



“ 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

May 14, 2013

7:00 p.m.

1. **CALL TO ORDER: THIS IS TO CERTIFY THAT** the San Bruno City Council met on May 14, 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 Clerk Bonner** led the Pledge of Allegiance. Recording by Clerk Bonner.
3. **ANNOUNCEMENTS:** None.
4. **PRESENTATIONS:**
 - a. **Mayor Ruane** Presented a Proclamation Declaring the Week of May 12 - May 18, 2013 as Police Week in San Bruno to **Police Chief Telford** who thanked the City and the San Bruno Police Department. He said the Police Department sponsored Police Day at Tanforan where eleven agencies were involved. There were canine demonstrations and our Citizens Crime Prevention Committee had a booth.
 - a. **Mayor Ruane** Presented a Proclamation Declaring the Week of May 19 - 25, 2013 as Public Works Week in San Bruno to **Public Services Director Fabry** who thanked the City. She invited Council to an Open House on March 22 from 11:00 am to 1:00 pm.
5. **REVIEW OF AGENDA:** No changes.
6. **APPROVAL OF MINUTES:** None.
7. **CONSENT CALENDAR:**
 - a. **Approve:** Accounts Payable of April 22, & 29, and May 6, 2013.
 - b. **Approve:** Payroll of April 21, 2013.
 - c. **Approve:** Resolution Approving Side Letter Agreement Between the City of San Bruno and the Public Safety Mid-Management Bargaining Unit, Represented by Teamsters Union Local 856 and Authorizing its Execution by the City Manager.
 - d. **Adopt:** Resolution Authorizing the City Manager to Execute Amendment to the Agreement Between the City of San Bruno, City of Millbrae, and the Central County Fire Department for a Shared Fire Chief Position.
 - e. **Adopt:** Resolution Amending the City Classification Plan by Adopting Position Descriptions for Assistant Community Services Director and Community Services Superintendent and Adopt Salary Ranges for Assistant Community Services Director and Community Services Superintendent Positions.

M/S O’Connell/Ibarra to approve the Consent Calendar and passed with all ayes.

8. PUBLIC HEARINGS:

Hold Public Hearing, Waive First Reading, and Introduce Ordinance Repealing Chapter 4.40 (Massage Establishments) and Enacting New Chapter 4.40 (Massage Establishments).

City Attorney Zafferano gave an overview of the staff report which incorporated changes from previous comments and asked for questions.

Councilmember Ibarra asked if the CAMTC wanted stronger wording?

City Attorney Zafferano said one of the suggestions made it stronger, pointing out there was a provision of State law introduced that allows us to prohibit a new massage establishment from occupying the same place as an old establishment which has been included. He said they also recommended staff be allowed to ask for the transcripts of the massage therapy schools that the individuals go to. The concern of the CAMTC was that is really their function to determine whether the person is qualified to do massage. He said what we found was a certificate from the CAMTC doesn’t mean that you won’t later engage in activities that you didn’t learn at that massage school. He felt it was important for staff to have the ability to look at the transcripts and make sure they are valid and come from schools that actually exist.

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

M/S Medina/Ibarra to close the Public Hearing and passed with all ayes.

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

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

9. PUBLIC COMMENT ON ITEMS NOT ON AGENDA:

Robert Reichel, 7th Ave. asked citizens to get involved by joining the Citizens Crime Prevention Committee. He said applications can be obtained in the City Clerk’s office.

10. CONDUCT OF BUSINESS:

a. Adopt Resolution Authorizing the City of San Bruno to Join the California State Association of Counties (CSAC) Excess Insurance Authority.

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.

b. Adopt Resolution Authorizing the City Manager to Execute a Contract with J.J.R. Construction, Inc., for the Sidewalk Repair Program in the Amount of \$399,187 and Approving the Construction Contract Budget in the Amount of \$459,065.

Associate Engineer Tseng gave an overview of the staff report and asked for questions.

Councilmember Ibarra asked how many of the 397 installations are private? **Tseng** said 35 additional locations might be homeowner participation. She added 107 homeowners had repairs and paid 100% of the cost. She said an active log has been kept of those who have called and are interested to make their sidewalks safe.

Vice Mayor O’Connell asked what determines who is responsible. **Tseng** said the City responsible locations are those next to a City-owned and City-maintained tree.

Vice Mayor O’Connell asked how citizens could get this information. **Tseng** said there is a street/property hot-line to the Web where they can send an inquiry on line where it is automatically forwarded to the correct department. She said a lot of residents call in and the City inspector will go out and verify the damage and working with the Parks Department they can give an answer within a week.

Councilmember Medina asked when the last survey was conducted. **Tseng** said 2004.

Councilmember Medina requested to see a copy of the letter sent out.

Vice Mayor O’Connell asked if more than 35 people request repairs, will Public Services come back to Council. **Tseng** concurred.

Councilmember Ibarra said we are taking care of everything that is ¾” and higher? What if they are less than ¾”? **City Manager Jackson** said the inventory being used was done in 2004 and has only been updated from complaints and field observations. She said each year there has been good participation but there has not been 100% complete participation by residents who have responsibilities for sidewalk repair. There may remain hundreds of areas throughout the City where sidewalk deficiencies exist and they are not City responsibility per our code and the private property owner who is responsible has not taken effective action on their own or by our program.

Councilmember Ibarra expressed his concern on what is going to keep the City from being responsible and we need to be more informative. **Fabry** said the enforcement piece of the program wasn’t implemented. After the second letter, the City has the right to go in and do the repairs and then to basically hold the property owner responsible.

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

c. Adopt Resolution Approving Property Owner Notice and Protest Process for 2013-14
Garbage Rate Increase Proposed by Recology San Bruno.

Finance Director Juran gave an overview of the staff report. **Recology General Manager Pinochi** gave a report on the process of organic recycling.

Mayor Ruane asked about multi-families. **Pinochi** said they have future plans to educate.

Councilmember Ibarra asked if restaurants are a big part of recycling. **Pinochi** said they are allowing them to go to Recology because of limitations.

Councilmember Ibarra asked about the quarterly increases? He said we are taking garbage out of the landfill and the rates are staying up there? **Pinochi** said labor and benefits increase every day.

Mayor Ruane asked about migration from a 32 gallon can to a 20 gallon. **Pinochi** said customers are welcome to change.

Councilmember Medina asked if a person was to go from a 32 to a 20 gallon they would pay a lesser rate. **Pinochi** concurred.

Councilmember Medina said all the information regarding the rate increase and future rate increases need to be included in the flier where it is very clear and transparent. He also clarified that adoption this evening does not cement in what the rate increases will be going forward. **Juran** concurred.

Vice Mayor O’Connell asked how the pilot will be operated? **Pinochi** said the residents will be notified and they will be given an opt-out date of May 24. The kitchen pails will be delivered to those customers the last week in May and they will begin service weekly on June 3 which will run until City-wide organics rolls out.

Vice Mayor O’Connell asked what information will be used to gather information. **Pinochi** said increased tonnage and participation. A survey will be created for these customers.

Councilmember Salazar asked if there was a seasonable adjustment. **Pinochi** said an entire year of tonnage data is used which captures the high and the low.

Councilmember Salazar asked about the commercial customers and their space constraints? **Pinochi** said in the pilot program some of the customers had space constraints and they worked with them. She said they can use the knowledge from neighboring cities to see what they did with space constraint customers.

Councilmember Salazar said the action tonight is regarding the rate, but does that imply their commitment to Recology to implement the program? **Juran** said this is a commitment to the property-owner process. She said they would take this opportunity to begin the education and out-reach process to let the public know what organics is. The decision for that will be in July.

Councilmember Ibarra asked the point of comparisons with the cities and how come some rates are so low? **Juran** said part of the rate comparison fluctuation comes from many variables such as some cities have more commercial and maybe the residential rate is lower.

Councilmember Ibarra suggested this be explained to the residents.

Mayor Ruane asked why biodegradable bags can’t be used. **Pinochi** said other cities use a different processor which is more expensive. She said it would increase the cost substantially.

Councilmember O’Connell introduced the resolution for adoption and passed with a unanimous vote.

d. Schedule Study Sessions for Review of the FY 2013 -14 Annual Budget.

City Manager Jackson proposed Thursday, June 6, Monday, June 10, Wednesday, June 12, Thursday, June 13 and Tuesday, June 18. Council concurred with Thursday, June 6, Monday, June 10 and Wednesday, June 12 (if needed.)

Councilmember Medina said he would like to see fire abatement; i.e., vegetation in the fields looked at. He asked the monies saved from the Commander’s retirement be used to update the literature and brochures used by Crime Prevention and the Explorer program. He also asked if there is one-time infusion to help the Explorer program train and continue their success.

e. Adopt Resolution Approving the Parks and Recreation Commission Recommendation to Accept a Masonry Lion Sculpture from the San Bruno Lions Club to be Installed Adjacent to the Beckner Shelter at San Bruno Park and Rotation of the Adjacent Water Fountain.

Community Services Superintendent Brewer gave an overview of the staff report.

Vice Mayor O’Connell asked about the size? **Park and Recreation Commissioner Pierce** said it is not quite life-size, 24 inches tall and 2 to 3 feet long, masonry and secured to the ground. Vice Mayor O’Connell asked if it could be graffiti-coated? **Pierce** concurred. He said the Commission were thrilled the Lions were going to take responsibility for taking care of Beckner Shelter as well as the Lion.

Mayor Ruane said a program was developed to recognize memorials or appreciation for different people or organizations. He said there is already a plaque at Beckner Shelter to recognize the Lions for what they have done. He felt it sends the wrong message.

Councilmember Ibarra said this started with the idea of an animated water fountain that was not well-received by staff as well as not financially feasible for the Lions’ Club. He said along with repairing Beckner Shelter, there was hope there would be more than a plaque. He felt a lion shows that the Lions have done a lot to Beckner Shelter and appropriately represents the organization.

Mayor Ruane suggested the Lion and the plaque be tied together. **Councilmember Medina** agreed.

Discussion by Council continued.

Vice Mayor O’Connell introduced the resolution accepting the Lion statute to be placed as written in the resolution and passed with four ayes, one nay (Mayor Ruane.)

f. Adopt Resolution Authorizing the City Manager to Execute a Contract with Environmental Sciences Associates (ESA) in an Amount up to \$106,000 to Prepare an Initial Study, and Further Environmental Documentation with a Proposed Amendment to the U.S. Navy Site and its Environs Specific Plan Related to The Crossing Hotel Site and Appropriate \$106,000 from the General Fund to the Fiscal Year 2012-13 Budget.

Community Development Director Woltering gave an overview of the staff report and asked for questions.

Councilmember Salazar said during Redevelopment we could loan money to cover this type of investment. He asked if there is any mechanism we can use to track our investment?

City Manager Jackson said once the hotel is built we will be able to evaluate the return on that investment through transit occupancy taxes where the cost would be recovered in a very short time.

Councilmember Salazar said the payback period could be spread out.

Councilmember Ibarra asked Woltering for his thoughts? **Woltering** said there is a need to prepare an environmental study, it is a smaller project, there are new requirements in the State law to evaluate the changes in conditions.

Robert Riechel, 7th Ave. asked if the negotiations fell through with the developer, would these studies have to be redone. **Woltering** said no.

Councilmember O’Connell introduced the resolution for adoption and passed with a unanimous vote.

11. REPORT OF COMMISSIONS, BOARDS, & COMMITTEES:

12. COMMENTS FROM COUNCIL MEMBERS:

Councilmember Ibarra thanked everyone for their involvement in Relay for Life. He said they doubled last year's goals.

13. CLOSED SESSION:

14. ADJOURNMENT:

Mayor Ruane closed the meeting in a moment of silence for Millbrae's Vice Mayor Nadia Holober. The meeting was closed at 8:58 p.m. The next regular City Council Meeting will be held on May 28, 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
May 28, 2013

Carol Bonner, City Clerk

Jim Ruane, Mayor