



“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

January 22, 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 January 22, 2013 at the San Bruno Senior Center, 1555 Crystal Springs Rd., San Bruno, CA. The meeting was called to order at 6:58 p.m.

Mayor Ruane thanked the San Bruno Garden Club for the beautiful floral arrangement.

2. ROLL CALL/PLEDGE OF ALLEGIANCE: Presiding was Mayor Ruane, Vice Mayor O’Connell, Council Members Ibarra, Medina, and Salazar. Recording by Clerk Bonner. **Personnel Board Member Anna Marie Jones** led the Pledge of Allegiance.

3. ANNOUNCEMENTS:

Mayor Ruane said the City will hold a Crestmoor Neighborhood Meeting Tomorrow Evening, Wednesday, January 23 at 7:00 p.m. at the Senior Center.

Mayor Ruane said the City Council will hold a Study Session to Discuss Formation of the Not for Profit Entity Called for in the Settlement Agreement between the City and PG&E on Tuesday, February 5, 2013 at 7:00 p.m. at the Senior Center.

Mayor Ruane introduced David Woltering the new Community Development Director who thanked the City.

4. PRESENTATIONS:

Mayor Ruane Presented a Proclamation for 2013 American Cancer Society Relay for Life San Bruno. A member from the American Cancer Society accepted the proclamation accompanied by some of the volunteers. The event will be April 27th and 28th at Capuchino High School in San Bruno.

5. REVIEW OF AGENDA: Mayor Ruane moved Item 11. to follow Item 8.

6. APPROVAL OF MINUTES: Regular City Council Meeting of January 8, 2013, stand approved as submitted.

7. CONSENT CALENDAR:

- a. **Approve:** Accounts Payable of December 26, 2012 and January 8 and 14, 2013.
- b. **Approve:** Successor Agency Accounts Payable of January 8, 2013.
- c. **Approve:** Payroll of December 30, 2012.
- d. **Accept:** Reconciliation of General Ledger to Bank Reports and the Investment Reports Dated November 30 and December 31, 2012.
- e. **Adopt:** Resolution Accepting Closeout the Madison Slope Stabilization Project as Complete and Authorizing the Release of the Construction Contract Retention in the Amount of \$2,785.80.

f. **Adopt:** Resolution Accepting the Commodore Drive Pedestrian Access Project as Complete and Authorizing Release of the Construction Contract Retention in the Amount of \$12,122.56.

g. **Appoint:** Representative to the Board of the Colma Creek Flood Control Zone Advisory Committee.

h. **Accept:** Resignation from Citizens Crime Prevention Member. Declare a Committee Member Vacancy and Direct the City Clerk to Initiate the Process for Appointment of a New Member.

i. **Accept:** Resignation from Bicycle & Pedestrian Advisory Committee Member. Declare a Committee Member Vacancy and Direct the City Clerk to Initiate the Process for Appointment of a New Member.

Vice Mayor O'Connell pulled Item 7.g.

Councilmember Medina pulled Items 7.h. and 7.i.

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

Vice Mayor O'Connell referenced Item 7.g. and said the wording and discussion was a little confusing and she clarified it was a four-year term whether you were a member of the City Council or not and she asked for appointment for four years.

M/S Ibarra/Medina to approve 7.g. with corrections and passed with all ayes.

Councilmember Medina in regard to Items 7.h. and 7.i. thanked the members for their service. He asked recruitment begin as soon as possible.

M/S Medina/Ibarra to approve Items 7.h. and 7.i. and passed with all ayes.

8. PUBLIC HEARINGS: None.

11. Personnel Board Director Fuentes introduced Anna Marie Jones and Joe Roberts members of the Board. He also acknowledged Ed Comerford who could not make it. He reviewed the Board's accomplishments as well as their plans for the next year.

Mayor Ruane thanked the Personnel Board for all they do.

9. PUBLIC COMMENT ON ITEMS NOT ON AGENDA: None.

10. CONDUCT OF BUSINESS:

a. Receive Oral Update Report on the Implementation of Changes to the Schedule for Street Sweeping.

Public Services Director Fabry gave an oral update on street sweeping. She said beginning February 4, street sweeping will begin at least one hour later but not before 9:00 a.m.

b. Adopt Resolution Accepting the City's Comprehensive Annual Financial Report (CAFR), Single Audit, Measure A Funds Audit Report, and Transportation Development Act Compliance for the Fiscal Year Ended June 30, 2012.

Finance Director Juran introduced **Ahmad Gharaibeh** from Vavrinek, Trine, Day & Company, LLP who gave an overview of the audit report.

Councilmember Medina referenced the Comprehensive Annual Finance Report, Pages 73 and 74; OPEB has an accrued liability of \$46 million, a five million increase from two years ago. He asked in two years will there be an additional \$5 million? He asked if this happens in other cities. **Gharaibeh** concurred but stressed these are just estimates. He said the City is using a conservative rate. **Councilmember Medina** said the City needs to be concerned about the costs for health and welfare for current and retired employees when it comes up in 2015.

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

c. Receive Report and Adopt Resolution Accepting the Annual Report on Development Impact Fees for the Year Ended June 30, 2012

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

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

d. Adopt Resolution Approving up to \$604,415 City of San Bruno Contribution for the San Bruno Grade Separation Archway Construction.

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

Mark Simon, JPB said while there are still details to work out such as the big W and colored glass in the elevator, he asked for Council's approval of this resolution.

Vice Mayor O'Connell asked the City Art Fund not be used. She said the Culture and Arts Commission had plans for their money that was budgeted and they were not privy to any of this planning.

Councilmember Medina said this money is the community's money and the recommendations made by the Culture and Arts Commission come through the Council. He agreed they were not involved in this dialogue and they should have been on board from the beginning.

Councilmember Salazar said it is a large of money, he thought of other projects that could be funded with this money. He had a problem with the funding and asked if we could go back and look at other sources.

Councilmember Ibarra said he has overseen this project over the last ten years. He said this is the largest one-time expenditure the City will be making and he felt the funding was appropriate.

Robert Riechel, 7th Ave. said he was concerned about taking general fund money. He suggested the PG&E money could be appropriated as a backfill.

Councilmember Medina said he was concerned about the cost and how we pay for it. He had no problem with the first funds, but going into the general fund concerned him. He wondered if the monies could be used to help other areas of our community. He talked about a matching contributor. He said we should take advantage of what we have before us and we need to lead by example and have something there for the future.

Mayor Ruane said many years ago the process was started to make our City a safer spot. This grade separation along with an arch is an anchor for a new City. Culture and Arts' funds should go for some other projects. He said this is a lot of money but we will see the results.

Vice Mayor O’Connell introduced the resolution and passed with four ayes and one nay, Salazar.

City Manager Jackson said the resolution would be clarified to show there would be no use of the Culture and Arts Funds. She said there are no restricted funds otherwise available to the City. **Councilmember Medina** asked other sources be looked at? **City Manager Jackson** concurred.

Vice Mayor O’Connell asked if there was a timeline when it would start. **Simon** said the foundation is scheduled to begin almost immediately.

In anticipation of the delayed arrival of Dean Peterson, Item f. was moved forward.

e. Waive Second Reading and Adopt an Ordinance of the City of San Bruno Adding Chapter 10.25 (Reusable Bag Ordinance to Regulate the Distribution of Single-Use Carryout Bags by Retail Establishments) to Title 10 (Municipal Services) of the San Bruno Municipal Code.

Project Manager Costa-Sanders gave an overview of the staff report and said outreach will be continued and asked for questions.

Councilmember Ibarra asked if there were questions from the large retail establishments? **Costa-Sanders** said no, the smaller stores have been contacted.

Councilmember Ibarra asked what type of bag was he supposed to use if he went to Penneys to buy a number of different clothes? **Costa-Sanders** said he should bring a reusable bag and the store would also have reusable bags for purchase. **Councilmember Ibarra** said he has heard from retailers that it is going to be a security nightmare. **San Mateo County Public Health Director Dean Peterson** said shoplifting has always been an issue and they will need to be wary.

Councilmember Medina shared a trip he had taken to a small retailer regarding the price and size of bags. This retailer did not know the details of having to keep records for three years and having to charge the customer for the bags. He paid 2 cents for his largest bag yet has to charge a customer 10 cents and the charge will be going up to 25 cents and he didn’t know how to explain this. He also wanted to give his customer a bag when large purchases were made.

Peterson asked if the bags were the 40% compostable bags required by the ordinance? He said when this was looked at; they were looking at the larger bags, #48s, more protective bags with handles, 100% recyclable and cost anywhere from 8 cents to 15 cents. He said the ordinance does not provide for special promotions, giving the bags away. This ordinance is getting society back to a reusable type society. The idea is to get people to change their behavior.

Councilmember Medina said he wanted to help the environment and improve things. He said going forward we need to work with the people who are running a business and paying the bills, paying salaries and adding value to our community. **Peterson** said it would be a soft rollout in order to see what works for the businesses.

Robert Riechel, 7th Ave. asked if a retailer could give a rebate on the 10 cents if he charges them 10 cents for a bag? **Costa-Sanders** said no.

Mayor Ruane said he felt this is good for the environment and he felt it needed to be revisited periodically.

Councilmember Medina said he was in favor of this but he wanted to see it revisited.

M/S O’Connell/Medina to waive the second reading and passed with all ayes.

Vice Mayor O’Connell introduced the ordinance for adoption and passed with a unanimous vote.

f. Receive Report and Adopt Resolution Approving the City of San Bruno Reserves Policy.

Finance Director Juran gave a powerpoint overview of the staff report. She emphasized this is a starting point for the creation of a reserve policy and asked for questions.

Councilmember Ibarra asked about the self-insurance fund. **Juran** said the fund is sufficient now; however, it would make sense to look at that further.

Councilmember Salazar asked about the building and facilities reserve fund addressed in that fund and are they considered general fund facilities, not enterprise facilities? **Juran** said the buildings and facilities fund includes an allocation from some of the enterprise funds. She said the building and facilities fund is the operating fund for the ongoing maintenance of City facilities, it is not currently set up to be a replacement fund for the facilities, rather to be sure they can be maintained on an ongoing basis. **Councilmember Salazar** asked if the maintenance of all our facilities are covered? **Juran** said yes, at this time the way it is structured.

Councilmember Ibarra asked if painting for City Hall would be covered? **Juran** said the building and facilities fund has no restrictions at this time, so it could be used for painting projects.

City Manager Jackson said the building and facilities fund is an operating fund and the allocation from the various departments including the enterprise fund are made in an amount intended to cover basic operating costs and that would include minor types of normal repair and maintenance. It would not include a more major type of repair or maintenance project such as a roof replacement, nothing of a significant dollar amount is intended to be funded through the building and facilities operating fund. A major repair or replacement at a well, for example, would be funded by enterprise funds through the capital budget. A similar repair or roof replacement at a fire station, the painting of the exterior of City Hall, for a non-enterprise facility has no dedicated funding source and it would be the general intent of this policy to fund or have a limited amount of funds available through the capital reserve in order to have money available.

Councilmember Salazar asked if we currently have all of the fund balances proposed here? **Juran** concurred.

Councilmember Medina said this is good news and it can be modified and changed over time. He asked this come back up at the budget study session.

Councilmember Ibarra said we don’t know the status of all of our facilities and we don’t know what we need to anticipate.

Vice Mayor O’Connell said it was prudent what we are doing and she would like us to hold off and re-examine during budget time. She asked some thought be given on how to allocate monies for future repairs.

Mayor Ruane said this is good going forward with a lot of work put into it. He asked the resolution be adopted and said it would be fine-tuned as we move forward.

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

11. REPORT OF COMMISSIONS, BOARDS, & COMMITTEES:

Receive Annual Report from the Personnel Board. (Moved to Following Item 8.)

12. COMMENTS FROM COUNCIL MEMBERS: None.

13. CLOSED SESSION: None.

14. ADJOURNMENT:

Mayor Ruane closed the meeting at 8:41. The next regular City Council Meeting will be held on February 12, 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
February 12, 2013

Carol Bonner, City Clerk

Jim Ruane, Mayor