, which was located at 471 El Camino Real, in the "C-N" Neighborhood Commercial zoning district, has closed.

Allowing new gun shops in the Central Business, General Commercial, Community Offices, or Neighborhood Commercial zoning districts is no longer consistent with the City's General Plan, newly-adopted Transit Corridors Plan, and proposed zoning ordinance amendments that are designed to implement these Plans. These areas are now envisioned to transition to a mix of higher-density residential dwellings, office uses, and resident- and visitor-serving retail uses such as shops selling standard consumer items, restaurants, and cafes.

Accordingly, staff is prepared to propose to the Planning Commission ordinance amendments that would allow new firearms dealers only in that portion of the M-1 Industrial zoning district, bounded by Tanforan Avenue to the north, Montgomery Avenue to the west, Hermosa Street to the south, and San Mateo Avenue to the east (See Attachment 3). This area contains a mix of commercial uses and parcels that are buffered from the R-1 zoning district to the west by the businesses on the west side of Montgomery Street, the railroad tracks, and Herman Street.

If the City Council concurs with this direction, staff will present these amendments to the Planning Commission for review as required, and then forward their recommendation to the City Council.

The proposed ordinance amendments would not affect the two existing firearms dealers, as they are already pre-existing, nonconforming uses.

Proposed Voluntary Programs

The County of San Mateo and several cities, including East Palo Alto, Menlo Park, and Palo Alto, have instituted gun buy-back programs. These programs have been effective to the extent that they prevent those guns from becoming available to those who might use them to engage in violent acts. Congresswoman Speier is in the process of expanding such programs throughout San Mateo County, and San Bruno intends to participate.

FISCAL IMPACT:

There is no fiscal impact to making the Municipal Code and Zoning Code amendments, except for staff time. The police permit system will include an application fee sufficient to cover staff

investigation and implementation costs. The gun buy-back program is not budgeted, but the City will explore funding alternatives.

ALTERNATIVES:

1. Request further information and/or analysis before providing direction to staff.
2. Direct staff to discontinue analysis of this item.

RECOMMENDATION:

Adopt Resolution Supporting Federal and State Gun Violence Legislation; Provide Direction to Amend the Municipal Code to Establish Police Permit System for New Firearms Dealers, and to Amend the Zoning Code to Permit New Firearms Dealers Only in the M-1 Industrial Zoning District

DISTRIBUTION:

Staff contacted Golden Gate Guns and Big-5 in advance of the meeting to obtain their feedback and answer questions.

ATTACHMENTS:

1. Resolution Supporting Federal and State Gun Violence Legislation;
2. Draft Amendments to Municipal Code;
3. Map of Proposed Area for New Firearms Dealers in M-1 Industrial Zoning District

DATE PREPARED:

March 21, 2013

REVIEWED BY:

_____ CM

RESOLUTION NO. 2013-_____

**RESOLUTION OF THE CITY OF SAN BRUNO SUPPORTING PRESIDENT OBAMA'S
PLAN TO PROTECT OUR CHILDREN AND OUR COMMUNITIES BY REDUCING
GUN VIOLENCE**

WHEREAS, the tragic events at the Sandy Hook Elementary School have demonstrated the need for additional federal, state, and local measures to address the ongoing issue of reducing gun violence;

WHEREAS, President Obama has proposed a reasonable, constitutional, and detailed Plan to Protect Our Children and Our Communities by Reducing Gun Violence;

WHEREAS, the United States Conference of Mayors supports the President's Plan;

WHEREAS, the City of San Bruno is advancing its own measures to reduce the risk of gun violence in the community;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of San Bruno that the City of San Bruno hereby supports the President's Plan and pledges to work with federal, state, and local officials to reduce the risk of gun violence in our communities.

ATTEST:

Carol Bonner, City Clerk

-o0o-

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 26th day of March, 2013, by the following vote:

AYES: COUNCILMEMBERS: _____
NOES: COUNCILMEMBERS: _____
ABSENT: COUNCILMEMBERS: _____

ORDINANCE NO. _____

**AN ORDINANCE OF THE CITY OF SAN BRUNO
RESCINDING CHAPTER 6.08, DISCHARGE OF FIREARMS, AND
ADDING NEW CHAPTER 6.08, FIREARMS, TO TITLE 6 (PUBLIC PEACE, MORALS
AND WELFARE) OF THE SAN BRUNO MUNICIPAL CODE**

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

Section 1. Chapter 6.08, Discharge of Firearms, of Title 6 (Public Peace, Morals and Welfare) is hereby rescinded.

Section 2. New Chapter 6.08, Firearms, of Title 6 (Public Peace, Morals and Welfare) is hereby added to read as follows:

Chapter 6.08

FIREARMS

Article 1. Use of Firearms

Sections:

6.08.010	Definitions.
6.08.020	Unlawful to discharge firearm within the city.
6.08.030	Exceptions to prohibition of Section 6.08.020.

Article 2. Firearms Dealers

Sections:

6.08.040	Permit required.
6.08.050	Application – Form, fees.
6.08.060	Application -- Investigation.
6.08.070	Application – Denial.
6.08.080	Permit – Form.
6.08.090	Permit – Duration, renewal.
6.08.100	Permit – Assignment.
6.08.110	Permit – Conditions.
6.08.120	Permit – Grounds for revocation.
6.08.130	Liability insurance.
6.08.140	Hearing for permit denial or revocation.
6.08.150	Authority to inspect.
6.08.160	Compliance.
6.08.170	Business and security regulations.
6.08.180	Nonconforming use.
6.08.190	Penalty.
6.08.200	Severability.

Article 1. Use of Firearms

6.08.010 Definitions.

The following words and phrases, whenever used in this chapter, shall be construed as defined in this section:

- A. "Chief of police" means the chief of police or his or her designee.
- B. "City" means the city of San Bruno.
- C. "Firearm" means a firearm as defined by Section 6.04.070 and also includes any device defined as a firearm by the California Penal Code as said definition now reads or may hereafter be amended to read.
- D. "Firearms dealer" means a person engaged in the business of selling, transferring, or leasing, or offering or exposing for sale, transfer, or lease, any firearm.
- E. "Firearm sales" means the sale, transfer, lease, offer, or registration for sale, of a firearm, which includes a gun, pistol, revolver, shotgun, rifle or any device designed to be used as a weapon from which is expelled through a barrel a projectile by the force of any explosion or other form of combustion.
- F. "Department" means the California Department of Justice.
- G. "Engaged in the business" means the conduct of a business by the selling, transferring, or leasing of any firearm; or the preparation for such conduct of business as evidenced by the securing of applicable federal or state licenses; or the holding of one's self out as engaged in the business of selling, transferring, or leasing of any firearm; or the selling, transferring, or leasing of any firearms in quantity, in series or in individual transactions, or in any other manner indicative of trade.
- H. "Police permit" or "permit" means that permit required under this chapter.
- I. "Person" means natural person, individual, association, partnership, co-partnership, firm, joint stock company, corporation, or combination of individuals of whatever form or character.

6.08.020 Unlawful to discharge firearm within the city.

No person may fire or discharge a firearm, as defined by Section 6.08.010(C), within the city, nor may a parent, guardian or person having the care, custody or control of a minor permit the minor to fire or discharge a firearm within the city.

6.08.030 Exceptions to prohibition of Section 6.08.020.

Section 6.08.020 does not apply to the use of a firearm by:

- A. A peace officer or person in the military service in the discharge of his or her duties;
- B. A person using a firearm in the defense of their person or the life of another person or in defense of his livestock or domestic animal or his property, to the extent authorized by law.

Article 2. Firearms Dealers

6.08.040 Permit required.

No person shall engage in the business of selling, transferring or leasing, or offering or exposing for sale, transfer or lease within this city any firearm unless that person has been issued a permit pursuant to the provisions of this chapter.

A. Except as provided in Penal Code § 26700, as it may be amended from time to time, and in Section 6.08.180, it is unlawful for a person to engage in the activity of "firearm sales" as that term is defined under Section 6.08.010(E) without a police permit as required by this chapter.

B. The requirement for a police permit is in addition to any requirement imposed by the City's Zoning Code.

6.08.050 Application – Form, fees.

A. An applicant for a permit under this chapter shall file with the chief of police a sworn application in writing, on a form to be furnished by the city, and the applicant and officers, employees, and agents thereof shall be photographed and fingerprinted by the chief of police. The applicant shall provide all information requested, including proof of compliance with all applicable federal, state, and local laws when required by the chief of police, or the application will not be deemed complete. A nonrefundable fee as set forth in the municipal fee schedule shall accompany the application.

B. Any person proposing to engage in business as a firearms dealer within this city shall secure the applicable federal license and shall have thirty (30) calendar days after approval of such federal license to apply for a police permit in compliance with the provision of this chapter and shall not engage in the business as a firearms dealer within the city until the police permit is issued.

6.08.060 Application -- Investigation.

The chief of police shall conduct an appropriate investigation of the applicant to determine for the protection of the public safety whether the permit may be issued. The chief of police may require an applicant, or any officer, agent, or employee thereof, to provide fingerprints, a recent photograph, a signed authorization for the release of pertinent records, a complete personal history set forth on a questionnaire provided by the chief of police, and any other additional information which the chief of police considers necessary to complete the investigation.

6.08.070 Application – Denial.

The chief of police shall issue a police permit to an applicant unless he or she finds any of the following:

A. The applicant, or an officer, employee, or agent thereof is under the age of twenty-one years;

B. The applicant is not licensed as required by all applicable federal, state, and local laws;

C. The applicant, or an officer, employee, or agent thereof has had a similar type of permit previously revoked or denied for good cause within the immediately preceding year;

D. The applicant, or an officer, employee, or agent thereof has knowingly made any false or misleading statement of a material fact or omission of a material fact in the application for a permit;

E. The applicant, or an officer, employee, or agent thereof has been convicted of:

1. Any offense so as to disqualify the applicant, or an officer, employee, or agent thereof from owning or possessing a firearm under applicable federal, state, and local laws,
2. Any offense relating to the manufacture, sale, possession, use, or registration of any firearm or dangerous or deadly weapon,
3. Any offense involving the use of force or violence upon the person of another,
4. Any offense involving theft, fraud, dishonesty, or deceit,
5. Any offense involving the manufacture, sale, possession, or use of any controlled substance as defined by the California Health and Safety Code as said definition now reads or may hereafter be amended to read;

F. The applicant, or an officer, employee, or agent thereof is an unlawful user of any controlled substance as defined by the California Health and Safety Code as said definition now reads or may hereafter be amended to read;

G. The operation of the business as proposed will not comply with all applicable federal, state, and local laws;

H. The business as proposed will be operated in the following locations:

1. Within a zoning district other than the designated area of the M-1 Industrial District as shown in the city's Zoning Ordinance,
2. Within a zoning district in which residential use is the principal permitted or maintained use, or within two hundred fifty (250) feet of the exterior limits of any such district,
3. On or within two hundred fifty (250) feet of the exterior limits of any other premises occupied by a public or private day care center or day care home, elementary school, junior high school, high school, or park,
4. On or within one thousand two-hundred (1,200) feet of the exterior limits of any other premises occupied by a firearms dealer, a cardroom, a massage establishment, and adult entertainment establishment, or a hot tub/sauna establishment. Priority between such existing establishments shall be assigned in accordance with the dates upon which such establishments commenced such lawful operation, priority being given to the establishment having the earliest of such dates. In the event any dispute arises regarding said date, the applicant shall have the obligation to establish the date on which he or she commenced lawful operation.

All distances referred to in this subsection shall be measured between the closest points on the exterior property lines or area boundaries of the parcels or areas involved, except that when a dealer in firearms subject to the provisions of this chapter occupies one unit of a multi-unit structure located on a single parcel, distances shall be measured from the exterior boundaries of the unit occupied. This subsection shall supersede any and all conflicting provisions regulating home occupations set out elsewhere in this code;

I. The applicant, or an officer, employee, or agent thereof does not have, and/or cannot provide evidence of, a possessory interest in the property at which the proposed business will be conducted;

J. The operation of the firearm dealer business as proposed in the application for the permit will violate any applicable building, fire, health or zoning requirements set forth in this code;

K. The applicant is within the class of persons defined in Welfare and Institutions Code sections 8100 or 8103.

6.08.080 Permit – Form.

All permits issued pursuant to this chapter shall be in the form prescribed by the Attorney General of the State of California.

6.08.090 Permit – Duration, renewal.

A. The police department may grant a police permit to the applicant if it finds that the applicant complies with all applicable federal, state and local laws including, but not limited to, the state Penal Code, city building code, fire code, and zoning and planning codes.

B. A police permit expires one (1) year after the date of issuance. A permit may be renewed for additional one-year periods upon the permittee's submission of an application for renewal, accompanied by a nonrefundable renewal fee established by city council resolution. The renewal application and the renewal fee must be received by the police department no later than forty-five (45) days before the expiration of the current permit.

C. A decision regarding issuance or renewal may be appealed in the manner provided for in Section 6.08.140.

6.08.100 Permit – Assignment.

The assignment or attempt to assign any permit issued pursuant to this chapter is unlawful and any such assignment or attempt to assign a permit shall render the permit null and void.

6.08.110 Permit – Conditions.

Any permits issued pursuant to this chapter shall be subject to all of the following conditions, the breach of any of which shall be sufficient cause for revocation of the permit by the chief of police:

A. The business shall be engaged-in only in the building located at the street address designated in the permit, and only by such persons as specified in the permit; the business may also be engaged-in at such other locations or events as are authorized by federal and state law provided that such location or event conforms to the requirements of this code; any changes to the approved location or to the persons authorized to act as officers, employees, or agents of the permittee in engaging in the business during the term of the permit must be approved by the chief of police;

B. The permit or a copy thereof, certified by the chief of police, shall be displayed on the premises where it can easily be seen;

C. The permittee shall comply with all federal and state firearms laws.

Any permit issued pursuant to this chapter shall be subject to such additional conditions as the chief of police finds are reasonably related to the purposes of this chapter.

6.08.120 Permit – Grounds for revocation.

In addition to the violation of any other provisions contained in this chapter, circumstances constituting grounds for denial of a police permit also constitute grounds for revocation.

6.08.130 Liability insurance.

A. No police permit shall be issued or reissued unless there is in effect a policy of insurance in a form approved by the city and executed by an insurance company approved by the city, whereby the applicant is insured against liability for damage to property and for injury to or death of any person as a result of the sale, lease, or transfer or offering for sale, lease, or transfer of a firearm. The minimum liability limits shall not be less than one million dollars (\$1,000,000) for each incident of damage to property or incident of injury or death to a person.

B. The policy of insurance shall contain an endorsement providing that the policy shall not be canceled until notice in writing has been given to the chief of police at least thirty (30) days prior to the time the cancellation becomes effective.

C. Such policy of insurance shall name the city, its officers, agents, and employees as additional insureds. Additionally, applicants and permittee shall indemnify, defend, and hold harmless the city, its officers, agents, and employees from claims arising from the negligence of the applicant or permittee.

D. Upon expiration of a policy of insurance and if no additional insurance is obtained, the permit is considered canceled without further notice.

6.08.140 Hearing for permit denial or revocation.

A. Any person whose application for a permit has been denied, or whose permit has been revoked pursuant to the provision of this chapter, shall have the right to a hearing before the chief of police prior to final denial or prior to revocation.

B. The chief of police shall give the applicant or permittee written notice of his or her intent to deny the application or to revoke the permit. The notice shall set forth the ground or grounds for the chief of police's intent to deny the application or to revoke the permit, and shall inform the applicant or permittee that he or she has ten (10) days from the date of receipt of the notice to file a written request for a hearing. The application may be denied or the permit revoked if a written hearing request is not received within the ten-day period.

C. Within ten days of mailing written notice of intent to deny the application or revoke the permit, the applicant may appeal by requesting a hearing before the chief of police. The

request must be made in writing, setting forth the specific grounds for appeal. If the applicant submits a timely request for an appeal, the chief of police shall set a time and place for the hearing within thirty (30) days.

D. All parties involved shall have the right to offer testimony, documentary and tangible evidence bearing on the issues, to be represented by counsel, and to confront and cross-examine any witnesses against them. The decision of the chief of police whether to deny the application or revoke the permit shall be in writing within ten (10) days of the hearing. An applicant may appeal the decision of the chief of police to the city council in the manner provided in chapter 1.32.

6.08.150 Authority to inspect.

Any and all investigating officials of the city shall have the right to enter the building designated in the permit from time to time during regular business hours to make reasonable inspections to observe and enforce compliance with building, mechanical, fire, electrical, plumbing, or health regulations, or provisions of this chapter. A police investigator may conduct compliance inspections to ensure conformance with all federal, state, and local laws, and the provisions of this chapter.

6.08.160 Compliance.

Any person engaging in the business of selling, transferring, or leasing, or advertising for sale, transfer or lease, or offering or exposing for sale, transfer or lease, any firearm on the effective date of the ordinance codified in this chapter shall have a period of sixty (60) days after such effective date to comply with the provisions of this chapter.

6.08.170 Business and security regulations.

A. All firearm dealers and officers, employees, or agents of the firearm dealer shall comply with all provisions of California Penal Code Section 12071 regarding business regulations and building specifications for firearm security.

B. All sellers of firearms shall protect such firearms from theft during business hours in the following manner:

1. All firearms shall be displayed in locked cabinets, a secured rack, or a storage area so that access to firearms is controlled by the dealer or an employee, to the exclusion of all others.

2. The firearm dealer or the dealer's agent or employee shall be present when a prospective buyer or seller is handling any firearm prior to sale and delivery of the firearm.

3. By security cameras, reinforced windows and doors, a safety and security plan, or other measures as reasonably required by the chief of police and fire marshal, including but not limited to timed exterior lights, landscaping will not block visibility into the business, alarm system, and remote intercom entry.

C. All firearms shall be stored in an approved gun safe during hours of business nonoperation.

6.08.180 Nonconforming use.

Notwithstanding the provisions of Section 6.08.040(A) and the effective date of this chapter, any person engaged in firearm sales who is the holder of a valid seller's permit issued by the state Board of Equalization and a valid certificate of eligibility issued by the California Department of Justice, all of which were issued prior to January 1, 1998, need not obtain the police permit required by this Chapter, provided the operator remains fully licensed by all agencies listed above.

6.08.190 Penalty.

Any person violating any of the provisions of this article shall be guilty of a misdemeanor. Any person convicted of a misdemeanor under the provisions of this article shall be punished by a fine of not more than one thousand dollars (\$1,000) or by imprisonment for a period not exceeding six (6) months, or by both such fine and imprisonment. Each such person shall be guilty of a separate offense for each and every day during any portion of which any violation of any provision of this article is committed, continued or permitted by such person and shall be punished accordingly. In addition, any person found to be in violation of this article shall be considered in noncompliance with the requirements of this chapter, and subject to the suspension and/or revocation of a firearm sales permit under Sections 6.08.070 and 6.08.120 of this chapter.

6.08.200 Severability.

This chapter shall be enforced to the full extent of the authority of the city of San Bruno. If any section, subsection, paragraph, sentence or word of this chapter is deemed to be invalid or beyond the authority of the city of San Bruno, either on its face or as applied, the invalidity of such provision shall not affect the other sections, subsections, paragraphs, sentences, or words of this chapter, and the applications thereof; and to that end, the section, subsections, paragraphs, sentences, and words of this chapter shall be deemed severable.

Section 3. 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 4. This Ordinance shall take effect and be in force 30 days after its adoption.

Section 5. The City Clerk shall publish this Ordinance according to law.

Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM

City Attorney

---o0o---

I hereby certify that the foregoing Ordinance No. _____ was introduced on _____, 2013, and adopted at a

regular meeting of the San Bruno City Council on
_____, 2013, by the following vote:

AYES: COUNCILMEMBERS: _____

NOES: COUNCILMEMBERS: _____

ABSENT: COUNCILMEMBERS: _____

City Clerk

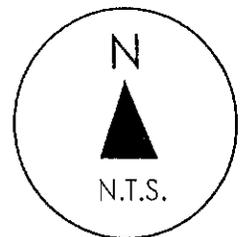
Proposed Area To Allow Firearm Dealers



Existing Industrial District (M-1)



Proposed Firearm Dealer Area





**City Council Agenda Item
Staff Report**

CITY OF SAN BRUNO

DATE: March 26, 2013
TO: Honorable Mayor and Members of the City Council
FROM: Klara A. Fabry, Public Services Director
SUBJECT: Adopt Resolution Authorizing Purchase of Street Light Poles and Pole Arms from Alameda Electrical Distributors in the Amount of \$34,519.27

BACKGROUND:

As part of the City's annual maintenance program for the City's Street Light infrastructure, approximately 6-8 street light poles are replaced each year, mostly due to vehicle collisions. Due to the 3-4 month delivery time for new poles along with the reduced cost of purchasing a larger quantity, the Streets Maintenance Division keeps a 4-5 year inventory of poles at the Corporation Yard to guarantee adequate supply. At present the City inventory is low and the Street Maintenance Division is requesting the purchase of new street light pole equipment to meet annual replacement requirements. The proposed purchase would consist of 26 street light poles and 6 pole arms. The requested equipment is identical to the City standard street light pole equipment. In the event the City Council selects to change the street light fixture standards to accommodate a more energy efficient bulb, only the bulb components or the head assembly will need to be changed; the pole and pole arm will not need to be replaced.

DISCUSSION:

In compliance with the State Contract Code and the City's local purchasing regulations, on February 13, 2013, a Notice to Bidders was sent to light pole and electrical vendors, posted on the City's website, and advertised in the *San Mateo Daily Journal* newspaper. A total of four (4) bids were received and opened on March 12, 2013 as follows:

<u>No.</u>	<u>Contractor</u>	<u>Bid Proposal Amount</u>
1	Continental Pole and Lighting	\$ 25,519.08
2	Alameda Electrical Distributors	\$ 34,519.27
3	Jam Services, Inc.	\$ 35,342.79
4	Graybar Electric	\$ 37,673.27

The lowest bidder, Continental Pole and Lighting, was determined non-responsive because they could not supply all of the items requested in the Bid Proposal. The next lowest bidder, Alameda Electrical Distributors, meets the requirements, can supply all of the items on the

Bid Proposal and their bid proposal is responsive and responsible. If the City Council authorizes the purchase, delivery is expected before June 28, 2013.

FISCAL IMPACT:

The equipment purchase of \$34,519.27 will be funded by the 2012-13 Streets Maintenance Street Light and Traffic Signals Operations Budget. There is \$85,500 allocated for 2012-13 streetlight maintenance, repair, parts, and materials. As of March 13, 2013, there are sufficient remaining funds for this equipment purchase.

ALTERNATIVES:

1. Do not authorize the purchase and defer to a later time.

RECOMMENDATION:

Adopt resolution authorizing purchase of street light poles and pole arms from Alameda Electrical Distributors in the amount of \$34,519.27.

ATTACHMENTS:

1. Resolution

DISTRIBUTION:

None

DATE PREPARED:

March 13, 2013

REVIEWED BY:

_____ CM

RESOLUTION NO. 2013- _____

**RESOLUTION AUTHORIZING PURCHASE OF STREET LIGHT
POLES AND POLE ARMS FROM ALAMEDA ELECTRICAL
DISTRIBUTORS IN THE AMOUNT OF \$34,519.27**

WHEREAS, the Street Light program, as listed in Streets Maintenance 2012-13 Operations Budget, as approved and adopted by the City Council, is for maintenance and repair, parts and materials of street light poles and hardware, and associated tools and equipment; and

WHEREAS, the Streets Maintenance Division established a policy to keep a four to five year inventory of poles at the Corporation Yard to guarantee adequate supply, due to the three to four month lead time for new poles along with the reduced cost of purchasing a larger quantity; and

WHEREAS, in compliance with the State Contract Code and the City's local purchasing regulations, on February 13, 2013, a Notice to Bidders was sent to light pole and electrical vendors, posted on the City's website, and advertised in the newspaper, a total of four bids were received on March 12, 2013; and

WHEREAS, Alameda Electrical Distributors was determined the lowest responsive bidder, and has the experience to supply all of the street light poles and pole arms in accordance with City design standards.

NOW, THEREFORE, BE IT RESOLVED, that the San Bruno City Council hereby authorizes the purchase of street light poles and pole arms from Alameda Electrical Distributors in the amount of \$34,519.27.

Dated: March 26, 2013

Jim Ruane, Mayor

ATTEST:

APPROVED AS TO FORM:

Carol Bonner, City Clerk

Marc Zafferano, City Attorney

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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 26th day of March 2013 by the following vote:

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