

"The City With a Heart"



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

MINUTES

SAN BRUNO CITY COUNCIL

July 26, 2011

7:00 p.m.

1. CALL TO ORDER: THIS IS TO CERTIFY THAT the San Bruno City Council met on July 26, 2011 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 San Bruno Garden Club for the beautiful floral arrangement.

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

3. ANNOUNCEMENTS:

Mayor Ruane announced the Regular City Council Meeting of August 23 is cancelled. The only Regular Meeting in August will be held on August 9, 2011.

4. PRESENTATIONS:

Mayor Ruane Presented a Proclamation Declaring Tuesday, August 2, 2011 as National Night Out in San Bruno to Robert Riechel who in turn thanked San Bruno. He stated all San Bruno neighbors should confirm or reconfirm their desire to heighten crime and drug prevention awareness. If a resident is interested in forming a Neighborhood Watch Block they can call the San Bruno Police Department at 616-7100 and someone will provide them with information.

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

6. APPROVAL OF MINUTES: City Council Meeting of July 12, 2011 and Special City Council Meeting of July 12, 2011, approved as submitted.

7. CONSENT CALENDAR:

a. **Approve:** Payroll of July 3, 2011.

b. **Approve:** Accounts Payable of July 11 and 18, 2011.

c. **Accept:** Reconciliation of General Ledger to Bank Reports and the Investment Reports Dated June 30, 2011.

d. **Authorize:** Voting Delegate and Alternate for the League of California Cities Annual Conference September 21-23 in San Francisco.

e. **Accept:** Letter from Board Chair on the Redevelopment Advisory Committee Requesting that the City Council Declare a Boardmember Vacancy and Direct the City Clerk to Initiate the Process for Appointment of a New Member.

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

8. PUBLIC HEARINGS (Notices have been published, posted and mailed): None.

11. Bill Goff, Senior Advisory Board introduced members of the Board, Loretta Groulx, Dorothy Carmichael, Ken Kreisel, Barbara Luzaich and Elisa Gerald. Arland Sponsler was not present. He reviewed the activities of the past year and talked about their plans for the upcoming year. He introduced Jean Edge who shared her many experiences at the San Bruno Senior Center.

9. PUBLIC COMMENT ON ITEMS NOT ON AGENDA:

Robert Riechel, 7th Ave. said there are fliers regarding mosquitoes by reporting dead birds.

10. CONDUCT OF BUSINESS:

a. Adopt Resolution Accepting a Loan of \$50,000 from the Non-Profit Nutrition Site Council of San Bruno, Appropriating \$79,000 from the Equipment Reserve Fund, and Authorizing the City Manager to Execute a Purchase Contract with El Dorado Bus Sales in the Amount of \$129,000 for the Purchase of a New Senior Center Bus.

Community Services Director Schwartz gave an overview of the staff report and asked for questions.

Councilmember Ibarra said it was a very generous offer from the nutrition council. Does the \$50,000. loan put the nutrition council at any near-future risk financially? **Schwartz** said it has been discussed and it does not put them at risk.

Councilmember Medina thanked the nutrition council for all they have done.

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

b. Receive Report and Provide Direction Regarding Expiration of Moratorium on the Establishment and Operation of Medical Marijuana Collectives.

City Attorney Zafferano reviewed the staff report, highlighted the City's options and asked for Council direction.

Councilmember Medina asked if the Chief had anything to add. **Police Chief Telford** said the City Attorney handled it very well.

Councilmember Ibarra said it is time to make a statement. He asked it go on record that he was in favor of a ban.

Councilmember Medina agreed to continue the moratorium.

Councilmember O'Connell agreed to ban.

M/S O'Connell/Ibarra to bring back the necessary resolution to ban medical marijuana dispensaries and passed with all ayes.

c. Receive Report Regarding Settlement of Regional Water Quality Control Board v. San Bruno, and Baykeeper v. San Bruno, and Authorize the City Manager to Sign both Settlement Agreements.

City Attorney Zafferano gave an overview of the staff report and asked for questions.

Councilmember Medina said there are many capital improvement projects in the documents. He wanted to make sure his yes did not encompass all the capital improvement projects. **Zafferano** said he believed the City Council had the discretion how to implement the capital improvement program.

City Manager Jackson said it is staff's intent to treat any capital project or budget issue that is anticipated to be implemented in response to the settlement agreement to treat those in the normal manner any other budget or capital project issue is handled via the City Council.

Councilmember Ibarra wanted the public to know we are not settling because we did anything wrong? **City Attorney Zafferano** said the plaintiffs in the litigation did not believe the City did enough, despite its current and ongoing efforts to reduce sso's. The capital improvement agreement is more an effort to protect the environment, citizens and the City.

Mayor Ruane said over the last few years rates have been increased aggressively to pursue all the infrastructure problems San Bruno has because we are over a hundred years old. He said the money spent would be a lot more beneficial under the sidewalks of this City rather than paying fines.

M/S Ibarra/O'Connell gave direction to the City Manager to sign both settlement agreements and passed with all ayes.

d. Adopt Resolution Approving the City Manager's Recommended Water and Wastewater Enterprise Fund Budgets for Fiscal Year 2011-12.

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

Councilmember Medina thanked staff for the extra time put into this item. He sited some comparison items and said we need to be diligent to know the dollar is spent wisely. He also asked if an item is not used, such as publications, it be deleted.

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

e. Adopt Resolution Approving Fourth Quarter Budget Amendments for the Fiscal Year 2010-11 Operating and Capital Improvement Program Budgets.

Finance Director Suen gave an overview of the budget amendments and asked for questions.

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

f. Receive Report and Approve Implementation of Phase 1 of the Fire Consolidation Plan.

Fire Chief Haag introduced Deputy Chief Mark Ladas from Central County Fire and gave an overview of the fire consolidation plan with a timeline and asked for questions.

City Manager Jackson said the Chief's presentation tonight was a narrowing of the various issues that have been under discussion with the four cities and three fire agencies. She said it is down to manageable topic areas, many of them in the phase one trial program and the rest of them over the next several months during the trial program so we can return approximately fifteen months from now with issues of governance and agreement language. She said there is caveat the implementation plan intends continued work and intent toward full consolidation. The trial program can go forward independently and station consolidation and administrative merger could represent either a final state or simply a trial program that ends up not going further to a full consolidation.

Vice Mayor Salazar referenced the definition of success, evidence of accomplishing financial targets, and those presented were related to the final product. He asked if there were estimates of interim savings that we will judge against during this fifteen-month period? How do we know we are meeting our financial targets? **Fire Chief Haag** said they would come back and update on a quarterly basis. Some would be based on attrition and position changes. **Vice Mayor Salazar** said

the fifteen-month trial period seems a little drawn out, especially since consultants were brought in and he asked why? **Fire Chief Haag** said it would take some time to set up the recommended site. He also said it was given a lengthy time to bring back data on response times.

Councilmember O’Connell said on the flow chart, Phase 1 she asked if he could go through the flow chart? **Fire Chief Haag** said Phase 1 is normal operations, the change will be in the oversight committee, the four City Managers who will go through the data review and analysis and report back to Council. He said each City retains its own jurisdiction over the department.

Councilmember Ibarra said do new communities who build fire stations go through such an extensive study? **Fire Chief Haag** said all those things are taken into consideration.

Councilmember Medina stated he was on the committee and he pointed out San Bruno already gets a savings with the Battalion Chief and Chief and this would be an additional savings. He said the length of the project was brought up, but when you try to get four communities together, there is a need to have all participants comfortable. He said he would like to still have the subcommittee members meet, even if it is once or twice. He pointed out there were no lay-off plans, only through attrition, long-term planning.

Mayor Ruane said while he was on the committee, the City Managers worked very hard on this. Not making sense to him was twenty little cities with twenty little chiefs and twenty fire departments. Mutual aid could be evidenced from what happened to San Bruno. He said we simply couldn’t afford twenty fire departments in this County.

M/S Ibarra/Medina to approve the fire consolidation plan and passed with all ayes.

g. Adopt Resolution Authorizing the City Manager to Execute a Time and Expenses Contract with HB Consulting Group to Provide Overall Project Management and Engineering Services for the Glenview Neighborhood Reconstruction Project.

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

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

h. Receive Report and Approve Response to San Mateo County Civil Grand Jury Report, TASERS Standardizing to Save Lives and Reduce Injuries.

Police Chief Telford gave an overview of the staff report and asked for questions.

Robert Riechel, 7th Ave. said he appreciated the Council acting so quickly and timely.

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

i. Receive Report and Approve Response to San Mateo County Civil Grand Jury Report, Cell Towers: Public Opposition and Revenue Source.

Community Services Director Aknin gave an overview of the staff report and asked for questions.

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

11. REPORT OF COMMISSIONS, BOARDS, & COMMITTEES:

Receive Annual Report from the Senior Advisory Board (moved to follow Item 8.)

12. COMMENTS FROM COUNCIL MEMBERS:

Councilmember O’Connell said it is time for the Beautification Awards and applications can be found on the website as well as in the City Clerk’s office.

Councilmember Ibarra said he attended a meeting at Skyline College for Relay for Life and it will be opened to all the people of San Bruno and it will be the last weekend of April, 2012.

13. CLOSED SESSION:

Mayor Ruane said they would be going into Closed Session with Legal Counsel to Provide Direction Regarding Potential Litigation Govt Code 54956.9(b)(1) with no reportable action..

14. ADJOURNMENT:

Mayor Ruane closed the meeting at 8:34 p.m. The next regular City Council Meeting will be held on August 9, 2011 at 7:00 p.m. at the Senior Center, 1555 Crystal Springs Road, San Bruno.

Respectfully submitted for approval
at the regular City Council Meeting of
August 9, 2011

Carol Bonner, City Clerk

Jim Ruane, Mayor