



**“The City With a Heart”**

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

## **AGENDA – SPECIAL MEETING CLOSED SESSION SAN BRUNO CITY COUNCIL**

**March 22, 2016**

**6:15 p.m.**

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

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](http://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.

**1. CALL TO ORDER:**

**2. ROLL CALL:**

**3. 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.

**4. CLOSED SESSION:**

Conference with Legal Counsel—Anticipated Litigation; Significant Exposure to Litigation pursuant to Government Code section 54956.9(d)(2): One Case

**5. ADJOURNMENT:**

The next regular City Council Meeting will be held on March 22, 2016 at 7:00 p.m. at the Senior Center, 1555 Crystal Springs Road, San Bruno.



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## **AGENDA**

### **SAN BRUNO CITY COUNCIL**

**March 22, 2016**

**7:00 p.m.**

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

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](http://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.

**1. CALL TO ORDER:**

**2. ROLL CALL/PLEDGE OF ALLEGIANCE:**

**3. ANNOUNCEMENTS:**

**4. PRESENTATIONS:**

Present Proclamation to the American Red Cross Bay Area Chapter and the San Mateo County American Red Cross Leadership Council, Bay Area Chapter Volunteers of the American Red Cross Recognizing American Red Cross Month 2015.

**5. REVIEW OF AGENDA:**

**6. APPROVAL OF MINUTES:** Special Council Meeting of March 8, 2016 and Regular Council Meeting of March 8, 2016 and Closed Session of March 8, 2016.

**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.

a. **Approve:** Accounts Payable of March 7, 2016.

b. **Approve:** Payroll of March 11, 2016.

**8. PUBLIC HEARING:**

**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 agendaized pursuant to State Law.

**10. CONDUCT OF BUSINESS:**

- a. Adopt Resolution Authorizing the Purchase of Automated External Defibrillators (AEDs) and Other Medical Equipment in the Total Amount of \$36,600 from the Restricted Donation Fund.
- b. Adopt Resolution Authorizing the City Manager to Execute a Contract with Moffatt & Nichol to Provide Assistance for Appeal of the FEMA San Francisco Bay Coastal Study Results for City of San Bruno in the Amount of \$61,262 and Appropriating Funds in the Amount of \$81,262 from the General Fund.
- c. Receive Report and Provide Direction to Staff Regarding a City Council Position on Assembly Bill 1362, Appointment of Members to Mosquito and Vector Control Districts Board of Trustees.
- d. Accept Housing Element Annual Progress Report (APR) for Calendar Year 2015 and Direct Staff to Forward the APR to the California Office of Planning and Research and the California Department of Housing and Community Development.

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

Receive Annual Report from the Bicycle & Pedestrian Advisory Committee

**12. COMMENTS FROM COUNCIL MEMBERS:**

**13. CLOSED SESSION:**

Public Employee Performance Evaluation Pursuant to Government Code Section 54957: City Manager.

**14. ADJOURNMENT:**

The next regular City Council Meeting will be held on April 12, 2016 at 7:00 p.m. at the Senior Center, 1555 Crystal Springs Road, San Bruno.



**“The City With a Heart”**

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Irene O’Connell, Councilmember

**MINUTES – SPECIAL MEETING CLOSED SESSION  
SAN BRUNO CITY COUNCIL**

**March 8, 2016**

**6:15 p.m.**

**1. CALL TO ORDER: THIS IS TO CERTIFY THAT** the San Bruno City Council met on March 8, 2016 at San Bruno’s Senior Center, 1555 Crystal Springs Road, San Bruno, Ca in a special closed session meeting. The meeting was called to order at 6:15 p.m.

**2. ROLL CALL:**

Presiding was Mayor Ruane, Vice Mayor Marty Medina, Councilmembers Ibarra, Rico Medina and O’Connell. Recording by City Clerk Bonner.

**3. PUBLIC COMMENT ON ITEMS NOT ON AGENDA:** None.

**4. CLOSED SESSION:**

**Mayor Ruane** said they would be going into closed session for a Conference with Legal Counsel—Anticipated Litigation; Significant Exposure to Litigation pursuant to Government Code section 54956.9(d)(2): One Case, with no reportable action.

**5. ADJOURNMENT:**

The meeting ended at 7:00 p.m. The next regular City Council Meeting will be held at 7:00 p.m. on March 8, 2016 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 8, 2016

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Carol Bonner, City Clerk

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Jim Ruane, Mayor



**“The City With a Heart”**

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

## **MINUTES SAN BRUNO CITY COUNCIL**

**March 8, 2016**

**7:00 p.m.**

- 1. CALL TO ORDER: THIS IS TO CERTIFY THAT** the San Bruno City Council met on March 8, 2016 at San Bruno’s Senior Center, 1555 Crystal Springs Road, San Bruno, CA. The meeting was called to order at 7:05 p.m. **Mayor Ruane** thanked the garden club for the flower arrangement.
- 2. ROLL CALL/PLEDGE OF ALLEGIANCE:**

Presiding was Mayor Ruane, Vice Mayor Marty Medina, Councilmembers Ibarra, Rico Medina and O’Connell. **City Manager Jackson** led the pledge of allegiance. Recording by City Clerk Bonner.
- 3. ANNOUNCEMENTS:**

**Mayor Ruane announced the following:**

  - a. The Annual Pancake Breakfast and Easter Egg Hunt will be held on March 19, 2016, 9:00 to 11:00 a.m. at San Bruno City Park. The Easter Egg Hunt begins promptly at 11:00 a.m.
  - b. The City of San Bruno will soon welcome Sister City Student Exchange Delegation from Narita, Japan. The Delegation will arrive in San Bruno on March 17, 2016 and will be in town through March 22, 2016.
  - c. The City appreciates volunteer efforts of the Beautification Task Force to clean and improve the appearance of San Mateo Avenue in Downtown San Bruno. **Councilmember O’Connell** invited everyone to join them behind Centennial Plaza at San Mateo and San Bruno Aves. on the last Sunday of each month at 10:00 a.m. She also announced Operation Clean Sweep for Saturday, May 7 at 9:00 a.m. at the Pavilion. More information can be found on the City’s website.
- 4. PRESENTATIONS:**

**Mayor Ruane** Presented a Proclamation Recognizing Vincent Carmine Hechim for his Extraordinary and Compassionate Efforts to Help other Children in Need. He thanked the Council.
- 5. REVIEW OF AGENDA:** **Mayor Ruane** moved Item 11 to follow Item 8.
- 6. APPROVAL OF MINUTES:** Special Council Meeting of February 23, and Regular Council Meeting of February 23, 2016, approved as submitted
- 7. CONSENT CALENDAR:**
  - a. **Approve:** Accounts Payable of February 16 and 22 and 29, 2016.
  - b. **Approve:** Payroll of February 26, 2016.
  - c. **Accept:** Reconciliation of General Ledger to Bank Reports and the Investment Reports. Dated January, 2016.

d. **Waive:** Second Reading and Adopt Ordinance Amending and Replacing the Existing Development Plan for 1250 Grundy Lane.

e. **Approve:** Letter of Support for the San Bruno Park School District's Big Lift Grant Application.

**M/S Rico Medina/O'Connell** to approve the Consent Calendar and passed with all ayes.

## 8. PUBLIC HEARING:

11. Receive Annual Report from the Community Preparedness Committee (moved to follow 8.)

**Battalion Chief Cresta** made introductory remarks and acknowledged the members. On behalf of the Committee, **Ron LaPedis** introduced all the members. He shared what the Committee has done over the past year and what their plans are for the next year. It is the hope in the future there will be continuous education for the CERT graduates.

**Vice Mayor Marty Medina** asked the quickest way to sign up for SMC Alert. **Cresta** said SMC Alert can be googled and there is a form where you can input your information and you can direct it up to five different locations.

**Mayor Ruane** thanked the committee for all they do.

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

**Tina Chen, Secty/Treasurer, Union 2** talked about how important it is for women and immigrants to have a union job.

**Molly Gomez** said there is a huge difference between union jobs and non-union jobs for women. She said union jobs protect women from sexual harassment.

**Molly Gomez**, Employee at SFO stated there is a huge difference between union and non-union jobs. She said she has been subjected to sexual harassment in non-union restaurants. Union jobs protect women from these types of situations.

**Annalyn Huerta** came to the meeting to support her mother.

**Priscilla Huerta** talked about the advantages of working for a union.

**Beatriz Johnston**, Shelter Creek resident, talked about the City with a heart and asked where the heart was in creating minimum wage jobs, creating back-breaking work that housekeepers do if there is no health insurance to help them. She asked Council do the right thing.

**Caro Calvo**, San Bruno resident who worked at a non-union hotel in Millbrae, no benefits, no sick days, no pension. She said they were always afraid to speak about their rights and express their feelings. She asked Council do the right thing.

**Candy Hu** gave a description of what she did as a housekeeper in a non-union hotel. She talked about the advantages of a union hotel.

**Sister Sheryl Marshall** talked about women having to go to work today. She said she hoped if the hotel does come to pass that people can work there and live here as well.

**Rene Morales** said living in San Bruno is expensive and having the backing and support of a union to give fair wages is important. She praised Council and said she believed they would make the right decision.

**Jim Stansbury**, Executive Director, Project 90 which supplies substance abuse treatment in the County, including all cities and the citizens thereof. He said they are losing their facility. This will eliminate about ¼ of the substance abuse residential treatments. He asked to be supportive of the program.

**Mary Isenee**, Hyatt employee negotiated to have their health care paid with the help of Local 2 during the \$80 million renovation of the hotel.

**Maria Flores**, said having a union job is important.

**Shelly Kessler**, Labor Council said the majority of the people who will be working at the hotel will be women and talked about the importance of union labor.

**Malcolm Robinson**, San Bruno resident asked the rash of burglaries be controlled in San Bruno. He talked about Neighborhood Watch. Website Next Door. Ask the City Council to provide more coverage.

**Robert Riechel**, 7<sup>th</sup> Ave. thanked the City for running information on the web site regarding mosquitoes.

**Mayor Ruane** called a short break.

#### 10. CONDUCT OF BUSINESS:

a. Adopt Resolution Approving Property Owner Notice and Protest Process for 2016-17 Garbage Rate Increase Proposed By Recology San Bruno.

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

**Councilmember Ibarra** said there is quite a fluctuation in rates in the County. **Kraecht** said we don't know how the other cities came up with their calculations because they are done independently. Those are provided for comparison purposes.

**Vice Mayor Medina** asked if the review that staff made can be provided to the public. **Kraecht** said Recology provides the detail and we will check to see if it can be made public.

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

b. Receive the Mid-Year Financial Report as of December 31, 2015 and Adopt Resolution Approving a Mid-Year Amendment for the Fiscal Year 2015-16 Budget.

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

**Vice Mayor Marty Medina** referencing Page 52 of the Financial Report, under allocation and other revenue, asked what they represent? **Kraecht** said other revenue would be miscellaneous revenue, reimbursements, cost recovery from each of the departments. **Vice Mayor Medina** said it is important we say we are in the midst of exploring/installing fiber at Shelter Creek.

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

c. Adopt Resolution Authorizing the City Manager to Execute a Contract with Eaton Pumps Sales and Service for Rehabilitation of the Corporation Yard Well in an Amount of \$230,000; Authorizing a Total Construction Budget with Contingencies in the Amount of \$264,500; and Appropriating \$91,500 in Water Capital Funds.

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

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

d. Adopt Resolution Authorizing the City Manager to Execute a Contract with Bartle Wells Associates to Conduct a Water and Wastewater Rate Study in an Amount not to Exceed \$54,860.

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

**Councilmember O’Connell** introduced the resolution for adoption.

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

Receive Annual Report from the Community Preparedness Committee (moved to follow Item 8.)

**12. COMMENTS FROM COUNCIL MEMBERS:**

**Vice Mayor Marty Medina** said he has been on the Council for three months and things are quite different when you are on the Council vs. being out in the public. He said he sees four hard working Council members, and while they don’t agree on everything, he maintained they will work together to improve San Bruno for everyone. Changes happen slowly in government. Councilmembers are governed by the Brown Act and closed session meetings are restricted. He said all of the Council are available to contact at any time. He invited the public to go to any of our Commission, Board or Committee meetings and get involved. He requested a study session to review the lower sewer lateral transfer of the responsibility from the City to the property owner.

**13. CLOSED SESSION:**

**14. ADJOURNMENT:**

**Mayor Ruane** closed the meeting at 8:23 p.m. The next regular City Council Meeting will be held on March 22, 2016 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 22, 2016

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Carol Bonner, City Clerk

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Jim Ruane, Mayor



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## **MINUTES – SPECIAL MEETING CLOSED SESSION SAN BRUNO CITY COUNCIL**

**March 8, 2016**

### **Immediately Following the Scheduled Council Meeting**

**1. CALL TO ORDER: THIS IS TO CERTIFY THAT** the San Bruno City Council met on March 8, 2016 at San Bruno's Senior Center, 1555 Crystal Springs Road, San Bruno, Ca in a special closed session meeting. The meeting was called to order at 8:30 p.m.

**2. ROLL CALL:**

Presiding was Mayor Ruane, Vice Mayor Marty Medina, Councilmembers Ibarra, Rico Medina and O'Connell. Recording by City Clerk Bonner.

**3. PUBLIC COMMENT ON ITEMS NOT ON AGENDA:** None.

**4. CLOSED SESSION:**

**Mayor Ruane** said they would be going into closed session with no reportable action:  
Conference with Real Property Negotiators Pursuant to Government Code Section 54956.8  
Property: Parcel Nos. 020-013-250 and 020-013-260  
Agency Negotiator: City Manager  
Negotiating Parties: City of San Bruno and OTO Development, LLC  
Under Negotiations: Price and Terms of Payment

**5. ADJOURNMENT:**

The meeting ended at 9:30 p.m. The next regular City Council Meeting will be held on March 22, 2016 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 22, 2016

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Carol Bonner, City Clerk

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Jim Ruane, Mayor

03/07/16

CITY OF SAN BRUNO  
WARRANT REGISTER  
TOTAL FUND RECAP

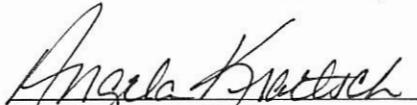
FUND	FUND NAME	AMOUNT
001	GENERAL FUND	\$49,789.17
132	AGENCY ON AGING	\$4,586.94
133	RESTRICTED DONATIONS	\$1,765.76
153	RDA OBLIGATION RETIREMENT FUND	\$430.00
190	DISASTER RECOVERY FUND	\$3,069.08
201	PARKS AND FACILITIES CAPITAL	\$4,815.00
203	STREET IMPROVE. PROJECTS	\$1,099,029.54
611	WATER FUND	\$166,444.06
621	STORMWATER FUND	\$30.79
631	WASTEWATER FUND	\$854,906.59
641	CABLE TV FUND	\$61,268.85
701	CENTRAL GARAGE	\$438.27
702	FACILITY MAINT. FUND	\$3,868.62
703	GENERAL EQUIPMENT REVOLVING	\$1,205.52
707	TECHNOLOGY DEVELOPMENT	\$619.94
711	SELF INSURANCE	\$19,237.05
880	PROJECT DEVELOP. TRUST	\$27.25

TOTAL FOR APPROVAL \$2,271,532.43

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 160332 THROUGH 160472 INCLUSIVE, TOTALING IN THE AMOUNT OF \$2,271,532.43 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      3-8-16  
DATE

Document group: komalley Bank: apbank 05507660

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0098447 BRIAN PUNG	160431	3/7/2016	540.00
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0097041 CARMEN VELEZ	160466	3/7/2016	50.00
0016324 CINTAS CORPORATION	160349	3/7/2016	1,024.95
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0104508 COMCAST SPORTSNET CALIFORNIA	160352	3/7/2016	23,834.58
0105187 CONCERN	160354	3/7/2016	693.84
0098769 CONNIE JACKSON	160393	3/7/2016	213.10
0106012 COPLOGIC, INC.	160355	3/7/2016	5,250.00
0097071 CRESCO EQUIPMENT RENTALS	160360	3/7/2016	1,279.05
0097934 CWEA-TCP	160361	3/7/2016	409.00
0018560 DEPARTMENT OF MOTOR VEHICLES	160362	3/7/2016	165.79
0097116 DIANE FIRU	160374	3/7/2016	50.00
0101178 DISCOUNT PLUMBING	160363	3/7/2016	16,550.00
0096829 DKF SOLUTIONS GROUP, LLC	160364	3/7/2016	2,400.00
0097030 DON AND JEAN BISAGNO	160342	3/7/2016	50.00
0001646 ECOLAB INC.	160366	3/7/2016	120.10
0106285 EISEN LETUNIC	160367	3/7/2016	21,727.50
0000046 EWING IRRIGATION PRODUCTS INC	160369	3/7/2016	37.81
0106349 F.A. POLI TRUCKING	160370	3/7/2016	340.00
0106348 FAST AGGREGATES PRODUCTS CO.	160371	3/7/2016	1,302.53
0000944 FEDEX	160372	3/7/2016	66.76
0013714 FIRST NATIONAL BANK	160373	3/7/2016	23,434.05
0001782 FLOWERS ELECTRIC & SVC.CO.INC.	160376	3/7/2016	4,511.10
0018117 FLYERS ENERGY, LLC	160377	3/7/2016	7,518.21
0106240 GALLAGHER & BURK, INC.	160378	3/7/2016	1,003,173.22
0000201 GAYLORD BROS., INC.	160380	3/7/2016	497.97
0104135 GLOBAL TRACKING COMMUNICATIONS, INC.	160457	3/7/2016	89.97
0096311 GOL TV, INC.	160381	3/7/2016	1,451.21
0016969 GOLDEN IDEAS	160382	3/7/2016	20.00
0017454 GOLDEN STATE FLOW MEASUREMENT	160383	3/7/2016	76,760.40
0000541 GRANITE ROCK COMPANY	160384	3/7/2016	1,392.28
0017900 GREAT LAKES DATA SYSTEMS INC	160385	3/7/2016	1,450.00
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Document group: komalley Bank: apbank 05507660

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0097949 MARK PRYGODA	160429	3/7/2016	27.06
0097671 MARY SHAH	160444	3/7/2016	11.61
0002106 MASATOSHI MORITA	160407	3/7/2016	105.60
0097225 MAZEN KHOURI	160395	3/7/2016	12.94
0016041 METROMOBILE COMMUNICATIONS	160403	3/7/2016	125.00
0016863 MIDWEST TAPE, LLC	160404	3/7/2016	43.14
0106386 MIKE AND BARBARA CORZONKOFF	160356	3/7/2016	50.00
0099861 MIKE LEWIS CONCRETE	160405	3/7/2016	276.00
0097950 MOHIDUL ISLAM	160392	3/7/2016	10.70
0000333 MOSS RUBBER & EQUIP. CORP.	160408	3/7/2016	338.27
0000357 NATIONAL CABLE TV CO-OP, INC.	160410	3/7/2016	1,563.85
0096724 NATIONAL CONSTRUCTION RENTALS	160411	3/7/2016	49.05
0000522 NORTH COAST COUNTY WATER DISTRICT(NCCWD)	160359	3/7/2016	22,028.05
0092263 OFFICE DEPOT INC	160413	3/7/2016	768.20
0018284 OFFICEMAX INC.	160414	3/7/2016	105.93
0000210 OLE'S CARBURETOR &ELECTRIC INC	160416	3/7/2016	377.76
0097567 ONE HOUR DRY CLEANING	160417	3/7/2016	182.25
0001292 ORCHARD BUSINESS/SYNCR	160418	3/7/2016	1,405.85
0018701 ORKIN PEST CONTROL	160419	3/7/2016	517.69
0000012 PACIFIC GAS & ELECTRIC	160420	3/7/2016	38,387.51
0095416 PATRICK MAY	160402	3/7/2016	50.00
0094941 PATRIOT CONSTRUCTION	160422	3/7/2016	594.00
0106156 PENGUIN RANDOM HOUSE LLC	160423	3/7/2016	121.27
0001154 PENINSULA LIBRARY SYSTEM	160424	3/7/2016	78.95
0106269 PENINSULA PET RESORT INC.	160425	3/7/2016	220.50
0015163 PENINSULA SPORTS OFFICIALS ASSOC.INC.	160447	3/7/2016	810.00
0104960 POWER SYSTEMS DESIGN	160426	3/7/2016	3,000.00
0102915 PRECISE PRINTING & MAILING	160427	3/7/2016	145.52
0098436 PROFESSIONAL LAND SERVICES	160428	3/7/2016	4,815.00
0013981 QUILL CORPORATION	160432	3/7/2016	30.50
0091044 R.A. METAL PRODUCTS, INC	160433	3/7/2016	1,783.24
0104548 RENNE SLOAN HOLTZMAN SAKAI LLP	160434	3/7/2016	9,775.60
0098240 ROBERT STOCKMAN	160448	3/7/2016	9.17
0016213 ROZZI REPRODUCTION&SUPPLY INC.	160436	3/7/2016	866.88
0018839 RYAN JOHANSEN	160437	3/7/2016	303.24
0106379 SAFETYLINE	160438	3/7/2016	15.32
0097668 SAILOSI MALANI	160401	3/7/2016	17.26
0000569 SAN BRUNO AUTO CENTER, INC.	160439	3/7/2016	65.00
0092231 SAN MATEO COUNTY COMMUNICATIONS MANAGER	160353	3/7/2016	100.00
0017432 SAN MATEO COUNTY PUBLIC SAFETY COMMUNICA	160430	3/7/2016	798.60
0092148 SAN MATEO CTY LAW ENFORCEMENT TRAINING M	160368	3/7/2016	100.00

Document group: komalley Bank: apbank 05507660

Vendor Code & Name	Check #	Check Date	Amount
0017145 SAN MATEO LAWN MOWER SHOP	160440	3/7/2016	326.66
0106354 SEWER RAT PLUMBING	160442	3/7/2016	276.00
0103732 SFO MEDICAL CLINIC	160443	3/7/2016	796.00
0018962 SHOE DEPOT INC.	160445	3/7/2016	696.42
0105992 SPOK, INC.	160446	3/7/2016	69.32
0097390 STEPHEN BROOKS	160346	3/7/2016	150.00
0105796 SUNRISE FOOD DISTRIBUTOR INC.	160449	3/7/2016	299.10
0017802 SUPPLYWORKS	160450	3/7/2016	1,287.30
0106331 TALTY COURT REPORTERS, INC.	160451	3/7/2016	500.00
0103064 TARGET SPECIALTY PRODUCTS	160452	3/7/2016	570.35
0018275 THE REGENTS OF THE UNIVERSITY OF CA	160412	3/7/2016	336.24
0093506 THE U.S. CONFERENCE OF MAYORS	160453	3/7/2016	3,489.00
0106347 THOMAS SANSFIELD	160441	3/7/2016	139.20
0000036 THOMSON WEST	160454	3/7/2016	583.93
0097449 THYSSENKRUPP ELEVATOR CORP.	160455	3/7/2016	417.81
0018898 TJKM TRANSPORTATION CONSULTANT	160456	3/7/2016	18,450.85
0096003 TRACI DOS SANTOS	160365	3/7/2016	146.90
0105824 TRIVAD, INC.	160458	3/7/2016	1,300.00
0000665 TSQ SOLUTIONS INC.	160459	3/7/2016	325.00
0001362 TV GUIDE MAGAZINE, LLC	160460	3/7/2016	225.99
0018687 TYLER TECHNOLOGIES INC.	160461	3/7/2016	546.46
0018618 UNITED SITE SERVICES INC.	160462	3/7/2016	185.40
0105613 UNIVERSAL DEVELOPING INC.	160463	3/7/2016	276.00
0097689 URVASHI MISRA	160406	3/7/2016	47.40
0017083 VALI COOPER & ASSOCIATES INC	160464	3/7/2016	8,183.00
0106324 VANCE NABETA	160409	3/7/2016	92.65
0106289 WANDZIA ROSE	160435	3/7/2016	865.00
0016899 WECO INDUSTRIES LLC	160467	3/7/2016	223.45
0104660 WEST YOST ASSOCIATES, INC.	160468	3/7/2016	9,149.50
0000612 WESTVALLEY CONSTRUCTION CO.INC	160469	3/7/2016	11,475.14
0018580 WILEY PRICE & RADULOVICH LLP	160470	3/7/2016	88.50
0096893 WILSEY HAM	160471	3/7/2016	33,162.00
0018655 WORKSITE INTERNATIONAL INC.	160472	3/7/2016	1,290.56
0098628 YENIS COTUA	160358	3/7/2016	110.40
	<b>GrandTotal:</b>		<b>2,271,532.43</b>
	<b>Total count:</b>		<b>141</b>



**City Council Agenda Item  
Staff Report**

CITY OF SAN BRUNO

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DATE: March 22, 2016  
TO: Honorable Mayor and Members of the City Council  
FROM: Angela Kraetsch, Finance Director  
SUBJECT: Payroll Approval

City Council approval of the City payroll distributed March 11, 2016 is recommended. The Labor Summary report reflecting the total payroll amount of \$1,486,585.57 for bi-weekly pay period ending March 6, 2016 is attached.

**LABOR SUMMARY FOR PAY PERIOD ENDING : MARCH 06, 2016**

<b>pyLaborDist</b>	<b>03/11/16</b>
Fund: 001 - GENERAL FUND	1,131,465.07
Fund: 121 - FEDERAL/STATE GRANTS	649.26
Fund: 122 - SOLID WASTE/RECYCL.	2,264.52
Fund: 190 - EMERGENCY DISASTER FUND	19,240.42
Fund: 201 - PARKS AND FACILITIES CAPITAL	52.54
Fund: 203 - STREET IMPROVE. PROJECTS	5,974.32
Fund: 207 - TECHNOLOGY CAPITAL	48.80
Fund: 611 - WATER FUND	91,435.48
Fund: 621 - STORMWATER FUND	10,212.37
Fund: 631 - WASTEWATER FUND	75,995.63
Fund: 641 - CABLE TV FUND	89,167.39
Fund: 701 - CENTRAL GARAGE	13,004.16
Fund: 702 - FACILITY MAINT.FUND	26,669.57
Fund: 707 - TECHNOLOGY DEVELOPMENT	17,577.34
Fund: 711 - SELF INSURANCE	2,828.70
<b>Total</b>	<hr/> 1,486,585.57



## City Council Agenda Item Staff Report

CITY OF SAN BRUNO

**DATE:** March 22, 2016

**TO:** Honorable Mayor and Members of the City Council

**FROM:** David Downing, Fire Chief

**SUBJECT:** Adopt Resolution Authorizing the Purchase of Automated External Defibrillators (AEDs) and Other Medical Equipment in the Total Amount of \$36,600 from the Restricted Donation Fund

### **BACKGROUND:**

As part of the continued effort to provide increased medical aid to employees and residents, the City Council instructed staff to research and develop a plan to install lifesaving Automated External Defibrillators (AEDs) in all city facilities. Currently AEDs are available at the Senior Center and Community Center.

AEDs are highly specialized medical equipment that automatically diagnose life-threatening cardiac arrhythmias during a cardiac emergency. Defibrillation or electric therapy stops the arrhythmia allowing the heart to reestablish a normal rhythm. AEDs make it possible to provide immediate response to a medical emergency where defibrillation is required thus increasing the chances for survival. AEDs are portable and they can be used by non-medical personnel. AEDs are recommended to be made part of emergency response programs that also include rapid use of 9-1-1 and prompt delivery of Cardio Pulmonary Resuscitation (CPR). The installation of AEDs in all City buildings is intended as a safety enhancement that provides an increased service to all San Bruno employees and residents. Staff is proposing to purchase AEDs for the Police Department, City Hall, Library, Community Center, Corporation yards and Fire Stations. Staff further proposes to outfit 14 Police patrol vehicles with AEDs.

In addition, the Fire Department is requesting the purchase of an advanced heart monitor and safety harnesses to further assist emergency personnel during Fire Department response to life threatening emergencies.

### **DISCUSSION:**

The San Bruno Fire Department currently offers CPR and AED training to all City employees. City employees received certification training in 2015. Once completed an employee receives a 2 year certification from the American Heart Association. The Police Department just completed semi-annual CPR training in March 2016. As part of an Emergency Medical Services county protocol, at least one individual must be trained in the use of an AED in each building where an AED is located. Records indicate that there are multiple certified City employees to fulfil the county requirement. The Fire Department continues to expand the CPR/AED training program

*Da,*

and will continue to offer a number of CPR classes to employees, businesses and residents throughout the year.

As first responders out in the field, Police Officers often encounter subjects experiencing medical emergencies. Officers are often required to provide aid before medical personnel arrive. AEDs provided to Officers in the field will significantly increase the ability of first responders to render advanced aid and will enhance the care and possible survivability to residents.

On February 23, 2016 the County of San Mateo launched PulsePoint – a free mobile app that alerts registered CPR trained users if a heart attack victim is in their immediate vicinity. Trained CPR users can then start CPR in the critical minutes before emergency teams arrive. The mobile app also shows locations of all registered AEDs in the area. If purchased, all new AEDs in San Bruno can be registered into the PulsePoint mobile app and utilized in the early stages of cardiac emergencies. PulsePoint is used in over 1700 cities and counties throughout the country. Public safety personnel plan to initiate a campaign to encourage San Bruno employees and residents to join PulsePoint.

In addition to the AED purchase, the Fire Department is recommending to purchase the Life Pak 15, an advanced heart monitor used by EMTs and Paramedics that detects abnormal heart rhythms in patients suffering cardiac emergencies. The Life Pak 15 is the newest and best monitor that helps paramedics in the field by providing advanced EKG information for rapid diagnosis of cardiac emergencies. This monitor also has 12 contacts that connect to the patient and extract heart information which helps in taking pictures of many parts of the heart. The equipment monitors carbon monoxide levels and temperature. The new Life Pak 15 will be placed on Truck 51 which will then be standardized with other San Bruno and County apparatus.

The Doty belt pro lift assist harness was created to keep both patients and care providers safe and secure during transport and packaging of medical patients. This device helps the first responders to safely lift and maneuver heavy, non-ambulatory patients from compromising positions. The Doty belt was designed to help reduce back injuries in awkward lifting situations.

**FISCAL IMPACT:**

The total cost of the equipment proposed for purchase is estimated at \$36,600. It is recommended that the funding be appropriated from donation proceeds that the City has received. The current balance in the Public Safety restricted donation fund is \$219,000. The majority of this amount is restricted for use to purchase medical equipment to assist first responders in providing enhanced medical services to the San Bruno community.

Below is the breakdown of costs for each item:

	Item	Cost
1	AEDs (22 @ \$900 each)	\$ 20,000
2	Life Pak 15 Heart Monitor	\$ 15,000
3	Doty belts Pro Lift Assist Harness (4 @ \$400)	\$ 1,600

**ALTERNATIVES:**

1. Do not purchase new medical equipment.
2. Direct staff to include consideration for purchase of the equipment in the fiscal year 2016-17 budget.

**RECOMMENDATION:**

Adopt resolution authorizing the purchase of automated external defibrillators (AEDs) and other medical equipment in the total amount of \$36,600 from the restricted donation fund.

**ATTACHMENTS:**

1. Resolution

**REVIEWED BY:**

\_\_\_\_\_ Finance

\_\_\_\_\_ CA

\_\_\_\_\_ ACM

\_\_\_\_\_ CM

RESOLUTION NO. 2016 - \_\_\_\_

**ADOPT RESOLUTION AUTHORIZING THE PURCHASE OF AUTOMATED EXTERNAL DEFIBRILLATORS (AEDS) AND OTHER MEDICAL EQUIPMENT IN THE TOTAL AMOUNT OF \$36,600 FROM THE RESTRICTED DONATION FUND**

**WHEREAS**, the City Council instructed staff to research and develop a plan to install lifesaving Automated External Defibrillators (AEDs) in all City facilities; and

**WHEREAS**, AEDs are highly specialized medical equipment that automatically diagnose life-threatening cardiac arrhythmias during a cardiac emergency; and

**WHEREAS**, the installation of AEDs in all City facilities is intended as a safety enhancement that provides an increased service to all San Bruno employees and residents; and

**WHEREAS**, AEDs provided to Police Officers in the field will significantly increase the ability of first responders to render advanced aid and will enhance the care and possible survivability to residents; and

**WHEREAS**, the Fire Department also proposed to purchase an advanced heart monitor and safety harnesses to further assist emergency personnel during response to life threatening emergencies; and

**WHEREAS**, the cost of the AEDs and other equipment is \$36,600; and

**WHEREAS**, funds are available to cover the cost of the medical equipment purchase through the restricted donation fund.

**NOW, THEREFORE, BE IT RESOLVED** that the San Bruno City Council hereby authorizes the purchase of automated external defibrillators (AEDs) and other medical equipment in the total amount of \$36,600 from the restricted donation fund.

Dated: March 22, 2016

ATTEST:

\_\_\_\_\_  
Carol Bonner, City Clerk

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 22nd day of March 2016 by the following vote:

AYES: Councilmembers: \_\_\_\_\_  
NOES: Councilmembers \_\_\_\_\_  
ABSENT: Councilmembers: \_\_\_\_\_



**City Council Agenda Item  
Staff Report**

CITY OF SAN BRUNO

---

**DATE:** March 22, 2016

**TO:** Honorable Mayor and Members of the City Council

**FROM:** Jimmy Tan, Acting Public Services Director/City Engineer

**SUBJECT:** Adopt Resolution Authorizing the City Manager to Execute a Contract with Moffatt & Nichol to Provide Assistance for Appeal of the FEMA San Francisco Bay Coastal Study Results for City of San Bruno in the Amount of \$61,262 and Appropriating Funds in the Amount of \$81,262 from the General Fund

**BACKGROUND:**

The Federal Emergency Management Agency (FEMA) recently completed an engineering study of the coastal hazards as part of the California Coastal Analysis and Mapping Project for the San Francisco Bay. FEMA conducted this study as part of their nationwide Risk Mapping, Assessment, and Planning Program to determine the revised Base Flood Elevation (BFE) and extent of the Special Flood Hazard Areas (SFHA) for coastal communities. The results of the study will be used by FEMA to remap the flood elevations from wave induced coastal flood hazards for San Francisco Bay communities and update the Flood Insurance Study reports and Flood Insurance Rate Maps (FIRMs).

The project to re-examine the San Mateo County's communities flood risks and develop detailed digital flood hazard maps has been completed. FEMA has distributed revised Preliminary FIRMs to all agencies within San Mateo County for review. All of San Bruno was previously categorized as Zone D in FEMA's FIRM. The Zone D designation is used by FEMA for areas where there are possible, but undetermined flood hazards as no analysis of flood hazards has been conducted. Flood insurance is available in Zone D and property owners are encouraged to purchase it. However, flood insurance is not federally required by lenders for loans on properties in these zones.

The new coastal flood hazard analysis completed by FEMA has identified numerous residential properties within the City's Belle Air neighborhood as potentially being inundated by flooding. The parcels identified on FEMA's Preliminary FIRM are now shown to be in a higher-risk flood zone which is indicated as Zone AE. There are financial impacts to being mapped into Zone AE. If properties have a mortgage from a federally regulated or insured lender, by Federal Law, the lender will require the property owner to purchase flood insurance.

**DISCUSSION:**

At the Council meeting on January 27, 2015, the City Council awarded a contract to Moffatt & Nichol (M&N), a firm that specializes in coastal engineering, to review FEMA's documents and provide comments that would be beneficial for the City, and assist the City's efforts to

106.

work with FEMA to confirm and evaluate the impacts of the flood hazard mapping. Subsequently, M&N was awarded an additional contract at the May 26, 2015 Council meeting to perform additional hydraulic analysis so the City will have a better understanding of the coastal flooding in the region and to also determine whether the extent of flooding could be reduced within the Belle Air neighborhood compared to FEMA's FIRMs.

The results of the analysis completed by M&N concluded that the flooding area was significantly smaller than FEMA's steady state model in the Belle Air neighborhood when tide duration is factored into the analysis. Since the additional results from M&N depicted a significant change in the potential flood inundation area in San Bruno as compared to FEMA's analysis, staff recommends that the City Council consider filing an appeal to FEMA. Although M&N results shows less flooding impact, it is still up to FEMA to determine whether they'll accept City's results and possibly revise the FIRM.

The City has performed numerous coordination and activities leading toward staff recommendation to file an appeal.

- The City contracted with M&N to review FEMA's Draft documents and provided comments to FEMA. M&N was requested to perform additional hydraulic analysis to determine the extent of the flooding using tidal time factor.
- On March 27, 2015, a meeting was conducted with representatives from City of San Bruno, FEMA, County of San Mateo, Congresswoman Jackie Speier's Office, and M&N. The discussion focused on the overall timeline associated with the Flood Insurance Rate Map (FIRM) development, source of flooding, clarification of responses from the comments, and FEMA procedures required in order to submit additional information for further review.
- The City has been coordinating with Congresswoman Jackie Speier's Office and requested their assistance to help facilitate discussion and provide an additional six months for the City to prepare an appeal. On December 22, 2015, Congresswoman Jackie Speier's office sent a letter to FEMA Region IX office requesting that FEMA delay the appeal for the City. FEMA provided a letter responding on February 8, 2016 stating that FEMA will not grant the postponement of the appeal for the City.
- On March 4, 2016, the City held a meeting with Supervisor Pine, M&N, Director of Public Works from South San Francisco and County of San Mateo, and City representatives to discuss the results M&N hydraulic analyses and discussed the County efforts and their assistance with accreditation of their facility.

M&N has provided a proposal to perform additional work for the City consisting of refinement of the hydraulic analysis and prepare the formal appeal package for FEMA's review. The scope of work includes updating the hydrodynamic model, performing simulations, preparing detailed report and maps, and compiling the information to send to FEMA. The appeal period is open for 90 days beginning once FEMA advertises on the Federal Register. The appeal period has not yet commenced.

Since the City first became aware of the FEMA mapping process and the potential impacts for San Bruno, the schedule for completion and final approval of the new maps has been

changed several times. The following is an outline of the remaining steps and timeline for completion of this process.

- August 2015: FEMA released Preliminary Flood Insurance Rate Maps (Completed)
- 90 day appeal period begins after Federal Register Publication
- Final map determination by FEMA – 6 months after end of appeal period
- New Rate Maps effective – 6 months after end of resolving appeals and finalizing map products

**FISCAL IMPACT:**

M&N has provided a proposal to refine the hydraulic analysis and prepare a formal appeal package for FEMA's review in the amount of \$61,262. In order to avoid delay in completing this work, staff recommends authorization of an additional contingency amount of \$20,000 to cover any unexpected additional analysis needed. Currently, there is no available funding that can be used to cover the cost of this contract and staff is recommending an appropriation of the amount from the General Fund.

**ALTERNATIVES:**

1. Do not authorize award of this contract and direct staff to renegotiate the scope.
2. Provide alternative direction to staff.

**RECOMMENDATION:**

Adopt resolution authorizing the City Manager to execute a contract with Moffatt & Nichol to provide assistance for appeal of the FEMA San Francisco Bay Coastal Study Results for City of San Bruno in the amount of \$61,262 and appropriating funds in the amount of \$81,262 from the General Fund.

**ATTACHMENTS:**

1. Resolution
2. FEMA Flood Map
3. Letter from Congresswoman Jackie Speier's Office to FEMA
4. FEMA Response Letter

**DISTRIBUTION:**

None

**DATE PREPARED:**

March 9, 2016

**REVIEWED BY:**

\_\_\_\_\_ Finance

\_\_\_\_\_ CA

\_\_\_\_\_ ACM

\_\_\_\_\_ CM

RESOLUTION NO. 2016 - \_\_\_\_

**RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE  
A CONTRACT WITH MOFFATT & NICHOL TO PROVIDE ASSISTANCE FOR APPEAL  
OF THE FEMA SAN FRANCISCO BAY COASTAL STUDY RESULTS FOR CITY OF SAN  
BRUNO IN THE AMOUNT OF \$61,262 AND APPROPRIATING FUNDS IN THE AMOUNT  
OF \$81,262 FROM THE GENERAL FUND**

**WHEREAS**, the Federal Emergency Management Agency (FEMA) completed an engineering study of San Francisco Bay that included detailed analyses of coastal hazards as part of the California Coastal Analysis and Mapping Project; and

**WHEREAS**, the study was part of FEMA nationwide Risk Mapping, Assessment, and Planning Program to determine revised Base Flood Elevation, the extent of the Special Flood Hazard Areas for coastal communities, and to update the Flood Insurance Study reports and Flood Insurance Rate Maps; and

**WHEREAS**, On January 27, 2015, the City Council awarded a consulting contract to Moffatt & Nichol to provide technical assistance for the FEMA Coastal Flood Hazard Study; and

**WHEREAS**, the preliminary analyses was completed by Moffatt & Nichol and draft comments were submitted to FEMA on February 14, 2015 to meet the February 16, 2015 deadline; and

**WHEREAS**, On May 26, 2015, the City Council awarded a contract to Moffatt & Nichol to perform detailed hydraulic analysis to better understand the extent of the coastal flooding by developing a 2D model in which time is considered and to determine whether the flooding area determined by FEMA can be reduced; and

**WHEREAS**, Moffatt & Nichol has submitted a proposal to provide refinement of the hydraulic analysis and prepare a formal appeal package for FEMA's review which includes updating the hydrodynamic model, performing simulations, preparing detailed report and maps and compiling the information to send to FEMA; and

**WHEREAS**, funding is not currently programmed through the FY2015-16 budgets to cover the cost of this contract.

**NOW, THEREFORE, BE IT RESOLVED** that the San Bruno City Council hereby authorizes the City Manager to execute a contract with Moffatt & Nichol to provide assistance for appeal of the FEMA San Francisco Bay Coastal Study Results for City of San Bruno in the amount of \$61,262.

**BE IT FURTHER RESOLVED**, that funds in the amount of \$81,262 are hereby appropriated from the General Fund.

Dated: March 22, 2016

ATTEST:

\_\_\_\_\_  
Carol Bonner, City Clerk

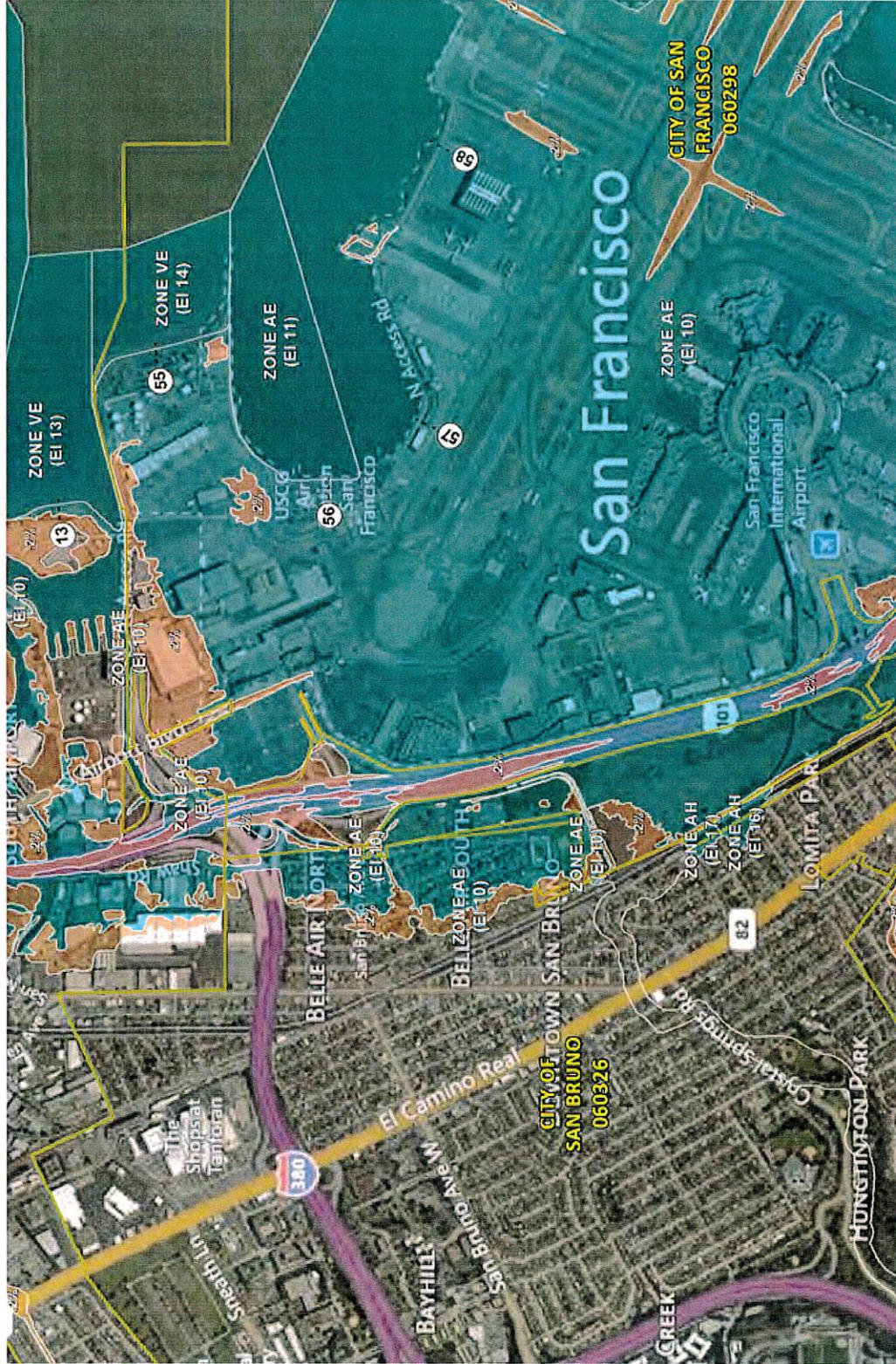
I, Carol Bonner, City Clerk, do hereby certify that the foregoing Resolution was duly and regularly passed and adopted by the City Council of the City of San Bruno this 22nd day of March 2016 by the following vote:

AYES: Councilmembers: \_\_\_\_\_

NOES: Councilmembers \_\_\_\_\_

ABSENT: Councilmembers: \_\_\_\_\_

Attachment 2 – FEMA FLOOD MAP



JACKIE SPEIER  
14TH DISTRICT, CALIFORNIA

2465 RAYBURN HOUSE OFFICE BUILDING  
WASHINGTON, DC 20515-0514  
(202) 225-3531  
FAX: (202) 226-4183

155 BOVET ROAD, SUITE 780  
SAN MATEO, CA 94402  
(650) 342-0300  
FAX: (650) 375-8270

WWW.SPEIER.HOUSE.GOV  
WWW.FACEBOOK.COM/JACKIESPEIER  
WWW.TWITTER.COM/REPSPEIER

Congress of the United States  
House of Representatives  
Washington, DC 20515-0514

COMMITTEE ON ARMED SERVICES

SUBCOMMITTEES:  
RANKING MEMBER, OVERSIGHT AND  
INVESTIGATION  
MILITARY PERSONNEL

PERMANENT SELECT COMMITTEE  
ON INTELLIGENCE

SUBCOMMITTEES:  
EMERGING THREATS  
NSA AND CYBERSECURITY

Senior Whip

December 22, 2015

Juliette Hayes  
c/o Casey De Shong  
External Affairs – Congressional Liaison  
FEMA Region IX Office  
1111 Broadway, Suite 1200  
Oakland, CA 94607

Dear Ms. Hayes:

I respectfully, and strongly, request that FEMA delay the appeal period for the city of San Bruno with respect to its flood maps for a period of six months. The reasons for delay are the following:

- 1) San Bruno did not receive the same notification as other jurisdictions because FEMA included the city in the analysis and boundary of San Francisco International Airport (SFO). As a legal entity, San Bruno's existence pre-dates that of SFO by many decades and yet FEMA did not notify city officials that a new flood hazard area had been determined within the city's boundary. The city was only notified when a locally-elected official commented to the city in passing that he had noticed that a portion of the city was in the flood zone. The result is that many, many months passed when city staff could have been preparing an appeal of the map.
- 2) San Bruno has previously not had special flood hazard areas within the city, and therefore city staff had no reason to know that a new map was being prepared, and no prior experience anticipating the map's modification process. However, upon being notified, San Bruno hired a consultant and spent many thousands of dollars to develop its own analysis. In an attempt to assist in arriving at well-founded conclusions, the city engaged the same consultant as was used by SFO. FEMA's analysis shows a portion of the flood risk arising from the direction of SFO.
- 3) Hiring the same consultant as SFO assists in having a consistent and well-founded analysis. However, the consultant is very busy with his SFO duties. It may not be possible at this point for that consultant to be engaged in time to meet the 90 day window for submission of an appeal.
- 4) Almost three weeks ago, my staff asked if FEMA could do an informal review of the methodology of the SFO/San Bruno consultant's conclusions, to date, to determine if the methodology was acceptable. The answer to that question, which was in the negative, further delayed the development of additional work product.
- 5) It is our understanding that there is very little opportunity for give and take between the consultant and FEMA, once the appeal of the map is actually submitted. So, basically, if the appeal product isn't fully developed when submitted then FEMA could be working with incomplete information that, if the appeal fails, cannot be amended. While a letter of map revision could be submitted later, this would only be after costly flood insurance requirements would be imposed upon city residents. The consultant's initial conclusion was that such a requirement was unnecessary because he could prove that the city isn't at risk of a 100 year flood from any of the sources noted in FEMA's analysis. It would be unfair to impose a costly flood insurance requirement on the residents simply because the timing of the analysis was delayed by FEMA not notifying San Bruno of the existence of a special flood hazard area.

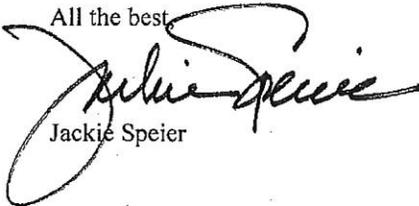
- 6) Delaying the appeal window will not increase the flood hazard to San Bruno because, even if FEMA's proposed map is correct, all sources of flooding noted in the FEMA analysis are beyond the city's boundaries. They are therefore outside the city's immediate control. These sources arise in South San Francisco and at the airport. It will require a great deal of time-consuming coordination and the development of funding agreements to fix these alleged defects. These activities are much more significant sources of delay than the creation of San Bruno's engineering analysis. Again, this statement is not meant to imply in any respect that flooding as modeled by FEMA is likely. San Bruno's consultant, when he was briefly under contract, was highly confident that he could prove otherwise.

The next city council meeting at which the council could decide to put the consultant under contract, once again, is in mid-January. It would be inconsistent with the basic notion of procedural due process to have an appeals process that begins before this city can adequately prepare its analysis, and after delays that arose via FEMA.

I respectfully urge FEMA to postpone for six months the appeal window of the map for the City of San Bruno. It is my understanding that there were more than six months of delay in notifying San Bruno, so six months would still give San Bruno less notification and time than comparable cities. In any event it is likely to be enough time for a consultant to be considered, put under contract, and a genuine appeal developed.

If there are any questions about this letter, please feel free to contact us. I would appreciate the chance for either my staff or me to speak to FEMA if this is necessary for a decision to be made.

All the best

A handwritten signature in black ink, appearing to read "Jackie Speier", written over the typed name.

Jackie Speier

KJS/bp

cc: City of San Bruno



**FEMA**

February 8, 2016

The Honorable Jackie Speier  
United States House of Representatives  
Washington, DC 20515

Dear Representative Speier:

Thank you for your correspondence dated December 22, 2015, to the Department of Homeland Security, Federal Emergency Management Agency (FEMA) Region IX Office, on behalf of the City of San Bruno. You requested that FEMA postpone San Bruno's 90-day appeal period for the preliminary Flood Insurance Rate Maps (FIRMs) updated through the San Francisco Bay Area Coastal Study, which began in 2005 and is intended to better define coastal flood risks.

FEMA has worked with the City of San Bruno and its consultant and appreciates the community's shared desire to ensure that the best science is represented on the FIRM and in the Flood Insurance Study. Through a variety of coordination opportunities, including a Discovery meeting, Consultation Coordination Officer meetings, and Flood Risk Review (FRR) meetings, FEMA has worked with each community involved in the Bay Area Coastal Study. FEMA and San Mateo County met on October 1, 2014, and although the City of San Bruno was inadvertently left off the official invitation list, FEMA contacted the city and held an individual FRR meeting with city representatives via webinar on December 12, 2014.

FEMA also provided a comment period following the FRR meeting for City of San Bruno officials to provide input. During that time, FEMA, the City of San Bruno, and its consultants reviewed the draft work maps together. The City of San Bruno and its consultants provided comments on the draft work maps on January 15 and February 15, 2015, and FEMA provided written responses to all of the comments and attended an in-person meeting with elected officials, including officials from the City of San Bruno. At this meeting, FEMA discussed the comments, the schedule for the Bay Area Coastal study, and the future appeal process.

In your letter, you expressed concern about the restrictions of the 90-day period to prepare a technical appeal. While we are sensitive to the time limitations provided by the length of the statutory appeal period, FEMA has provided approximately 5 months from the date the preliminary FIRM was issued, and over a year since the draft work map review period, for affected communities to develop appeals. Based on the projected timeline for the study and the interactions with the City of San Bruno over the last year, FEMA does not believe that postponing the 90-day appeal period for an additional 6 months is warranted at this time.

Representative Jackie Speier

Page 2

You also requested FEMA's informal review of the methodology the city's consultant is using to prepare an appeal. The appeal resolution process is collaborative, and it will include coordination between FEMA, the City of San Bruno, and (if requested by the city) its consultant. Because it is often difficult to comment on a non-standard study approach without seeing the full study analysis and results, FEMA will not review the analysis until it is submitted. On its website, FEMA provides study guidance and a list of approved models for use in flood studies, to assist communities in the appeal submittal process. Additionally, the Regional office is available to answer remaining questions the community or its consultant may have.

After all appeals are resolved, if changes to the mapped flood zones are warranted, FEMA will issue *revised* preliminary FIRMs and hold a second comment period for the affected communities. When this process is complete, FEMA will issue each community a Letter of Final Determination (LFD), and the FIRMs will be finalized. Six months after the LFD is issued, the updated FIRMs will become effective. The flood insurance requirements associated with the updated FIRMs will not apply until the maps are effective, which FEMA anticipates will be in early 2017.

If the City of San Bruno receives information supporting map changes following the conclusion of the appeal period, city representatives can bring this information to FEMA's attention for review and consideration as a Letter of Map Revision (LOMR). If the data meet technical specifications and the results are substantively different, FEMA will work to reflect the changes on the FIRM as quickly as possible. Depending on when the data are submitted and the extent of the changes, the information could be reflected on the new FIRM in the days after it becomes effective; however, if the information is provided to FEMA after the final determination is issued and the extents are widespread, additional time may be required to update the FIRM. The Region can assist the community and its consultant in coordinating timelines, as appropriate. Information about the LOMR process is available online at <https://www.fema.gov/media-library/assets/documents/1343>.

Finally, your letter commented on the fact that many of the flood risks identified within the City of San Bruno originate from flooding sources outside the jurisdictional boundaries. FEMA's flood maps identify hazards from any flooding sources, regardless of the jurisdiction in which the hazard originates.

FEMA appreciates its partnership with the City of San Bruno and looks forward to continued collaboration that results in flood risk products that are of value to the city and its residents. Once the additional data from the community's study are available, the Region IX Office will be available to discuss current timelines and next steps so that the appropriate changes to the flood maps can be accomplished expeditiously. The Region plans to continue partnering with San Bruno through the study process and is available to address any of the community's remaining questions.

Representative Jackie Speier

Page 3

I hope this information is helpful to you. If you need additional information or assistance, please have a member of your staff contact the FEMA Congressional Affairs Division by telephone at (202) 646-4500.

Sincerely,



Roy E. Wright  
Deputy Associate Administrator  
for Insurance and Mitigation

cc: Robert Fenton, Regional Administrator, FEMA Region IX  
Jeffrey D. Lusk, Director, Mitigation Division, FEMA Region IX  
Juliette Hayes, Risk Analysis Branch Chief, FEMA Region IX  
Shilpa Mulik, Regional Engineer, FEMA Region IX  
Casey De Shong, Congressional Liaison, FEMA Region IX



## City Council Agenda Item Staff Report

CITY OF SAN BRUNO

**DATE:** March 22, 2016

**TO:** Honorable Mayor and Members of the City Council

**FROM:** Connie Jackson, City Manager

**SUBJECT:** Receive Report and Provide Direction to Staff Regarding a City Council Position on Assembly Bill 1362, Appointment of Members to Mosquito and Vector Control Districts Board of Trustees

### **BACKGROUND:**

In early 2015 State Assemblymember Rich Gordon introduced legislation that would change the way that members are appointed to mosquito and vector control district boards of trustees. Since its original introduction the proposed legislation, Assembly Bill 1362, has been reviewed and amended through the Assembly Local Government Committee and was approved by the full Assembly by a vote of 56-15 on January 27, 2016. AB 1362 was subsequently referred to the Senate Committee on Government and Finance and currently remains pending that committee's consideration. There is no schedule at this time for the bill to be reviewed through the Senate committee or referred to the full Senate for action.

As AB 1362 began to make its way through the legislative process earlier this year, Robert Riechel, the City's appointed representative to the San Mateo County Mosquito and Vector Control District (SMCMVCD) Board of Trustees requested that the City take a position of opposition to the bill. Staff has reviewed the bill, obtained information from Assemblymember Gordon's office and has remained in contact with Mr. Riechel regarding the appropriate timing for any action the City Council may wish to take regarding a position on the bill. At their meeting on March 9, 2016, the SMCMVCD Board of Trustees voted to oppose AB1362.

### **DISCUSSION:**

Under current law, in cases where the mosquito and vector control district is located entirely within a single county, the county board of supervisors and the city council of each city that is located in whole or in part within the boundaries of the district are each authorized to appoint one person to the district's board of trustees. This is the case in San Mateo County and the SMCMVCD Board of Trustees is comprised of 21 members.

AB 1362 would authorize the city council of each incorporated city located within the boundaries of a district to adopt a resolution requesting that appointment of members to the district's board instead be made by the county-wide city selection committee. If a majority of the cities within a district adopted such a resolution, the appointment of the board of trustees for that district would be made by the city selection committee. The bill would further allow the city selection

*10.c.*

committee to decrease the total number of trustee appointments if a majority of the city councils within the district make this request in their respective resolutions.

The number of trustees would not be allowed to exceed the number of incorporated cities in the district. Additionally, the board of supervisors would retain the authority to appoint one member to the board of trustees and any action by the city selection committee to reduce the total number of trustees would be prohibited from affecting the board of supervisor's appointment authority. AB1362 would not otherwise restrict the ability of the city selection committee to determine the number of trustees to be appointed to the board.

AB1362 was introduced to address concerns about the potential inefficiency and management difficulty that can result in situations where a district is governed by a board consisting of a large number of trustees. In San Mateo County the MVCD Board of Trustees is comprised of 21 members. In other areas of the state where there are more incorporated cities within the district boundaries, boards of trustees can be even larger. Among the issues that the proposed legislation attempts to address is the interest to better assure effective and efficient management oversight to avoid the type of problem that the SMCMVCD experienced a few years ago with a significant embezzlement of district funds. The thought here is that a professional management and operating structure that is governed by a smaller and less diffuse board more closely resembling that of the typical city or county would better meet this objective. Proponents of the legislation also cite the difficulty that some cities experience in identifying, attracting and retaining high caliber trustees for appointment to a board that has a fairly limited scope of responsibility.

On the other side of the issue, opponents cite the fact that there are other examples of regional agencies that are comprised of similarly large and even larger boards. In the San Mateo County and larger Bay Area region examples include the San Mateo City/County Association of Governments (C/CAG) that has a 21 member board and the Association of Bay Area Governments (ABAG) that has a 38 member executive board.

There is no requirement that the City Council take any position on AB1362. San Mateo County Assemblymember Kevin Mullin voted in favor of the bill when it was heard by the full Assembly. The bill has not yet been considered in the Senate and Senator Jerry Hill has not taken a position on the proposed legislation at this time. If the City Council desires to make a statement or take a position on the bill, staff will prepare a letter for the Mayor's signature to be forwarded to Assemblymember Gordon, Senator Hill and to members of the Senate Committee on Government and Finance.

**FISCAL IMPACT:**

There is no fiscal impact to the City resulting from any action the City Council may take regarding a position on AB 1362.

**ALTERNATIVES:**

1. Take no action.
2. Direct staff to complete further review of the proposed legislation once the bill is considered by the Senate Government and Finance Committee.

**RECOMMENDATION:**

Receive report and provide direction to staff regarding a City Council position on Assembly Bill 1362, Appointment of Members to Mosquito and Vector Control Districts Board of Trustees

**DISTRIBUTION:**

San Mateo County Mosquito and Vector Control District

**ATTACHMENTS:**

1. Summary of AB 1362
2. Materials from the San Mateo Council Mosquito and Vector Control District

**DATE PREPARED:**

March 17, 2016



# California LEGISLATIVE INFORMATION

**AB-1362 Mosquito abatement and vector control districts: board of trustees: appointment of members.** (2015-2016)

**Current Version:** 01/19/16 - Amended Assembly    **Compared to Version:** 01/19/16 - Amended Assembly ▾

[Compare Versions](#) ⓘ

AMENDED IN ASSEMBLY JANUARY 19, 2016

AMENDED IN ASSEMBLY JANUARY 04, 2016

CALIFORNIA LEGISLATURE— 2015–2016 REGULAR SESSION

## **ASSEMBLY BILL**

## **No. 1362**

**Introduced by Assembly Member Gordon**

**February 27, 2015**

An act to ~~amend Section 2021.5~~ of *add Section 2021.5* to the Health and Safety Code, relating to pest abatement.

## LEGISLATIVE COUNSEL'S DIGEST

AB 1362, as amended, Gordon. Mosquito abatement and vector control districts: board of trustees: appointment of members.

Existing law, the Mosquito Abatement and Vector Control District Law, specifies the procedures for district formation, the procedures for the selection of the district board of trustees and officers, and the powers and duties of the board. Existing law authorizes the board of supervisors to appoint one person to the board of trustees, and the city council of each city that is located in whole or in part within the district to appoint one person to the board of trustees, in the case of a district that is located entirely within a single county and contains both incorporated territory and unincorporated territory.

This bill would authorize ~~the board of supervisors and a city selection committee, established pursuant to specified provisions of law, to appoint persons to the board of trustees, as specified, in the case of a district that is located entirely within a single county and contains both incorporated territory, including every city within that county, and unincorporated territory: a city council, located in an existing or newly formed district as specified above, to adopt a resolution requesting that appointments of persons to the board of trustees instead be made by a city selection committee, established pursuant to specified provisions of law, and conditioned upon a majority of authorized city councils adopting their respective resolutions. This bill would authorize the city selection committee to decrease the total number of appointments to be made by the committee if a majority of city councils within the district make this request in their respective resolutions. This bill would prohibit the total number of appointments made by the committee from exceeding the number of incorporated cities that are located in whole or in part within the district, and would prohibit those appointments from affecting the appointments made by the board of supervisors.~~

Vote: majority Appropriation: no Fiscal Committee: no Local Program: no

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

**SECTION 1.** Section 2021.5 is added to the Health and Safety Code, to read:

- 2021.5.** (a) A city council that is authorized to appoint one person to the board of trustees of a district, pursuant to subdivision (b) of Section 2021, may adopt a resolution requesting that appointments instead be made by a city selection committee, established pursuant to Article 1.1 (commencing with Section 50270) of Chapter 1 of Part 1 of Division 1 of Title 5 of the Government Code.
- (b) This section shall only apply if a majority of city councils that are located within the district and are authorized to appoint a person to the board of trustees adopt their respective resolutions pursuant to this section. This section shall apply to existing and newly formed districts as defined in subdivision (b) of Section 2021.
- (c) The city selection committee described in subdivision (a) may decrease the total number of appointments to be made by the committee if a majority of city councils within the district make this request in their respective resolutions. The total number of appointments made by the committee shall not exceed the number of incorporated cities that are located in whole or in part within the district.
- (d) The appointments made by the city selection committee shall not affect the appointments made by the board of supervisors pursuant to subdivision (b) of Section 2021.

**SECTION 1.** Section 2021 of the Health and Safety Code is amended to read:

2021. Within 30 days after the effective date of the formation of a district, a board of trustees shall be appointed as follows:
- (a) In the case of a district that contains only unincorporated territory in a single county, the board of supervisors shall appoint five persons to the board of trustees;
- (b) In the case of a district that is located entirely within a single county and contains both incorporated territory and unincorporated territory, the board of supervisors may appoint one person to the board of trustees, and the city council of each city that is located in whole or in part within the district may appoint one person to the board of trustees. If those appointments result in a board of trustees with less than five trustees, the board of supervisors shall appoint enough additional persons to make a board of trustees of five members;
- (c) In the case of a district that contains only unincorporated territory in more than one county, the board of supervisors of each county may appoint one person to the board of trustees. If those appointments result in a

~~board of trustees with less than five persons, the board of supervisors of the principal county shall appoint enough additional persons to make a board of trustees of five members.~~

~~(d) In the case of a district that is located in two or more counties and contains both incorporated territory and unincorporated territory, the board of supervisors of each county may appoint one person to the board of trustees, and the city council of each city that is located in whole or in part within the district may appoint one person to the board of trustees. If those appointments result in a board of trustees with less than five persons, the board of supervisors of the principal county shall appoint enough additional persons to make a board of trustees of five members.~~

~~(e) In the case of a district that is located entirely within a single county and contains both incorporated territory, including every city within that county, and unincorporated territory, the board of supervisors may appoint one person to the board of trustees, and a city selection committee, established pursuant to Article 11 (commencing with Section 50270) of Chapter 1 of Part 1 of Division 1 of Title 5 of the Government Code, may appoint up to the total number of trustees as the individual cities would collectively be entitled to appoint pursuant to subdivision (b). If those appointments result in a board of trustees with less than five persons, the board of supervisors shall appoint enough additional persons to make a board of trustees of five members.~~

ASSEMBLY THIRD READING  
 AB 1362 (Gordon)  
 As Amended January 19, 2016  
 Majority vote

Committee	Votes	Ayes	Noes
Local Government	9-0	Maienschein, Gonzalez, Alejo, Chiu, Cooley, Gordon, Holden, Linder, Waldron	

**SUMMARY:** Authorizes a city selection committee to make appointments to the board of trustees of specified mosquito abatement and vector control districts, subject to specified requirements. Specifically, **this bill:**

- 1) Authorizes a city council that may appoint a trustee, pursuant to existing law, to a newly formed or existing mosquito abatement and vector control district that is in a single county and contains incorporated and unincorporated territory, to adopt a resolution requesting city appointments be made by a city selection committee.
- 2) Provides a city selection committee may only be used to make appointments if a majority of city councils located within the mosquito abatement and vector control district adopt respective resolutions.
- 3) Authorizes a city selection committee to decrease the total number of city appointments made by the city selection committee, if a majority of city councils within the district make this request in an adopted resolution.
- 4) Prohibits the total number of appointments made by a city selection committee from exceeding the number of incorporated cities, wholly or in part, in the district.
- 5) Prohibits the appointments made by the city selection committee from affecting the appointments made by a county board of supervisors, pursuant to existing law for these specified districts.

**EXISTING LAW:**

- 1) Establishes the Mosquito Abatement and Vector Control District Law, which requires a legislative body of at least five members known as the board of trustees to govern every mosquito abatement and vector control district.
- 2) Requires a board of trustees to be appointed, within 30 days after the effective date of formation, in a district that is located entirely within a single county and contains both incorporated and unincorporated territory, as follows: a) the board of supervisors may appoint one person to the board; and, b) the city council of each city that is located in whole or in part within the district may appoint one person to the board.
- 3) Authorizes a board of trustees to adopt a resolution requesting that the board of supervisors of any county that contains territory within the district to increase or decrease the number of members on the board of trustees who represent the unincorporated territory of that county, and requires the board of supervisors order the increase or decrease.

**FISCAL EFFECT:** None

**COMMENTS:**

- 1) **Mosquito Abatement and Vector Control Districts.** There are 65 mosquito abatement and vector control districts in California. Mosquito abatement and vector control districts stand as guardians against epidemics, public health emergencies, and economic disasters. These districts have a long history of applying science to counter public health threats, and continue to do so as Californians face threats like the West Nile virus.

In 2002, the Senate Local Government Committee appointed a "Working Group on Revising the Mosquito Abatement District Law" to update the law which had not undergone a comprehensive review since 1939. The working group agreed to maintain the method of appointing trustee boards, but changed the method for increasing or decreasing the size of boards. Due to the rewrite in 2002, current law authorizes a board of trustees to change a board's size by directing a county board of supervisors to increase or decrease the number of trustees representing the unincorporated area of the county. The working group rejected draft language that would have allowed the underlying city councils and county board of supervisors to trigger changes in the size of the board of trustees.

- 2) **Bill Summary.** Existing law establishes an appointment process for a mosquito abatement and vector control district, which must be done within 30 days of the effective date of formation. Each district must have at least five trustees; however the appointment process established by current law determines city and county appointments based on the territory contained in the district. If a district includes a part of a city or county, that respective governing body is authorized to make an appointment. For example in a mosquito and vector control district located in a single county which contains unincorporated and incorporated territory the board of supervisors is authorized to make one appointment and each individual city is authorized to make one appointment. This leads to a large variation in the size of a mosquito abatement and vector control district board of trustees.

This bill authorizes a city selection committee to make appointments in a newly formed or existing mosquito abatement and vector control district that is located in a single county and contains incorporated and unincorporated territory if a majority of city councils within the district adopt a resolution. A majority of city councils must also adopt a resolution to permit the city selection committee to decrease the number of appointments. This bill prohibits the appointments made by a city selection committee from exceeding the number of incorporated cities within the district.

- 3) **Author's Statement.** According to the author, "AB 1362 would grant a mosquito abatement district which has countywide boundaries the option to utilize its existing city selection committee to appoint Trustees to the district, rather than each city council doing so independently. This reduces pressure on each individual city to appoint a representative, and increases collaboration between neighboring cities by authorizing the city selection committee to make shared decisions on local governance. This process adds an additional level of oversight and accountability to the appointment process, while retaining the city councils' authority to appoint members. Other benefits include reducing the costs associated with meeting expenses and stipends for each member's service, streamlining board communication, reducing duplicative work, and providing more transparency on the Board's representation and decision-making."

- 4) **Policy Considerations.** The Legislature may wish to consider the following:
- a) **Equal Representation.** The Legislature may wish to ensure that there will be adequate representation among all cities, especially if the number of city appointments is less than the number of cities within the district. The city selection committee process for some special districts requires appointments to alternate between cities or guarantees seats among geographic groupings to ensure diverse and fair representation.
  - b) **Statewide Problem.** This bill affects districts that are located in a single county and contain incorporated and unincorporated territory. The Legislature may wish to consider if there is evidence of a statewide problem.
  - c) **Role of the Board of Trustees.** Current law grants flexibility to a board of trustees to change the size of a board by ordering an increase or decrease to the number of trustees representing the unincorporated area of a county. The author may wish to consider the role trustee boards should have in determining the size of their board given this provision in current law.
- 5) **Prior Legislation.** AB 991 (Devore) of 2005 would have reduced the size of the Orange County Vector Control District's board of trustees, and would have required the county board of supervisors to appoint one trustee and the city selection committee to appoint 10 members, as specified. AB 991 failed passage in the Local Government Committee.
- 6) **Arguments in Support.** According to Supervisor Don Horsley, "In San Mateo County, the existing countywide mosquito abatement district is comprised of 21 members – one representative from the Board of Supervisors and one representative from each of the 20 cities in the county. This is a very large board that can be difficult to manage and challenging for each jurisdiction to keep consistently filled with trustees. For instance, our board currently has four vacant seats. In addition, the recent history of the San Mateo County Mosquito District proved that a larger board does not necessarily offer greater oversight. Rather than completely overhauling the governance structure of this special district, creating the option of having a more focused representative board could produce a more effective management tool. In San Mateo County, I believe the appointment process outlined in AB 1362 would be a good fit for the board of trustees of the mosquito and vector control district."
- 7) **Arguments in Opposition.** According to the Mosquito and Vector Control Association of California, "The nexus of this proposal is reported to come from San Mateo County's concerns with the size of its district's board of trustees. However, as a statewide association comprised of over 60 member agencies, including many large urban districts with diverse populations, our members have not raised concerns as to the size of their board of trustees. In fact, 2015 marks the centennial anniversary of the creation of mosquito control districts in California, and we believe that the addition of a city selection process for trustee appointments is not necessary. As we continue to work with you on your concerns related by the San Mateo County Board of Supervisors, we believe that the issues in that specific county and district should be addressed on their own, as opposed to opening a governance structure that would be statewide."

Agenda Item # 8.C

**BOARD COMMITTEE REPORTS**

**SUBJECT: Strategic Planning Committee.**

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**RECOMMENDATION**

None at this time.

**BACKGROUND AND STATUS**

Chair Joe Galligan. Members include Trustees, Christine Fuller, Kat Lion, Raymond Williams and Betsey Schneider. The Board President, Rick Wykoff is also invited to attend these meetings as an ex-officio member.

The committee met on February 19 to discuss the current wording of AB1362 regarding the manner by which Mosquito and Vector Control District trustees are appointed. Minutes from that meeting are attached.

**Reference Materials Attached**

1. Minutes of the February 19 meeting of the Strategic Planning Committee.

**OTHER REFERENCE MATERIALS AVAILABLE**

1. The District's current Strategic Plan (62 pages)



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## **Strategic Planning Committee**

**Discussion on AB1362**

**Feb. 19<sup>th</sup>, 2016 4pm-5:20pm**

The Strategic Planning Committee of the San Mateo County Mosquito and Vector Control District Board of Trustees met on February 19, 2016 to discuss the content of AB 1362 bill, as currently proposed. The purpose of the meeting was to dissect the content of AB1362 and provide information to the rest of the Board. - The following is a summary of that discussion.

Each of the 20 cities within San Mateo County is currently authorized to appoint one trustee to the San Mateo County Mosquito and Vector Control District Board of Trustees. If passed as written, AB 1362 would allow individual cities within the district to instead authorize the City Selection Committee to appoint trustees to the San Mateo County Mosquito and Vector Control District Board of Trustees. In San Mateo County, the City Selection Committee is called the Council of Cities, and is made up of the 20 current mayors of the cities within the county.

Only if a majority of the city councils of the cities within the district (in San Mateo County a majority is at least 11 cities) vote to pass resolutions authorizing the City Selection Committee to appoint trustees to the board would the City Selection Committee appoint trustees to the San Mateo County Mosquito and Vector Control District Board of Trustees.

Upon being given this authority, the City Selection Committee may make a recommendation to decrease the number of trustees appointed to the board. Such a change would only take place only if the city councils of a majority of the cities in the district vote to pass resolutions in support this change.

Currently the San Mateo County Board of Supervisors is authorized to appoint one trustee to the San Mateo County Mosquito and Vector Control District Board of Trustees; the changes in AB1362 would not affect the Board of Supervisors' authority to appoint one trustee to the board.

If AB1362 passes as written, the city councils of cities in San Mateo County may choose to pass resolutions as described above. Alternately, the city councils of cities in San Mateo County may choose to take no action and allow trustee appointments to remain the authority

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of individual cities; it is not necessary to pass a resolution opposing the changes proposed in AB1362.



## City Council Agenda Item Staff Report

CITY OF SAN BRUNO

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**DATE:** March 22, 2016

**TO:** Honorable Mayor and Members of the City Council

**FROM:** David Woltering, Community Development Director

**SUBJECT:** Accept Housing Element Annual Progress Report (APR) for Calendar Year 2015 and Direct Staff to Forward the APR to the California Office of Planning and Research and the California Department of Housing and Community Development

### **BACKGROUND**

The purpose of this item is to provide the annual report on the status and progress in implementing the San Bruno Housing Element, as required by State law. This is an informational opportunity for the City Council and the public to learn about the status of the current Housing Element. The Annual Progress Report (APR) must be submitted to California Department of Housing and Community Development (HCD) and the State Office of Planning and Research (OPR) by April 1, 2015. San Bruno's Housing Element for the period covering 2015-2023 was adopted by the City Council on April 14, 2015 and certified by HCD on July 30, 2015. This is the first year of implementation of the new Housing Element, which is on an eight-year cycle.

### **DISCUSSION**

The APR is a tool to help the City to implement the current Housing Element and to track and monitor progress in addressing the City's housing needs and goals. HCD provides standard forms to report information required for the Housing Element APR, which includes three tables summarized in three tables, as follows:

- Table A: tables A, A2 and A3 provide information on new residential development and affordability based on building permits issued during 2015.
- Table B: this table provides information on the City's progress in meeting its Regional Housing Needs Allocation (RHNA).
- Table C: outlines the City's the status of Housing Element programs, and efforts to remove governmental constraints on the development of affordable housing.

San Bruno has made initial progress in implementing its Housing Element and in its commitment to the development of affordable housing. The City will continue to seek opportunities to create affordable housing through use of the City's BMR In-Lieu Fee Fund and other funding sources such as Federal and State Tax Credits and grant opportunities. The completed forms are included as Attachment 1, and a summary of the APR is provided below.

**Annual Building Report Summary (Table A)**

Building permits were issued for a total of 11 dwelling units in 2015:

- Nine replacement single family detached homes in the Crestmoor Neighborhood, the site of the September 2010 Pacific Gas and Electric Company (PG&E) gas line explosion and subsequent fire that resulted in the loss of eight lives, injured more than 50 other individuals, destroyed 38 homes and severely damaged 17 homes. Since the gas pipeline incident, reconstruction of the neighborhood has been ongoing, with 21 destroyed homes having been previously rebuilt. Through an RFP process, the City selected a developer to construct ten single family replacement homes on ten remaining buildable vacant lots, which were purchased by the City and PG&E. The nine homes cited are being built by the selected developer. The tenth home is expected to be built later this year by that same developer.
- One new infill single family home on a vacant lot located at 627 Masson Avenue.
- One new second unit located at 573 Maple Avenue

**Regional Housing Needs Allocation (RHNA) Progress (Table B)**

The table below summarizes the City's progress in meeting its Regional Housing Needs Allocation (RHNA) goal to provide 1,155 units between 2015 and 2023. A total of 11 building permits were issued for new residential units in 2015, the first year of the RHNA time period.

**Regional Housing Needs Allocation (RHNA) Progress**

	<b>RHNA Goal (2014-2022)</b>	<b>Units Produced (2015)</b>	<b>Remaining Obligation</b>
Very Low	358	0	358
Low	161	1	160
Moderate	205	1	204
Above Moderate	431	9	422
Total	1,155	11	1,144

The table also shows progress in meeting the RHNA housing needs by income level. Most of the new homes are affordable to above moderate income households, with one affordable to a low income household and one to a moderate income household. Although the Housing Element identified sufficient sites to meet the RHNA target, the City will need to rezone a number of sites within the Transit Corridors Plan area to establish zoning to allow housing by right in the TCP area. The City will focus efforts on encouraging the production of affordable housing to meet the needs at all income levels. It is important to note that State housing element law does not require production of units, only that sufficient sites be zoned to accommodate housing that is affordable at all income levels, and that the City make a good faith effort to meet the objective.

**Program Implementation Status (Table C)**

The City has begun implementing Housing Element programs and policies in this first year. First, it should be noted that San Bruno participated in the 21 Elements Housing Element update process, including the formulation of the RHNA numbers. All 21 jurisdictions in San Mateo County worked together during the Housing Element update process. 21 Elements

provided guidance, data and analysis customized for San Bruno which was incorporated into the new Housing Element. Below are highlights of the City's Housing Program implementation:

- Program 2-A: An administrative draft Zoning Code update was completed in 2015, including updates reflecting the approval of the Transit Corridors Specific Plan (TCP). Expected completion is in 2016. The updated zoning will allow residential uses by right in the TCP area and Mixed Use Residential Focus area, providing the capacity for the City meet its RHNA goal.
- Program 3-B. The City monitors compliance with affordable housing covenants in two projects at The Crossing, AvalonBay apartments (97 very low income units), Village Senior Apartments (228 lower income units).
- Program 3-E. The City amended the Zoning Ordinance to include a written reasonable accommodations procedure to provide exceptions in zoning and land use for housing for persons with disabilities. This procedure will be a ministerial process, with minimal or no processing fee, subject to approval by the Community Development Director.
- Program 3-J. Community Development staff have participated in the 21 Elements grand nexus study for affordable housing impact fees. A Draft Nexus Study report customized for San Bruno was completed in 2015. The City Council will consider adopting an affordable housing impact fee for both new residential and commercial development. Staff has given an initial presentation to the City Council on the Nexus Study, expects to hold a study session later this year.
- Program 5-B. The City amended the Zoning Ordinance to include provisions for density bonuses for residential developments, including a bonus of up to 35 percent based on the number of affordable units in the development and a flat density bonus of 20 percent for all senior housing.
- Program 5-J: Community Development staff is preparing for a community process to identify housing strategies that could be appropriate for San Bruno, to start in 2016, which may include, but are not limited to the following- affordable housing impact fees, commercial linkage fees, use of the City's BMR In-Lieu Fee Fund, rent stabilization, just cause eviction, promotion of new and legalization of existing second units, public benefit zoning, funding for substantial rehabilitation, and partnering with employers to fund and assist in facilitating affordable housing. The process will include public workshops and meetings with the City Council, Planning Commission and residents to review and receive input on affordable housing strategies.
- Program 6-B. The City provides \$37,500 in annual financial assistance to support two non-profit housing agencies (HIP Housing's home sharing program and Shelter Network emergency shelter program).
- Program 6-D. The City amended the Zoning Ordinance to permit emergency shelter facilities by right (that is, as a permitted use, without requiring a conditional use permit) in the TOD zone to accommodate the City's share of emergency shelter need, subject to reasonable and objective standards permissible by law.
- Program 6-E. The City amended the Zoning Ordinance to permit transitional and supportive housing by right in residential zones and facilitate the creation of supportive housing units in accordance with the City's share of countywide need identified in the San Mateo County HOPE (Housing Our People Effectively) Plan.

### **Constraints to Affordable Housing Development in San Bruno**

The most significant constraints to the maintenance, improvement, and development of affordable housing in San Bruno include the following:

- Loss of Redevelopment. Redevelopment agencies in California were dissolved in 2012, eliminated a major source of funding for Low and Moderate Income Housing (LMIH) in the San Bruno Redevelopment Project Area. The City monitors new state legislation that may restore some state funding for affordable housing.
- Ordinance 1284 Constraints. In June 1977, the City of San Bruno adopted Ordinance No. 1284 placing restrictions on certain development standards, which constrains higher density residential development in the City. Ordinance 1284 requires approval by a majority of the voters of the City in order to allow: 1) buildings or other structures that exceeding fifty (50) feet or three (3) stories in height, whichever is less, 2) projects in residential districts at a density above what was permitted by the City's zoning code and map in 1974, and 3) multi-story parking structures.

The City adopted the Transit Corridors Specific Plan, which promotes mixed use and transit oriented development, including residential uses along commercial corridors within proximity of a new Caltrain Station in the core area of the City. Measure N was approved by San Bruno voters in November 2014, which adjusted Ordinance 1284 limits, allowing building heights between 4 and 7 stories in the TCP area to facilitate the residential densities envisioned in the TCP.

- SFO Constraints. The City of San Bruno lies within the San Francisco International Airport (SFO) influence area, and is affected by three state-mandated airport land use compatibility policies: noise, safety and airspace protection, which are set forth in the Airport Land Use Compatibility Plan (ALUCP) for SFO and its environs. Northeastern portions of San Bruno lie beneath flight paths for arrivals and departures of, including areas within the 65 Community Noise Equivalent Level (CNEL) and 70 CNEL aircraft noise contours. The 2012 ALUCP does not permit new residential uses in areas exposed to noise above 70 CNEL. Development is also constrained by airspace protection height limits and allowed uses within in safety compatibility zones.

The City promotes noise mitigation from SFO to the fullest extent possible through the SFO/Community roundtable and ongoing coordination with the County Airport Land Use Commission. However, development must comply with ALUCP policies and projects within the airport influence area must be reviewed by the Airport Land Use Commission for compliance with the ALUCP. New residential development is prohibited in large areas east of San Mateo Avenue in proximity to the BART and Caltrain Stations.

- Palmer v. City of Los Angeles (2009). The California Court decision in Palmer v City of Los Angeles invalidates the City's ability to require affordable rental units through the City's Below Market Rate Housing Program. The court ruled that local inclusionary housing programs cannot mandate rent restrictions in new rental housing developments or require payment of in-lieu fees as an alternative. City staff is participating in a countywide Nexus Study to consider adopting an affordable housing impact fee in place of the BMR ordinance. The City monitors new state legislation that may restore inclusionary policies for affordable rental housing.

### **FISCAL IMPACT**

None

**ALTERNATIVES**

1. Direct revisions to the Housing Element APR prior to submittal to the specified state agencies

**RECOMMENDATION**

Accept Housing Element Annual Progress Report (APR) for Calendar Year 2015 and Direct Staff to Forward the APR to the California Office of Planning and Research and the California Department of Housing and Community Development

**DISTRIBUTION**

None.

**ATTACHMENTS**

1. 2015 San Bruno Housing Element Annual Progress Report

**DATE PREPARED**

March 15, 2016

**REVIEWED BY**

\_\_\_\_\_ CM



# ANNUAL ELEMENT PROGRESS REPORT Housing Element Implementation

(CCR Title 25 §6202 )

**Jurisdiction** City of San Bruno  
**Reporting Period** January 1, 2015 - December 31, 2015

**Table A2  
Annual Building Activity Report Summary - Units Rehabilitated, Preserved and Acquired pursuant to GC Section 65583.1(c)(1)**

Please note: Units may only be credited to the table below when a jurisdiction has included a program in its RHNA which meet the specific criteria as outlined in G units to accommodate a portion of its RHNA which meet the specific criteria as outlined in G

Activity Type	Affordability by Household Incomes				(4) Description of Activity Including Housing Element Program Reference
	Extremely Low-Income*	Very Low-Income	Low-Income	TOTAL UNITS	
(1) Rehabilitation Activity	0	0	0	0	
(2) Preservation of Units At-Risk	0	0	0	0	
(3) Acquisition of Units	0	0	0	0	
(5) Total Units by Income	0	0	0	0	

\* Note: This field is voluntary

**Table A3  
Annual building Activity Report Summary for Above Moderate-Income Units (not including those units reported on Table A)**

No. of Units Permitted for <b>Moderate</b>	1. Single Family					5. Mobile Homes	6. Total	7. Number of infill units*
	2. 2 - 4 Units	3. 5+ Units	4. Second Unit	5. Mobile Homes	6. Total			
No. of Units Permitted for <b>Above Moderate</b>	1	0	0	0	0	0	1	1
No. of Units Permitted for <b>Above Moderate</b>	9	0	0	0	0	0	9	9

\* Note: This field is voluntary



**SAN BRUNO HOUSING ELEMENT - ANNUAL PROGRESS REPORT – 2015**  
**Housing Element Implementation**  
 (CCR Title 25 §6202)

**Jurisdiction:** City of San Bruno

**Reporting Period:** 1/1/2015 - 12/31/2015

**Table C**  
**Program Implementation Status**  
**(Programs with significant activity in 2015)**

Name of Program	Objective	Timeframe in H.E.	Status of Program Implementation
Program 1-A: Support infrastructure upgrades.	Continue to seek funding to upgrade and maintain infrastructure needed by San Bruno's housing supply.	Ongoing	<ul style="list-style-type: none"> <li>The City continues to rebuild infrastructure destroyed in the September 2010 PG&amp;E gas line explosion and subsequent fire in the Crestmoor neighborhood, funded through the \$50 million PG&amp;E trust agreement. Expected completion in 2016.</li> </ul>
Program 1-B: Maintain and expand the supply of small lots	Conserve and expand the city's supply of small residential lots, where compatible with surrounding neighborhood character	2 years	<ul style="list-style-type: none"> <li>This issue is being considered in the comprehensive Zoning Code update.</li> </ul>
Program 1-C: Conserve second units in R-1 and R-2 zones.	Continue to legalize second units in R-1 and R-2 zones that were constructed prior to June 30, 1977 and that met the Uniform Building Code at time of construction.	2 years	<ul style="list-style-type: none"> <li>The City supports legalization of second units in this category.</li> </ul>
Program 1-D: Pursue and promote resources for preservation and rehabilitation	Publicize federal, State, and local resources, both financial and programmatic, to assist homeowners in preventative maintenance and to preserve and rehabilitate the City's existing housing supply	ongoing	<ul style="list-style-type: none"> <li>The City is developing an affordable housing strategy that will address this program.</li> </ul>
Program 1-E: Ensure replacement housing	Develop a comprehensive program to replace housing throughout the City to accommodate all income levels	1 year	<ul style="list-style-type: none"> <li>The City is developing an affordable housing strategy that will address this program.</li> </ul>
Program 1-F: Ensure replacement housing.	Require replacement of any legal housing unit that is demolished within San Bruno.	1 year.	<ul style="list-style-type: none"> <li>The City used a streamlined planning and permitting process to approve construction of ten replacement homes in the Crestmoor neighborhood.</li> </ul>
Program 1-G: Support historic preservation	Support preservation and reuse of properties with historic character	ongoing	<ul style="list-style-type: none"> <li>The City is developing an affordable housing strategy that will address this program.</li> </ul>
Program 1-H: Allow fee waivers for affordable rehabilitation	Waive permit fees for affordable housing rehabilitation achieved through the Community Development Block Grant (CDBG) program as well as through other San Mateo County programs or through non-profit agencies	ongoing	<ul style="list-style-type: none"> <li>No affordable housing projects are in the pipeline.</li> </ul>
Program 1-I: Continue lead-based	Provide information on local lead-based	Ongoing	<ul style="list-style-type: none"> <li>Informational handouts are available on the City's website.</li> </ul>

**SAN BRUNO HOUSING ELEMENT - ANNUAL PROGRESS REPORT – 2015**  
**Housing Element Implementation**  
 (CCR Title 25 §6202)

Name of Program	Objective	Timeframe in H.E.	Status of Program Implementation
paint abatement.	paint abatement programs to ensure safe and healthy living environments for all residents		
Program 1-J: Ensure renovations are compatible with neighborhood character.	Maintain design standards to ensure that residential additions and renovations are compatible with overall neighborhood character.	1 year	<ul style="list-style-type: none"> <li>City uses the residential design guidelines and TCP design guidelines to ensure projects are compatible with surrounding neighborhood.</li> <li>The guidelines are available on the City's website.</li> </ul>
Program 2-A: Update the Zoning Ordinance to make available adequate sites to accommodate San Bruno's share of regional housing need.	Revise the Zoning Ordinance to reflect the San Bruno 2025 General Plan and Transit Corridors Plan (2013), including land use designations allowing mixed-use development	3 years	<ul style="list-style-type: none"> <li>A administrative draft Zoning Code update was completed in 2015, including updates reflecting the approval of the Transit Corridors Specific Plan (TCP). Expected completion is in 2016.</li> <li>The updated zoning will allow residential uses by right in the TCP area and Mixed Use Residential Focus area, providing the capacity for the City meet its RHNA goal.</li> <li>Prior to adoption of the Zoning Code update, the City is encouraging applicants to follow the new General Plan and TCP land uses and densities/intensities.</li> <li>The TCP was adopted by the City Council in 2013, and the City is now in the implementation phase, including amending the zoning code.</li> <li>A pre-submittal review process for larger projects to protect residential neighborhoods has been established.</li> </ul>
Program 2-B: Transit Corridors Plan Implementation.	Develop strategies to implement the adopted Transit Corridors Plan with the goal, amongst others, of increasing residential options in Downtown and transit corridors in the vicinity of the San Bruno Avenue Caltrain Station completed in 2014.	1 year.	<ul style="list-style-type: none"> <li>The City is developing an affordable housing strategy that will address this program.</li> </ul>
Program 2-C: Support identified housing opportunities	Work with property owners and the community to support and encourage the redevelopment of identified opportunity sites into mixed uses with affordable housing components.	Ongoing	
Program 2-D: Reuse former school sites	Facilitate the reuse of former school sites to accommodate affordable housing.	2 years	<ul style="list-style-type: none"> <li>The City has discussed with the School District the potential redevelopment of the former Crestmoor High School site for housing.</li> </ul>
Program 2-E: Consolidate Lots.	Use City funds to facilitate lot consolidation in support of the redevelopment of housing opportunity sites with affordable housing	2 years	<ul style="list-style-type: none"> <li>The City is developing an affordable housing strategy that will address this program.</li> </ul>
Program 2-F: Ensure compatibility of new housing with neighborhood character.	Use Residential Design Guidelines and Transit Corridors Plan Design Guidelines to ensure that new housing development proposals are compatible with existing neighborhood character.	1 year	<ul style="list-style-type: none"> <li>See Program 1-J</li> </ul>
Program 2-G: Provide senior housing for a range of income levels.	Identify opportunities for the creation of affordable units for seniors who do not qualify for deed-restricted units due to equity in their current homes	Ongoing	<ul style="list-style-type: none"> <li>The City has received no proposals for senior housing developments.</li> <li>The City is developing an affordable housing strategy that will address this program</li> </ul>
Program 2-H: Encourage	Encourage moderate-income for-sale	Ongoing	<ul style="list-style-type: none"> <li>During project review, staff discusses with developers options for using density</li> </ul>

**SAN BRUNO HOUSING ELEMENT - ANNUAL PROGRESS REPORT – 2015**  
**Housing Element Implementation**  
 (CCR Title 25 §6202)

Name of Program	Objective	Timeframe in H.E.	Status of Program Implementation
moderate-income for-sale housing.	housing within the Multi Use-Residential Focus area along El Camino Real.		bonuses and smaller unit sizes to increase affordability while maintaining building quality and amenities
Program 2-I: Provide affordable housing education.	Develop and implement an ongoing voter education program to inform residents of the need for affordable housing and ways the electorate can support its development	2 years	<ul style="list-style-type: none"> <li>The City is developing an affordable housing strategy that will address this program</li> </ul>
Program 2-J: Conduct annual performance evaluations and ensure consistency with the General Plan and Transit Corridors Plan.	During annual review of the General Plan, monitor, evaluate, and document housing program performance and consistency with General Plan goals and policies	Ongoing	<ul style="list-style-type: none"> <li>This activity is conducted in the Housing Element APR</li> </ul>
Program 3-A: Publicize affordable housing financing strategies.	Publicize the various financing strategies for development and expansion of affordable housing	Ongoing	<ul style="list-style-type: none"> <li>The City is developing an affordable housing strategy that will address this program.</li> </ul>
Program 3-B: Support the Housing Choices Voucher Program.	Continue to participate in San Mateo County Housing Authority's Housing Choices Voucher program (formerly Section 8).	Ongoing	<ul style="list-style-type: none"> <li>The City monitors compliance with affordable housing covenants in two projects at The Crossing, AvalonBay apartments (97 very low income units), Village Senior Apartments (228 lower income units)</li> </ul>
Program 3-C: Monitor compliance with financing terms.	Ensure that units built with long-term affordability requirements are actually occupied by lower-income households. (See also Program 5-E)	Ongoing	<ul style="list-style-type: none"> <li>See Program 3-B</li> </ul>
Program 3-D: Promote the Mortgage Credit Certificate Program.	The City will continue to participate in and promote San Mateo County's Mortgage Credit Certificate (MCC) program for first-time homebuyers	Ongoing	<ul style="list-style-type: none"> <li>The City is developing an affordable housing strategy that will address this program.</li> </ul>
Program 3-E: Facilitate reasonable accommodations.	Facilitate the development, maintenance and improvement of housing for persons with disabilities by implementing Reasonable Accommodations program.	1 year	<ul style="list-style-type: none"> <li>The City Council adopted a Reasonable Accommodates program in the zoning code on September 9, 2014.</li> <li>The City is developing an affordable housing strategy that will address this program.</li> </ul>
Program 3-F: Accommodate manufactured housing.	Continue to permit manufactured housing in single family zones.	1 year	<ul style="list-style-type: none"> <li>Manufactured housing is permitted in existing residential zones.</li> </ul>
Program 3-I: Reduce parking requirements.	Reduce parking requirements for new or reuse housing projects along transit corridors and adjacent to transit stations, as well as within the Medium Density (R-3) and High Density (R-4) zones.	1 year	<ul style="list-style-type: none"> <li>The City is considering ways to reduce parking requirements as part of the Zoning Ordinance Update, including unbundled parking, tandem parking for second units, and enforcement for homeowners that use garage space for storage.</li> <li>The City Council adopted a density bonus ordinance on September 9, 2014, including density bonus law parking standards.</li> </ul>
Program 3-J: Adopt an affordable	Conduct a nexus study that demonstrates	1 ye	<ul style="list-style-type: none"> <li>The City has participated in the 21 Elements grand nexus study for affordable</li> </ul>

**SAN BRUNO HOUSING ELEMENT - ANNUAL PROGRESS REPORT – 2015**  
**Housing Element Implementation**  
 (CCR Title 25 §6202)

Name of Program	Objective	Timeframe in H.E.	Status of Program Implementation
housing impact fee.	the relationship between new housing or jobs and the need for affordable housing in San Bruno and determine a permissible and reasonable fee level for both residential and commercial development.	Year	housing impact fees. A Draft Nexus Study report customized for San Bruno was completed in 2015. <ul style="list-style-type: none"> <li>The City Council will consider adopting an affordable housing development impact fee and possibly an affordable housing commercial linkage fee.</li> <li>Staff has given an initial presentation to the City Council on the Nexus Study, expects to hold a study session later this year.</li> <li>The City is implementing a streamlined residential rooftop photovoltaic permit process</li> </ul>
Program 4-A: Promote energy conservation.	Continue to publicize and encourage energy conservation programs, including weatherization programs.	2 years	<ul style="list-style-type: none"> <li>Community Development coordinates with Public Services to provide informational brochures on energy conservation and efficiency.</li> </ul>
Program 4-B: Support household and business participation in energy conservation and efficiency programs through PG&E and the State.	City Staff will work to promote and support participation energy efficiency and conservation programs described in Chapter 2 in order to help reduce long-term housing costs for residents (including low-income residents), help meet local greenhouse gas reduction targets under AB 32, and increase the sustainability of the local energy supply	1 year	
Program 4-C: Facilitate noise insulation retrofits.	Continue to pursue funding for noise insulation from the San Francisco International Airport and educate residents about program benefits.	4 years	<ul style="list-style-type: none"> <li>As funds become available the City will work with homeowners to facilitate installation noise insulation improvements.</li> </ul>
Program 4-D: Ensure adequate water and sewer service and reduce water waste.	Work with the San Francisco Public Utilities Commission (SFPUC) and local departments to ensure that there are adequate water and sewer services for new development, affordable housing receives priority for these services, and new development uses best management practices to reduce water waste.	1 year	<ul style="list-style-type: none"> <li>A copy of the Housing Element and TCP have been to the Public Services Department.</li> </ul>
Program 4-E: Encourage drought-resistant landscaping.	Implement water conservation and drought-resistant landscaping guidelines and standards	1 year	<ul style="list-style-type: none"> <li>The Zoning Code update will incorporate water conservation and drought-resistant landscaping standards</li> </ul>
Program 5-A: Support the Below Market Rate Housing Ordinance.	Through education and enforcement of the Below Market Rate Housing Ordinance (adopted 2008), provide guidelines for developers to comply with the City's inclusionary housing requirements	Once a year	<ul style="list-style-type: none"> <li>No new affordable housing projects were approved in 2015.</li> <li>The Palmer court decision (2009) invalidated rental inclusionary requirements. The City continues to monitor the legal status of the BMR ordinance with respect to challenges.</li> <li>The City is working with 21 Elements on the San Mateo County Grand Nexus Study, and will consider adopting an affordable housing development impact fee and possibly an affordable housing commercial linkage fee.</li> <li>The City has collected approximately \$3.5 million in BMR in-lieu fees, which will be used to facilitate development of new affordable housing.</li> </ul>

**SAN BRUNO HOUSING ELEMENT - ANNUAL PROGRESS REPORT – 2015**  
**Housing Element Implementation**  
 (CCR Title 25 §6202)

Name of Program	Objective	Timeframe in H.E.	Status of Program Implementation
Program 5-B: Implement San Bruno's density bonus regulations.	Offer a density bonus of up to 35 percent and incentives or concessions based on the number of affordable units in the development and a flat density bonus of 20 percent for all senior housing in accordance with State density bonus regulations (Government Code 65915)	1 year	<ul style="list-style-type: none"> <li>The City Council adopted a Density Bonus ordinance on September 9, 2014.</li> <li>The City encourages developers to review density bonus law at the earliest stages in pre-development review and consultation process.</li> </ul>
Program 5-C: Provide financial incentives for affordable condominium conversions.	Create incentives for condominium conversions that provide affordable housing	1 year	<ul style="list-style-type: none"> <li>The City is developing an affordable housing strategy that will address this program.</li> </ul>
Program 5-D: Provide financial assistance to facilitate affordable housing development.	Use the Below Market Rate Housing Fund to increase, improve, and preserve the community's supply of low- and moderate-income housing in San Bruno	Once a year	<ul style="list-style-type: none"> <li>The City is developing an affordable housing strategy, with a particular emphasis on this program.</li> </ul>
Program 5-E: Increase the supply of housing for large families.	Encourage diversity in unit size to ensure that 3- and 4-bedroom affordable rental housing units are provided for large families.	Ongoing	<ul style="list-style-type: none"> <li>This issue is being explored in the comprehensive Zoning Code update.</li> </ul>
Program 5-F: Expedite review and waive fees for affordable housing.	Continue to expedite review and waive planning and building fees for developers of affordable housing and housing for seniors and persons with disabilities	Ongoing	<ul style="list-style-type: none"> <li>The City has received no applications for development of affordable housing</li> </ul>
Program 5-G: Modify regulations to encourage affordable housing.	Modify development regulations in specific zoning districts to encourage housing affordable to very-low, low-, and moderate-income households	1 year	<ul style="list-style-type: none"> <li>The City is developing an affordable housing strategy that will address this program.</li> <li>The TCP allows increased density to facilitate higher density multifamily housing that makes affordable housing more feasible.</li> </ul>
Program 5- H: Prevent Potential Displacement of Existing lower-income residents within San Bruno's Priority Development Area (PDA).	Quantify, develop and evaluate potential strategies to address displacement of lower income residents. Displacement might be direct, caused by the redevelopment of sites with existing residential properties, or indirect, caused by increased market rents as an area becomes more desirable.	2 years	<ul style="list-style-type: none"> <li>The City is developing an affordable housing strategy that will address this program.</li> </ul>
Program 5-I: Promote the Second Unit Ordinance.	Continue to inform homeowners about the Second Unit Ordinance which permits second units by-right on appropriate residential sites.	Once a year	<ul style="list-style-type: none"> <li>Information about the 2nd unit ordinance is provided at the counter and on the City's website. Staff is working on methods to improve methods to outreach to property owners.</li> <li>Development standards for are being reviewed during the Zoning Code update process to create more opportunities for 2nd units.</li> </ul>
Program 5-J: Explore and consider new strategies to increase affordable housing.	Given the loss of redevelopment agencies and the state court decision in <i>Palmer v. City of Los Angeles</i> (2009), which	2 years	<ul style="list-style-type: none"> <li>The City is developing an affordable housing strategy that will address this program.</li> </ul>

**SAN BRUNO HOUSING ELEMENT - ANNUAL PROGRESS REPORT – 2015**  
**Housing Element Implementation**  
 (CCR Title 25 §6202)

Name of Program	Objective	Timeframe in H.E.	Status of Program Implementation
Program 6-A: Promote fair housing.	<p>invalidated San Bruno's BMR program for rental housing, the City will explore new opportunities and strategies to facilitate financing and development of affordable housing</p> <p>Continue to adhere to State and federal fair housing and non-discrimination laws to ensure that housing opportunities are provided for all persons regardless of race, religion, sex, marital status, ancestry, national origin, color, family status, or disability</p>	1 year	<ul style="list-style-type: none"> <li>Development standards for are being reviewed during the Zoning Code update process to create more opportunities for 2nd units.</li> </ul>
Program 6-B: Support organizations that provide housing services.	<p>Cooperate with and support organizations providing housing information, counseling, and referral services, and handling complaints of housing discrimination</p>	Ongoing	<ul style="list-style-type: none"> <li>City provides \$37,500 in financial assistance annually to support non-profit housing agencies (HIP Housing's homesharing program and Shelter Network emergency shelter program).</li> </ul>
Program 6-C: Support shared housing programs.	<p>Continue to support shared housing programs and to promote such programs through the Senior Center and other local agencies</p>	Ongoing	<ul style="list-style-type: none"> <li>City provides financial support to HIP Housing which coordinates a shared housing program. The program is very active in San Bruno.</li> </ul>
Program 6-D: Accommodate city's share of emergency (homeless) shelter need.	<p>Complete the process to amend the Zoning Ordinance to permit emergency (homeless) shelter facilities by right (that is, as a permitted use, without requiring a conditional use permit) to meet the City's identified need for 32 beds, in accordance with State law</p>	1 year	<ul style="list-style-type: none"> <li>The City adopted an Emergency Shelter Overlay zone in 2015, where emergency shelters are permitted by right (without requiring a conditional use permit). The zone is located in the industrial district with sufficient acreage to meet the city's identified need (32 beds), including the potential for reuse or conversion of existing buildings.</li> <li>The City supports the 10-bed shelter run by St. Bruno's Church, and will support future faith-based efforts to supply emergency and transitional housing to those in need.</li> </ul>
Program 6-E: Address identified need for extremely-low income and supportive housing.	<p>Evaluate and amend the Zoning Ordinance as appropriate to comply with state law (GC Section 65583(a)(5) and investigate opportunities to create supportive housing units in accordance with the City's share of countywide need identified in the San Mateo County HOPE Plan</p>	Once a year	<ul style="list-style-type: none"> <li>The City Council adopted a zoning code amendment to allow transitional and supportive housing units in residential zones by right in 2015, in accordance with SB2.</li> </ul>
Program 6-F: Participate in regional coordination on homelessness.	<p>Work with other cities, agencies, and the County to address needs of the homeless.</p>	Ongoing	<ul style="list-style-type: none"> <li>Staff provides information to people seeking emergency shelter through the Housing Resource Guide posted on the City website, and consultation at the counter and on the telephone.</li> </ul>

**General Comments.** San Bruno City Council adopted a new Housing Element 2015-2023 on April 24, 2015, which received final certification from HCD on June 15, 2010. San Bruno is currently completing the Housing Element Update for 2015-2023. The draft Housing Element Update was submitted to HCD on November 22, 2014. On January 30, 2015, HCD issued a letter stating that San Bruno's Draft 2015-2023 Housing Element, with San Bruno Housing Element Annual Progress Report - 2015

## Housing Element Implementation

(CCR Title 25 §6202)

previously proposed revisions, would comply with State law when adopted by the Council and after the City adopts zoning for emergency shelter(s), the last uncompleted implementation action required for the prior 2009-2014 Housing Element. The Planning Commission reviewed the draft Housing Element Update on March 17, 2015 and adopted Resolution No. 2015-02 recommending that the City Council adopt the 2015-2023 Housing Element. The City Council is scheduled to consider adoption of the Housing Element in April 2015. The Emergency Shelter zoning is expected to be considered by the Planning Commission and City Council in April and May 2015.

**Local Efforts To Remove Governmental Constraints.** The greatest constraints to the maintenance, improvement, and development of affordable housing include the following:

- Loss of Redevelopment. Redevelopment agencies in California were dissolved in 2012, eliminated a major source of funding for Low and Moderate Income Housing (LMIH) in the San Bruno Redevelopment Project Area. The City monitors new state legislation that may restore some state funding for affordable housing.
- Ordinance 1284 Constraints. In June 1977, the City of San Bruno adopted Ordinance No. 1284 placing restrictions on certain development standards, which constrains higher density residential development in the City. Ordinance 1284 requires approval by a majority of the voters of the City in order to allow: 1) buildings or other structures that exceeding fifty (50) feet or three (3) stories in height, whichever is less, 2) projects in residential districts at a density above what was permitted by the City's zoning code and map in 1974, and 3) multi-story parking structures.
- The City adopted the Transit Corridors Specific Plan, which promotes mixed use and transit oriented development, including residential uses along commercial corridors within proximity of a new Caltrain Station in the core area of the City. Measure N was approved by San Bruno voters in November 2014, which adjusted Ordinance 1284 limits, allowing building heights between 4 and 7 stories in the TCP area to facilitate the residential densities envisioned in the TCP.
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- The City promotes noise mitigation from SFO to the fullest extent possible through the SFO/Community roundtable and ongoing coordination with the County Airport Land Use Commission. However, development must comply with ALUCP policies and projects within the airport influence area must be reviewed by the Airport Land Use Commission for compliance with the ALUCP. New residential development is prohibited in large areas east of San Mateo Avenue in proximity to the BART and Caltrain Stations.
- Palmer v. City of Los Angeles (2009). The California Court decision in Palmer v City of Los Angeles invalidates the City's ability to require affordable rental units through the City's Below Market Rate Housing Program. The court ruled that local inclusionary housing programs cannot mandate rent restrictions in new rental housing developments or require payment of in-lieu fees as an alternative. City staff is participating in a countywide Nexus Study to consider adopting an affordable housing impact fee in place of the BMR ordinance. The City monitors new state legislation that may restore inclusionary policies for affordable rental housing.