



**“The City With a Heart”**

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

**MINUTES**  
**SAN BRUNO CITY COUNCIL**  
**April 13, 2010**  
**7:00 p.m.**

**1. CALL TO ORDER: THIS IS TO CERTIFY THAT** the San Bruno City Council met in regular session on April 13, 2010 at San Bruno’s City Hall, 567 El Camino Real, San Bruno, CA. The meeting was called to order at 7:00 p.m.

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

**2. ROLL CALL/PLEDGE OF ALLEGIANCE:** Presiding was Mayor Ruane, Vice Mayor Medina and Councilmembers O’Connell, Ibarra and Salazar in attendance. Recording by Clerk Bonner. **Finance Director Suen** led the Pledge of Allegiance.

**3. ANNOUNCEMENTS:**

**Mayor Ruane** announced the Annual Operation Clean Sweep Event will be held on Saturday, May 1 beginning at 9:00 a.m. at San Bruno City Park. **Councilmember O’Connell** invited everyone to join in.

**4. PRESENTATIONS:**

**Mayor Ruane** Presented a Proclamation Declaring April 26 to 30 as West Niles Virus and Mosquito and Vector Control Awareness Week to Robert Gay.

**Robert Gay, San Mateo Mosquito Abatement and Vector Control** thanked the City of San Bruno and gave some statistics on what the County is doing to combat mosquito infestation. He also thanked the City for Robert Riechel.

**5. REVIEW OF AGENDA:**

**Mayor Ruane** moved Item 11. to follow Item 8.

**Mayor Ruane** introduced City Manager Jackson who introduced San Bruno’s new Finance Director Edmond Suen and she gave some of his background history.

**6. APPROVAL OF MINUTES:** Regular City Council Meeting of March 23, 2010, approved as submitted.

**7. CONSENT CALENDAR:**

- a. **Approve:** Payroll of March 14 and 28, 2010
- b. **Approve:** Accounts Payable of March 22 and 29, 2010.
- c. **Accept:** Letter of Resignation from Community Preparedness Committee Member Kevin Butler. Declare a Committee Member Vacancy and Direct the City Clerk to Initiate the Process for Appointment of a new Member.

**Mayor Ruane** pulled Item 7.c.

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

**Mayor Ruane** thanked Kevin Butler for his contribution to the Community Preparedness Committee and introduced City Clerk Bonner.

**City Clerk Bonner** said there were presently three openings on the Commissions, Boards and Committees and the resignation of the Community Preparedness member makes four. The other three are on the Personnel Board, Citizens Crime Prevention and Traffic and Safety. Eleven applicants and have applied and she asked if Council would be available for interviewed on April 27 at 6:00 p.m. **Council** concurred.

**M/S Medina/Ibarra** to approve Item 7.c. and passed with all ayes.

#### **8. PUBLIC HEARINGS (Notices have been published, posted and mailed):**

**City Attorney Thompson** explained how she secured attorneys to donate time to the City of San Bruno and two of them will be presenting an ordinance this evening. Denise Chan, Golden Gate University, Licensed Attorney and Nicholas Han, Golden Gate University, Licensed Attorney.

a. Hold Public Hearing, Waive First Reading and Introduce New Chapter 6.54 “Smoking Regulations” to Title 6 (Public Peace, Morals and Welfare) of the San Bruno Municipal Code.

**City Attorney Thompson** gave an overview of the staff report and asked for questions. She pointed out other items could be sold in this tobacco shop if this ordinance is adopted but no smoking would be allowed. She withdrew the last sentence of the paragraph on the last page of her staff report.

**Mayor Ruane** opened the Public Hearing.

**Derek Smith, San Mateo County Health System** offered support and assistance to this ordinance and any other health issues.

**M/S Medina/Ibarra** to close the public hearing and passed with all ayes.

**M/S Ibarra/Medina** to waive the first reading and passed with all ayes.

**Councilmember Ibarra** introduced the ordinance with the modification of the change to the last page of the staff report and passed with a unanimous vote.

b. Hold Public Hearing, Waive First Reading and Introduce New Chapter 3.38, Additional Provisions, to Title 3 (Revenue and Finance) Requiring Payment of Assessed Taxes Prior to Legal Action.

**Denise Chan** gave an overview of the staff report and asked for questions.

**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 Medina/Ibarra** to waive the first reading and passed with all ayes.

**Councilmember Ibarra** introduced the ordinance and passed with a unanimous vote.

c. Hold Public Hearing, Waive First Reading and Introduce an Ordinance to Amend Chapter 6.36, Animal Control, of the San Bruno Municipal Code to Clarify Appeal Rights Regarding Dangerous and Vicious Animal Determinations.

**Nicholas Han** gave an overview of the staff report and asked for questions.

**Councilmember Ibarra** asked if other cities have had this problem. **Han** said this would streamline the appeal process.

**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 Medina/O'Connell** to waive the first reading and passed with all ayes.

**Vice Mayor Medina** introduced the ordinance for adoption and passed with a unanimous vote.

d. Hold Public Hearing, Waive First Reading, and Introduce Ordinance Temporarily Suspending Liability of Airport Parking Facilities for a Portion of the Airport Parking Facility Tax Provided for by San Bruno Municipal Code 3.16.180.

**Finance Director Suen** gave background on the ordinance and asked for questions.

**Councilmember Ibarra** asked when the tax rate was first reduced. **Suen** said he believed the tax rate was reduced in FY 2003-04.

**Councilmember Ibarra** asked Nicole Judge at Skypark what the rates are? She said they have remained the same since Year 2000 in order to be competitive.

**Councilmember Salazar** asked if the customer pays the tax? **Judge** concurred.

**Councilmember Salazar** said even though we reduce the tax, the fixed cost remains the same for Skypark; hence the tax does not subsidize the business. **Judge** was unable to answer the question but pointed out they were hoping things would change.

**Mayor Ruane** said Skypark is more than a parking lot, it is a full-service facility.

**Mayor Ruane** opened the public hearing. No one wished to speak.

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

**M/S Ibarra/Medina** to waive the first reading and passed with all ayes.

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

11. Receive Annual Report from the Planning Commission (moved to follow Item 8.)

**Mary Lou Johnson, Planning Commissioner** presented a powerpoint presentation on what the Planning Commission has done during the last year and presented their plans for the upcoming year.

**Councilmember Ibarra** commented on the many accomplishments of the Planning Commission.

**Mayor Ruane** thanked the Planning Commission for all the work they do.

**9. PUBLIC COMMENT ON ITEMS NOT ON AGENDA:**

**10. CONDUCT OF BUSINESS:**

a. Adopt Resolution Amending the 2009-10 Capital Improvement Program to Add the Lions Field Synthetic Grass Project, Appropriating up to \$200,000 of Parks-In-Lieu Fees for Survey and Design Work and Authorizing Staff to Apply for Grants and Conduct a Fund Raising Campaign.

**Park and Recreation Director Schwartz** gave an overview of the staff report and asked for questions.

**Vice Mayor Medina** said it was his understanding it would come back to Council fundraising aspects.

**Councilmember Ibarra** asked if these park and lieu fees could only be used for the fields. **City Manager Jackson** said under the Quimby Act the funds could only be used to expand the capacity of parks and recreation facilities. The fees may not be used for general fund purposes.

**Mayor Ruane** asked if there is a time limit. **City Manager Jackson** said the fees must be used within five years or returned to the developers from which they were extracted.

**Councilmember Ibarra** asked what a figure would be targeted toward fundraising on this project? **Schwartz** said so far they are already looking at \$800,000. through grants.

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

b. Adopt Resolution Authorizing the Closure of San Mateo Avenue Between Jenevein Avenue and Sylvan Avenue on Sundays from May 2, 2010 through October 31, 2010 between the Hours of 7:00 AM and 3:00 PM, and Jenevein Avenue Between El Camino Real and San Mateo Avenue on June 6, 2010 Between the Hours of 7:00 AM and 3:00 PM for a Farmers' Market.

**Community Development Director Akin** gave background on the Farmer's Market and reviewed the staff report and asked for questions.

**Councilmember O'Connell** asked if the same hours would be on Posy Parade day. **Akin** said yes.

**Councilmember O'Connell** said she attended the Market many times. She noted a typo in the staff report on Page 55.

**Vice Mayor Medina** noted changes of dates and times. He said on the Posy Parade day he was concerned about staffing, resources, congestion and parking. Where will they park? **Akin** said there would be a lot of the same people parking. He said the City Parking lot could be considered and signage could be put out.

**Councilmember Ibarra** said police are very accommodating on Posy Parade day. He said the parade doesn't start until 1:00, and there could be a shortage of parking, but there shouldn't be competition for Posy Parade.

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

c. Receive Report and Provide Direction Regarding Additional Smoking Laws.

**City Attorney Thompson** gave an overview of the staff report and asked for questions. She said San Bruno has moved forward with specialized needs for the City.

**Vice Mayor Medina** said he didn't want to see the City regulating where and when you can smoke. He felt the City had a comprehensive plan.

**Councilmember O'Connell** said she wasn't clear on how hotels treated the lobby or rooms. **City Attorney Thompson** said 65% of the rooms could be smoked in; however, most hotels choose not to do that. It is hotel policy.

**Councilmember Ibarra** said there are areas where smokers congregate. He said that is probably the next step. **City Attorney Thompson** said there are limitations.

**Councilmember O’Connell** said smokers throw their butts on the ground. She said if we can’t prohibit people from smoking, could we require they have proper receptacles for their cigarette butts? She asked if the establishments could have something outside.

d. Adopt Resolution Authorizing the City Manager to Apply for Federal Funding to Resurface Various Streets in the City of San Bruno.

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

**Councilmember Ibarra** asked how much of the project this year is from the Measure A funds? **Fabry** said about \$300,000. **Councilmember Ibarra** also asked about City Park Way and **Fabry** said the work would start around June of this year.

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

#### **11. REPORT OF COMMISSIONS, BOARDS, & COMMITTEES:**

Receive Annual Report from the Planning Commission (moved to follow Item 8.)

#### **12. COMMENTS FROM COUNCIL MEMBERS:**

**Vice Mayor Medina** reminded folks they had until April 16 to fill out their Census forms and he emphasized the importance of doing it.

**Councilmember Ibarra** talked about the recognition of Public Safety Employees of San Mateo County sponsored by the Lions Club. San Bruno had three nominees, Jason Pasero, Eduardo Rios and Captain Mike Novelli for service.

#### **13. CLOSED SESSION:**

**Mayor Ruane** said there would be no reportable interest coming from the Closed Session. The City Manager and Human Resources Director Request a Closed Session Pursuant to Cal. Gov’t Code Section 4957.6 Regarding Direction for Labor Negotiations with the San Bruno Professional Fire Fighters Associations, Public Safety Mid-Management Bargaining Unit, Miscellaneous Group, Mid Management Bargaining Unit, San Bruno Police Bargaining Unit and San Bruno Management Employees Association.

#### **14. ADJOURNMENT:**

Mayor Ruane closed the Council meeting at 8:37 p.m. The next regular City Council Meeting will be held on April 27, 2010 at 7:00 p.m., preceded by interviews of Commissions, Boards and Committees at 6:00 p.m. at the Senior Center, 1555 Crystal Springs Road, San Bruno.

Respectfully submitted for approval  
at the regular City Council Meeting of  
April 27, 2010

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Carol Bonner, City Clerk

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Jim Ruane, Mayor