



**“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 STUDY SESSION**

### **SAN BRUNO CITY COUNCIL**

**July 12, 2016**

**6:00 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:**

**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. CONDUCT OF BUSINESS:**

Conduct Study Session to Review Preparation of the City’s Climate Action Plan.

**5. ADJOURNMENT:**

The next regular City Council Meeting will be held on July 26, 2016 at 7:00 p.m. at the Senior Center, 1555 Crystal Springs Road, San Bruno.

**Posted Pursuant to Law 07/8/16**

Jim Ruane, Mayor  
Marty Medina, Vice Mayor  
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# AGENDA

## SAN BRUNO CITY COUNCIL

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**1. CALL TO ORDER:**

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

**3. ANNOUNCEMENTS:**

- a. The Regular City Council Meeting of August 9, 2016 is cancelled.
- b. The Beautification Task Force is accepting nominations for the Annual Beautification Awards Program. Applications can be found on the website as well as in the City Clerk's office. The deadline is Friday, August 19, 2016 at 5:00 p.m.
- c. The Annual National Night Out event will be held on Tuesday, August 2, 2016.

**4. PRESENTATIONS:**

**5. REVIEW OF AGENDA:**

**6. APPROVAL OF MINUTES:** Special Closed Session of June 28, 2016 and Regular Council Meeting of June 28, 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 June 27 and July 5, 2016.
- b. **Approve:** Payroll of June 17, 2016.
- c. **Accept:** Reconciliation of General Ledger to Bank Reports and Investment Reports Dated May, 2016.
- d. **Adopt:** Resolution Authorizing the Closure of 200 Linear Feet of the 200 Block of Santa Inez Avenue on Friday August 5, 2016 Between the Hours of 9:00 AM and 7:00 PM for Happy Hall School's 65th Anniversary Party.
- e. **Adopt:** Resolution Delegating Authority to the City Manager Under Government Code Section 21152(C), 21156, and 21173 to Make and Certify Determinations of Disability to the California Public Employees' Retirement System.
- f. **Approve:** City of San Bruno Response Letter to the San Mateo County Civil Grand Jury Report "Body Cameras-The Reel Truth."

**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. Receive Report on the July 4, 2016 Fireworks Activities.
- b. Receive Report and Provide Direction to Staff on the Public Draft "Walk 'n Bike Plan."
- c. Receive Report on 2016 Community Day in the Park Event and Provide Direction to Staff Regarding 2017 Event Funding.
- d. Adopt Resolution Authorizing the City Manager to Execute a Construction Contract with JMB Construction, Inc. for the Jenevein Avenue Sewer Replacement Project in the Amount of \$1,528,060 and Approving a Construction Contingency of \$229,209, Transfer of \$949,820 from the Trenton Sewer Main Project, Appropriation of an Additional \$160,373 from the Wastewater Capital Fund and a Total Project Budget in the Amount of \$2,057,269.
- e. Adopt Resolution Authorizing the City Manager to Execute a Construction Contract with Casey Construction for the Trenton Sewer Replacement Project in the Amount of \$1,313,242, Approving a Contingency of \$265,000, and Approving a Total Construction Budget in the Amount of \$1,878,242.
- f. Adopt Resolution Authorizing the City Manager to Execute a Construction Contract with LC General Engineering and Construction, Inc. for the Sidewalk Repair Project in the Amount of \$417,771, Approving a Construction Contingency of \$20,888 and Approving a Total Project Budget in the Amount of \$438,659.

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

**12. COMMENTS FROM COUNCIL MEMBERS:**

**13. CLOSED SESSION:**

**14. ADJOURNMENT:**

The next regular City Council Meeting will be held on July 26, 2016 at 7:00 p.m. at the Senior Center, 1555 Crystal Springs Road, San Bruno.

**City Council Agenda Item  
Staff Report**

CITY OF SAN BRUNO

**DATE:** July 12, 2016

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

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

**SUBJECT:** Conduct Study Session to Review Preparation of the City's Climate Action Plan

**BACKGROUND**

The City commenced work to complete its Climate Action Plan (CAP) in 2011. The CAP will implement Policy ERC-31 in the General Plan, which states, "Prepare a Greenhouse Gas Emissions Reduction Plan, focusing on feasible actions the City can take to minimize the adverse impacts of Plan implementation on climate change and air quality ..."

The CAP is intended to provide analysis of existing greenhouse gas emissions information for the City in support of the City's General Plan and State identified targets. Accordingly, the objective is to identify a program by which emissions can be reduced by 15 percent by the target year 2020. These measures would supplement state policies, which are projected to meet the vast majority of the 15 percent reduction goal. To date, 14 jurisdictions within San Mateo County have adopted CAPs, with an additional 7 cities (including San Bruno) working towards adoption of CAPs (Attachment 1). Adoption of a CAP and implementation of CAP measures remains a voluntary process in California. Preparation and adoption of a CAP enables local communities to use the Plan to streamline local environmental review processes associated with the California Environmental Quality Act (CEQA) and positions cities and counties to be more competitive when pursuing grants and establishing eligibility for State funding.

**DISCUSSION:**

While work on the San Bruno CAP was started in 2011, and proceeded through issuance of a public Draft CAP in October 2012, the process to complete the CAP was effectively placed on hold in December 2012 in response to ongoing demand for City and staff resources, including work following the San Bruno explosion and fire, and with subsequent changes in staffing within the Community Development Department. With completion of the CAP a priority, staff has again been working to bring the process to completion. This included placing the firm DNV GL, based in Oakland, under contract to complete the CAP.

*Recent Actions on the CAP*

DNV GL has provided a list of possible action measures which can be included in the updated Draft CAP, which include draft measures from 2012 and a new set of measures which, collectively, could help achieve GHG reduction targets for San Bruno by 2020 (Attachment 2). These items have been reviewed by Staff and DNV GL has made adjustments to the draft CAP measures based on staff feedback. A summary of this Staff review is attached to this report along with a list of proposed GHG reduction measures (Attachment 3). This information was also reviewed by the City Council Sustainability Subcommittee (Ruane-O'Connell). A summary of the Subcommittee comments and direction is also attached to this report (Attachment 4). The consultant team will present these materials, along background information about the CAP process, to the Council at the July 12<sup>th</sup> Study Session.

Following City Council review at the Study Session the proposed reduction measures will be more fully analyzed as part of the CAP development process, including preparation of a cost-benefit analysis. Ultimately, a final list of measures will be selected that, through implementation, will help the City attain its goal of a 15 percent reduction in greenhouse gas emissions by 2020. The measures will identify both community-wide strategies (which can include measures applying to residential, commercial and industrial activities) and municipal strategies.

With input and direction from the July 12<sup>th</sup> Council Study Session, Staff and the consultants will continue work towards completion and issuance of the Draft CAP in September, 2016, for subsequent formal review and adoption by the City Council.

FISCAL IMPACT:

The majority of the funding for completion of the CAP is being provided through C/CAG. The City's portion of the CAP contract, \$5,090, was previously appropriated under the City's Capital Improvement Program.

ALTERNATIVES:

None.

RECOMMENDATION:

Conduct Study Session on the Climate Action Plan, and provide feedback and direction to staff and the consultants on completion of the Draft CAP.

DISTRIBUTION:

None.

ATTACHMENTS:

1. Status of Climate Action Plans in San Mateo County
2. DNV GL list of Potential Measures for San Bruno Climate Action Plan
3. DNV GL Summary Memo
4. Climate Action Plan - Sustainability Subcommittee Comments

DATE PREPARED:

June 30, 2016

REVIEWED BY:

\_\_\_ CM

## **Status of Climate Action Plans in San Mateo County**

- **Completed CAP adopted by City Council**= 14 jurisdictions
  - Brisbane
  - Burlingame
  - Colma
  - Daly City
  - East Palo Alto
  - Hillsborough
  - Menlo Park
  - Pacifica
  - Redwood City
  - San Carlos
  - San Mateo (City)
  - San Mateo (Unincorporated County)
  - South San Francisco
  - Woodside
  
- **Completed Draft CAP** = 1 jurisdiction
  - Belmont
  
- **In-Progress Draft CAP** = 6 jurisdictions
  - Atherton
  - Foster City
  - Half Moon Bay
  - Millbrae
  - Portola Valley
  - San Bruno



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**Memo to:** David Waitering, Community Development Director

**From:** Betty Seto and Ben Butterworth, DNV GL

**Date:** 6/29/2016

### **San Bruno Climate Action Plan (CAP) Project: Summary of Department Directors Meeting**

AB 32 established a State target of 15% below 2005-level emissions by 2020. On April 20, 2016 DNV GL met with the City of San Bruno department directors to discuss potential measures to be considered for the City's 2016 Climate Action Plan (CAP) that would help the City achieve this level of emissions reduction by 2020. Individuals in attendance at the April 20th meeting included:

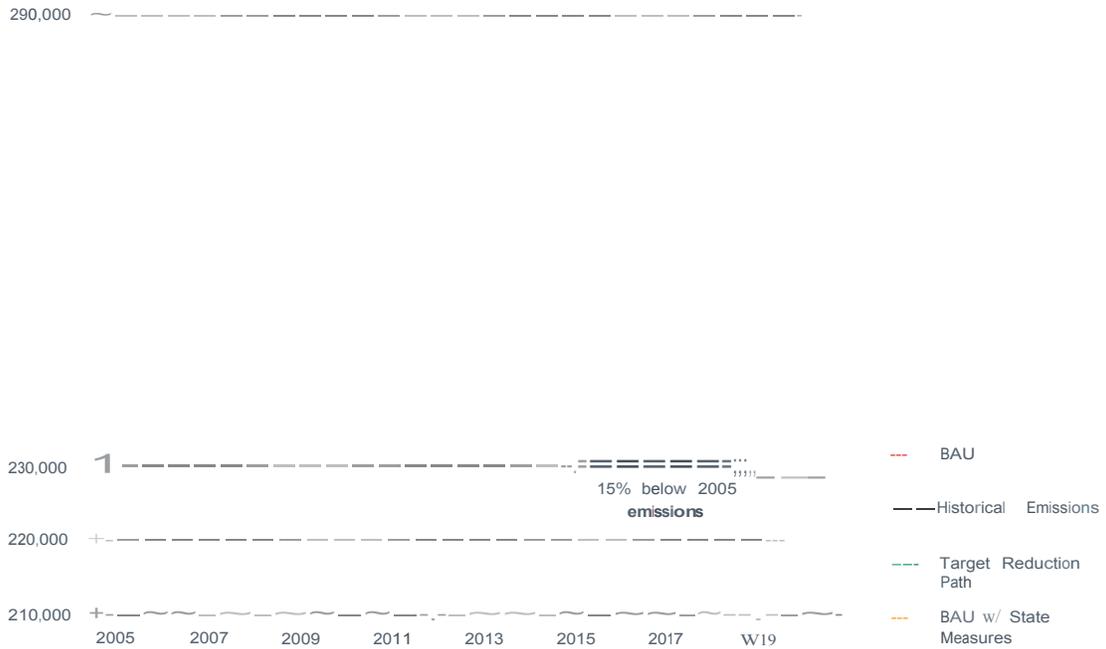
Connie Jackson, City Manager  
 Tami Yuki, Assistant City Manager  
 Carol Bonner, City Clerk  
 Marc Zafferano, City Attorney  
 Jennifer Dianos, Assistant to the City Manager  
 Angela Kraetsch, Finance Director  
 Ed Barberini, Chief of Police  
 Dave Downing, Fire Chief  
 Kerry Burns, Community Services Director  
 Steve Firpo, Acting Director, Cable TV  
 David Waitering, Community Development Director  
 Betty Seto, DNV GL  
 Ben Butterworth, DNVGL

At the meeting, DNV GL provided an overview of two sets of CAP measures: (1) one set that had originally been considered in 2012 during the development of San Bruno's Draft CAP and (2) additional measures to be considered. Based on feedback from the department directors, DNV GL adjusted the proposed set of measures to reflect existing City initiatives including the Transit Corridors Plans, Walk n' Bike Plan and Measure N. Following the meeting, DNV GL incorporated the feedback on the two sets of measures into a single set of proposed CAP measures for City Council review for the updated San Bruno CAP. DNV GL also received suggestions from department directors regarding the best points of contact regarding specific measures and will follow-up with these contacts if applicable measures pursued.

Pending more direction from the Council on which measures the city would like to pursue, DNV GL will further break-out the projected costs of implementing selected measures. DNV GL also realizes the importance of available grant funding to support the implementation of measures. The 2012 Draft Climate Action Plan previously identified grants and other incentive programs associated with implementation measures. DNV GL will provide updated information regarding available grant opportunities associated with the final measures selected as part of the 2016 revised Climate Action Plan.

The graph below illustrates the historic community-level emissions trend from 2005 - 2013, the 2020 emissions reduction target, and projected business-as-usual emissions trajectories (including and excluding state-level policies).

**San Bruno Emissions Reduction Needed to Achieve State Target by 2020**



As a result of State measures aimed at reducing emissions from the transportation and electricity sectors, San Bruno is projected to have 257,636 MT CO<sub>2</sub>e emissions by 2020. In order to achieve the emissions reduction target of 238,451 MT CO<sub>2</sub>e by 2020, the City will need to implement measures that result in a 19,185 MT CO<sub>2</sub>e reduction in emissions by 2020.

**Overview of Emissions Reductions Needed by 2020**

2020 emissions reduction needed from City measures to achieve State target	19,185
2020 estimated emissions reduction from proposed set of CAP measures*	13,646 - 32,912

\*Assumes all proposed measures are selected

Attachment 1 (Att-1) "CAP Measures for Consideration for San Bruno 2016 Climate Action Plan" provides an overview proposed measures for City of San Bruno to meet the 2020 emissions reduction target.



## Climate Action Plan - Sustainability Subcommittee Comments

1. The plan should acknowledge and give/suggest GHG emissions reduction credit because the city has 2 transit stations.
  - a. Added language to "Smart growth development" measure TL-1 to emphasize development near BART and Caltrain stations.
2. Clarify which measures we have already completed.
  - a. Added language in "Difficulty Implementing/ Staff Time" column to indicate if new or existing measure.
3. Check with C/CAG for grant opportunities. Grant opportunities should be highlighted to offset cost estimates!
  - a. Added a couple sentences to memo explaining that updated information regarding available grant funding opportunities to support implementation of measures will be included in the draft CAP.
4. What would it take to establish a Zero Waste policy for the community?
  - a. Added language to "Establish a community zero waste policy" measure WC-1 explaining that it would require mandatory curbside composting for all residential customers and increased enforcement of recycling requirements.
5. Define a metric ton of CO<sub>2</sub>.
  - a. Added a graphic to memo that provides a visual explanation of what a metric ton of CO<sub>2</sub> is. Also put a ton of CO<sub>2</sub> in terms of miles driven by a car.
6. What is the impact of the airport, BART, Caltrain on the City of San Bruno satisfying GHG reduction targets?
  - a. Addressed through changes referenced in #2.
7. For applicable measures that are on-going, distinguish between start-up and on-going costs. Identify grant opportunities.
  - a. Added sentence to memo explaining that once the Council has a better sense of which measures they would like to pursue further, DNV GL will perform more detailed cost analysis.
8. ECS: How could this be done in a way that is less expensive and not mandatory?
  - a. Determined in meeting that we were unsure what this comment was referring to.
9. ECG: may not be a high cost for the City. This is an existing program and the City collects fees for the tree replacement. Contact Community Services Director Kerry Burns.
  - a. Emailed Kerry Burns about tree replacement program. Will update when more information becomes available.

**10. Check regarding Energy Choice Aggregation 5,000-7,000: Would level of renewable (100% for example) used affect the GHG emissions reduction and the credit suggested.**

- a. Increased range in avoided emissions for CCA from 5,000-7,000 MT CO<sub>2</sub>e to 4,000 - 17,000 MT CO<sub>2</sub>e. Impact of CCA will vary dramatically based on participation rate and what renewable energy offerings San Bruno elects to offer (eg. Portola Valley will only be offering 100% renewable option through CCA). Measures handout currently assumes middle Scenario 2 below. Scenario 1 and Scenario 3 represent low and high end of range estimates.

<b>Scenario</b>	<b>Percent of customers choosing 50% renewable option</b>	<b>Percent of customers choosing 100% renewable option</b>	<b>Electricity emissions avoided in 2020 resulting from CCA (MT CO<sub>2</sub>e)</b>
1	40%	0%	3,511
2	70%	5%	7,874
3	0%	50%	17,297

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

# MINUTES

## SAN BRUNO CITY COUNCIL

June 28, 2016

7:00 p.m.

**1. CALL TO ORDER: THIS IS TO CERTIFY THAT** the San Bruno City Council met on June 28, 2016 at San Bruno's Senior Center, 1555 Crystal Springs Road, San Bruno, CA. The Council 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 Rico Medina and O'Connell. Councilmember Ibarra was excused with notice. **PG&E Representative Scott Hart** led the pledge of allegiance. Recording by City Clerk Bonner.

**3. ANNOUNCEMENTS:**

**Mayor Ruane** announced:

Residents are reminded to use caution and adhere to all regulations when using safe and sane fireworks during the July 4<sup>th</sup> holiday. All Violations will be vigorously enforced. **Fire Chief Downing** talked about the fire season and the need to be cautious as well as to be smart and safe. **Police Chief Barberbini** said they will be strictly enforcing the zero tolerance policy this year for all use of illegal and improper fireworks with fines up to \$1,000. **Mayor Ruane** noted there was a nice article in **FOCUS** regarding fireworks.

**Councilmember O'Connell** said the Beautification Task Force will be holding their beautification awards starting July 1 through August 19, at 5:00 p.m. The nomination forms are on line or can be obtained in the City Clerk's office or the Library. She encouraged the citizens to nominate a home they thought meets the criteria.

**4. PRESENTATIONS:** None.

**5. REVIEW OF AGENDA:** **Mayor Ruane** moved Item 11. to follow the Consent Calendar.

**6. APPROVAL OF MINUTES:** Special Study Session of June 8, 2016 and Regular Council Meeting with Special Study Session of June 14, 2016, approved as submitted.

**7. CONSENT CALENDAR:**

- a. **Approve:** Accounts Payable of June 13 and 20, 2016.
- b. **Approve:** Payroll of June 3, 2016.
- c. **Adopt:** Resolution Approving Amendment #2 to Employment Agreement Between the City of San Bruno and Marc Zafferano, City Attorney.
- d. **Adopt:** Resolution Authorizing the City Manager to Execute a Stormwater Treatment

Measures Maintenance Agreement for the San Francisco Police Credit Union Project at 1250 Grundy Lane.

**MIS Rico Medina/O'Connell** and approved with all ayes. Councilmember Ibarra excused with notice.

**Citizens Crime Prevention Committee Member Robert Donlucas** introduced the members of the Committee. He gave a special thank you to **Anne Dellinger** who was a huge help during the year before resigning. **Val Morgan** said there are currently 24 neighborhood watch groups. **Robert Donlucas** talked about the activities of the Committee, National Night Out and Police Recognition Day. He said social media outlets are being used to create a larger audience. **Val Morgan** talked about their activities and accomplishments as well as their plans for the next year. A short video was presented.

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

#### 8. PUBLIC HEARING:

a. Hold Public Hearing and Adopt Resolution Adopting the City of San Bruno 2015 Urban Water Management Plan.

**Deputy Director Public Services Burch** introduced **Elizabeth Drayer** with West Yost Consultants who gave a powerpoint presentation on the Urban Water Management Plan.

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

**MIS Rico Medina/O'Connell** to close the public hearing.

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

b. Hold Public Hearing and:

Adopt Resolution Approving the 2016-17 Operating and the 2016-21 Capital Improvement Program Budget; and

Adopt Resolution Approving the City's Appropriations Limit (Gann Limit) for 2016-17.

**City Manager Jackson** gave introductory remarks regarding review of the budget.

**Finance Director Angela Kraecht** reviewed the general fund revenues, expenditures, general fund summary, water fund overview, wastewater fund overview, cable fund overview, 2016-17 CIP Program Funding Summary, Five Year CIP Project Summary, Vehicles and Equipment. She explained the Gann Limit. She turned over the proposed service level enhancements to the City Manager.

**City Manager Jackson** reviewed the 2016-17 Proposed Service Level Enhancements. She said a check sheet has been prepared for Council's consideration. She elaborated on Items **A**, Increase Secretary from .75 FTE to 1.0 FTE; **G**, Building and Facilities Manager; **I**, Community Facilities Vision Plan Contribution and **Q**, Front Counter Technician in the Building Department.

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

**MIS O'Connell/Rico Medina** to close the Public Hearing.

**Councilmember Rico Medina** asked for further clarification about the special reserve funds in the Glenview/Crestmoor trust with regard to the police officer and CSO. He asked how long those positions will be in full need in the budget cycle and what happens to those current existing

personnel we have. He also said he understood they were having another review for reimbursement from the trust for staff time. He suggested having it allocated to a GL fund, not the general fund to give cushion.

**City Manager Jackson** said staff concur with the statements made regarding the trust funds. She said the Police Officer position is expected to be needed through the trial in Federal Court which is expected to take four to six weeks and then an additional two to three months before sentencing. The CSO position should be through the end of the year.

**Vice Mayor Marty Medina** said the Police Officer and the CSO monies are coming out of the trust and none of those funds are recoverable? **City Manager Jackson** concurred.

**Police Chief Barberin** said our primary investigator has been assigned to this case for about four and half years. He is the primary investigator for a large Federal investigation. Without our Police Officer assigned to this case there would be no investigation or case and we would not be where we are now. Efforts have been made to seek reimbursement for his time; however, to date nothing has happened. **City Manager Jackson** pointed out this is a normal practice to which **Police Chief Barberin** concurred.

**Vice Mayor Marty Medina** said it is a lot of money going out of the trust and people will ask where is all the money going. **City Manager Jackson** said the trust was deliberately established and the agreement with PG&E that established the trust deliberately and clearly states that the funds are to be used for activities related to or rising from directly contributing to the recovery and restoration of the community. **Vice Mayor Marty Medina** asked if PG&E appealed, how will the officer be paid. **City Manager Jackson** said they would not expect a significant participation by the investigator in an appeal situation.

**Mayor Ruane** mentioned Marty said people are saying, "where has the money gone." He said there have been some thorough and detailed explanation of that a couple of months ago when there were public meetings regarding the monies, he said every dime is accounted for.

**Councilmember Rico Medina** noted the one time Firefighter Overhire. **City Manager Jackson** said to this was done to minimize overtime costs.

**Vice Mayor Marty Medina** said he was interested in other projects that he and other councilmembers have proposed. He said waiting two to three months to get some action on that when this is the time where the budget is being set, it all comes together. He stated there are some issues he is interested in that have waited too long. The impact of parking in our community is a growing problem. He suggested a simple solution of marking parking spaces on the street. He asked his proposal be looked at and asked his colleagues support.

**Mayor Ruane** said it is important for items like this to be addressed by all five members of the Council in maybe a priority planning session. He also said the Police Chief would need to advise if something like that is enforceable. He said tonight the focus should be on the budget in front of us. **City Manager Jackson** said they had outlined some of the suggestions and they are happy to do some additional work and get those in a manner the City Council can consider sooner rather than later.

**Vice Mayor Marty Medina** suggested we wait until the next meeting to discuss the service level enhancements. **Mayor Ruane** said he believed they should get as much done as possible tonight.

**Vice Mayor Marty Medina** asked about the City Park stormwater improvements, undergrounding the creek that channels through the park. It was his understanding that the Community Foundation was looking at doing some reconfiguration of the Park and maybe delaying the stormwater improvements for one year would not cause a problem. **City Manager Jackson** said the project is expected to move forward this year. She said there will be another chance for Council to pull out the stormwater work if it is Council's desire.

**Councilmember O'Connell** introduced the resolution Approving the 2016-17 Operating and the 2016-21 Capital Improvement Program Budget, and passed with a unanimous vote. Councilmember Ibarra excused with notice.

**Councilmember O'Connell** introduced the resolution Approving the City's Appropriations Limit (Gann Limit) for 2016-17 and passed with a unanimous vote. Councilmember Ibarra excused with notice.

**MIS O'Connell/RicoMedina** to approve I, Community Facilities Vision Plan Contribution; J, Part-Time Police Clerk; K, Firefighter Overhire; L Equipment and Training for Firefighter; M, Traffic Road Sign Inventory; N, Two Surveillance Cameras; O Streetscape Plan; P, Contract Assistant Planner; Q, Front Counter Technician; R, Contract Building Inspector; S, Building Plans Examiner; T, Playground Fiber Ground Cover; U, Stormwater Repairs; V, Stormwater/Wastewater Portable Pump and passed with all eyes.

**Councilmember O'Connell** expressed her passionate support for moving the (labeled A) Secretary from .75 FTE to 1.00 FTE.

**M/S O'Connell/Marty Medina** on the question. **Councilmember Rico Medina** said he had no problem with the person. He was looking at the position. He said we will be going to appointed City Clerk in eighteen months and there is already a recommendation to have the Treasurer become part of the Finance Director. He said he finds it very unfair that if you increase a person and it is discovered the office has been reassessed, it is a new path and things will have to be modified when it is appointed. He said the position from 2005 to 2010 remained at 2.5%. He said he wished they had the foresight to look at that. He said historically it is not supported and we will be going from an elected clerk to an appointed clerk. He said he would not support it as this time. He said maybe it could be supported in other areas.

**Councilmember O'Connell** said she believed the position to be full time and would be so going forward whether appointed or elected.

**Mayor Ruane** said the Treasurer and City Clerk are entirely different. He said he did not know what would happen in eighteen months; however, the fact remains that this is not just a staffing position, this is a position that another elected official in the City says is required and needed because her statutory duties have increased over the years. He said there is someone here who works eight hours a day and she needs an assistant. He said if they didn't come to an agreement tonight they would hold it off until all five Council members were present. **Councilmember Rico Medina** said he would be open to a one-time cost.

**Councilmember O'Connell** suggested this be approved as a one-time cost and in twelve months the Council, City Clerk and Assistant City Clerk can sit down and figure out how this will all work.

**City Clerk Bonner** summarized the duties of the Deputy City Clerk. **Councilmember Rico Medina** thanked the Clerk for her input; however, he said her comments had been heard earlier. He said he was comfortable with a one-time cost.

Continued from the motion on the floor of the question to have a one-time cost of \$27,000. allocated to the Deputy City Clerk position with the caveat that we look at the position at the end of twelve months and passed with all ayes. Councilmember Ibarra excused with notice.

Council was in full agreement with B, Reclassify Financial Services Supervisor to an Accountant.

Council was in full agreement with Item C, Reclassify Lead Customer Service Representative to a Revenue Operations Supervisor.

Regarding Item D, Reclassify a Custodian to a Lead Custodian. **City Manager Jackson** explained there are presently 4-1/2 custodians deployed all over the City, generally at non-business hours and our supervisor has a broad spectrum of responsibilities but has a business hours work assignment, primarily associated with tree management. By adding to the duties of one of the custodians, it gives the ability to better manage in real time.

**Councilmember Rico Medina** asked when was the last time we had a lead custodian, prior to this trial basis. **City Manager Jackson** said there has been a fair amount of change to the custodial staff over the last decade. She said she believed it to be ten years, but we now have fewer custodians on board than was done when we had a lead custodian.

**Councilmember Rico Medina** said he worked here when there were leads, it was a Recreation Services Manager who oversaw those positions. There was a lead at the time and more custodial staff. Today there is less staff to supervise at various hours and facilities. This is an existing custodian that will become a lead with additional responsibilities, an increase in pay and they are going to organize all those folks they may not always run into. He said it could hurt the current condition of our facilities by them not all getting the attention. This person would be supervising 3.5 people when before it was a healthier staff when it came to custodians. He wanted to know how we will get the value and how this will prove to be effective. City Manager Jackson said this is not a supervisor position, it is a lead position, a go-to contact person to check in periodically.

**Vice Mayor Marty Medina** suggested maybe we should do it one time to see how it works out. **Councilmember Rico Medina** said he would be okay with that but he wanted it to come back with some very strong data to show the benefit and value this has added. The balance of Council was in full agreement.

Council had full consensus to E Reclassify a Computer Support Technician to an Information System Administrator and Fa Part-Time Fire Inspector.

It was determined to hold Item G, Building and Facilities Manager over to the July 12 meeting.

H, Engineering Tech. **Vice Mayor Marty Medina** said he would be in favor of the position being an Engineering Inspector Technician. Council was in consensus.

**City Manager Jackson** said there were a couple of items Councilmembers had proposed and these would be brought back to Council.

**Councilmember Rico Medina** said when the Manager position is discussed he would like to look at adding a maintenance worker if the position does not go through.

**Mayor Ruane** thanked the City Manager and staff for putting this budget together.

**Councilmember Rico Medina** thanked them for putting the budget together in one binder.

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

**10. CONDUCT OF BUSINESS:**

a. Adopt Resolution Approving the San Bruno Community Foundation 2016-2017 Budget.

**City Attorney Zafferano** reviewed the staff report and asked for questions.

**Councilmember O'Connell** questioned the line item for Community Day in the Park. The report said \$25,000 but she understood we were supposed to get \$30,000, but it was reduced to \$25,000. **Leslie Hatayama** clarified this was for next year's Community Day in the Park. She said there was a letter written to the Council on the 20<sup>th</sup> of January at which time they committed to underwriting the whole cost of the event, projected at \$30,000 by City staff. It also stated over the long-term, the foundation was looking at a possibly lower contribution with the opportunity to use Community Day as a way to leverage the Community Foundation's funding and reach out to other community partners.

**Councilmember O'Connell** said given that logic, if the City shows \$50,000, would the Foundation be willing to give the City \$50,000. **Hatayama** said that would have to be revisited. She said there are opportunities to get monies from community partners. **Councilmember O'Connell** said no money has been put in our budget for Community Day. She said she understood the letter and what is being said and the desire to find corporate sponsors; however, she didn't like the way this was written. It puts the City in a bind in many ways.

**Mayor Ruane** said the Foundation has been very flexible and generous with their funds. He said the key here is the 2016-17 budget. He said he felt Hatayama had made clear it is easy to revisit those items when we have final costs. We don't know if we are going to have the same day or if it will be enhanced in some way. He supported it the way it was written.

**Councilmember Rico Medina** said two years ago the cost was \$36,000. Staff indicated the cost could be around \$30,000 and that is where the Foundation came up with that number. He said he would like to see what the costs were and an evaluation of the day.

**Vice Mayor Marty Medina** introduced the resolution for adoption and passed with three ayes and one no - Irene O'Connell. Councilmember Ibarra excused with notice.

**Councilmember Rico Medina** asked if there is a time slot when Council will receive these items from the event. **City Manager Jackson** said they are in the process of putting together grant proposals for the four projects that the Foundation originally proposed to the Council in January and reports on the conclusion of two of those projects. She suggested that report will be brought back to the City Council on July 12 so the net costs and revenues can be seen.

b. Adopt Resolution Authorizing the City Manager to Execute an Agreement with the San Bruno Community Foundation to Reimburse the City for City Attorney Services.

**City Attorney Zafferano** reviewed the staff report and asked for questions.

**Councilmember Rico Medina** asked why the City can't provide the service. Is there a rational the City is taking money from the trust? The Foundation has its own source of funding and they are paying for outside Council at as much as triple than our offices would provide those services. **Hatayama** added the City Attorney is more knowledgeable and familiar with the Foundation and has been very worthwhile.

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

c. Receive Report on the **El Camino Real and Angus Avenue Intersection Improvements Project** and Provide Direction to Staff.

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

**Vice Mayor Marty Medina** asked if Caltrain been notified. **Tan** said the designer contacted Caltrain before the design was in place.

**Vice Mayor Marty Medina** asked the corner of Angus be looked at by the designer.

**Councilmember Rico Medina** said the curb extension islands listed don't look good.

**Councilmember O'Connell** she said she didn't see a bulb out proposed for the Angus side, she sees a bulb out proposed for the El Camino side. She asked for clarification that Angus was not being narrowed. She said she did not particularly care for the decorative thing, she didn't think it was all that visible and suggested the zebra striping. **Tan** said it can be looked at.

**Vice Mayor Marty Medina** said it is a lighted intersection with blinking lights, a controlled intersection. He said it looks nice.

**Mayor Ruane** had a concern with the stamp because there is so much traffic on El Camino.

**Tan** said he would like a recommendation so they can move forward and show Caltrain what is being proposed. He said he did not know what the agreement is as to who will maintain it but he would look into it.

Option 3 was the consensus of Council.

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

Receive Annual Report from the Citizens Crime Prevention Committee (moved to follow the Consent Calendar, Item 7.)

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

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

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

**Mayor Ruane** wished everyone a safe and sane 4<sup>th</sup> of July and closed the meeting at 9:40. The next regular City Council Meeting will be held on July 12, 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  
June 28, 2016

Carol Bonner, City Clerk

Jim Ruane, Mayor

07/05/16

CITY OF SAN BRUNO  
WARRANT REGISTER  
TOTAL FUND RECAP

FUND	FUND NAME	AMOUNT
001	GENERAL FUND	\$140,227.40
132	AGENCY ON AGING	\$2,360.74
133	RESTRICTED DONATIONS	\$250.00
201	PARKS AND FACILITIES CAPITAL	\$1,898.00
203	STREET IMPROVE.PROJECTS	\$1,090.55
611	WATER FUND	\$42,535.65
621	STORMWATER FUND	\$853.96
631	WASTEWATER FUND	\$15,479.43
641	CABLE TV FUND	\$7,670.81
701	CENTRAL GARAGE	\$3680.50
702	FACILITY MAINT. FUND	\$10,742.89
711	SELF INSURANCE	\$40,556.54
TOTAL FOR APPROVAL		\$267,346.47

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 162636 THROUGH 162787 INCLUSIVE, TOTALING IN THE AMOUNT OF \$267,346.47 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,

*~f&c~*

7- t-/t,  
DATE

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Vendor Code & Name	Check#	Check Date	Amount
0105950 A2Z BUSINESS SYSTEMS	162637	7/5/2016	1,163.16
0102485 AARON WONG	162781	7/5/2016	800.00
0096852 ABAG PLAN CORPORATION	162638	7/5/2016	34,750.51
0104680 ACCESS 24 COMMUNICATIONSINC.	162639	7/5/2016	399.85
0000858 ADECCO EMPLOYMENT SERVICES	162640	7/5/2016	499.36
0001170 AIRGAS USA, LLC	162641	7/5/2016	21.46
0000082 AMERICAN MESSAGING	162642	7/5/2016	28.64
0099417 ANN CLIFFORD	162668	7/5/2016	86.47
0106465 APRIL DOMINGUEZ	162636	6/29/2016	1,200.00
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0017191 AT&T	162646	7/5/2016	820.84
0100181 ATHENA BOSNICH	162651	7/5/2016	100.46
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0018020 BARKER BLUE DIGITAL IMAGING	162648	7/5/2016	111.55
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0102359 BRENT SCHIMEK	162752	7/5/2016	590.87
0097686 BRIAN SCOTT PRODUCTIONS	162653	7/5/2016	375.00
0106451 BUDGET BLINDS	162655	7/5/2016	7,705.79
0102737 BURKE, WILLIAMS & SORENSEN,LLP	162656	7/5/2016	13,631.82
0096798 BUSINESS PRODUCTS & SUPPLIES	162657	7/5/2016	200.56
0018378 CALIFA GROUP	162658	7/5/2016	96.00
0097912 CALIFORNIA LIBRARY ASSOCIATION	162659	7/5/2016	790.00
0102463 CALPELRA	162660	7/5/2016	1,020.00
0097050 CATHERINE YOUNG	162785	7/5/2016	75.00
0017679 CDW GOVERNMENT, INC	162663	7/5/2016	1,098.02
0099495 CHRISTINA STIMMEL	162760	7/5/2016	150.00
0103854 CHRISTINE HOPKINS	162691	7/5/2016	95.55
0016324 CINTAS CORPORATION	162664	7/5/2016	772.55
0102572 CINTAS FIRE PROTECTION	162665	7/5/2016	138.75
0106471 CLEAN COIN LAUNDRY	162666	7/5/2016	275.00
0000508 CLEARLITE TROPHIES	162667	7/5/2016	443.48
0099394 CORALIA RINCON	162739	7/5/2016	10.55
0014338 CREST/GOOD MANUFACTURING CO.	162670	7/5/2016	105.98
0106160 DANIEL RONCO	162740	7/5/2016	15.60
0018449 DARLENE WONG	162782	7/5/2016	131.25
0018188 DAU PRODUCTS	162671	7/5/2016	860.40
0000197 DEMCO SUPPLY INC.	162672	7/5/2016	102.42
0101178 DISCOUNT PLUMBING	162674	7/5/2016	12,600.00
0099479 ELIZABETH TIONLOC	162766	7/5/2016	400.00
0013683 F. FERRANDO & CO.	162675	7/5/2016	3,393.00
0018117 FLYERS ENERGY, LLC	162677	7/5/2016	8,793.80
0102869 FRANCHISE TAX BOARD	162678	7/5/2016	50.00
0014910 G & M AUTO BODY	162679	7/5/2016	1,908.53
0018272 GALE/CENGAGE LEARNING	162680	7/5/2016	31.49
0106453 GLENN MACAPINLAC	162706	7/5/2016	150.00
0017454 GOLDEN STATE FLOW MEASUREMENT	162683	7/5/2016	2,728.16
0103985 GOVERNMENT FINANCE OFFICERS ASSOCIATION	162676	7/5/2016	305.00
0098602 GRAHAM CONTRACTORS	162684	7/5/2016	1,045.37
0000162 GRAINGER	162685	7/5/2016	1,304.25
0018948 GRAND LEADER MARKET	162686	7/5/2016	228.00

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0095966 GREATAMERICA FINANCIAL SVCS.	162687	7/5/2016	289.32
0096316 GREEN CARPET LANDSCAPING & MAINTENANCE	162703	7/5/2016	1,100.00
0095537 HARGENS, INC.	162688	7/5/2016	1,094.40
0099260 HAROLD YASIS	162784	7/5/2016	75.00
0095792 HARRISON & BONINI	162689	7/5/2016	362.97
0099395 HAYLEY BUCHMAN	162654	7/5/2016	7.65
0105378 HOME MAID RAVIOLI COMPANY INC.	162690	7/5/2016	828.80
0106054 HULA HALA 'O MAKALAPUA	162692	7/5/2016	23.20
0105735 HYDROSCIENCE ENGINEERS, INC.	162693	7/5/2016	8,642.00
0018838 INFOSEND, INC.	162694	7/5/2016	1,876.92
0094685 JAMES GIAMBRUNO	162681	7/5/2016	150.00
0018369 JOHN M. AQUILINA	162695	7/5/2016	150.00
0018376 JT2 INTEGRATED RESOURCES	162696	7/5/2016	5,806.03
0000075 K-119 TOOLS OF CALIFORNIA INC.	162697	7/5/2016	508.15
0018050 KAISER FOUNDATION HEALTH PLAN	162698	7/5/2016	4,505.62
0000132 KELLY-MOORE PAINT CO INC.	162699	7/5/2016	83.25
0101866 KIDZ LOVE SOCCER	162700	7/5/2016	79.30
0099391 KIRBY YALE	162783	7/5/2016	116.92
0106342 LESLIE SALAZAR	162745	7/5/2016	500.00
0104424 LIDIA'S ITALIAN DELICACIES	162704	7/5/2016	1,000.00
0017945 MAD SCIENCE OF THE BAYAREA	162707	7/5/2016	2,768.35
0099392 MAREK KOLODZIEJ	162702	7/5/2016	15.43
0098743 MARILYN RIDGWAY	162738	7/5/2016	10.70
0106452 MARINE SCIENCE INSTITUTE	162708	7/5/2016	250.00
0100704 MARTY CARDONE	162709	7/5/2016	560.00
0101988 MARY JO WEBB	162776	7/5/2016	75.00
0018311 MEDCO SUPPLY COMPANY	162710	7/5/2016	126.94
0097033 MERLO ANTHONY	162643	7/5/2016	35.00
0102770 METLIFE	162711	7/5/2016	350.46
0017906 MICHAEL BLUNDELL	162712	7/5/2016	500.00
0016863 MIDWEST TAPE, LLC	162713	7/5/2016	157.13
0097858 MIGUEL GIL	162682	7/5/2016	15.10
0105725 NATIONAL ACADEMY OF ATHLETICS	162714	7/5/2016	1,930.50
0000357 NATIONAL CABLE TV CO-OP, INC.	162715	7/5/2016	978.69
0100765 NOEL RUANE	162742	7/5/2016	75.00
0096380 NORTH COUNTY RECREATION LEAGUE(NCRL)	162732	7/5/2016	400.00
0105238 NORTHERN SERVICES INC.	162717	7/5/2016	5,120.04
0092263 OFFICE DEPOT INC	162718	7/5/2016	325.22
0018284 OFFICEMAX INC.	162719	7/5/2016	76.50
0097567 ONE HOUR DRY CLEANING	162720	7/5/2016	163.05
0001292 ORCHARD BUSINESS/SYNCB	162721	7/5/2016	734.62
0106325 ORO PRO PLUMBING, INC.	162722	7/5/2016	1,350.00
0000012 PACIFIC GAS & ELECTRIC	162723	7/5/2016	9,492.15
0106123 PACIFIC JANITORIAL SUPPLY CO.	162724	7/5/2016	216.15
0000101 PACIFIC NURSERIES	162725	7/5/2016	101.15
0099653 PAUL NOAH	162716	7/5/2016	26.21
0106156 PENGUIN RANDOM HOUSE LLC	162726	7/5/2016	91.56
0103618 PETERSON POWER SYSTEMS, INC.	162727	7/5/2016	7,774.23
0016770 PRAXAIR DISTRIBUTION INC -192	162728	7/5/2016	138.58
0105836 PRIMETIME PAPER & PROMOTIONS	162729	7/5/2016	1,286.53
0018530 PROGRESSIVE SOLUTIONS INC.	162730	7/5/2016	23,855.71
0000071 R & B COMPANY	162731	7/5/2016	404.08
0090749 RED WING SHOE STORE	162733	7/5/2016	858.35
0105325 RENE BUSINESS MACHINES	162734	7/5/2016	122.18

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0104548 RENNE SLOAN HOLTZMAN SAKAI LLP	162735	7/5/2016	5,800.30
0106462 RICARDO DIMAS-AMAYA	162673	7/5/2016	154.25
0103531 RICOH USA, INC.	162737	7/5/2016	287.32
0016213 ROZZI REPRODUCTION&SUPPLY INC.	162741	7/5/2016	1,258.37
0105003 S & S PLUMBING CO.	162743	7/5/2016	550.00
0106070 SAFETY-KLEEN SYSTEMS, INC.	162744	7/5/2016	115.35
0094657 SAN BRUNO PARK SCHOOL DIST.	162747	7/5/2016	198.80
0014027 SAN FRANCISCO CHRONICLE	162748	7/5/2016	668.20
0104691 SAN FRANCISCO FENCERS CLUB	162749	7/5/2016	206.40
0099047 SAN MATEO CTY SHERIFF'S OFFICE	162750	7/5/2016	2,794.80
0018597 SAN MATEO DAILY JOURNAL	162751	7/5/2016	772.00
0093191 SCOTT LUCIANO	162705	7/5/2016	500.00
0106440 SHERRY CAMPBELL	162661	7/5/2016	551.88
0018962 SHOE DEPOT INC.	162754	7/5/2016	194.18
0001225 SIERRA PACIFIC TURF SUPPLY,INC	162755	7/5/2016	387.46
0017339 SOUTH CITY REFRIGERATION	162756	7/5/2016	400.00
0106467 SOUTHERN COMPUTER WAREHOUSE	162757	7/5/2016	256.81
0106231 STANTEC CONSULTING SERVICES	162758	7/5/2016	276.00
0018028 STATE WATER RESOURCES CONTROL BOARD(SWF	162736	7/5/2016	110.00
0106466 STE CONSULTANTS	162759	7/5/2016	250.00
0017036 STEVEN'S BAYAREA DIESEL SER., INC.	162649	7/5/2016	859.00
0105796 SUNRISE FOOD DISTRIBUTOR INC.	162761	7/5/2016	531.94
0017802 SUPPLYWORKS	162762	7/5/2016	1,744.12
0018513 TAMI YUKI	162786	7/5/2016	1,000.00
0000431 TEAMSTERSLOCAL#856	162763	7/5/2016	6,405.00
0015671 TECHNOLOGY, ENGINEERING & CONSTRUCTION,II	162669	7/5/2016	500.00
0095192 TERESSA KILLEEN	162701	7/5/2016	225.00
0098021 THE SAN MATEO MEDICAL CENTER	162764	7/5/2016	2,100.00
0000036 THOMSON WEST	162765	7/5/2016	1,076.44
0018826 TJC & ASSOCIATES, INC.	162767	7/5/2016	3,644.25
0018898 TJKM TRANSPORTATION CONSULTANT	162768	7/5/2016	903.96
0000665 TSO SOLUTIONS INC.	162769	7/5/2016	325.00
0001362 TV GUIDE MAGAZINE, LLC	162770	7/5/2016	224.69
0000783 UNION BANK OF CALIFORNIA N.A.	162771	7/5/2016	875.00
0018618 UNITED SITE SERVICES INC.	162772	7/5/2016	194.20
0102865 UNIVERSAL SERVICE ADMINISTRATIVE CO.	162753	7/5/2016	5,248.76
0013734 UPSTART	162773	7/5/2016	44.29
0017083 VALi COOPER & ASSOCIATES INC	162774	7/5/2016	668.00
0102988 VANTAGEPOINT TRANSFER AGENTS	162775	7/5/2016	11,219.99
0099440 WANDERY CANTIARELLI DOS SANTOS	162662	7/5/2016	1231
0016899 WECO INDUSTRIES LLC	162777	7/5/2016	199.94
0096421 WEST-LITE SUPPLY CO., INC.	162778	7/5/2016	422.38
0000612 WESTVALLEY CONSTRUCTION CO.INC	162779	7/5/2016	2,417.38
0096893 WILSEY HAM	162780	7/5/2016	9,257.50
0106400 ZEIGER ENGINEERS, INC.	162787	7/5/2016	1,898.00
<b>GrandTotal:</b>			<b>267,346.47</b>
<b>Total count:</b>			<b>152</b>

06/27/16

CITY OF SAN BRUNO  
WARRANT REGISTER  
TOTAL FUND RECAP

FUND	FUND NAME	AMOUNT
001	GENERAL FUND	\$123,825.64
003	ONE-TIME REVENUE	\$2,884.96
122	SOLID WASTE/RECYCL.	\$7,291.52
132	AGENCY ON AGING	\$1,600.00
133	RESTRICTED DONATIONS	\$1,367.38
201	PARKS AND FACILITIES CAPITAL	\$11,363.75
203	STREET IMPROVE.PROJECTS	\$8,100.00
207	TECHNOLOGY CAPITAL	\$5,200.00
611	WATER FUND	\$53,176.05
621	STORMWATER FUND	\$3,242.22
631	WASTEWATER FUND	\$19,945.01
641	CABLE TV FUND	\$38,829.88
701	CENTRAL GARAGE	\$8,654.10
702	FACILITY MAINT. FUND	\$12,333.84
707	TECHNOLOGY DEVELOPMENT	\$5,221.95
880	PROJECT DEVELOP. TRUST	\$8,820.00
TOTAL FOR APPROVAL		\$311,856.30

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 162497 THROUGH 162635 INCLUSIVE, TOTALING IN THE AMOUNT OF \$311,856.30 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.

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Vendor Code & Name	Check#	Check Date	Amount
0103202 ADVANCED MOBILE COMMUNICATIONS	162497	6/27/2016	200.56
0017586 AIR EXCHANGE, INC	162498	6/27/2016	568.30
0001170 AIRGAS USA, LLC	162499	6/27/2016	529.45
0000163 AIRPORT AUTO PARTS INC.	162500	6/27/2016	320.42
0106413 ALLIED 100 LLC	162501	6/27/2016	350.00
0099299 ALVARO SOUSA	162616	6/27/2016	24.46
0096700 ANDY'S WHEELS & TIRES	162503	6/27/2016	401.10
0099358 APRIL FLOYD	162536	6/27/2016	100.00
0001202 ARAMARK UNIFORM SERVICES	162504	6/27/2016	750.44
0001965 ARISTA BUSINESS	162505	6/27/2016	129.93
0016123 AT&T	162506	6/27/2016	524.97
0017191 AT&T	162507	6/27/2016	1,961.14
0018465 AT&T MOBILITY	162508	6/27/2016	46.65
0018583 AT&T MOBILITY	162509	6/27/2016	63.32
0000345 BAKER & TAYLOR BOOKS	162510	6/27/2016	3,079.71
0018567 BATIERYSYSTEMS	162512	6/27/2016	781.30
0015628 BAYAREA TREE CO., INC.	162514	6/27/2016	10,875.00
0105908 BRANDON COLAR	162522	6/27/2016	200.00
0105324 CAINE COMPUTER CONSULTING, LLC	162515	6/27/2016	3,120.00
0018378 CALIFA GROUP	162516	6/27/2016	523.50
0017679 CDW GOVERNMENT, INC	162517	6/27/2016	107.86
0000729 CERTIFIED LABORATORIES, INC.	162518	6/27/2016	455.08
0099341 CHRIS & NERIZA SABIDO	162600	6/27/2016	76.70
0016324 CINTAS CORPORATION	162519	6/27/2016	451.36
0016324 CINTAS CORPORATION	162520	6/27/2016	74.55
0018741 CMS COMMUNICATIONS INC.	162521	6/27/2016	270.80
0105187 CONCERN	162524	6/27/2016	690.90
0015857 COUNTY OF SAN MATEO	162525	6/27/2016	152.00
0014338 CREST/GOOD MANUFACTURING CO.	162526	6/27/2016	649.27
0105894 CRIME SCENE CLEANERS, INC.	162527	6/27/2016	70.00
0097934 CW EA-TCP	162528	6/27/2016	86.00
0018449 DARLENE WONG	162634	6/27/2016	214.08
0106461 DARRYL PANG	162584	6/27/2016	265.00
0099274 DAVE SATO	162604	6/27/2016	49.39
0099310 DAVID SCHMIDT	162605	6/27/2016	26.80
0106459 DIGITAL ONE LEGAL SOLUTION	162530	6/27/2016	777.56
0106217 ECO-POP DESIGNS	162531	6/27/2016	1,844.00
0099267 ELLEN KROSS	162553	6/27/2016	8.62
0093685 ERIC JACKSON	162548	6/27/2016	289.00
0106116 EVERBANK COMMERCIAL FINANCE, INC.	162523	6/27/2016	335.60
0013683 F. FERRANDO & CO.	162533	6/27/2016	11,023.00
0000944 FEDEX	162534	6/27/2016	121.67
0001782 FLOWERS ELECTRIC & SVC.CO.INC.	162535	6/27/2016	240.00
0018117 FLYERS ENERGY, LLC	162537	6/27/2016	8,858.41
0104135 GLOBAL TRACKING COMMUNICATIONS, INC.	162626	6/27/2016	24.99
0000162 GRAINGER	162539	6/27/2016	971.66
0000541 GRANITE ROCK COMPANY	162540	6/27/2016	801.84
0000909 HERTZ EQUIPMENT RENTAL CORP.	162542	6/27/2016	90.59
0001786 IN DEMAND-NYC	162544	6/27/2016	5,882.45
0018838 INFOSEND, INC.	162545	6/27/2016	11,351.54
0018557 INTERSTATE SALES	162546	6/27/2016	3,378.62
0099054 INTERSTATE TRS FUND	162547	6/27/2016	591.59
0100913 JENNIE LIN	162557	6/27/2016	1,000.00

Document group: komalley Bank: apbank 05507660

Vendor Code & Name	Check#	Check Date	Amount
0099332 JINSONG HUANG	162543	6/27/2016	79.62
0099286 JOHN MARCOVICI	162561	6/27/2016	67.18
0000075 K-119TOOLS OF CALIFORNIA INC.	162550	6/27/2016	417.27
0000132 KELLY-MOORE PAINT CO INC.	162551	6/27/2016	283.37
0099297 KIRPAL GREWAL	162541	6/27/2016	53.05
0000317 L.N. CURTIS & SONS	162554	6/27/2016	439.36
0105034 LFP BROADCASTING, LLC	162555	6/27/2016	36.40
0104424 LIDIA'S ITALIAN DELICACIES	162556	6/27/2016	1,600.00
0017924 LORAL LANDSCAPING INC.	162558	6/27/2016	27,585.00
0018177 LOWE'S	162559	6/27/2016	1,069.21
0099319 LYNN DAVIES	162529	6/27/2016	34.46
0017026 LYNX TECHNOLOGIES, INC.	162560	6/27/2016	5,200.00
0103102 MARGARET O'REILLY	162577	6/27/2016	148.30
0091855 MARK REINHARDT	162562	6/27/2016	500.00
0106302 MATIHEW JONES	162549	6/27/2016	11,217.50
0099262 MELISSA SHAH	162609	6/27/2016	128.00
0106446 MICHAEL BAKER INTERNATIONAL, INC.	162511	6/27/2016	46,422.50
0016863 MIDWEST TAPE, LLC	162563	6/27/2016	146.29
0099256 MIKE KHUNIS	162552	6/27/2016	107.00
0001709 MILLBRAE LOCK	162564	6/27/2016	743.27
0100062 MIRELLA RAMIREZ	162565	6/27/2016	652.17
0096800 MOBILE CALIBRATION SVCS. LLC	162566	6/27/2016	293.08
0103600 MOMENTUM TELECOM, INC.	162567	6/27/2016	14,403.06
0000333 MOSS RUBBER & EQUIP. CORP.	162569	6/27/2016	630.30
0103301 NHL NETWORK US, LP	162570	6/27/2016	1,515.24
0105238 NORTHERN SERVICES INC.	162571	6/27/2016	3,570.97
0018157 OCLC INC	162572	6/27/2016	352.47
0092263 OFFICE DEPOT INC	162573	6/27/2016	3,231.78
0018284 OFFICEMAX INC.	162574	6/27/2016	80.81
0000210 OLE'S CARBURETOR &ELECTRIC INC	162575	6/27/2016	8.36
0105812 OLIVER REICH	162597	6/27/2016	32.00
0105208 ORATECH CONTROLS, INC.	162576	6/27/2016	3,435.74
0102769 ORION SAFETY PRODUCTS	162578	6/27/2016	1,465.94
0018701 ORKIN PEST CONTROL	162579	6/27/2016	906.16
0000012 PACIFIC GAS & ELECTRIC	162580	6/27/2016	15,354.67
0106123 PACIFIC JANITORIAL SUPPLY CO.	162581	6/27/2016	512.30
0000101 PACIFIC NURSERIES	162582	6/27/2016	365.15
0106110 PACIFIC OFFICE AUTOMATION	162583	6/27/2016	137.65
0106156 PENGUIN RANDOM HOUSE LLC	162585	6/27/2016	126.71
0001154 PENINSULA LIBRARY SYSTEM	162586	6/27/2016	654.97
0099307 PENINSULA SEAFOOD	162587	6/27/2016	26.38
0015163 PENINSULA SPORTS OFFICIALS ASSOC.INC.	162619	6/27/2016	432.00
0098995 PENINSULA TRANSMISSION	162588	6/27/2016	2,543.06
0103618 PETERSON POWER SYSTEMS, INC.	162589	6/27/2016	7,774.23
0000294 PITNEY BOWES	162590	6/27/2016	304.83
0102915 PRECISE PRINTING & MALING	162591	6/27/2016	338.12
0000285 PREFERRED ALLIANCE, INC.	162592	6/27/2016	327.52
0105836 PRIMETIME PAPER & PROMOTIONS	162593	6/27/2016	277.95
0000071 R & B COMPANY	162594	6/27/2016	6,320.80
0099295 RACHEL MORALES	162568	6/27/2016	44.79
0096541 RDJ SPECIALTIES, INC	162595	6/27/2016	1,435.44
0094546 RECORDED BOOKS, INC.	162596	6/27/2016	190.05
0016729 RICOH AMERICAS CORPORATION	162598	6/27/2016	328.19
0104691 SAN FRANCISCO FENCERS CLUB	162602	6/27/2016	465.60

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Vendor Code & Name	Check#	Check Date	Amount
0017145 SAN MATEO LAWN MOWER SHOP	162603	6/27/2016	671.67
0106457 SAN MATEO-FOSTER CITY SCHOOL DISTRICT	162538	6/27/2016	125.62
0106393 SANDY ALVAREZ	162502	6/27/2016	199.00
0099309 SATHISHKANNA THIRUGNANAM	162625	6/27/2016	24.46
0018461 SERRAMONTE FORD, INC.	162606	6/27/2016	328.65
0103732 SFO MEDICAL CLINIC	162607	6/27/2016	173.00
0102917 SFPUC FINANCIAL SERVICES	162608	6/27/2016	2,494.00
0101667 SHELL DOOR SERVICE	162610	6/27/2016	609.40
0018962 SHOE DEPOT INC.	162611	6/27/2016	200.00
0093872 SHOWCASES	162612	6/27/2016	124.78
0016458 SIADAT ENTERPRISES INC.	162613	6/27/2016	1,556.00
0017676 SIEMENS INDUSTRY, INC.	162614	6/27/2016	790.00
0106271 SOLARWINDS	162615	6/27/2016	192.00
0017508 SOUTH CITY LUMBER AND SUPPLY	162617	6/27/2016	319.72
0105992 SPOK, INC.	162618	6/27/2016	165.21
0097079 SPRINT	162620	6/27/2016	37.99
0017036 STEVEN'S BAY AREA DIESEL SER., INC.	162513	6/27/2016	2,043.25
0017802 SUPPLYWORKS	162622	6/27/2016	223.37
0002025 TELECOMMUNICATIONS ENGINEERING ASSOCIATE	162532	6/27/2016	324.00
0018083 THE CROSSING SAN BRUNO PROPERTY OWNERS I	162601	6/27/2016	2,884.96
0103559 THE MLB NETWORK, LLC	162623	6/27/2016	1,913.68
0095763 THE SOCIETY OF ST. VINCENT DE PAUL	162621	6/27/2016	47.40
0000424 THE URBAN FARMER STORE	162624	6/27/2016	228.19
0105824 TRIVAD, INC.	162627	6/27/2016	1,239.25
0017133 TURBO DATASYSTEMS INC	162628	6/27/2016	2,250.58
0018618 UNITED SITE SERVICES INC.	162629	6/27/2016	1,367.38
0102744 UNIVERSAL BUILDING SERVICES	162630	6/27/2016	489.00
0096844 USA BLUE BOOK	162631	6/27/2016	362.88
0105762 VUBIQUITY INC.	162632	6/27/2016	7,690.63
0106289 WANDZIA ROSE	162599	6/27/2016	300.00
0000612 WESTVALLEY CONSTRUCTION CO.INC	162633	6/27/2016	39,022.78
0018910 ZOLL DATASYSTEMS INC.	162635	6/27/2016	2,860.00
	<b>GrandTotal:</b>		<b>311,856.30</b>
	<b>Total count:</b>		<b>139</b>

**City Council Agenda Item  
Staff Report**

CITY OF SAN BRUNO

DATE: July 12, 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 June 17, 2016 is recommended. The Labor Summary report reflecting the total payroll amount of \$1,483,545.25 for bi-weekly pay period ending June 12, 2016 is attached.

**LABOR SUMMARY FOR PAY PERIOD ENDING: JUNE 12, 2016**

<b>pylaborDist</b>	<b>06/17/16</b>
Fund: 001 - GENERAL FUND	1,126,025.14
Fund: 121 - FEDERAL STATE GRANTS	3,340.31
Fund: 122 - SOLID WASTE/RECYCL.	2,243.54
Fund: 190 - EMERGENCY DISASTER FUND	15,356.99
Fund: 201 - PARKS AND FACILITIES CAPITAL	43.40
Fund: 203 - STREET IMPROVE. PROJECTS	4,509.89
Fund: 207 - TECHNOLOGY CAPITAL	32.53
Fund: 611 - WATER FUND	84,658.39
Fund: 621 - STORMWATER FUND	13,126.92
Fund: 631 - WASTEWATER FUND	76,689.10
Fund: 641 - CABLE TV FUND	95,583.52
Fund: 701 - CENTRAL GARAGE	11,624.87
Fund: 702 - FACILITY MAINT.FUND	31,179.89
Fund: 707 - TECHNOLOGY DEVELOPMENT	14,148.45
Fund: 711 - SELF INSURANCE	4,982.31
<b>Total</b>	<b>1,483,545.25</b>



7/7/2016 11:18:56AM

Through period: 11

City of San Bruno  
Through May 2016

	Cash	Investments	Fund Total
001 GENERAL FUND	2654,954.97	53,806.72	2,708,761.69
002 GENERAL FUND RESERVE	9,074,019.14	0.00	9,074,019.14
003 ONE-TIME REVENUE	1,102,172.11	0.00	1,102,172.11
004 NEW CAP IMPROV/ONE-TIME INITIATIVE RSRV	7,732,167.78	0.00	7,732,167.78
101 GAS TAX	183,530.26	0.00	183,530.26
102 MEASURE A TRANSPORTATION TAX	400,491.41	0.00	400,491.41
103 STREET SPECIAL REVENUE	312,921.09	0.00	312,921.09
104 TRAFFIC CONGESTION RELIEF	0.00	0.00	0.00
111 POLICE ASSET FORFEITURE	67,612.78	0.00	67,612.78
112 SAFETY AUGMENT. -PROP.172	0.00	0.00	0.00
113 POLICE SPECIAL REVENUE	130,591.30	0.00	130,591.30
114 TRAFFIC SAFETY GRANT	62,258.57	0.00	62,258.57
121 FEDERAL/STATE GRANTS	45,552.56	0.00	45,552.56
122 SOLID WASTE/RECYCL.	268,761.74	0.00	268,761.74
123 LIBRARY SPECIAL REVENUE	167,700.93	0.00	167,700.93
131 IN-LIEU FEES	3,528,501.27	0.00	3,528,501.27
132 AGENCY ON AGING	13,613.24	0.00	13,613.24
133 RESTRICTED DONATIONS	1,111,667.70	0.00	1,111,667.70
134 ED JOHNSON BEQUEST FUND	26,218.68	0.00	26,218.68
135 GLENVIEW FIRE DONATIONS	0.00	0.00	0.00
136 EMERGENCY DISASTER RESERVE	3,055,526.21	0.00	3,055,526.21
151 SUCCESSOR AGENCY TO THE SB RDA - OPS	0.00	0.00	0.00
152 CITY OF SB AS SUCCESSOR HOUSING AGENC	327,008.00	0.00	327,008.00
153 RDA OBLIGATION RETIREMENT FUND	571,509.26	650,253.63	1,221,762.89
190 DISASTER RECOVERY FUND	(2,738,835.47)	0.00	(2,738,835.47)
201 PARKS AND FACILITIES CAPITAL	2,394,081.54	0.00	2,394,081.54
203 STREET IMPROVE PROJECTS	3,431,781.63	0.00	3,431,781.63
207 TECHNOLOGY CAPITAL	263,202.16	0.00	263,202.16
251 SUCCESSOR AGENCY TO THE SB RDA - CAPII	0.00	0.00	0.00
302 LEASE DEBT SERVICE	(99,669.03)	985,356.88	885,687.85
351 SUCCESSOR AGENCY TO THE SB RDA -2000 C	0.00	0.00	0.00
611 WATER FUND	9,465,337.17	0.00	9,465,337.17
621 STORMWATER FUND	1,690,759.98	0.00	1,690,759.98
631 WASTEWATER FUND	10,855,118.28	2.19	10,855,120.47
641 CABLE TV FUND	(7,234,124.35)	200.00	(7,233,924.35)
701 CENTRAL GARAGE	641,505.45	0.00	641,505.45
702 FACILITY MAINT.FUND	713,707.71	0.00	713,707.71
703 GENERAL EQUIPMENT REVOLVING	5,105,066.19	0.00	5,105,066.19
707 TECHNOLOGY DEVELOPMENT	238,149.36	0.00	238,149.36
711 SELF INSURANCE	2,483,382.54	91,118.50	2,574,501.04
870 SAN BRUNO COMMUNITY FOUNDATION	200,000.00	0.00	200,000.00
880 PROJECT DEVELOP. TRUST	97,154.52	0.00	97,154.52
891 S.B. GARBAGE CO. TRUST	297,343.10	0.00	297,343.10
<b>Grand Total:</b>	<b>58,640,739.78</b>	<b>1,780,737.92</b>	<b>60,421,477.70</b>

\* Reconciliation of Pooled Cash & Investments to Portfolio Book Value

Investment Portfolio Value	\$57,460,904.98
Cash on hand - Checking Account	3,346,271.67
Payroll and Accounts Payable Outstanding Checks	(2,441,197.52)
Deposits in Transit	274,760.65
General Ledger Cash Balance as of May 31, 2016	\$58,640,739.78

**City Council Agenda Item  
Staff Report**

CITY OF SAN BRUNO

**DATE:** July 12, 2016

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

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

**SUBJECT:** Adopt Resolution Authorizing the Closure of 200 Linear Feet of the 200 Block of Santa Inez Avenue on Friday August 5, 2016 Between the Hours of 9:00 AM and 7:00 PM for Happy Hall School's 65th Anniversary Party

**BACKGROUND:**

Happy Hall School is celebrating their 65th anniversary and annual end of the school year bash. The school has scheduled this special event at 233 Santa Inez Avenue on Friday, August 5, 2016. This special event is limited to Happy Hall families and their neighbors across from the school. In all, approximately 400 people are estimated to attend the event. In order to accommodate this large group of individuals, Happy Hall has applied for a Special Event Permit and Encroachment Permit to close the portion of the Santa Inez Avenue immediately in front of the school property. The length of the closure is approximately 200 linear feet. Attachment 2 is the Site Plan submitted along with the application package.

The Special Event Permit application has been reviewed by the Community Development Department with collaboration between the Police, Fire and Public Services Departments and will be approved subject to various permit conditions. Separate action by the City Council is necessary to authorize the requested road closure.

A Special Event Permit was issued to Happy Hall in 2015 for their 64rd Anniversary with the same terms and conditions, road closures and detours. Staff did not receive any neighborhood complaints regarding the event.

**DISCUSSION:**

The celebratory event is scheduled to take place between the hours of 1:00 PM and 6:00 PM. The proposed road closure would occur between the hours of 9:00 AM and 7:00 PM on Friday, August 5, 2016. The street closure time period includes four hours for set-up prior to the event and one hour to clean up after the event. The Special Event will include games, bounce houses, face painting, and children's performances. Happy Hall will also be serving food and non-alcoholic beverages to their guests. Staff has reviewed the conditions for the Special Event Permit with Happy Hall. The school acknowledges the obligation to comply with these conditions in order to mitigate potential impacts to the community.

In order to accommodate the road closure, a detour and notification plan has been developed. A copy of this plan is included as Attachment 3. The actual closure will be near

the center of the 200 block of Santa Inez Avenue in front of house numbers 217, 225, and 233.

All residents and property owners within the 200 block of Santa Inez Avenue between San Antonio and San Anselmo Avenues have been provided written notice of the requested road closure and that the City Council would be considering this matter at the July 12, 2016 City Council meeting.

Staff believes that the special event, including the road closure, may be accommodated with minimal impact to the community subject to the following closure conditions:

1. The street closure involves closing 200 linear feet of Santa Inez Avenue between San Antonio and San Anselmo Avenues. The closure is between the hours of 9:00 AM and 7:00 PM. Local traffic will be allowed to access their residences; no thru traffic will be allowed.
2. Detour and road closure signs shall be posted as described on Detour Route plan included as Attachment 3.
3. Party attendees will utilize existing parking on neighboring streets such as San Antonio Avenue, San Anselmo Avenue, 100 block of Santa Inez Avenue, and El Camino Real.
4. Happy Hall shall provide courtesy notices to the neighboring residences on Santa Inez Avenue.
5. Happy Hall is responsible for setting up and cleaning up prior to and after the event, including the installation of barricades and all detours signs.
6. Happy Hall shall obtain a Special Event Permit from the Community Development Department and an Encroachment Permit from the Public Services Department.

#### FISCAL IMPACT:

The street closure will have no fiscal impact. Happy Hall will be responsible for all costs associated with setting up and removal of road closure and detour signs, and site cleanup.

#### ALTERNATIVES:

1. Do not approve the street closure.
2. Approve road closure subject to additional conditions of approval.

**RECOMMENDATION:**

Adopt resolution authorizing the closure of 200 linear feet of the 200 block of Santa Inez Avenue on Friday August 5, 2016 between the hours of 9:00 AM and 7:00 PM for Happy Hall School's 65th Anniversary Party.

**DISTRIBUTION:**

1. Happy Hall School

**ATTACHMENTS:**

1. Resolution
2. Site Plan
3. Detour Route Plan

**DATE PREPARED:**

June 28, 2016

**REVIEWED BY:**

\_\_\_ CM

**RESOLUTION NO. 2016 -**

**RESOLUTION AUTHORIZING THE CLOSURE OF 200 LINEAR FEET OF THE 200 BLOCK OF SANTA INEZ AVENUE ON FRIDAY AUGUST 5, 2016 BETWEEN THE HOURS OF 9:00 AM AND 7:00 PM FOR HAPPY HALL SCHOOL'S 65th ANNIVERSARY PARTY**

**WHEREAS**, Happy Hall School has requested a Special Event Permit involving the closure of 200 feet of the 200 block of Santa Inez Avenue on Friday August 5, 2016, between the hours of 9:00 AM and 7:00 PM; and

**WHEREAS**, the San Bruno City Council finds and declares, pursuant to California Vehicle Code Section 21101, that the closing of a certain street in connection with such event is necessary for the safety and protection of persons who are to use certain portions of such street during such closing; and

**WHEREAS**, the Police Department, the Fire Department, the Community Development Department, and the Public Services Department have reviewed the requested road closure and have identified specific detour plan and conditions of approval that will mitigate community impacts associated with the proposed road closure; and

**WHEREAS**, residents and property owners on Santa Inez Avenue between San Antonio Avenue and San Anselmo Avenue have been provided written notice that a road closure is proposed, and that the City Council will consider the requested road closure at its City Council meeting on July 12, 2016; and

**NOW, THEREFORE, BE IT RESOLVED** by the San Bruno City Council that the 200 feet of the 200 block of Santa Inez Avenue shall be closed to vehicular traffic on Friday August 5, 2016, between the hours of 9:00 AM and 7:00 PM subject to the following conditions:

1. The street closure involves closing 200 linear feet of Santa Inez Avenue between San Antonio and San Anselmo Avenues. The closure is between the hours of 9:00 AM and 7:00 PM. Local traffic will be allowed to access their residences; no thru traffic will be allowed.
2. Detour and road closure signs shall be posted as described on Detour Route plan included as Attachment 3.
3. Party attendees will utilize existing parking on neighboring streets such as San Antonio Avenue, San Anselmo Avenue, 100 block of Santa Inez Avenue, and El Camino Real.
4. Happy Hall School shall provide courtesy notices to the neighboring residences on Santa Inez Avenue.
5. Happy Hall School is responsible for setting up and cleaning up prior to and after

the event, including the installation of barricades and all detours signs.

Dated: July 12, 2016

ATTEST:

Carol Bonner, City Clerk

-oOo-

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 12th day of July 2016 by the following vote:

AYES: Councilmembers:

NOES: Councilmembers:

ABSENT: Councilmembers:

Activities will take place directly in front of the school, as highlighted above.



**City Council Agenda Item  
Staff Report**

CITY OF SAN BRUNO

**DATE:** July 12, 2016

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

**FROM:** Tami Yuki, Assistant City Manager

**SUBJECT:** Adopt Resolution Delegating Authority to the City Manager under Government Code Section 21152 (C), 21156, and 21173 to Make and Certify Determinations of Disability to the California Public Employees' Retirement System

**BACKGROUND:**

The City of San Bruno, as a contract member of the California Public Employees' Retirement System (CalPERS), has available to its employees the provision for a disability retirement for employees. If an employee has a disabling injury or illness that prevents the employee from performing his/her usual job duties, the employee may be eligible for a disability retirement (non-work-related), or an industrial (work-related) disability retirement.

To qualify for a disability retirement, the employee must have at least five years of service credit, and be mentally or physically incapacitated from performing his/her usual job duties. There is no minimum age requirement for a disability retirement and the injury or disease causing the incapacity does not need to be job-related. An application for a disability retirement may be made either by the City or by the employee. Following filing of the application, CalPERS sends to the City a request for the City to determine whether or not the employee is incapacitated to perform his or her duties.

For an industrial disability retirement, there is no minimum service credit requirement or age, however the disabling injury or illness must be due to the employee's job. The City's contract with CalPERS allows that only public safety members ("local safety members") are eligible for an industrial disability retirement.

In all cases where an employee is applying for a disability or an industrial disability retirement, the employee is required to submit all medical information provided by the employee, employer and/or workers' compensation carrier.

The determination on a disability or industrial disability retirement application for public safety members is made by the local governing body --- not CalPERS. As a contracting agency of CalPERS, the City has the authority to make disability or industrial disability

decisions for its local safety employees only. The decision is then submitted by resolution to CalPERS in order to process the application for the local safety member.

**DISCUSSION:**

CalPERS recently began reviewing their paper documents and files to update their information system. During the review, CalPERS discovered some documents on file needed updating and began contacting various agencies for the required documents.

The City of San Bruno has been recently notified by CalPERS that CalPERS does not have a current City of San Bruno "Resolution of Delegation of Authority" signed by the Mayor who is "highest authority" of the City Council on file. In order to process disability and industrial disability applications for local safety members, the City must provide CalPERS with an updated resolution.

The San Bruno City Council adopted Resolution No. 1988-54 on June 27, 1988 authorizing processing of disability and industrial disability applications for local safety members. This resolution outlines the administrative procedures for the disability retirement process of local safety employees of the California Public Employees' Retirement System. As authorized by Government Code Section 21034 and the resolution, the City Council has delegated to the City Manager or designee the authority to make a determination for public safety employees whether the employee is disabled and if it was caused by a work-related injury for purposes of CalPERS. In addition to the delegation of authority to the City Manager, the resolution outlines an appeal process should an employee object to the determination of the City Manager.

Although, CalPERS has Resolution No. 1988-54 on file, the signature on the resolution was the current San Bruno City Clerk at that time, and not the Mayor who is the "highest authority" of the City Council. CalPERS is requiring an updated resolution signed by the Mayor.

Should the Council adopt the Resolution of Delegation of Authority, the Mayor will then sign the resolution, and a certified copy will be sent to CalPERS to be filed.

**FISCAL IMPACT:**

There is no fiscal impact to adopting the resolution.

**RECOMMENDATION:**

Adopt Resolution Delegating Authority to the City Manager under Government Code Section 21152 (C), 21156, and 21173 to Make and Certify Determinations of Disability to the California Public Employees' Retirement System

**ALTERNATIVES:**

1. Do not adopt resolution. This would result in the City being unable to make a determination on disability retirement applications for employees who are unable to work.

**ATTACHMENTS:**

Resolution

**REVIEWED BY:**

\_\_\_ CM

\_\_\_ CA



**City Council Agenda Item  
Staff Report**

CITY OF SAN BRUNO

**DATE:** July 12, 2016

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

**FROM:** Ed Barberini, Chief of Police

**SUBJECT:** Approve City of San Bruno Response Letter to the San Mateo County Civil Grand Jury Report "Body Cameras-The Reel Truth"

**BACKGROUND:**

On May 24, 2016, the San Mateo County Civil Grand Jury released a report entitled "Body Cameras-The Reel Truth." The report states that sixteen police departments and the Sheriff's Office provide local law enforcement services in San Mateo County. Eleven of the sixteen law enforcement agencies do not employ body-worn cameras. Furthermore, the report states that after interviewing over twenty-five law enforcement commanders, line officers, police union representatives, and other interested parties, the Grand Jury concluded that there are several reasons for law enforcement to employ body-worn cameras. No members or representatives of the San Bruno Police Department were interviewed in preparation of the Grand Jury report.

**DISCUSSION:**

The Grand Jury report identifies and discusses the advantages of employing a body-worn camera system. Based on this investigation, the Grand Jury concluded that body-worn cameras would be advantageous to San Mateo County law enforcement as well as individuals they encounter. The report found that:

- Associated costs are sustainable
- Hardware, software, and storage options are available to accommodate individual agency requirements
- Operational policies are available and easily modifiable to meet specific agency requirements
- Training is minimal
- Patrol staff of agencies employing body-worn cameras rapidly accepted the system
- The behavior of both citizens and police officers improves when actions are being recorded on video.

The report includes five findings and four recommendations to address those findings. The report directs each affected agency to submit a response to the findings and pertinent recommendations by August 22, 2016.

*Findings:*

- F1. The Atherton, Belmont, Foster City, Hillsborough, and Menlo Park Police Departments have deployed body-worn camera systems.
- F2. The Sheriff's Office and five of the city police departments that have not deployed body-worn cameras all expressed similar concerns regarding the implementation of these systems, the cost of equipment, the cost of data retention, and policy development.
- F3. The Atherton, Belmont, Foster City, Hillsborough, and Menlo Park Police Departments have budgeted sufficient funds to manage the cost of equipment, data retention, and training.
- F4. The Atherton, Belmont, Foster City, Hillsborough, and Menlo Park Police Departments have developed written policies regarding the operation and data retention of body-worn camera systems as well as the protection of the rights of the community and police officers. Hillsborough is in the process of developing a similar policy.
- F5. Many local law enforcement agencies that currently do not employ body-worn cameras acknowledge that these systems are beneficial and will likely be implemented in the future either voluntarily or by mandate.

*Recommendations:*

- R1. The Grand Jury recommends that the councils of those cities/towns that have not adopted body-worn cameras direct their respective chiefs of police to develop an appropriate body-worn camera implementation plan and advise the public of their plan by November 30, 2016.
- R2. The Grand Jury recommends that the San Mateo County Sheriff's Office develops a plan to implement body-worn cameras and advise the public of this plan by November 30, 2016.
- R3. The Grand Jury recommends that the police departments of those cities, towns, and the Broadmoor Police Protection District that have not adopted body-worn cameras implement a body-worn camera system as soon as practicable but, in any event, no later than October 31, 2017.
- R4. The Grand Jury recommends that the San Mateo County Sheriff's Office implement a body-worn camera system as soon as practicable but, in any event, no later than October 31, 2017.

Staff has reviewed the findings and recommendations and has prepared a response letter for Council approval attached to this report. Since the Police Department has not had an opportunity to conduct a thorough analysis of this issue, the response letter does not commit the City to implementing the recommendations, nor does it determine that the recommendations will not be implemented because they are not warranted or reasonable. Rather, the response letter notes that the Department will conduct a thorough analysis of this matter and provide the results of that analysis to the City Council no later than November 30, 2016, for discussion and direction.

FISCAL IMPACT:

Preliminary inquiries indicate an annual cost of approximately \$30,000 to \$40,000 to sustain this type of program. Staff will develop more concrete estimates prior to returning to Council for further discussion of this matter. Approval of the recommendation within this staff report includes no fiscal impact.

ALTERNATIVES:

The City of San Bruno is required to respond to the Grand Jury Report.

RECOMMENDATION:

Approve City of San Bruno response letter to the San Mateo County Civil Grand Jury report "Body Cameras-The Reel Truth"

ATTACHMENTS:

1. Draft Response Letter to the San Mateo County Civil Grand Jury
2. San Mateo County Civil Grand Jury Report "Body Cameras-The Reel Truth"

DATE PREPARED:

June 28, 2016

REVIEWED BY:

-- CA

-- ACM

-- CM

July 12, 2016

Honorable Joseph C. Scott  
Judge of the Superior Court  
c/o Charlene Kresevich  
Hall of Justice  
400 County Center; 2nd Floor  
Redwood City, CA 94063-1655

Subject: Response of the City of San Bruno to the Grand Jury Report "Body Cameras -The Reel Truth"

Dear Judge Scott:

Thank you for the opportunity to respond to the Grand Jury report entitled "Body Cameras-The Reel Truth." The City of San Bruno's response to both the findings and recommendations are listed below.

**Responses to Grand Jury Findings:**

**F1. The Atherton, Belmont, Foster City, Hillsborough, and Menlo Park Police Departments have deployed body-worn camera systems.**

Response:

The City of San Bruno agrees with this finding.

**F2. The Sheriff's Office and five of the city police departments that have not deployed body-worn cameras all expressed similar concerns regarding the implementation of these systems, the cost of equipment, the cost of data retention, and policy development.**

Response:

The City of San Bruno understands what is represented in the Grand Jury Report. The City is not intimately familiar with the concerns of other cities or police departments regarding the implementation of body worn cameras.

**F3. The Atherton, Belmont, Foster City, Hillsborough, and Menlo Park Police Departments have budgeted sufficient funds to manage the cost of equipment, data retention, and training**

Response:

The City of San Bruno understands what is represented in the Grand Jury Report. The City is not familiar with what other cities and police departments have budgeted for.

F4. The Atherton, Belmont, Foster City, Hillsborough, and Menlo Park Police Departments have developed written policies regarding the operation and data retention of body-worn camera systems as well as the protection of the rights of the community and police officers. Hillsborough is in the process of developing a similar policy.

Response:  
The City of San Bruno agrees with this finding.

F5. Many local law enforcement agencies that currently do not employ body-worn cameras acknowledge that these systems are beneficial and will likely be implemented in the future either voluntarily or by mandate.

Response:  
The City of San Bruno understands what is represented in the Grand Jury Report. The City is not familiar with the position of other cities or police departments regarding this topic.

Responses to Grand Jury Recommendations:

R1. The Grand Jury recommends that the councils of those cities/towns that have not adopted body-worn cameras direct their respective chiefs of police to develop an appropriate body-worn camera implementation plan and advise the public of their plan by November 30, 2016.

Response:  
This recommendation requires a detailed cost - benefit analysis and an examination of available technology that allows for successful integration with existing computer aided dispatch (CAD), record management, mobile audio visual (MAV), and data storage systems. This analysis is expected to be completed by November 1, 2016, and presented to the City Council by November 30, 2016.

R2. The Grand Jury recommends that the San Mateo County Sheriff's Office develops a plan to implement body-worn cameras and advise the public of this plan by November 30, 2016.

Response:  
The City of San Bruno has no response to this recommendation.

R3. The Grand Jury recommends that the police departments of those cities, towns, and the Broadmoor Police Protection District that have not adopted body-worn cameras implement a body-worn camera system as soon as practicable but, in any event, no later than October 31, 2017.

Response:  
Should the City choose to move forward based on the analysis described in the response to Recommendation One (R1), staff will request that the City Council include sufficient funding in the FY 17-18 budget so that the cameras can be implemented by October 31, 2017.

Response of the City of San Bruno

July 12, 2016

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**R4. The Grand Jury recommends that the San Mateo County Sheriff's Office implement a body-worn camera system as soon as practicable but, in any event, no later than October 31, 2017.**

Response:

The City of San Bruno has no response to this recommendation.

This response letter was approved by the San Bruno City Council at its regularly scheduled public meeting on July 12, 2016.

Sincerely,

Jim Ruane  
Mayor

## **BODY CAMERAS—THE REEL TRUTH**

### **ISSUE**

What is the status of local law enforcement's use of officer body-worn cameras?

### **SUMMARY**

Recent officer-involved shootings around the country, including the 2014 shooting in Menlo Park,<sup>1</sup> have focused public attention on the use of body-worn cameras by law enforcement agencies. The 2015-2016 San Mateo County Civil Grand Jury investigated the use of body-worn cameras by local law enforcement and discovered the following:

- Sixteen independent police departments and the Sheriff's Office provide local law enforcement in San Mateo County. The Grand Jury surveyed all of these agencies regarding use of body-worn cameras.
- Five police departments are currently using body-worn cameras.
- The Grand Jury interviewed representatives from the Sheriff's Office and five of the 11 police departments not using body-worn cameras. All six of these agencies have considered or are considering the use of body-worn cameras.
- Among those agencies that have not currently deployed body-worn cameras, the Grand Jury discovered common concerns regarding the cost, policy development (including civil rights concerns), impact of future camera technology, and unknown future legal mandates.
- Each local law enforcement agency utilizing body-worn cameras weighed these concerns. Some found innovative cost-reduction strategies and all developed policies and practices for their use.

After reviewing the literature on the advantages and disadvantages of police use of body-worn cameras and conducting over 25 interviews with local law enforcement commanders, line officers, police union representatives, and other interested parties, the Grand Jury has concluded that there are several excellent reasons for law enforcement to employ body-worn cameras. The costs associated with the acquisition and operation of body-worn cameras have decreased over the past several years, making this technology much more affordable. Standardized policies for use have been developed by professional police organizations. These guidelines have been modified and adopted by the local police departments using body-worn cameras. These existing policies may well serve as templates for other local law enforcement agencies.

<sup>1</sup> CBS SF Bay Area, *Menlo Park Police Shoot, Kill Armed Burg/my Suspect; Officer Injured during Foot Chase*, November 11, 2014. <http://sanfrancisco.cbslocal.com/2014/11/11/menlo-park-police-shoot-officer-injured-during-foot-chase/>.

After weighing the advantages and disadvantages of body-worn cameras, the Grand Jury recommends that:

- All law enforcement agencies in San Mateo County adopt body-worn cameras.
- The Board of Police Commissioners of the Broadmoor Police Protection District and the city councils of those communities that have not adopted body-worn cameras review use with their respective chief of police to determine an appropriate body-worn camera implementation plan and advise the public of their plan by November 30, 2016.
- All law enforcement agencies in the County implement body-worn camera systems with the assistance of city/county administration by October 31, 2017.

## **BACKGROUND**

According to the American Civil Liberties Union (ACLU), "the August 2014 shooting of Michael Brown in Ferguson, Missouri, and the subsequent protests and civil unrest focused new public attention on the problem of alleged police violence—and on the possibility that body-worn cameras might be part of the solution."<sup>2</sup>

The above incident, as well as other recent officer-involved shootings in the news, has created a lack of confidence in law enforcement by some of the public. The *perception* that law enforcement is not accountable to citizens for its actions is a dangerous development and is troublesome for police professionals and concerned citizens alike. The existence and media replays of bystander videos and police car dashboard and body-worn cameras have contributed to a heightened awareness regarding the use of force by members of law enforcement.

Through interviews of local law enforcement, the Grand Jury learned of incidents where the use of video evidence by law enforcement was of significant assistance in determining whether allegations of excessive use of force or improper behavior by police officers were valid. In such cases, video evidence may be beneficial, but in addition, it can also be valuable in cases where complaints against a police officer for being rude or unprofessional need to be resolved. In one example, a city police chief recounted to the Grand Jury a story of a young man's father calling to complain about the treatment his son received from a police officer when issuing a traffic citation. When invited in to review the video, both father and son saw that the officer acted appropriately. The Grand Jury's investigation further revealed that this is not an isolated case. Several law enforcement officials interviewed by the Grand Jury recounted situations where filmed encounters with police officers reviewed with complainants resulted in formal complaints being withdrawn or not pursued in addition to rare cases that resulted in officers being disciplined.<sup>3</sup>

<sup>2</sup> Jay Stanley, *Police Body-Mounted Cameras: With Right Policies in Place, a Win for All* v.Z, American Civil Liberties Union, March 2015. <https://www.aclu.org/police-body-mounted-cameras-right-policies-place-win-all>.

<sup>3</sup> Local law enforcement: multiple interviews by the Grand Jury.

According to a 2012 nationwide survey conducted by Taser,<sup>4</sup> a majority of police officers believe that there is a need for body-worn cameras. The survey included 785 federal, state, and local law enforcement professionals. According to Doug Wyllie, PoliceOne Editor in Chief, "perhaps the most important single piece of data was that more than 85% of respondents believe that body-worn cameras reduce false claims of police misconduct, and reduce the likelihood of litigation against the agency." A surprising statistic in the survey relates to the perceived effectiveness of body-worn cameras versus in-car systems, with 77% of officers saying they think the body-worn solution is more effective.<sup>7</sup> A 2015 study conducted by the University of South Florida with the Orlando Police Department reported that "most officers felt that their agency should adopt body-worn cameras for all front-line officers and reported that they would feel comfortable wearing a body-worn camera."<sup>8</sup>

A commonly cited indicator of body cameras' potential to reduce instances of officer-civilian conflict is the "Rialto Study." In Rialto, a small city outside of Los Angeles, the police department outfitted all 70 of their uniformed officers with body-worn cameras, theorizing that use of the cameras would reduce complaints and lawsuits, and accordingly also reduce expensive litigation costs, as well as settlements and payouts.<sup>9</sup>

The introduction of body-worn cameras in Rialto as standard equipment in 2012 led to an 88% reduction in public complaints against officers, and a 60% decline in officers' use of force. This dramatic reduction in the use of force indicates that body-worn cameras may have had a moderating effect on officers' behavior, as the presence of a camera appeared to drastically lower the frequency with which officers "resorted to the use of physical force—including the use of OC spray ('pepper spray'), batons, Tasers, firearms, or canine bites."<sup>10</sup>

Showing citizen interactions from the officer's perspective to the community at large has resulted in a reduced rate of public complaints.<sup>11</sup> Based on its investigation, including its

<sup>4</sup> Taser is a manufacturer of body-worn cameras and related law enforcement equipment. See <https://www.taser.com/>.

<sup>5</sup> Doug Wyllie, *Survey: Police Officers Want Body-Worn Cameras*, October 23, 2012. PoliceOne. <http://www.policeone.com/police-products/body-cameras/articles/6017774-Survey-Police-officers-want-body-worn-cameras/>.

<sup>6</sup> *Ibid.*

<sup>7</sup> *Ibid.*

<sup>8</sup> Evaluating the Impact of Police Officer Body-Worn Cameras (BWCs): The Orlando Police Department (OPD) Experience. <http://media.cmgdigital.com/shared/news/documents/2015/10/09/OPD-Final-Report-Executive-Summary-10-6-15.pdf>.

<sup>9</sup> The Effect of Police Body-Worn Cameras on Use of Force and Citizens' Complaints against the Police: A Randomized Controlled Trial Original Paper, *Journal of Quantitative Criminology*, September 2015, Volume 31, Issue 3, pp. 509-535.

<sup>10</sup> PoliceOne Staff, *5 Ways Body-Worn Cameras Have Helped Police Officers: How Video from the Officer's Perspective Is Making Their Jobs Easier*, September 30, 2014. PoliceOne. <https://www.policeone.com/police-products/body-cameras/articles/7522310-5-ways-body-worn-cameras-have-helped-police-officers>.

<sup>11</sup> "Considering Police Body Cameras," *Harvard Law Review* 128.6 (April 10, 2015): 1794-802. <http://harvardlawreview.org/2015/04/considering-police-body-cameras/>.

interviews with law enforcement personnel, the Grand Jury concludes that body-worn cameras are a net positive in law enforcement.

Local law enforcement officials informed the Grand Jury of the following perceived advantages and disadvantages to the utilization of body-worn cameras by their officers:

#### **Advantages of Body-Worn cameras**

- Reducing complaints:
  - Police behavior is improved and the use of force is reduced.
  - Resident behavior is improved.
- Providing unedited video evidence of decisions made by officers in high-intensity situations
- Increasing transparency and accountability of police officers' activities and improving community perception of law enforcement
- Providing valuable evidence in court proceedings and/or in obtaining witness and victim statements

#### **Disadvantages of BodyWorn Cameras"**

- Officers must manually activate/deactivate the camera in most systems in use today.
- Policy development has potential for risk (e.g., privacy issues, chain of custody, and officer activation of camera) due to lack of clarity as to applicable federal and/or state law.
- Technology is changing rapidly, which may limit product support after a few years' use. Replacement equipment may be costly. Future local, state, and/or federal legal and policy mandates could add to overall costs.
- Increased Public Records Act requests could add to administrative costs such as locating a video segment, redacting or blurring images of individuals not relevant to the incident, documenting changes, and copying the specific video segment.

The San Mateo County Sheriff's Office and other local law enforcement agencies use many forms of modern technology including audio recorders worn on police officers, automobile dashboard cameras ("dash cams"), and gunshot detection systems,<sup>14</sup> as well as surveillance technologies such as license plate readers and closed-circuit TV. All of these technologies have

<sup>12</sup> Officials from San Mateo County law enforcement: interviews by the Grand Jury. Adapted from Atherton Police Department document.

<sup>13</sup> Ibid.

<sup>14</sup> A gunfire locator, or gunshot detection system, is a system that detects and conveys the location of gunfire or other weapon fire using acoustic, optical, potentially other types of sensors, as well as a combination of such sensors.

advantages and disadvantages. Police command staff, elected officials and city administrators, as well as concerned and informed citizens must determine which of today's technologies and those in development are appropriate to ensure their community's safety and security. Equally important is the concern for the civil rights and privacy of citizens and police officers.

## **DISCUSSION**

Body-worn cameras are in limited use today among the County's 15 independent city/town police departments, the Broadmoor Police Protection District, and the Sheriff's Office (whose jurisdiction includes unincorporated areas of the County and the communities of Half Moon Bay, Millbrae, Portola Valley, San Carlos, and Woodside).

The Grand Jury found that five local police departments are currently using body-worn cameras. They are:

- Atherton PD                    deployed in 2006
- Belmont PD                    deployed in 2014
- Foster City PD                deployed in 2012
- Hillsborough PD              deployed in 2014
- Menlo Park PD                deployed in 2013

The Grand Jury interviewed representatives from five of the remaining 11 police departments. All five indicated varying levels of interest in adopting body-worn cameras but have decided to wait. These departments are:

- Daly City PD
- East Palo Alto PD
- Redwood City PD
- San Mateo PD
- South San Francisco PD

The Grand Jury interviewed representatives from the San Mateo County Sheriff's Office, which has also considered use of body-worn cameras and has decided to wait.

The police departments using body-worn cameras describe their experience of deploying, maintaining, and managing body-worn cameras as ranging from "positive" to "extremely positive." Training for the use of these systems generally takes less than two hours. Department representatives also reported that the most difficult task involved in implementing a body-worn camera system is deciding which of the many available systems is the best fit for the agency's needs and budget. With a large and growing number of manufacturers, there is a wide variety of features and options available on individual cameras and systems including:

- Camera mounting options
- Selectable camera resolution
- Expanded field-of-view capability
- Zoom capability
- Enhanced low-light capabilities
- Improved image stabilization

- Expandable internal storage capacity
- Extended battery life
- Software management platform
- Software compatibility options
- Data storage medium
- Integration compatibility with other law enforcement tools (i.e., dash cams, on-board computers, light bar/siren activation, etc.)
- Available technical support

Three of the five local police departments using body-worn cameras (Atherton PD, Foster City PD, Menlo Park PD) have opted for cameras typically mounted on the officer's torso. They are approximately 2" x 3.25" x 0.75", clipped to the shirt/blouse, and are activated by a button on the front of the camera. A disadvantage of this camera style is that when mounted mid-chest on the officer, it does not automatically move in the same direction with the officer's head. In addition, the camera tends to be directly behind an officer's standard two-handed pistol grip stance, thus somewhat restricting the camera's view when confronting a suspect. However, this system is generally less expensive.

Both the Hillsborough and Belmont Police Departments have deployed a camera—the Taser Axon Flex—that is mountable on an officer's shoulder epaulette, collar, glasses, or helmet (see Figure 1). This camera, including its integrated storage module, is slightly larger than one AA battery and attached to its battery pack by a thin cable. It is also one of the more expensive cameras currently in use but it allows considerable mounting flexibility.

Figure 1. Taser Axon Flex Mounted to an Officer's Glasses  
Photo: TASER International *is*

Other options currently available on the Axon Flex include high-definition (HD) resolution, expanded on-camera storage capacity, image stabilization, and extended battery life. According to law enforcement commanders interviewed by the Grand Jury, a low-light camera is optimal as

15 Source: <http://www.fastcompany.com/1817960/tasers-new-police-glasses-cam-lets-citizens-see-what-cops-see>.

long as it *only* mimics what the human eye can see. For example, an officer might see a weapon in low light, but it is revealed as a newspaper in enhanced light. This disparity could create evidentiary issues when used at trial."

Experience among local law enforcement indicates body-worn cameras have had a beneficial effect on the police officers as well as the public they encounter. In interviews, local police department representatives described the reaction of officers to body-worn cameras as overwhelmingly positive.<sup>17</sup> Initial concerns on the part of a few officers about learning a new technology were overcome by training.<sup>18</sup> Interviewees also noted that the body-worn camera recordings have been valuable when training new recruits on proper procedures and operations. In addition, according to both command staff and line officers, law enforcement as well as the public seem to be on better behavior when they know they are being recorded. According to Sean Whent, Chief of Police, Oakland (CA) Police Department, "we have about 450 body-worn cameras actively deployed, and in the overwhelming majority of the cases, the footage demonstrates that the officer's actions were appropriate."<sup>19</sup>

This anecdotal evidence from several local law enforcement personnel at command and patrol levels supports findings in a recent research report from the University of South Florida:

Following completion of the 12-month University of South Florida Orlando Police Department BWC Evaluation, which was based on a randomized experiment where 46 officers were randomly assigned to wear BMCs and 43 officers were randomly assigned not to wear BWCs, the results suggest that BWCs are an effective tool to reduce response-to-resistance (R2R) incidents and serious complaints .... Interestingly, although nearly all of the officers were skeptical about the (positive) impact that BWCs would have on their behavior ... wearing a BWC did positively influence their behavior and lead to significant reductions in R2R and serious external complaints.

Finally, the majority of the officers want to keep their body-worn cameras, believe the agency should implement a full-scale adoption, and are willing to train their peers in BWC implementation and operation.<sup>P</sup>

<sup>16</sup> Official from the Hillsborough Police Department: interview by the Grand Jury.

<sup>17</sup> Officials from city police departments using body-worn cameras: interviews by the Grand Jury.

<sup>18</sup> According to law-enforcement officials interviewed, training patrol personnel on procedures and operational use of the body-worn camera system was typically a two-hour exercise.

<sup>19</sup> "Editorial: Sheriffs Department to Further Test Body Cameras," *The Press Enterprise*. November 7, 2014. <http://www.pe.com/articles/cameras-753724-body-police.html>.

<sup>20</sup> Wesley G. Jennings, Mathew D. Lynch, and Lorie A. Fridell, "Executive Summary-Evaluating the Impact of Police Officer Body-Worn Cameras (BWCS): The Orlando Police Department (OPD) Experience," Tampa, FL: University of South Florida, 2015, p. 2.

## **Reasons for County Law Enforcement Not Implementing Body-Worn Cameras**

Even law enforcement leaders in San Mateo County whose agencies have *not* adopted body-worn cameras agree that body-worn cameras will likely be beneficial." A representative from one local law enforcement agency commented, "Not only are they [body-worn cameras] expected, it's almost required by our citizens."<sup>22</sup>

They also concede it is highly probable that body-worn cameras will be adopted either voluntarily or by statute. These agencies that have not implemented body-worn cameras, however, have cited similar reasons for waiting. These reasons include:

- Cost of system hardware
- Cost of data storage
- Development of standard use policies
- Limited case law affecting policies regarding the use of body-worn cameras such as data retention time and privacy and civil rights concerns among other issues
- Concern that technology developments will render existing equipment obsolete within a few years
- Concern that state or federal law may dictate use of body-worn cameras with specific features or technology

Each of the five law enforcement agencies in San Mateo County currently using body-worn cameras has addressed these six issues. While the Grand Jury acknowledges that there are several concerns raised by those agencies that have not yet adopted body-worn cameras, the critical question is whether these concerns are sufficient to delay implementing a body-worn camera system.

## **Cost and Technology of Body-Worn Camera Systems**

Five San Mateo County law enforcement agencies have deployed three different manufacturer's systems with varying features including mounting options. A commercially available off-the-shelf system used by one department is by far the most economical. The specified functionality of this camera system indicates it offers an exceptional value when compared to other brands and models.

<sup>21</sup> Officials from local law enforcement agencies: interviews by the Grand Jury.

<sup>22</sup> Local city police chief: interview by the Grand Jury.

**Figure 2. Low-Cost, Off-the-Shelf Muvi™ HD Body-Worn Camera**

Photo: Veho World-!

The cost of data storage can vary widely as well. However, the Grand Jury found that the actual cost of implementing even the most expensive system is significantly less than the *perception* of the many agencies that have not adopted body-worn cameras.<sup>24</sup> Several police departments informed the Grand Jury that the cost of data storage is on a downward trajectory. These departments expect it will be a small percentage of the cost of the body-worn camera system over time.

<sup>23</sup> Source: <http://www.veho-rnuvi.com/law-enforcement/>

<sup>24</sup> Officials from local law enforcement agencies: interviews by the Grand Jury.

The following table summarizes the systems and some key features of the body-worn cameras adopted by local law enforcement:

Table 1. Comparison of Body-Worn Camera Systems in Use in San Mateo County

City	Atherton	Belmont	Foster City	Hillsborough	Menlo Park
Manufacturer/Model	VIEVU LE3; <sup>i</sup>	Taser Axon Flex; <sup>ii</sup>	Veho <sup>TM</sup> MUVI <sup>TM</sup> HD (off-the-shelf) <sup>iii</sup>	Taser Axon Flexiv	VIEVU LE3v
Deployed	2006	2014	2012	2014	2013
Officers Equipped	23	28	39	26	50
Per-Unit Camera Cost	\$1,200	\$900	\$115	\$614	\$900
Data Software	VIEVU Proprietary	Taser Proprietary	Non-proprietary	Taser Proprietary	VIEVU Proprietary
Storage Site	In-house	Cloud	In-house	Cloud	In-house
Annual Storage Cost	Minimal cost	- \$20,000	- \$1,000	- \$4,400	-\$10,000 for initial 10 TB <sup>vi</sup>
Annual Data Usage	-1 TB	No Information	-535 GB	-2 TB	-6-7 TB <sup>vii</sup>
Training	No Information	Two hours	Two hours	Minimal training required	<One hour

Table Notes:

- i. VIEVU—<http://www.viewu.com/viewu-products/hardware>.
  - ii. Taser Axon Flex— [www.axon.io/products](http://www.axon.io/products).
  - iii. Veho<sup>TM</sup> MUVI<sup>TM</sup> HD— Veho-VCC-005-MUVI-HDI0-Handsfree-Wireless Mounting.
  - iv. Taser Axon Flex—[www.axon.io/products/flex](http://www.axon.io/products/flex).
  - v. VIEVU— [www.viewu.com/viewu-products/hardware](http://www.viewu.com/viewu-products/hardware).
  - vi. In-house storage is shared by several City of Menlo Park departments.
  - vii. Annual usage is for all City of Menlo Park departments.
- N.B. The links above may not show the specific model used by the police departments.

The good news for law enforcement agencies is that strong competition between the two most prominent vendors of the devices—VIEVU LLC and Taser International—as well as additional prominent companies entering this market means lower cost and more feature-rich products will likely be available in the near future."

<sup>25</sup> Christopher Mims, "Competing Body Cam Companies Drive Down Prices for Cops," *Wall Street Journal*, August 25, 2014. <https://www.policeone.com/police-products/body-cameras/articles/749827-1-Competing-body-cam-companies-drive-down-prices-for-cops/>.

## **Policies for BodyWorn Camera Systems**

Developing agency policies regarding body-worn camera use has not been a significant problem for local law enforcement agencies. Four of the five city police departments have developed written operational policies that average less than five pages and are similar in content. In all cases, the agencies used a standard policy version from Lexipol's Policy 45026 and modified it for their agency's application. The fifth department, Hillsborough, is in the process of revising its existing policy, which it is also basing on modifications of Lexipol's Policy 450. Menlo Park Police Department's policy is available online and all others are available on request to the public from the police departments. These policies are included in Appendixes A through E.

Three commonly discussed operational policy issues have been addressed by these five agencies, including:

- When does activation of the camera occur?
- Can the officer review the video when writing his/her report?
- How long is data retained?

The following is a brief overview of the policies and practices adopted by the five local law enforcement agencies that are currently using body-worn cameras:

### **Atherton**

- Officer activated—turned on prior to actual contact or as soon as safely possible
- Officer may review video while writing his/her report
- Data is retained until the criminal proceeding, pending litigation, or personnel complaint is resolved and/or in accordance with the law

### **Belmont**

- Officer activated—whenever contacting a citizen in official capacity
- Officer may review video while writing his/her report
- Recordings shall be retained for a period consistent with the organization's records retention schedule

### **Foster City**

- Officer activated—required during traffic stops or whenever officer deems appropriate
- Officer may review video while writing his/her report
- Data retention is for a period consistent with the requirements of the organization's records retention schedule but in no event less than 180 days

<sup>26</sup> Lexipol LLC is a private company providing state-specific policies and verifiable policy training for public safety organizations. Many local law enforcement agencies subscribe to this service.

#### Hillsborough-?

- Officer activated whenever unit emergency lights are activated
- Officer may review video while writing his/her report subject to approval of Watch Commander
- Data retention is minimum of one year

#### Menlo Park

- Officer activated prior to arrival to any in-progress or serious or high-priority call for service
- Officer may review video while writing his/her report
- Data retention is 2.5 years for all citizen contacts. Recordings classified as evidence will be retained for a period of time determined by applicable laws and the City of Menlo Park's retention guidelines.

The command staff interviewed by the Grand Jury acknowledged that some policies may require modification as more experience with body-worn cameras is obtained, as case law on body-worn cameras develops, and as applicable state or federal law evolves.

### **Privacy and Civil Rights Issues**

Not surprisingly, civil rights issues are of concern to local law enforcement agencies when generating policies regarding use of body-worn cameras. Protection of the privacy and civil rights of all individuals encountered by law enforcement is a topic of discussion throughout the country. In the case of body-worn cameras, privacy concerns apply to the public's right to privacy and the police officer's rights as well. According to several police chiefs interviewed by the Grand Jury, there are occasions when it is inadvisable or prohibited by written policy to turn on a body-worn camera. For example:

- Discussions among police officers not related to encounters with the public (i.e., administrative, procedural, tactical, and training)
- Officer personal time such as break time, private conversations with colleagues, or non-police-call related conversations among others
- During certain extremely sensitive investigations such as interviews with sexual assault victims and some family disputes especially when minors may be involved
- Officer interactions with confidential informants, undercover agents, federal agents, issuing K-9 commands to police dogs, or when discussing confidential tactical information such as SWAT team deployments
- When there are no encounters with the public or when writing shift reports

<sup>27</sup> Until the Hillsborough Police Department completes its Body-Worn Camera Policy, it is using the policy written for Mobile Audio Video (i.e., dash cams) as modified by Chief's Departmental Directive 14-01, September 2, 2014.

The Menlo Park Chief of Police appointed a Citizens Advisory Committee to review and comment on proposed policies and procedures for use of body-worn cameras that met the department's needs but did not infringe on citizens' civil rights. This committee included an individual active in both the ACLU and the Electronic Frontier Foundation, two organizations active in protecting citizens' privacy and civil rights.<sup>28</sup> The committee recommended acceptance of the Menlo Park policy. (See Appendix E for *Body-Worn Camera Policy-Menlo Park Police Department* and Appendix F for *Body Cameras—Menlo Park Police Department Citizens Advisory Committee Report*.)

According to the ACLU, "the challenge of on-officer cameras is the tension between their potential to invade privacy and their strong benefit in promoting police accountability. Overall, we think they can be a win-win but only if they are deployed within a framework of strong policies to ensure they protect the public without becoming yet another system for routine surveillance of the public, and maintain public confidence in the integrity of those privacy protections. Without such a framework, their accountability benefits would not exceed their privacy risks."<sup>29</sup>

The Grand Jury acknowledges that further developments are likely, such as new statutes and court decisions interpreting existing privacy and other civil rights laws related to the use of body-worn cameras in the coming years. However, this process is not uncommon in the field of law enforcement generally and there was no indication to the Grand Jury that the evolution of policies regarding body-worn cameras cannot be effectively managed by the local law enforcement community. Further, the Grand Jury suggests that policies such as those developed by Atherton, Belmont, Foster City, Hillsborough, and Menlo Park can serve as templates for other law enforcement agencies.

### **Chain of Custody Concerns**

Local police policies and the inherent design of the body-worn camera hardware and software severely limit officers' access to body-camera footage so as to protect the chain of custody for its potential use in future legal proceedings. For example, officers have no capability to edit the video except to tag a segment with a case number or an arrest report number, or to assign a criticality status to it. Once the video has been stored, access is typically limited to a select few senior command personnel who are assigned special access codes. An electronic trail is created that tracks who, when, and what was done. Exceptions are typically only allowed when pre-determined non-critical data is scheduled to be purged from system storage after reaching the retention period defined in the department's policies. However, video data that involves legal proceedings, citizen complaints, or which is otherwise retained upon request are often stored indefinitely.

The district attorney's office, defense attorneys, and other law enforcement and criminal justice agencies often request copies, which are provided on a separate medium such as a CD-ROM.

<sup>28</sup> Officials from the Menlo Park Police Department: interview by the Grand Jury. <http://www.menlopark.org/DocumentCenter/View/7240>.

<sup>29</sup> Jay Stanley, *Police Body-Mounted Cameras: With Right Policies in Place, a Win/Or All v.Z*, American Civil Liberties Union, March 2015. <https://www.aclu.org/police-body-mounted-cameras-right-policies-place-win-all>.

## Limitations

Body-worn cameras are not a panacea for all disputed encounters between citizens and law enforcement. They occasionally malfunction, the batteries discharge, or the internal storage capacity limits recording an encounter. Chest-mounted camera views may be partially obscured by the standard two-handed pistol grip used by many police officers. Cameras can be dislodged in physical altercations or the attachment clip may slip, rendering the camera an audio device only. Video images may be confusing or inconclusive when the wearer is in a physical altercation or in pursuit of a suspect or when used in very low-light situations. The camera shows only what is within its viewing angle and does not turn with the officer's eyes unless mounted on an officer's hat, helmet, or glasses. It only captures two out of the five senses—sight and sound. For example, the smell of alcohol or gunpowder is not detected. Notwithstanding these limitations, the information provided to the Grand Jury confirms that body-worn cameras often provide far more evidence of an incident than an audio device and certainly more than no recording device at all.

## Conclusions

Based on its investigation, the Grand Jury concludes that body-worn cameras would be advantageous for all San Mateo County law enforcement agencies as well as the individuals they encounter.

Although some local law enforcement agencies have expressed various concerns regarding the utilization of such body-worn devices, five police departments within San Mateo County have implemented body-worn camera systems and their experience provides tangible evidence that:

- Costs are containable.
- Many hardware, software, and storage options are available to accommodate individual agency requirements.
- Workable operational policies are readily available and easily modifiable to accommodate specific agency requirements.
- Training needs are minimal.
- Patrol staff rapidly accepted body-worn cameras.
- The behavior of *both* residents and police officers improves when their actions are being recorded on video.

As with all new technology, best practices are in the process of being developed as each of these five departments gains experience with its body-worn camera system. These departments can serve as role models for other police agencies as they implement their own camera systems, which many acknowledge as inevitable.

Finally and most importantly, body-worn cameras clearly state to the public that its police force has nothing to hide, that their encounters with the public are transparent, and that these encounters are subject to internal and, when appropriate, external scrutiny.

## **FINDINGS**

- F1. The Atherton, Belmont, Foster City, Hillsborough, and Menlo Park Police Departments have deployed body-worn camera systems.
- F2. The Sheriff's Office and five of the city police departments that have not deployed body-worn cameras all expressed similar concerns regarding the implementation of these systems, the cost of equipment, the cost of data retention, and policy development.
- F3. The Atherton, Belmont, Foster City, Hillsborough, and Menlo Park Police Departments have budgeted sufficient funds to manage the cost of equipment, data retention, and training.
- F4. The Atherton, Belmont, Foster City, and Menlo Park Police Departments have developed written policies regarding the operation and data retention of body-worn camera systems as well as the protection of the rights of the community and police officers. Hillsborough is in the process of developing a similar policy.
- FS.* Many local law enforcement agencies that currently do not employ body-worn cameras acknowledge that these systems are beneficial and will likely be implemented in the future either voluntarily or by mandate.

## **RECOMMENDATIONS**

- R1. The Grand Jury recommends that the councils of those cities/towns that have not adopted body-worn cameras direct their respective chiefs of police to develop an appropriate body-worn camera implementation plan and advise the public of their plan by November 30, 2016.
- R2. The Grand Jury recommends that the San Mateo County Sheriff develop a plan to implement body-worn cameras and advise the public of his plan by November 30, 2016.
- R3. The Grand Jury recommends that the police departments of those cities, towns, and the Broadmoor Police Protection District that have not adopted body-worn cameras implement a body-worn camera system as soon as practicable but, in any event, no later than October 31, 2017.
- R4. The Grand Jury recommends that the San Mateo County Sheriff's Office implement a body-worn camera system as soon as practicable but, in any event, no later than October 31, 2017.

## REQUEST FOR RESPONSES

Pursuant to Penal Code Section 933.05, the Grand Jury requests responses as follows from the following governing bodies:

- R1 and R3—The City Councils of the following 10 cities and towns:
  - Brisbane
  - Burlingame
  - Colma
  - Daly City
  - East Palo Alto
  - Pacifica
  - Redwood City
  - San Bruno
  - San Mateo
  - South San Francisco
  
- R1 and R3---The Board of Police Commissioners of the Broadmoor Police Protection District

Pursuant to Penal Code Section 933.05, the Grand Jury requests responses as follows from the following elected official:

- R2 and R4—San Mateo County Sheriff

The governing bodies indicated above should be aware that the comment or response of the governing body must be conducted subject to the notice, agenda, and open meeting requirements of the Brown Act.

## **METHODOLOGY**

### **Interviews**

Reports issued by the Civil Grand Jury do not identify individuals interviewed. Penal Code Section 929 requires that reports of the Grand Jury not contain the name of any person or facts leading to the identity of any person who provides information to the Civil Grand Jury.

The Grand Jury interviewed command staff at these law enforcement agencies:

- San Mateo County Sheriff's Office
- The Police Departments of:
  - Atherton
  - Belmont
  - Daly City
  - East Palo Alto
  - Foster City
  - Hillsborough
  - Menlo Park
  - Redwood City
  - San Mateo
  - South San Francisco

The Grand Jury interviewed representatives of the following local law enforcement associations:

- Hillsborough Police Officer Association
- Menlo Park Police Officers' Association
- San Mateo County Deputy Sheriff's Association
- San Mateo County Organization of Sheriff's Sergeants
- Redwood City Police Officers' Association
- Redwood City Police Sergeants' Association

The Grand Jury interviewed a senior official of Northern California Regional Intelligence Center (NCRIC).

The Grand Jury interviewed a member of the American Civil Liberties Union and Electronic Frontier who served on a citizens' committee to review and recommend body-worn camera use policies at the request of their city's police chief.

The Grand Jury interviewed senior members of the San Mateo County District Attorney's Office.

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## Portable Audio/Video Recorders

### 450.1 PURPOSE AND SCOPE

This Department procedure establishes guidelines for Department members using body worn cameras and procedures for preserving the digital media. This procedure applies to all Department members.

### 450.2 BACKGROUND

Law enforcement's use of in-car cameras and body worn cameras has proven effective in reducing violent confrontations and complaints against officers. Cameras provide additional documentation of police/public encounters and may be an important tool for collecting evidence and maintaining public trust. There is also a learning curve that comes with using body-worn cameras. Video cannot always show the full story nor does it capture an entire scene. The use of cameras does not reduce the requirement to provide thorough written documentation. Persons reviewing recordings must also be cautious before conclusions are reached about what the video shows.

### 450.3 DEFINITIONS

- (a) Body Worn Camera (BWC) - A camera worn on an individual officer's person that records and stores audio and video.
- (b) BWC Program Administrator - Police Department program administrator for BWC camera system with full access to user rights and sets user access and parameters.
- (c) Digital Evidence - BWC files, including photographs, audio recordings and video footage, captured by a BWC and stored digitally.
- (d) Metadata - Case numbers, Incident numbers, and other descriptors used to identify digital evidence.

### 450.4 PROCEDURE

#### 450.4.1 OFFICER SAFETY

Officer Safety takes Precedence over Recording Events. Officers should follow existing officer safety policies when conducting enforcement stops as outlined in Department policies and procedures. Officer safety should be the primary consideration when contacting citizens or conducting vehicle stops, not the ability to record an event.

#### 450.4.2 GENERAL

- (a) Only authorized personnel should use or be in possession of a BWC device.
- (b) BWC equipment is for official use only and shall not be utilized for personal use.
- (c) Officers shall not tamper with or dismantle any hardware or software component of any BWC device.

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- (d) The use of any other personal recording device for the same purpose is not authorized without permission of the Chief of Police or designee.
- (e) All digital evidence collected using the BWC is considered a record of the Atherton Police Department and is for official use only.
- (f) Accessing, copying, forwarding or releasing any digital evidence for other than official law enforcement use and contrary to this procedure is strictly prohibited. Public release of digital evidence is prohibited unless approved by the Chief of Police or their designee.

#### 450.4.3 BWC MODES OF OPERATION

- (a) The BWC system operates on rechargeable battery power. The user can view the recordings and add metadata to videos using a department provided software application. Viewing or adding metadata will not alter the video recording.
- (b) Recording Mode is when the switch is activated and the camera is recording both audio and video.

#### 450.4.4 STORAGE

- (a) When not in use, the BWC devices shall be properly stored.

#### 450.4.5 PRE-SHIFT INSPECTION

- (a) Officers should inspect their assigned BWC devices daily to ensure there is no visual damage and the device is in working order.
- (b) Visual damage shall be reported to a supervisor.
- (c) Inoperable equipment shall be tagged and returned to the BWC Administrator as soon as possible.

#### 450A.6 CAMERA POSITION

- (a) Officers should wear the BWC above the midline of their torso and in a position that provides for effective recording.

#### 450.4.7 REPAIR, REPLACEMENT, AND MAINTENANCE

- (a) When a BWC malfunctions, the officer will notify his or her supervisor.
- (b) The inoperable equipment will be taken to the BWC Administrator for repair as soon as possible.
- (c) If the BWC Administrator cannot repair the unit, the manufacturer will be contacted to facilitate the repair. Repair and replacement of damaged or nonfunctional BWC equipment is coordinated through the BWC Administrator and performed through the manufacturer.
- (d) This procedure will be followed for all BWC related equipment and accessories.

#### 450.4.8 ADVISEMENTS ABOUT RECORDING

- (a) Private citizens do not have a reasonable expectation of privacy when talking with police officers during the scope of an officer's official duties, even when the contact is in a private

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residence. Therefore, officers are not required to give notice they are recording. However, if asked, officers should advise citizens they are being recorded.

- (b) Officers are not required to initiate or cease recording an event, situation or circumstance solely at the demand of a citizen.
- (c) Officers and supervisors involved in the investigation of a complaint against a member of the police department must inform complainants and witnesses they are being recorded.

**450.4.9 SURREPTITIOUS USE OF THE BWC**

- (a) Members of the Department may surreptitiously record any conversation during the course of a criminal investigation in which the officer reasonably believes that such a recording will be beneficial to the investigation (Penal Code § 633).
- (b) Members shall not surreptitiously record another department member without a court order or unless lawfully authorized by the Chief of Police or the authorized designee.

**450.5 WHEN AND WHERE TO RECORD**

**450.5.1 ENFORCEMENT RELATED CONTACTS**

- (a) Officers should record enforcement related contacts. The camera should be activated prior to actual contact with the citizen, or as soon as safely possible thereafter, and continue recording until the contact is concluded.
- (b) Enforcement related contacts include the following: Traffic stops, field interviews, detentions, arrests, persons present at radio calls who are accused of crimes, and consensual encounters in which the officer is attempting to develop reasonable suspicion on the subject of the encounter.
- (c) Covering another city employee or law enforcement officer during an enforcement contact.
- (d) Officers working plain clothes assignments are exempt from this policy.

**450.5.2 ARRESTS**

- (a) Officers may stop recording when the arrestee is cooperative and safely secured inside a police car or law enforcement facility. If an arrestee becomes uncooperative, or if there is some evidentiary purpose, officers should resume recording in the event mode.
- (b) If an officer resumes recording, the camera should remain recording until the officer no longer has contact with the subject.

**450.5.3 SUSPECT INTERVIEWS**

- (a) Officers are encouraged to fully record suspect interviews. Officers should not stop and start the recording during a suspect interview.
- (b) When recording interviews, officers should ensure they record any admonishments prior to the start of an interview.

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#### 450.5.4 PRIVATE RESIDENCES

- (a) Private Citizens have a reasonable expectation of privacy in their homes. However, when officers are lawfully present in a home (warrant, consent, or exigent circumstances) in the course of official duties, there is no reasonable expectation of privacy.

#### 450.5.5 SEARCHES

- (a) During the execution of a search warrant, an arrest warrant, a Fourth Amendment waiver search, or a consent search in which the officer is looking for evidence or contraband.

#### 450.5.6 SPECIAL EVENTS

- (a) Officer's use of BWCs at special events is at the discretion of the Lieutenant.

#### 450.5.7 VICTIM AND WITNESS INTERVIEWS

- (a) Victim and witness interviews will generally be recorded.
- (b) Domestic violence victims often recant their statements as early as the following morning after a crime. Victims may also make their children unavailable for investigators or court to avoid their providing statements. For these reasons, domestic violence victims should be recorded if the victim is willing. Officers should also record the statements of children of domestic violence victims who are witnesses in these types of cases if the children are willing.
- (c) BWCs should be used during Sex Crimes or Child Abuse investigations to include statements of victims, witnesses, and interactions with parents of victims.

#### 450.5.8 DEMONSTRATIONS

- (a) As a general policy, Department personnel should video record or photograph peaceful demonstrations.
- (b) When there is reason to believe that a planned event has the potential for unlawful activity, Commanding Officers should make the determination whether visual recording or photographing is appropriate.
- (c) During demonstrations, if officers witness crimes occurring among the demonstrators and/or believe an arrest is likely, they should begin recording.

#### 450.6 WHEN AND WHERE NOT TO RECORD

- (a) BWCs shall not be used to record non-work related activity.
- (b) BWCs shall not be used to record in areas or activities such as pre-shift conferences, Department locker rooms, break rooms, or other activities not related to a criminal investigation.
- (c) BWCs shall not intentionally be activated in places where persons have a reasonable expectation of privacy, such as locker rooms, dressing rooms, or restrooms.
- (d) BWCs shall not be used during Department administrative investigations.

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- (e) When possible, officers should avoid recording exposed areas of the body that could cause embarrassment or humiliation, such as exposed breast, groin, etc.

450.6.1 GENERAL RULE

- (a) Generally, officers should not record informal or casual encounters with members of the public. Officers should consider that recording people in some circumstances may inhibit sharing neighborhood information or developing strong ties between members of the community and officers.

450.7 DOCUMENTATION OF RECORDED EVENTS

- (a) All recordings shall be documented in the incident / crime report.

450.8 ENTERING METADATA

- (a) If needed, metadata should be added at the conclusion of the event when the BWC is uploaded to the server.

450.9 CHARGING PROCEDURES

- (a) Officers should charge the BWC at the end of their shift. This will allow adequate time for the battery to recharge.

450.10 ACCESSING UPLOADED DIGITAL EVIDENCE

- (a) All those given permission associated with the BWC may review digital evidence.
- (b) Using a Department computer, go to the Atherton Police Department Intranet site.
- (c) Enter assigned user name and password. For help with problems, contact the BWC Administrator.
- (d) Digital evidence can be viewed and / or copied from this location.

450.11 RETENTION OF DIGITAL EVIDENCE

- (a) All recordings related to any criminal proceeding, claim filed, pending litigation, or a personnel complaint, shall be preserved until that matter is resolved and/or in accordance with the law.

450.12 REVIEWING IMPOUNDED DIGITAL EVIDENCE

- (a) Officers may review their own recordings.
- (b) Detectives are responsible for reviewing, updating and tracking digital evidence associated with their assigned cases.

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- (c) Digital evidence captured by the BWC is not all inclusive. The system captures a less broad and less detailed image than the totality of the human senses. An officer's recollection of specific details may be different than what is captured in digital evidence. Officers should review digital evidence prior to completing reports when necessary to ensure accuracy. Officers should review digital evidence prior to providing testimony at hearings, trial, or depositions.
- (d) It is NOT the intent of the Department to review digital evidence for the purpose of general performance review, for routine preparation of performance reports, or to discover policy violations.
- (e) Digital evidence may be viewed for administrative purposes limited to the following:
  - Any incident in which a member of the Department is injured or killed during the performance of their duties.
  - Any incident involving the use of force by a member of the Department, including canines, which results in injury or death.
  - Any in-custody death.
  - Any police pursuit.
  - When any member of the Department intentionally or unintentionally discharges a firearm at a person regardless whether an individual is struck.
  - When any member of the Department not involved in training intentionally or unintentionally discharges a Conductive Energy Weapon at a person, including the application of a drive stun.
  - Officer involved traffic collisions.
  - Prior to the release of recordings in response to a proper legal request (e.g., in response to a subpoena or other court order).
  - In preparation for a civil deposition or responding to an interrogatory where the incident arises from the employee's official duties.
  - When preparing to testify in a criminal, civil, or administrative proceeding arising from the employee's official duties.
  - For investigations undertaken by the Department, for the purpose of proving or disproving specific allegations of misconduct.
  - For administrative proceedings, when digital evidence is used by the Department for the purpose of proving or disproving allegations of misconduct, only digital evidence relevant to the investigative scope should be viewed and retained by investigators. Information relevant to the recordings viewed and seized as evidence by investigators should be documented as part of the chronological summary of any investigation undertaken by the Department.

450.12.1 LIEUTENANT APPROVAL

In situations where there is a need to review digital evidence not covered by this procedure, the Lieutenant must approve the request. Each situation will be evaluated on a case by case basis.

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### 450.13 DISCOVERY OF MISCONDUCT

- (a) Employees reviewing event recordings should remain focused on the incident or incidents in question and review only those recordings relevant to their investigative scope. If improper conduct is discovered during any review of digital evidence, the person who discovered the conduct in question should notify a supervisor. Nothing in this procedure prohibits addressing policy violations.

### 450.14 COPYING AND RELEASING DIGITAL EVIDENCE

- (a) Digital evidence captured by the BWC shall be treated as official records and handled pursuant to existing Department policies and procedures. The digital evidence will be reviewed by the Lieutenant or his / her designee before release.

### 450.15 DIGITAL EVIDENCE FOR TRAINING

- (a) Officers and supervisors may find it useful and are encouraged, to review recordings of incidents of which they were involved when beneficial for the purpose of conducting a tactical debrief. When an incident is recorded which may be of value as a training aid for a broad section of the Department, the recording officer or that officer's supervisor should contact the Lieutenant who will review the digital evidence to determine the value of the incident for training.

### 450.16 BWC ADMINISTRATOR RESPONSIBILITIES

BWC Program Administrators should be sworn members. BWC Program Administrators are responsible for performing the following duties:

- (a) Maintain and troubleshoot the BWC units and server application.
- (b) Maintain a record of assigned BWC units and related equipment.
- (c) Be proactive and able to complete minor repairs.
- (d) Arrange for the warranty and non-warranty repair of the BWC units.
- (e) Repair or replace BWC components (cameras, docking stations, etc).
- (f) Maintain BWC equipment repair and maintenance records.
- (g) Update software and system settings as necessary.
- (h) Train officers on current policy and the proper use of BWC units.

## APPENDIX B BODY-WORN CAMERA POLICY- BELMONT POLICE DEPARTMENT

Policy  
450

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### Portable AudioVideo Recorders

#### 450.1 PURPOSE AND SCOPE

This policy provides guidelines for the use of portable audio/video recording devices by members of this department while in the performance of their duties. Portable audio/video recording devices include all recording systems whether body-worn, hand held or integrated into portable equipment.

This policy does not apply to lawful surreptitious audio/video recording, interception of communications for authorized investigative purposes or to mobile audio/video recordings (see the Investigation and Prosecution and Mobile Audio/Video policies).

#### 450.2 POLICY

The Belmont Police Department may provide members with access to portable recorders, either audio or video or both, for use during the performance of their duties. The use of recorders is intended to enhance the mission of the Department by accurately capturing contacts between members of the Department and the public.

#### 450.3 MEMBER PRIVACY EXPECTATION

All recordings made by members acting in their official capacity shall remain the property of the Department regardless of whether those recordings were made with department-issued or personally owned recorders. Members shall have no expectation of privacy or ownership interest in the content of these recordings.

#### 450.4 MEMBER RESPONSIBILITIES

Prior to going into service, each uniformed member will be responsible for making sure that he/she is equipped with a portable recorder issued by the Department, and that the recorder is in good working order. If the recorder is not in working order or malfunctions at any time, the member shall promptly report the failure to his/her supervisor and obtain a functioning device as soon as practicable. Uniformed members should wear the recorder in a conspicuous manner or otherwise notify persons that they are being recorded, whenever possible.

Any member assigned to a non-uniformed position may carry an approved portable recorder at any time the member believes that such a device may be useful. Unless conducting a lawful recording in an authorized undercover capacity, non-uniformed members should wear the recorder in a conspicuous manner when in use or otherwise notify persons that they are being recorded, whenever possible.

When using a portable recorder, the assigned member shall record his/her name, BPD Identification number and the current date and time at the beginning and the end of the period of use, regardless of whether any activity was recorded. This procedure is not required when the recording device and related software captures the user's unique identification and the date and time of each recording.

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Members shall download their portable recorders at the end of the period of use, or sooner if necessary. The members will make two copies of all recordings related to cases being sent to the District Attorney's office for prosecution. One copy will be booked into evidence and the other forwarded along with the report to the District Attorney's office.

Members shall document the existence of a recording in any report or other official record of the 'Contact, including any instance where the recorder was not activated, malfunctioned or the member deactivated the recording. Members shall include the reason for deactivation.

**450.4.1 SUPERVISOR RESPONSIBILITIES**

supervisors should take custody of a portable audio/video recording as soon as practical when the device may have captured an incident involving an officer-involved shooting or death or other serious incident, and ensure the data is downloaded (Penal Code § 832.18)

**450.5 ACTIVATION OF THE PORTABLE RECORDER**

This policy is not intended to describe every possible situation in which the portable recorder should be used, although there are many situations where its use is appropriate. Members should activate the recorder any time the member is contacting a citizen in an official capacity.

Members should remain sensitive to the dignity of all individuals being recorded and exercise sound discretion to respect privacy by discontinuing recording whenever it reasonably appears to the member that such privacy may outweigh any legitimate law enforcement interest in recording. Requests by members of the public to stop recording should be considered using this same criterion. Recording should resume when privacy is no longer at issue unless the circumstances no longer fit the criteria for recording.

At no time is a member expected to jeopardize his/her safety in order to activate a portable recorder. However, the recorder should be activated in situations described above as soon as practicable.

**450.5.1 SURREPTITIOUS USE OF THE PORTABLE RECORDER**

Members of the Department may surreptitiously record any conversation during the course of a criminal investigation in which the member reasonably believes that such a recording will be lawful and beneficial to the investigation (Penal Code § 633).

Members shall not surreptitiously record another department member without a court order unless lawfully authorized by the Chief of Police or the authorized designee.

**450.5.2 CESSATION OF RECORDING**

Once activated, the portable recorder should remain on continuously until the member's direct participation in the incident is complete or the situation no longer fits the criteria for activation. Recording may be stopped during significant periods of inactivity such as report writing or other breaks from direct participation in the incident.

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*Portable Audio/Video Recorders*

Members shall cease audio recording whenever necessary to ensure conversations are not recorded between a person in custody and the person's attorney, religious advisor or physician, unless there is explicit consent from all parties to the conversation (Penal Code § 636).

**450.5.2 EXPLOSIVE DEVICE**

Many portable recorders, including body-worn cameras and audio/video transmitters, emit radio waves that could trigger an explosive device. Therefore, these devices should not be used where an explosive device may be present.

**450.6 PROHIBITED USE OF PORTABLE RECORDERS**

Members are prohibited from using department-issued portable recorders and recording media for personal use and are prohibited from making personal copies of recordings created while on-duty or while acting in their official capacity.

Members are also prohibited from retaining recordings of activities or information obtained while on-duty, whether the recording was created with department-issued or personally owned recorders. Members shall not duplicate or distribute such recordings, except for authorized legitimate department business purposes.

Members are prohibited from using personally owned recording devices while on-duty without the express consent of the Watch Commander. Any member who uses a personally owned recorder for department-related activities shall comply with the provisions of this policy, including retention and release requirements.

Recordings shall not be used by any member for the purpose of embarrassment, intimidation or ridicule.

**450.7 RETENTION OF RECORDINGS**

Any time a member records any portion of a contact that the member reasonably believes constitutes evidence in a criminal case, the member shall record the related case number and transfer the file in accordance with current procedure for storing digital files and document the existence of the recording in the related case report. Transfers should occur at the end of the member's shift, or any time the storage capacity is nearing its limit.

Any time a member reasonably believes a recorded contact may be beneficial in a non-criminal matter (e.g., a hostile contact), the member should promptly notify a supervisor of the existence of the recording.

**450-7.1 RETENTION REQUIREMENTS**

All recordings shall be retained for a period consistent with the requirements of the organization's records retention schedule.

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**450.8 REVIEW OF RECORDINGS**

When preparing written reports, members should review their recordings as a resource. However, members shall not retain personal copies of recordings. Members should not use the fact that a recording was made as a reason to write a less detailed report.

Supervisors are authorized to review relevant recordings any time they are investigating alleged misconduct or reports of meritorious conduct or whenever such recordings would be beneficial in reviewing the member's performance.

Recorded files may also be reviewed:

- (a) Upon approval by a supervisor, by any member of the Department who is participating in an official investigation, such as a personnel complaint, administrative investigation or criminal investigation.
- (b) Pursuant to lawful process or by court personnel who are otherwise authorized to review evidence in a related case.
- (c) By media personnel with permission of the Chief of Police or the authorized designee.
- (d) In compliance with a public records request, if permitted, and in accordance with the Records Maintenance and Release Policy.

All recordings should be reviewed by the Custodian of Records prior to public release (see the Records Maintenance and Release Policy). Recordings that unreasonably violate a person's privacy or sense of dignity should not be publicly released unless disclosure is required by law or order of the court.

**450.9 COORDINATOR**

The Chief of Police or the authorized designee shall appoint a member of the Department to coordinate the use and maintenance of portable audio/video recording devices and the storage of recordings, including (Penal Code § 832.18):

- (a) Establishing a system for downloading, storing and security of recordings.
- (b) Designating persons responsible for downloading recorded data.
- (c) Establishing a maintenance system to ensure availability of operable portable audio/video recording devices.
- (d) Establishing a system for tagging and categorizing data according to the type of incident captured.
- (e) Establishing a system to prevent tampering, deleting and copying recordings and ensure chain of custody integrity.
- (f) Working with counsel to ensure an appropriate retention schedule is being applied to recordings and associated documentation.
- (g) Maintaining logs of access and deletions of recordings.

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Foster City Police Department  
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## Use of Audio/Video Recorders

### 450.1 PURPOSE AND SCOPE

This policy provides guidelines for the use of portable audio/video recording devices by members of this department while in the performance of their duties.

This policy does not apply to surreptitious interception of electronic communications for lawful authorized investigative purposes or to mobile audio video recordings (see the Mobile Audio Video Policy).

### 450.2 POLICY

The Foster City Police Department may provide members with access to portable recorders, either audio or video or both, for use during the performance of their duties. The use of recorders is intended to enhance the mission of the Department by accurately capturing contacts between members of the Department and the public.

### 450.3 PRIVACY

All recordings made by personnel acting in their official capacity as members of this department shall remain the property of the Department and should not be considered private, regardless of whether those recordings were made with department-issued or personally owned recorders.

### 450.4 MEMBER RESPONSIBILITIES

Prior to going into service, each uniformed member will be responsible for making sure that he/she is equipped with a portable recorder, issued by the Department, and that the recorder is in good working order. Uniformed members should wear the recorder in a conspicuous manner.

Arty member assigned to a non-uniformed position may carry an approved portable recorder at any time the member believes that such a device may be useful.

When using a recorder, the assigned member shall record his/her name, employee number and the current date and time at the beginning and the end of the shift or other period of use, regardless of whether any activity was recorded. This procedure is not required when the recording device and related software captures the user's unique identification and the date and time of each recording.

### 450.5 ACTIVATION OF THE AUDIO RECORDER

Members should consider activating the recorder during enforcement stops and field interrogation situations and any other time the member reasonably believes that a recording of an on-duty contact may be useful. Once started, recordings should continue without interruption until the contact ends, if feasible.

At no time is a member expected to jeopardize his/her safety in order to activate a recorder or change the recording media. However, the recorder should be activated in required situations as soon as practicable.

# Foster City Police Department

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### *Use of AudioMdeoRecorders*

#### 450.5.1 SURREPTITIOUS USE OF THE AUDIO RECORDER

Members of the Department may surreptitiously record any conversation during the course of a criminal investigation in which the officer reasonably believes that such a recording will be beneficial to the investigation (Penal Code § 633).

Members shall not surreptitiously record another department member without a court order or unless lawfully authorized by the Chief of Police or the authorized designee.

#### 450.6 PROHIBITED USE OF PORTABLE RECORDERS

Members are prohibited from using department-issued portable recorders and recording media for personal use and are prohibited from making personal copies of recordings created while on-duty or while acting in their Official capacity.

Members are also prohibited from retaining recordings of activities or information obtained while on-duty, whether the recording was created with department-issued or personally owned recorders. Members shall not duplicate or distribute such recordings, except for authorized legitimate department business purposes. All such recordings shall be retained at the Department.

Members are prohibited from using personally owned recording devices while on-duty without the express consent of the Watch Commander. Any member who uses a personally owned recorder for department-related activities shall comply with the provisions of this policy, including retention and release requirements.

Recordings shall not be used by any member for the purpose of embarrassment or ridicule.

Any member who may have questions regarding the application of this policy is encouraged to seek clarification from supervisory personnel.

#### 450.7 RETENTION OF RECORDINGS

Any time a member records any portion of a contact that the member reasonably believes constitutes evidence in a criminal case, the member shall record the related case number and download the file in accordance with the Computers and Digital Evidence Policy and document the existence of the recording in the related case report.

Any time a member reasonably believes a recorded contact may be beneficial in a non-criminal matter (e.g., a hostile contact), the member should promptly notify a supervisor of the existence of the recording.

Members should upload the file, in accordance with current procedure for storing digital files, at the end of their shift and any time the storage capacity is nearing its limit.

##### 450.7.1 RETENTION REQUIREMENTS

All downloaded recordings shall be retained for a period consistent with the requirements of the organization's records retention schedule but in no event for a period less than 180 days.

#### 450.8 RELEASE OF RECORDINGS

Recordings made using portable recording devices pursuant to this policy are department records and may only be released as provided in the Release of Records and Information Policy or for other authorized legitimate department business purposes.

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## Foster City Police Department

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### *Use of Audio/Video Recorders*

#### **450.9 REVIEW OF RECORDED MEDIA FILES**

When preparing written reports, members should review their recordings as a resource. However, members should not use the fact that a recording was made as a reason to write a less detailed report.

Supervisors are authorized to review relevant recordings any time they are investigating alleged misconduct, reports of meritorious conduct or whenever such recordings would be beneficial in reviewing the member's performance.

Recorded files may also be reviewed:

- (a) Upon approval by a supervisor, by any member of the Department who is participating in an official investigation, such as a personnel complaint, administrative investigation or criminal investigation.
- (b) Pursuant to lawful process or by court personnel who are otherwise authorized to review evidence in a related case.
- (c) By media personnel with permission of the Chief of Police or the authorized designee.
- (d) In compliance with a public records request, if permitted, and in accordance with the Release of Records and Information Policy.

## APPENDIX D BODY-WORN CAMERA POLICY-HILLSBOROUGH POLICE DEPARTMENT

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Hillsborough Police Department  
Policy Manual

### Mobile Audio Video Procedure

#### 446.1 PURPOSE AND SCOPE

The Hillsborough Police Department has equipped each marked patrol car with a Mobile Audio & Video (MAV) recording system. The MAV is designed to assist and compliment patrol officers in the performance of his/her duties. The MAV is used to record certain activities by providing a visual and/or audio record. Video recordings are intended to provide an unbiased visual/audio record of the incident and to supplement the officer's report.

#### 446.2 ACTIVATION OF THE MAV

The MAV system is designed to turn on whenever the unit emergency lights are activated. The system remains on until turned off manually. The audio portion must be activated manually by each officer and is independent of the video; however when audio is being recorded the video will also record.

##### 446.2.1 REQUIRED ACTIVATION OF MAV

This policy is not intended to describe every possible situation where the system may be used however here are many situations where the use of the MAV system is appropriate. In addition to the required situations, officers may activate the system any time he/she believes its use would be appropriate and/or valuable to document an incident. In some circumstances it is not possible to capture images if the incident due to conditions or location of the camera however the audio portion can be valuable evidence and is subject to the same activation requirements as the MAV. The activation of the MAV system is required in any of the following situations:

- (a) All field contacts involving actual or potential criminal conduct, within video or audio range, which includes:
  1. Vehicular pursuits
  2. Suspicious vehicles
  3. Arrests
  4. Pedestrian checks
  5. DUI investigations including field sobriety tests
  6. Consensual encounters
  7. Responding to an in-progress call
- (b) Any other contact that becomes adversarial after the initial contact in a situation that would not otherwise require recording
- (c) Any other circumstances where the officer believes that a recording of an incident would be appropriate

Once the MAV system is activated, it shall remain on and shall not be turned off until the incident has concluded. For purposes of this section, conclusion of an incident has occurred when all arrests have been made, arrestees have been transported, and all witnesses, victims, etc. have been interviewed. Recording may cease if an officer is simply waiting for a tow truck or a family member to arrive or other similar situations.

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## Hillsborough Police Department

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### Mobile Audio Video Procedure

#### 4413.2.2 WHEN ACTIVATION NOT REQUIRED

Activation of the MAV system is not required when exchanging information with other officers or during breaks, lunch periods, when not in service, or actively on patrol.

Absent legal cause or lawful order, no member of this department may surreptitiously record any other member of this department without the expressed knowledge and consent of all parties.

#### 446.3 REVIEW OF MAV RECORDINGS

Recordings may be reviewed in any of the following situations:

- (a) By a supervisor investigating a specific act of officer conduct
- (b) By a department detective after approval of a supervisor who is participating in an official investigation, such as a personnel complaint, administrative inquiry or a criminal investigation
- (c) By department personnel who request to review their own recordings
- (d) By court personnel through proper process or with permission of the Chief of Police or his/her designee
- (e) By media personnel with permission of the Chief of Police or his/her designee
- (f) Recordings may be shown for the purposes of training value. If an involved officer objects to the showing of recording, his/her objection will be submitted to staff to determine if the training value outweighs the officer's objection for not showing the recording.

Employees desiring to view any MAV recording shall submit a request in writing to the Watch Commander.

In no event shall any recording be used or shown for the purpose of ridicule or embarrassing any employee.

#### 446.4 DOCUMENTING MAV USE

Any incident that was recorded with either the video or audio system shall be documented in the officer's report. If a citation was issued, a notation shall be placed on the back of the records copy of the citation that the incident was recorded.

#### 446.5 VIDEO MEDIA STORAGE & INTEGRITY

Once checked in, all video media will be labeled and placed in a designated secure storage area. All video media that is not booked in as evidence will be retained for a minimum of one year after which time they will be erased, destroyed, or recycled.

##### 446.5.1 COPIES OF VIDEO RECORDINGS

Original video recording media shall not be used for any purpose other than for initial review by a supervisor. A copy of the original video recording will be made upon proper request for any person authorized in Policy Manual § 446.4.

Original video recording media may only be released in response to a valid court order or upon approval by the Chief of Police or his/her designee. In the event that an original recording is released to court, a copy shall be made and placed in storage until the original is returned.

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*Mobile Audio Video Procedure*

**446.5.2 MAV RECORDINGS AS EVIDENCE**

Only in exceptional circumstances will original video media be booked into evidence. The exceptions would include a major event such as a homicide or as directed by the Watch Commander or a member of staff. If a video media is booked into evidence, it shall be booked in the same manner as other property and referenced in the case report.

## Use of Audio/Video Recorders

### 450.1 PURPOSE AND SCOPE

This policy provides guidelines for the use of portable audio/video recording devices by members of this department while in the performance of their duties.

This policy does not apply to surreptitious interception of electronic communications for lawful authorized investigative purposes (see the Investigation and Prosecution policy).

### 450.2 POLICY

The Menlo Park Police Department shall provide members with access to portable recorders, either audio or video or both, for use during the performance of their duties. The use of recorders is intended to enhance the mission of the Department by accurately capturing contacts between members of the Department and the public.

### 450.3 MEMBER PRIVACY EXPECTATION

All recordings made by members acting in their official capacity shall remain the property of the Department regardless of whether those recordings were made with department-issued or personally owned recorders. Members shall have no expectation of privacy or ownership interest in the content of these recordings.

### 450.4 MEMBER RESPONSIBILITIES

Prior to going into service, each uniformed member will be responsible for making sure that he/she is equipped with a portable video recorder, issued by the Department, and that the recorder is in good working order. Uniformed members shall wear the recorders in such a way as to have easy access to the function buttons and in a manner that renders the recorder secure.

Any member assigned to a non-uniformed position shall carry an approved portable recorder. The recorder shall be carried in a way that renders the recorder secure with the ability to record any contact with a citizen.

At the beginning of each shift, the member shall test the recorder to assure it is working properly.

Members shall document the existence of a recording in any report or other official record of the contact, including any instance where the recorder malfunctioned or was not turned on for any portion of the contact. The member shall include the reason for not activating the recorder.

### 450.5 ACTIVATION OF THE AUDIO/VIDEO RECORDER

Members shall activate the recorder during all on-duty contacts with citizens other than a contact with another member, without their knowledge.

Members shall activate their recording devices prior to arriving to any in-progress or serious or high priority calls for service to preclude arriving on scene and being unable to activate the unit.

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Members will have discretion to keep recording devices off during conversations with crime witnesses and members of the community who wish to report or discuss criminal activity. When determining whether to record interviews with witnesses and members of the community who wish to share information, members should always consider both the evidentiary value of the recording and the subject's comfort with speaking on camera. To better capture evidence, it is recommended that members record statements made by witnesses and people sharing information. However, if a person will not talk unless the recording device is turned off, members may decide that obtaining information is more important than recording.

At no time is a member expected to place his/her safety in jeopardy in order to activate a recorder or change the recording media. However, the recorder should be activated in all situations as soon as practical.

**450.51 SURREPTITIOUS USE OF THE AUDIO/VIDEO RECORDER**

Members of the Department may surreptitiously record any conversation during the course of a criminal investigation in which the officer reasonably believes that such a recording will be beneficial to the investigation (Penal Code § 633).

Members shall not surreptitiously record another department member without a court order or unless lawfully authorized by the Chief of Police or the authorized designee.

**450.52 SURREPTITIOUS USE OF AUDIO/VIDEO RECORDER DURING INVESTIGATIONS OF PERSONNEL COMPLAINTS**

Members are prohibited from surreptitiously recording any conversation in which a person is making a personnel complaint or allegation of such. In these situations, the member taking the complaint shall advise the complainant that the conversation is being recorded. If the complainant refuses to be recorded, the member shall discontinue recording, and will indicate this fact in the documentation created regarding the complaint or allegation. It is recommended that a witness member be utilized in cases which a complainant refuses to be recorded.

**450.53 CESSATION OF RECORDING**

Once activated, the portable audio/video recorder should remain on continuously until the member's direct participation in the incident is complete. Recordings may be stopped during significant periods of inactivity such as report writing or other breaks from direct participation in the incident, or when speaking to other members outside the presence of involved parties to the incident. Officers shall reactivate the recording device upon reinitiating contact or a new contact with any citizen.

**450.6 PROHIBITED USE OF PORTABLE RECORDERS**

Members are prohibited from using department-issued portable recorders and recording media for personal use and are prohibited from making personal copies of recordings created while on-duty or while acting in their official capacity.

Members are also prohibited from retaining recordings of activities or information obtained while on-duty, whether the recording was created with department-issued or personally owned

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Members shall not duplicate or distribute such recordings, except for authorized legitimate department business purposes. All such recordings shall be retained at the Department.

Members are prohibited from using personally owned recording devices while on-duty.

Recordings shall not be used by any member for the purpose of embarrassment or ridicule.

Any member who may have questions regarding the application of this policy is encouraged to seek clarification from supervisory personnel.

**450.7 RETENTION OF RECORDINGS**

Members shall upload all digital recorded files in accordance with current procedures for storing digital files, at the end of their shift and anytime the storage capacity is nearing its limit.

Any time a member uploads a digital file that will or may be used as evidence in a criminal or non-criminal case, the member shall mark the file with all pertinent information required by the department's digital recording software, and will cause that file to be marked as "evidence" in the system.

**450.8 RETENTION OF RECORDS**

Citizen contact recordings shall be retained for a minimum of (2.5) years. All recordings which are classified as evidence will be retained for a period of time determined by applicable laws and the City of Menlo Park's retention guidelines.

**450.9 RELEASE OF RECORDINGS**

All recordings shall be reviewed by the Custodian of Records prior to public release (see the Records Release and Security Policy). Recordings that unreasonably violate a person's privacy or sense of dignity should not be publicly released unless disclosure by law or order of the court.

**450.10 REVIEW OF RECORDED MEDIA FILES**

When preparing written reports, members should review their recordings as a resource. However, members should not use the fact that a recording was made as a reason to write a less detailed report. Members shall not retain personal copies of recordings.

Supervisors are authorized to review relevant recordings any time they are investigating alleged misconduct, reports of meritorious conduct or whenever such recordings would be beneficial in reviewing the member's performance.

Recorded files may also be reviewed:

- (a) Upon approval by a supervisor, by any member of the Department who is participating in an official investigation, such as a personnel complaint, administrative investigation or criminal investigation.
- (b) Pursuant to lawful process or by court personnel who are otherwise authorized to review evidence in a related case.

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- (c) In compliance with a public records request, if permitted, and in accordance with the Release of Records and Information Policy.

# APPENDIX F BODY CAMERAS—MENLO PARK POLICE DEPARTMENT CITIZENS ADVISORY COMMITTEE REPORT

## Body Cameras · MPPD Citizens Advisory Committee Report

2015/05/07

The Citizens Advisory Committee (Committee) to the Menlo Park Police Department is comprised of residents of Menlo Park who have been invited by Chief Robert Jansen to provide feedback to the Police Department about a range of issues concerning public safety, police department practices and proposals, and to bring issues of interest in the community to the attention of the Chief.

Over the course of its 18 months of existence, the Committee has reviewed the use of several surveillance technologies employed by the MPPD, such as license plate readers, fixed cameras, and both audio and Video recorders worn by police officers among other issues.

*Policy 450, Use of Audio/Video Recorders* was reviewed by the Committee in January of 2015. Later that month, several members of the Menlo Park City Council expressed concerns about Policy 450, and asked Chief Jansen to revisit Policy 450 with the Citizens Advisory Committee.

The Committee met on Tuesday, March 31, 2015. The sole topic of discussion was proposed revisions to *MPPD Policy 450, Use of Audio/Visual Recorders* (dated 2015/02/18). The proposed revisions were presented to the committee by Chief Robert Jansen and Commander David Bertini.

The use of body cameras by law enforcement occurs within a rapidly changing legal and ethical landscape that includes such things as:

- a push from the highest levels of government to increase the use of body cameras by all U.S. police officers, due in part to the concern of alleged police brutality and the use of deadly force targeting minorities by white police officers,
- the illicit publication in social media of videos recorded by police officers,
- the increasing use of video recorders by the public of police activities and arrests,
- increased revelations of alleged government overreach in surveilling American citizens,
- the theft or illegal disclosures of private information thought to be secure in public and private computer networks,
- an evolving and highly nuanced set of opinions and guidelines regarding the use of body cameras from such as Lexipol, the Justice Department's Community Oriented Policing (COPS) office, the American Civil Liberties Union, and the Electronic Frontier Foundation,
- widely differing practices and policies between police jurisdictions and state laws across the country,
- concern regarding the widespread sharing of surveillance recordings between local, state, and federal agencies,
- new innovations within the camera technology from increased battery life and video quality to the introduction of new software features,

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- the need for training officers in the use of this equipment in the field, the processing of the information it gathers, the supervision of the performance of the officers in using the equipment, and the updating of police procedures to reflect changes in law, policies and best practices.

*On the whole, the Committee agrees with the recommended changes to Policy 450 presented to us.*

During the Committee's discussion about the proposed changes to Policy 450 we focused on several questions:

1. When should the recorder be turned on?
2. Under what circumstances should the recorder be turned off?
3. What recordings should be retained?
4. How long should recordings be retained?
5. How can policies and procedures remain current in such a rapidly changing environment?
6. How will the MPPD be able to keep up with the pace of technological innovation, data storage needs, network security, and backup/redundancy requirements?

*It is important to note that some of the suggestions discussed within the Committee may more properly be addressed in the area of MPPD Procedure 5.1.1 than Policy 450 itself.*

1. When should the recorder be turned on?

The Committee agrees with the proposed language in 450.5, that the device be activated "prior to arriving at any in-progress or serious or high priority calls for service."

To turn cameras ON and leave them on during the entire shift of the police officers presents logistical challenges and also presents significant privacy concerns for the officers as employees of the MPPD. The Committee sees no compelling reason to require cameras to always be ON. However, cameras should remain on until such time as the officer is no longer involved with the "involved parties" in the incident.

As a best practice, the Committee recommends that the officer provide a voice narration or verbal note upon activating the recorder.

2. When should the recorder be turned off?

Policy 450.3 states that the recorder can be turned off during "significant periods of inactivity such as report writing or other breaks from direct participation in the incident, or when speaking to other members [police officers] outside the presence of involved parties to the incident." This seems reasonable to us.

As a best practice, we recommend that the officer provide a voice narration or verbal note upon turning off the recorder, noting why the recorder is being turned off.

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There was discussion about when an officer can choose to turn off a recorder at the request of an individual who may wish to not be recorded and/or will refuse to speak with an officer if the recorder is not turned off.

Even though a person speaking with a police officer may not have an expectation of privacy, in some instances such a person may express concerns for their personal welfare or safety if they provide information to the police. The use of a body camera may heighten that concern and lead someone to "clam up." We hope that such circumstances would be uncommon, and that officers should be provided with the discretion to turn off the recorder if, in their judgment, valuable information might otherwise not be forthcoming.

As a best practice, we recommend that the police officer record the request by the person being interviewed to "turn off the camera" to preclude any question as to why the device was turned off.

### **3. What recordings should be retained?**

When recordings are uploaded to the MPPD servers, video segments [portions between the activation of *start recording* and the activation of *stop recording* on the device] can be "flagged" by officers. Ordinary conversations between officers with citizens they encounter during the course of the day about the weather or sports should not be flagged. Care must be exercised to not allow the flagging of every encounter out of an abundance of caution about possible but improbable actions.

Polite officers must, of course, flag anything that might be of evidentiary value. They must also use their own judgment, subject to review by their supervisor, of any interactions which may lead to a citizen complaint.

4. How long should recordings should be retained?

State Law: California Government Code §340906 requires that all recordings be retained for one year, after which they *maybe* destroyed.

Federal Law: The statute of limitations for bringing suit under a Federal Civil Rights complaint under §1983 is two years (in California), plus nottticatibns.<sup>2</sup>

MPPD Policy: There is no statute of limitations within the policies of the MPPD for citizen complaints.

With various legal requirements and periods for citizens bringing suits or complaints ranging from one year to infinity, few people argue in favor of infinite storage of such records. So what is a reasonable compromise between a minimum of one year (as required by state law) and infinity?

The MPPD recommends a period of 2.5 years as a means of protecting both the City and individual police officers from significant financial liabilities should either or both be successfully sued. A clear majority of the Committee agrees with this recommendation. Experts in risk management would generally agree as well.<sup>3</sup>

<sup>1</sup> 340906. (a) Notwithstanding the provisions of Section 34090, the head of a department or a city or city and county, after one year, may destroy recordings of routine video monitoring, and after 100 days may destroy recordings of telephone and radio communications maintained by the department. This destruction shall be approved by the legislative body and the written consent of the agency attorney shall be obtained. In the event that the recordings are evidence in any claim filed or any pending litigation, they shall be preserved until pending litigation is resolved.

(b) For purposes of this section, "recordings of telephone and radio communications" means the routine daily recording of telephone communications to and from a city, city and county, or department, and all radio communications relating to the operations of the departments.

(e) For purposes of this section, "routine video monitoring" means video recording by a video or electronic imaging system designed to record the regular and ongoing operations of the departments described in subdivision (a), including mobile in-car video systems,

jail observation and monitoring systems, and building security recording systems.

(d) For purposes of this section, "department" includes a public safety communications center operated by the city or city and county.

<sup>2</sup> Every person who, under color of any statute, ordinance, regulation, custom, or usage, of any state or territory, subjects, or causes to be subjected, any citizen of the United States or other person within the jurisdiction thereof to the deprivation of any rights, privileges, or immunities secured by the Constitution and laws, shall be liable to the party injured in an action at law, suit in equity, or other proper proceeding for redress, except that in any action brought against a judicial officer for an act or omission taken in such officer's judicial capacity, injunctive relief shall not be granted unless a declaratory decree was violated or declaratory relief was unavailable. For the purposes of this section, any Act of Congress applicable exclusively to the District of Columbia shall be considered to be a statute of the District of Columbia.

<sup>3</sup> A minority of the Committee suggests that financial risk is not the only factor that should be considered in determining the length of data retention. The privacy rights of citizens, one could argue, are priceless. Sir William Blackstone famously wrote that "the law holds it better that ten guilty persons escape, than that one innocent party suffer." And while the amount of video data held by the MPPD on any individual citizen may be relatively small, the accumulated data held by other government bodies and corporations is huge. And it is the aggregate of such data that concerns many civil liberties advocates, and aggregation that can be completed surreptitiously without the knowledge or consent of the hundreds of entities that each hold a piece of it. The existence of such technology and parties willing to use it therefore argue that each piece of data be held for the absolute minimum of amount of time to mitigate against such risks.

While the statute of limitations for citizen complaints against a police officer is unlimited, the sole remedy available to citizens who make such complaints are limited to disciplinary action against an officer. Therefore, there is no financial risk to the City.

5. How can policies and procedures remain current in such a rapidly changing environment?

As stated in the outset of this document, the legal landscape, public opinion, and technology related to body cameras is rapidly evolving. The Committee believes that it is imperative that Policy 450 be subjected to regular review and scrutiny by the MPPD and the citizens for the foreseeable future.

The MPPD relies upon Lexipol for information concerning the changing legal landscape and best practices in many areas including Policy 450. We encourage them to continue this practice and to recommend policy and procedural changes as warranted.

Furthermore, the citizens of Menlo Park should be made aware of the information about Policy 450 that is available on the City's website and encouraged to voice their opinion through conversations with the MPPD and their elected officials.

6. How will the MPPD be able to keep up with the pace of technological innovation, data storage needs, network security; and backup/redundancy requirements?

Emerging technologies such as facial and voice recognition, background images, correlation of body camera data with other surveillance data sets, pressure to share data between jurisdictions, and cross-friing practice (aka "big data") could create additional questions and dilemmas that will require deep conversation and consideration.

The MPPD will face an enormous challenge of storing all of this data, securing it internally and against outside threats, and protecting it from physical damage. Few systems can withstand an attack from determined hackers such as those that go by the name "anonymous." Criminals and government-based hacking programs are also able to penetrate most systems almost at will. Should a fire occur in the MPPD data center the results could be catastrophic. The department needs to take all practicable steps necessary in infrastructure and security systems to protect the data itself and, more importantly, the privacy and integrity of the information. The systems need to be future proofed so that evidence that is committed to a backup system in 2015 will still be readable by computers in 2040.

conclusion

This is the first time the Committee has been asked by the City Council to weigh-in on issue of such public interest. The Committee is an unelected body and does not report to the Council. We are a non-political group, and we serve at the pleasure of the Chief of Police. We appreciate the opportunity to serve the Chief in the capacity of a citizen "sounding board" and to bring our own ideas to MPPD through our regular meetings. If the City Council concludes that there is a

need for a group focused on the MPPD an official Commission should be formed. We are not advocating for this but neither are we prepared to serve in a capacity beyond that for which we were originally formed.

**City Council Agenda Item  
Staff Report**

CITY OF SAN BRUNO

**DATE:** July 12, 2016  
**TO:** Honorable Mayor and Members of the City Council  
**FROM:** Ed Barberini, Chief of Police  
**SUBJECT:** Receive Report on the July 4, 2016 Fireworks Activities

**BACKGROUND:**

In 2005 San Bruno voters passed Measure G allowing for the continued sale and use of Safe and Sane fireworks within San Bruno during the Fourth of July Holiday. The allowance of Safe and Sane fireworks draws individuals to San Bruno from other cities where all fireworks are prohibited. Additionally, the availability and use of Safe and Sane fireworks can result in an increase in the use of illegal fireworks. In response to the potential for a high frequency in the use of illegal fireworks, the City Council has authorized the issuance of Administrative Citations for individuals found to be possessing or using fireworks that are prohibited. These citations include a fine of \$1,000.

Several City departments, including Police, Fire, Public Services, and Community Services, have substantially increased staffing levels on the Fourth of July to address associated issues and calls for service. The holiday and the use of fireworks often results in large gatherings within the community. These gatherings present additional concerns, including pedestrian safety and the problems associated with the consumption of alcoholic beverages.

**DISCUSSION:**

This year several steps were taken leading up to the Fourth of July to alert and educate the public regarding fireworks regulations and the consequences of violating them. Staff worked with the Cable TV Department to provide public service announcements aired on the local cable channel. A FOCUS Newsletter article with a message from the Fire and Police Chiefs was disseminated to residents prior to the July 4<sup>th</sup> Holiday. Police and Fire personnel met with fireworks vendors and reviewed the rules and regulations for the sale of Safe and Sane Fireworks. Additionally, staff posted information regarding regulations for the use of fireworks on the City web page and social media sites the week prior to July 4<sup>th</sup>.

During the days prior to July 4<sup>th</sup>, Police Department personnel visited locations where problems had arisen in previous years. Officers spoke with residents about the use of illegal fireworks, including enforcement efforts, penalties for the possession and use, and the danger these items pose to the community. Additionally, officers warned residents about the excessive consumption of alcohol, the impact large and unruly parties have on the community, and pedestrian safety including children in the street.

The Fire Department staffed an additional engine for the holiday and conducted daytime non-contact patrols through neighborhoods as a visual deterrent to the use of illegal fireworks. The Fire Department responded to thirteen calls for service on July 4<sup>th</sup>. Three calls were fireworks related. Crews responded to both Pacifica and South San Francisco regarding structure fires. On the evening of July 4<sup>th</sup> the Fire Department responded to 432 Poplar Avenue regarding the report of an extinguished outside fire. A garbage had caught fire after Safe and Sane fireworks had been discarded. The fire had charred a ten feet section of stucco on the left side of the house and was extinguished with a garden hose. There was no extension of the fire to any part of the home's interior. Fire Crews and responded to Shelter Creek and Whitman Way as well as Huntington Avenue and Sneath Lane regarding two small fires related to fireworks.

The Community Services Department deployed the following personnel to monitor activity within the parks:

July 2	2 Parks Staff members from 1 pm to 10:30pm
July 3	2 Parks Staff members from 1 pm to 10:30pm
July 4	4 Parks Staff members from 1 pm to 10:30pm

The Police Department deployed Officers to conduct illegal fireworks enforcement the weekend leading up to the Fourth of July. Officers patrolled for illegal fireworks and violations of Safe and Sane use, paying particular attention to open space areas. The Officers also assisted with the education campaign and made contact in those neighborhoods where the department had previously received large numbers of complaints. The Officers were assigned during times of peak activity (6:00 pm to Midnight).

July 1	3 Officers
July 2	3 Officers
July 3	3 Officers

In addition to the normal patrol beats, fireworks enforcement teams were organized and assigned to geographic regions from 6:00 pm on July 4, 2015, to 12:00 am on July 5, 2015.

The Police Department also had additional clerical staff on duty to handle the high volume of telephone reporting and dispatching of calls for service. In total, the Police Department had forty-four personnel on duty July 4<sup>th</sup>, which included the following:

Chief of Police	Public Safety Dispatchers (4)
Commander	Police Clerks (2)
Sergeants (4)	Community Service Officers (3)
Police Officers (27)	Records and Dispatch Supervisor
Reserve Officer	

When officers were able to observe an individual using illegal fireworks, officers made use of the municipal ordinance sections and issued administrative citations that carry a fine of \$1,000 per violation. Officers issued a total of eleven administrative citations for the use and/or possession of dangerous fireworks.

*Fireworks Related Calls for Service:*

Date	2016	2015	2014	2013	2012	2011	2010	2009	2008
Jul 4	108	104	112	88	89	114	123	106	181

*Total Administrative Citations and Arrests Related to Fireworks*

	2016	2015	2014	2013	2012	2011	2010	2009	2008
Admin Cites	11	11	9	8	9	9	15	39	N/A
Arrests	0	0	1	0	0	1	4	3	32

The use of illegal fireworks was often intermingled with the use of Safe and Sane fireworks making it difficult for Officers to detect violations. Complaints of illegal fireworks were received citywide with many complaints involving the use of legal Safe and Sane fireworks. In addition to calls to the Police Department regarding fireworks, the City received numerous complaints via email and social media. Many of these complaints called for the City to revisit the issue of allowing the sale and use safe and sane fireworks. Some comments suggested that the issue be brought before the voters once again.

No pedestrian safety issues were reported. When contacting large groups celebrating the holiday, Officers generally received the necessary cooperation. There were no reports of any violent activity and no arrests were made. On July 1st it was reported that someone had attempted break into a fireworks container on the 1200 block of El Camino Real. The suspect was unable to gain entry.

Of the eleven individuals that were issued administrative citations, six were San Bruno residents.

This year the Police Department seized approximately twenty-three pounds of illegal fireworks including firecrackers, bottle rockets, M-80's, M-1000's, roman candles, and mortars ranging from one to three inches in diameter. Public Services staff picked up five truckloads, or approximately ten cubic yards, of trash following the holiday. No additional street sweeping was required. During the July 4th Holiday the previous year, the Police Department seized approximately fourteen pounds of illegal fireworks and the Public Services Department collected six cubic yards of trash. In 2015 additional street sweeping was required following the Fourth of July.

**FISCAL IMPACT:**

Personnel were brought in on an overtime basis to specifically handle the increase in fireworks complaints and for proactive enforcement. The amount expended for overtime also reflects additional clerical staff to handle the increase in calls requesting service.

<b>Department</b>	<b>Nature</b>	<b>Cost</b>
Cable	Public Service Announcement	\$5,500.00
Community Services	Article in the Focus Newsletter	\$4,631.79
Community Services	Additional Staff on the 4th	\$4,862.72
Fire Department	Pre Fourth Education Material	\$5,178.5
Fire Department	Fire Marshal Administrative and Inspection Hours	\$2,100.51
Fire Department	Engine Company Staffing on the 4th	\$4,189.57
Police Department	4th of July Staffing	\$34,688.58
Police Department	Pre and Post 4th Education and Enforcement / Logistics	\$2,349.89
Public Services	Cleanup Costs (Labor & Equipment)	\$1,601.86
<b>Total</b>		<b>\$60,442.77</b>

**ALTERNATIVES**

None. This report is submitted for informational purposes only.

**RECOMMENDATION:**

Receive report on the July 4, 2016 fireworks activities.

**ATTACHMENTS:**

None

**DATE PREPARED:**

July 6, 2016

**REVIEWED BY:**

-- CA

-- ACM

— CM

City Council Agenda Item  
Staff Report

CITY OF SAN BRUNO

DATE: July 12, 2016

TO: Honorable Mayor and Members of the City Council

FROM: David Waitering, Community Development Director

SUBJECT: Receive a Report and Provide Direction to Staff on the Draft "Walk 'n Bike Plan"

BACKGROUND:

In 2013, the City Council authorized staff to pursue Metropolitan Transportation Commission TDA Article 3 Pedestrian and Bicycle Program grant funds for the City's first Comprehensive Pedestrian and Bicycle Plan. The Walk 'n' Bike Plan is consistent with and will implement the general vision, and the guiding and implementing policies of the San Bruno 2009 General Plan. The Walk 'n' Bike Plan, as is typical of a Master Plan, provides more specific policies than those in a General Plan - a detailed "road map" to implement the broad policies of the General Plan within the community. The Master Plan process has provided a broad community engagement process to obtain input from the public and professionals, which will enable the City leverage funds to implement proposed priority improvements and programs to improve safety and more convenience for non-motorized modes of transportation. The Plan is consistent with General Plan Transportation guiding policy T-A - to provide for efficient, safe and pleasant movement for all transportation modes - vehicles, bicycles, transit, and pedestrians, as well as other General Plan policies.

The purpose of this meeting is to provide an overview of the Draft Plan and for the City Council to provide further suggestions, comments and amendments, prior to staff submitting this Plan to the City Council to consider possible formal adoption. The Planning Commission reviewed the Plan, provided comments, and recommended the adoption of the Plan at its June 7, 2016. The Commission determined that the Plan was consistent with the General Plan, Transit Corridors Plan (TCP) and other relevant plans.

In May 2015, the City hired Eisenll.etic to assist staff in developing the San Bruno Pedestrian and Bicycle Master Plan. The Plan-now informally called the San Bruno Walk 'n' Bike Plan, for outreach purposes-is the City's first citywide planning effort devoted exclusively to non-motorized transportation. The Plan is a long-range planning document meant to inform the City's decisions about walking and biking for many years into the future. Its broad goals are to increase walking and bicycling for transportation and recreation, improve walking and biking safety throughout the city, reduce traffic, air pollution, noise, and energy consumption as well as promote health benefits by increasing physical activity. The Plan includes a set of recommended improvements to

achieve those goals. The improvements consist of physical projects, programmatic activities and updated City policies and practices.

The planning process for the Walk 'n Bike Plan will have occurred over approximately one year, from July 2015 through July 2016. The planning process provide a comprehensive framework for addressing several key objectives of the City with respect to preparing the plan including:

- Determine the walking and biking needs and concerns of the San Bruno community: residents, workers, students, visitors, City staff, appointed and elected City officials and others.
- Respond to these needs and concerns by identifying a set of proposed walking and biking improvements around the city that are effective, realistic and affordable.
- More generally, engage, inspire and expand the local community of pedestrians and cyclists and strengthen the constituency for investments and improvements in non-motorized transportation.

The Plan was introduced at the November 17, 2015 Planning Commission meeting where Eisenll.etunic presented a status report on the master plan effort. The Planning Commission and attendees provided input on the existing conditions and improvement needs of the City's current bicycle and pedestrian systems.

The Planning Commission reviewed the Public Draft Plan on June 7, 2016, and unanimously recommended that the City Council adopt the San Bruno Walk 'n Bike Plan with Errata/amendments.

#### **DISCUSSION:**

The adoption of the Plan will provide a guiding policy document for the community's future decisions regarding bicycle and pedestrian facility improvements and to implement specific projects and programs. Based on public input, the draft Walk 'n Bike Plan identifies proposed five- and ten-year priority projects, policies and programs to guide decision making and to leverage grant funding for projects and activities. This ten-year work plan identifies nine conceptual designs, eight short-term and one longer term design for improvements at key locations in the City, which will strengthen the City's position to obtain grant funding. More complex costly projects are identified as long-term improvements.

The Plan recommends improvements and programmatic activities to achieve the goals of making biking and walking safer and easier. Conceptual designs for physical improvements proposed in the Plan will be further analyzed and details developed when funding can be obtained. Implementation of the Plan will include seeking funding for infrastructure improvements such as lighted crosswalks, curb bulb outs, sidewalk and streetscape improvements, bike racks and lockers, signage, bike share, bike lanes and routes connecting recreational trails, local destinations and transit hubs; and programs such as Safe Routes to School, Vision Zero, bicycle safety classes and open streets type events.

The City prepared an Initial Study/Negative Declaration, which resulted in a determination that the Plan will not have a significant effect on the environment. No comments were received as of writing this report.

Staff has included an Errata with proposed amendments to the Plan, including both those presented to the Planning Commission on June 7, 2016 and proposed amendments since the June 7, 2016 meeting (Attachment 1). Public comments and responses to surveys prior to the Draft Plan release are compiled and included in the Plan Appendix. Staff will incorporate City Council feedback and will continue to review and compile comments and propose further Walk 'n Bike Plan revisions until the Plan is adopted by the City Council. With City Council direction, staff will incorporate all amendments through the end of the Plan adoption process as the final adopted Walk 'n Bike Plan.

### **Consistency with Plans**

The Plan is consistent with and will help to implement the general vision, and the design guidelines of San Bruno's 2013 Transit Corridors Plan, and will facilitate a balance between the needs of transit, automobiles, bicyclists, and pedestrians. The Planning Commission determined that the Plan was consistent with the General Plan, Transit Corridors Plan (TCP) and other relevant plans.

The proposed Plan will be consistent with the Zoning Code (San Bruno Municipal Code (SBMC), Title 12, Land Use) which is in the process of being updated. It is recommended that the Zoning Code be updated to include requirements to increase the viability of bicycle transportation such as highly visible and secure parking opportunities (bike racks and lockers). In conjunction with bicycle parking facilities, the Plan recommends requiring employers to provide showers and changing facilities for employees for specific land uses such as Commercial uses. These requirements would be similar to those required in the TCP.

The Proposed Plan would support measures to reduce greenhouse gases being considered in the draft Climate Action Plan (CAP).

### **Proposed improvements in the Walk 'n Bike Plan**

#### **Pedestrian projects**

The most frequently identified community need expressed through the needs assessment process was unsafe conditions at crosswalks and intersections resulting from drivers failing to see or yield to pedestrians. To address this concern, the plan proposes a range of crossing enhancements at key locations, including high-visibility striping at crosswalks; sidewalk bulb-outs or extensions (to shorten the crossing distance for pedestrians and reduce the curb radius, making drivers slow down as they turn the corner); pedestrian refuges or islands in the center of the street; and a variety of safety signs and markings. Roughly half of the targeted street crossing improvements are along El Camino Real, San Bruno's main non-freeway thoroughfare, including those at Sneath Lane, the 1-380 ramps, San Bruno Avenue, Jenevein Avenue, Crystal Springs Road and others. Other proposed crossing improvements include Sneath Lane and Huntington Avenue; San Bruno Avenue at Easton Avenue; several along Cherry

Avenue; and Crystal Springs Road at Oak Avenue.

While enhanced crossings are the focus of pedestrian improvements, the Walk 'n Bike Plan also proposes a few projects of different types. These include filling in key sidewalk gaps on Sneath Lane, San Bruno Avenue and Crystal Springs Road; and streetscape enhancements along Huntington Avenue (to improve conditions for people walking between the BART and Caltrain stations), San Bruno Avenue east of El Camino Real, and San Mateo Avenue through the downtown.

#### Bicycle projects

While cyclists will continue to be allowed on any street in San Bruno (other than the freeways), the Plan proposes a citywide network of bikeways providing a higher level of service for cyclists in terms of safety and/or convenience. The proposed network—approximately 23 miles long—consists of a combination of bike lanes, bike routes and separated bikeways.

Bike lanes, are marked by parallel white stripes several feet apart, a stenciled bike symbol and signage; are recommended on streets that are sufficiently wide to accommodate them.

Bike routes are suggested for streets with narrow travel lanes, on which there is no room for bike lanes unless parking or traffic lanes were removed. Routes would be marked with "Bike route" plaques and signs reminding drivers and cyclists that bikes may use the full lane. On street segments where the speed difference between cyclists and cars is low—for example, on slower-speed streets or on downhill—"sharrows" would be added. Sharrows are pavement stencils that essentially encourage drivers and cyclists to share the lane.

Separated bikeways are on-street bike facilities that are physically separated from moving traffic, most often by painted buffers but also by medians, parked cars or similar means. These buffers increase cyclists' comfort level by increasing the distance between them and moving cars; at the same time, the buffers provide space for cyclists to pass each other without having to encroach into the car lane. In order to accommodate the separated bikeways, the Walk 'n Bike Plan proposes the removal of traffic lanes on the following street segments: Huntington Avenue between Sneath Lane and San Bruno Avenue; Cherry Avenue between Sneath Lane and San Bruno Avenue; Bayhill Drive between Cherry Avenue and El Camino Real; and Elm Avenue north of San Bruno Avenue. Separated bikeways are most effective at providing for the safety, convenience and comfort of bicyclists and increasing bicycle ridership. However, separate bikeways will need to be considered on a case-by-case basis, given limited right-of-way that may be available.

#### Programs and other actions

The Walk 'n Bike Plan proposes a variety of non-infrastructure improvements. These include programmatic efforts and activities in the areas of safety, education, enforcement and encouragement or promotion, and other implementation actions or policy-type recommendations that address the most common non-physical needs identified by the community through the needs assessment process. The programs are

proposed to be led primarily by the Community Development Department, Community Services Department, Public Services Department (for minor repairs such as pavement surface spot repairs and on sidewalks and streets) and the Police Department (for activities related to enforcement, traffic safety and traffic education). School-related activities are proposed to be led by the San Bruno Park School District and San Mateo Union High School District, with support from the City (the City may choose to offer logistical or staff support or limited funding). Similarly, promotional and encouragement activities may be led by outside groups and organizations with support from the City.

Programs and other actions proposed in the Walk 'n Bike Plan include:

- **Safe Routes to School** Activities would include traffic-smarts training, "bike rodeos," bike "skills drills" clinics and other types of traffic safety education; "walking school buses" and "bike trains" (for children to walk or bike to school in a group, escorted by adults); monthly or seasonal "Walk and Roll to School" days; and posting additional crossing guards.
- **Other safety and education:** "Vision Zero" policy and task force (Vision Zero is a City-wide commitment to eliminate traffic related deaths or life altering injuries to zero on roadways in the City); bicycle-skills training; rotating traffic safety and educational messages on the City's website and on San Bruno Cable; posters and bumper stickers with San Bruno-specific traffic safety messages; digital speed signs, as an awareness and educational tool; and other activities to increase awareness of traffic safety issues.
- **Enforcement:** Regular enforcement campaigns aimed at speeding, not yielding to pedestrians, distracted driving and parked cars that block the sidewalk; additional traffic enforcement officer position-within the Police Department; and online form to report chronic traffic violations and to request enforcement action.
- **Promotion and encouragement:** Street closures on San Mateo Avenue within the downtown for "Sunday Streets"-type events; "parklets" and outdoor dining and vending on San Mateo Avenue; and promotion of "Bike to Work Day."
- **Spot improvements:** Responding to complaint-driven requests for smaller-scale pedestrian and bike improvements, such as restriping crosswalks and bike lanes; trimming back overgrown vegetation or restricting parking at corners to improve traffic sightlines.
- **Other:** Install accessible pedestrian countdown signals and bike-detection technology at intersections; revise the City's pavement management system to prioritize maintenance and repair of bikeway streets; create and keep up to date a tracking database of pedestrian facility ADA compliance; support the school districts and shopping centers in providing bike parking racks; consider establishing a bike-share program; coordinate with neighboring jurisdictions to extend and connect bikeways; encourage the County of San Mateo to allow bicycling on designated trails in Junipero Serra County Park; provide regular reports to the Bicycle and Pedestrian Advisory Committee and Planning Commission outlining progress in implementing the Walk 'n Bike Plan; and conduct a comprehensive ten-year update of the Plan, roughly in 2025-2026.

## **Public Engagement**

A primary City objective for the Walk 'n Bike Plan was to engage the local community in the planning process. Public outreach efforts were focused on three tasks or phases of the project: (i) initial outreach as the project was kicking off; (ii) during the needs assessment process; and (iii) during the review and comment period for the public draft version of the Plan.

The public outreach process has been successful. As an example, during the Needs Assessment extensive public input was sought and received. The various opportunities for public participation are described in detail in Chapter 3 of the Plan and include the following: an online survey and an interactive "pinnable" map (both in English and in Spanish versions); a public workshop; a community walk and group bike ride; a Planning Commission hearing; tabling events; interviews of local pedestrians and cyclists; and by email and through the project webpage. The extensive public engagement for the needs assessment process resulted in approximately 1,300 comments received from the public.

### **Plan review and adoption**

The City released the public draft of the Walk 'n Bike Plan and the Negative Declaration for the Plan (pursuant to the California Environmental Quality Act) on, April 29, 2016. The Plan and Negative Declaration were posted at [sanbruno.ca.gov/walkbikeplan](http://sanbruno.ca.gov/walkbikeplan) and paper copies were made available for review at San Bruno City Hall and at the Public Library. To solicit feedback, the City and project consultant hosted an evening community workshop on Tuesday, May 3 at the San Bruno Senior Center and gave presentations at the meetings of the Traffic Safety and Parking Committee on Wednesday, May 4 and of the Bicycle and Pedestrian Advisory Committee on Wednesday, May 11. The City also created an online survey; the survey was open for just over three weeks (through May 22) and received 166 responses. Comments on the Negative Declaration were accepted also through the end of May 22, 2016.

## **PUBLIC COMMENTS:**

The public comments on the Public Draft Walk 'n Bike Plan as of May 23, 2016, were presented to the Planning Commission on June 7, 2016 and are included as Attachment 2. Additionally, staff has attached an Errata that includes recommended amendments to the Plan as result of the Commission's action on June 7, 2016 (Attachment 1). Additional minor changes suggested by staff based on further comments received since the Planning Commission meeting are included in the attachment as well.

Comments from the June 7, 2016 Planning Commission included to consider an alternative location for a mini roundabout other than Crystal Springs, and suggested formatting changes to the Plan. The issue of vehicles and totes/garbage cans blocking the sidewalks was discussed. Suggestions were to increase awareness of the problem through public education in addition to police enforcement

Below is a summary of the key overall comments by chapter:

- **Chapter 2, "Existing Conditions:"** Comments requested that three additional planning efforts be discussed under the "Related Plans" section beginning on p. 22: (i) the Grand Boulevard Initiative's TIGER II Complete Streets Project report;

(ii) Caltrans' policy on Complete Streets; and (iii) the 2010 San Mateo Countywide Transportation Plan.

- Chapter 5, "Pedestrian Projects:" The main comment was to replace the proposed roundabout at Crystal Springs Road/Oak Avenue (conceptual design on p. 77) with other crossing improvements at this intersection and to recommend that alternative locations be considered for a roundabout (a Planning Commission comment). In addition, there were several more technical comments regarding the concept drawings beginning on p. 69.
- Chapter 6, "Citywide Bikeway Network:" Staff is proposing to add a conceptual design for the San Bruno Avenue underpass at 1-280 consisting of the removal of a turn lane or a travel lane—depending on the results of a traffic study—in each direction of the avenue in order to accommodate bike lanes. In addition, there were several technical comments regarding the concept drawings beginning on p. 87 and proposing changes to the alignment of several of the bikeways shown and listed on p. 83-84. Also, comments were made that the colors of the various bikeway types on the map on p. 83 are not easily distinguishable.
- Chapter 7, "Support Programs:" Comments requested the addition or expansion of miscellaneous activities under the programs on promotion/encouragement (p. 97-98) and on enforcement (p. 99) and near-term and medium-term actions (p. 100-101). Perhaps the main proposed change is to add a recommendation that the City develop a formal, written process for the consideration of requests for new marked crosswalks and stop signs.
- Chapter 8, "Longer-Term Improvements:" There were several comments of a technical nature regarding some of the discussed improvements. More substantially, comments were made regarding the need for a longer-term connection in the southwest corner of the city extending from City Park to Crestmoor Drive.
- Chapter 9, "Implementation:" To maintain momentum for implementation, the Plan proposes that an "Internal Task Force" be created, consisting of representatives of the Community Development, Public Services, Police and other relevant departments. Also proposed is an "Implementation Plan" (Attachment 3) to providing an initial implementation schedule. Additionally minor technical changes and updates to funding sources.

Comments on the Public Draft Walk 'n Bike Plan will continue to be accepted until the Plan is adopted. Regarding the Public Draft Initial Study and Negative Declaration, no comments were received, and the public comment period for these documents is now closed.

### Conceptual Designs and Revisions

The Plan includes proposed conceptual level street designs for particular for bicycle and pedestrian improvements (Plan Chapters 5 and 6). The intent of developing these plans has been to clarify for the public and decision-makers proposed designs and to support possible grant applications. With revision/amendments based on the comments received, there are now nine conceptual designs as two designs were removed from the Public Draft Plan.

Figure 5, Crystal Springs Road / Oak Avenue / City Park Way (roundabout) is proposed to be removed. Instead of proposing a mini roundabout, proposed is an amendment to the Plan to further study this and other intersections to determine if other pedestrian crossing improvements would better meet safety goals for pedestrians instead of only proposing a roundabout. A roundabout could be considered for San Mateo and Jenevein Avenues, and Huntington and San Bruno Avenues.

Figure 9, San Bruno and Elm Avenues is proposed to be removed as the City is in the final design phase for median landscape improvements on San Bruno Avenue. The implementation of the desired Class II buffered bike lanes as part of the bicycle network would conflict with these designs. However, a bike route on San Bruno Avenue as an east-west connection is critical to the bike route plan for the City, as recommended in the TCP, which includes a bicycle lane along San Bruno Avenue West connecting to Caltrain and the BART station via Huntington Avenue. TCP policy statement TRANS-C addresses connectivity within the TCP area linking surrounding land uses and the Caltrain station.

Two key modifications were requested by the Police Department. The first is to eliminate the proposed bulb-out or remove the dedicated right turn lane east onto San Bruno Avenue (Figure 3). Second, is not to remove one of the two left turn lanes onto the 1-280 on ramps (proposed new Figure - San Bruno Avenue / 1-280 overpass), but instead propose one straight lane instead of two turn lanes.

### **IMPLEMENTATION:**

There are a number of actions that the City can undertake in the very near term (roughly over 3 -18 months) to implement components of the Plan to improve non-motorized transportation in the community. Most importantly the City could pursue several upcoming or ongoing outside funding sources to implement the capital improvements or programmatic activities proposed in the Walk 'n Bike Plan.

The City could identify funds to implement some visible, low-cost improvements such as painting bike lanes and bike route sharrows, installing bikeway signage, and installing bike parking racks at City facilities and on sidewalks at select locations. Examples of a few high-visibility projects that could reasonably be accomplished in the next 2-5 years could include:

- Install signage and sharrows on the proposed bike routes (see the list on page 84, under "Proposed bike route (Class III), signed/sharrows (B4)").
- Stripe bike lanes on San Bruno Avenue and Skyline Boulevard (see the list on page 84, under "Proposed bike lanes (Class II), existing shoulder (B1)").
- Install bulb-outs, high-visibility crosswalks and safety signage at four intersections on Cherry Avenue (locations X-17 through X-20 on map 66).
- Do the same as above at two intersections on San Bruno Avenue (locations X-25 and X-26 on map 66).
- Install two demonstration parklets (Parklets are sidewalk extensions, installed in parking lanes that provide wider space for pedestrian amenities) on San Mateo

Avenue through the downtown.

- Install sidewalk bike parking at City facilities and on San Mateo Avenue through the downtown.
- Organize semi-annual "Sunday Open Streets" on San Mateo Avenue through the downtown (street closure to allow pedestrians and bicyclists to use the street for a health and recreational activities and events).
- Page 98 (Errata), add: Identify locations and funding for a bike "fix it" station, such as at the BART station, downtown or other destinations.

In addition to the above, there are several changes to City practices or other actions that the City can take in the next few months to advance pedestrian and bicycle planning in San Bruno:

- Create a dedicated pedestrian and bicycle section to the City's "San Bruno Responds" webpage ([bit.ly/sbfixit](http://bit.ly/sbfixit)) enabling the public to request "spot improvements" (minor fixes or repairs) to facilities, the installation of bike racks, and traffic enforcement action at locations that experience chronic traffic violations.
- Update the City's zoning code to include bike parking requirements for new commercial, large multi-family residential and other land use developments.
- Explore the feasibility of bike-share service in the area of the downtown and the Caltrain and BART stations.
- To implement the City's Complete Streets Policy, develop a checklist that would be used in planning and designing any transportation improvement to ensure it considers the needs of all users.

To maintain momentum for implementation, the Plan proposes that an "Internal Task Force" be created, consisting of representatives of various City Departments to discuss coordination of Plan components in existing City activities and projects to advance implementation of the Plan. Moreover, this team could meet to review grant opportunities, and on-going Plan implementation. City staff would work with the Bicycle and Pedestrian Advisory Committee (BPAC). The BPAC along with staff would provide updates to the City Council to facilitate implementation.

#### **FISCAL IMPACT:**

In 2013, the City received MTC TOA Article 3 Pedestrian And Bicycle Program grant funds for the City's first Comprehensive Pedestrian and Bicycle Plan. The City approved \$100,000 in Measure A matching funds with an additional \$40,000 from Measure A for administrative costs for the comprehensive Bicycle and Pedestrian Master Plan.

Staff anticipates that preparation and adoption of the Walk 'n Bike Plan will be completed within budget and schedule. The Plan includes cost estimates and funding sources for infrastructure improvements in Chapter 9, Implementation. Implementation as described in Chapter 9 will require the identification of grant funds and other funding sources to implement projects and programs. Individual projects and programs will be considered along with identified funding sources as part of the City's regular budget process.

**RECOMMENDATION:**

Staff recommends that the City Council receive the report, and provide direction to staff on the Plan including further suggestions, comments and amendments prior to staff submitting this Plan to the City Council to consider possible formal adoption. If the City Council adopts the Plan with the proposed amendments, staff would then incorporate the amendments as the final adopted Walk 'n Bike Plan.

**ATTACHMENTS:**

1. Errata: Proposed Amendments to the Walk 'n Bike Plan presented to the Planning Commission on June 7, 2016 and proposed Amendments to the Walk 'n Bike Plan since June 7, 2016
2. Reviewing Agencies and Organizations List
3. Walk 'n Bike Implementation

*\*The Public Draft Walk 'n Bike Plan and the Negative Declaration documents were distributed to the City Council and made available to the public. The documents are currently available at the Community Development Department, San Bruno Public Library, City Clerk's Office and online at [www.sanbruno.ca.gov/WalkBikePlan](http://www.sanbruno.ca.gov/WalkBikePlan).*

**DATE PREPARED:**

July 8, 2016

**REVIEWED BY:**

City Manager \_\_\_\_

**ATTACHMENT 1**  
**ERRATA- PROPOSED AMENDMENTS TO THE**  
**SAN BRUNO WALK N' BIKE PLAN**

**CH. 2: EXISTING CONDITIONS**

- "Key Destinations" section (p. 10-11): Add the BART and Caltrain stations to the list of key destinations.
- Page 11: revise/add underlined text "The open space, parks and other main recreational facilities are:"
- Page 11: revise "Pocket Parks (5): move "Earl and Glenview Park" to Neighborhood parks in bullet point above. Add plaza to "Posy Park" (plaza) and renumber accordingly.
- "Integration with Other Modes" section (p. 21 ): Remove the word "ample" in "Both [the BART and Caltrain] stations have ample bicycle parking in the form of racks and lockers."

After the June 7, Planning Commission meeting:

- Revise "Existing Facilities" section (p. 19): delete "The City has not installed bicycle parking at City facilities or in the public right-of-way," and replace with "Establish a policy to install city-wide bicycle parking facilities at public places,"
- "Related Plans" section (p. 26):
  - Add: "The TIGER II Grand Boulevard Initiative Complete Streets Project Case Study for San Bruno. Many of the suggested improvements in the GBI Complete Streets TIGER II San Bruno case study conceptual design (December 2013) are recommended in the Walk 'n Bike Plan. As specific projects move forward in the future some of the improvements can be implemented. Improvements to El Camino Real are included in the long-term improvements of the Plan."
  - Add: "Caltrans' Complete Streets policy (Deputy Directive DD-64-R2 10/17/14)".
  - Add: "the 2010 San Mateo Countywide Transportation Plan".

**CH. 5: PEDESTRIAN PROJECTS**

- Proposed pedestrian projects map (Map 6; p. 66): Replace the proposed mini roundabout at Crystal Springs Road / Oak Avenue (project -27) with other crossing improvements at this intersection, including higher-visibility crosswalks, pedestrian refuge islands and safety signs. Elsewhere in the chapter, recommend a pilot roundabout at a location to be determined pending further traffic analysis, including at Crystal Springs Road / Oak Avenue, Jenevein Avenue / San Mateo Avenue and Huntington Avenue / San Mateo Avenue.
- Conceptual designs:
  - El Camino Real / I-380 ramps-short/medium terms (p. 68-69): Incorporate rectangular rapid flashing beacons in the design.(Figure 1)
  - El Camino Real / I-380 ramps—longer term (p. 70-71 ): Clarify that this is a longer-term concept that could be explored in the event of a full redesign of the interchange by Caltrans. (Figure 2)
  - El Camino Real / San Bruno Avenue (p. 72-73): Remove turn-pocket removal and bulb out (note #1 on the drawing) from the design. (Figure 3)
  - San Bruno Avenue / Easton Avenue and San Bruno Avenue / 6th Avenue (p. 74-75): Clarify that the conceptual design applies only to San Bruno Avenue / Easton Avenue rather than to both intersections. (No parking is available on San Bruno Avenue East)(Figure 4)

**ATTACHMENT 1**  
**ERRATA- PROPOSED AMENDMENTS TO THE**  
**SAN BRUNO WALK N' BIKE PLAN**

After the June 7, Planning Commission meeting:

Page 64, add: "The City will implement pedestrian and also bicycle projects (for example, bulb-outs, roundabouts and separated bikeways) as temporary, low-cost pilot projects, to test their performance before installing more permanent versions."

Page 65: add: "Note: Proposed improvements to modify Sneath Lane (from El Camino Real to the western City limits) and Crystal Springs Road (From Oak Avenue to the Junipero Serra Freeway) could be subject to a majority ballot vote in accordance with Ordinance 1264 concerning scenic corridors.

## **CH. 6: CITYWIDE BIKEWAY NETWORK**

- Citywide bikeway network map (p. 83): Revise the map as follows:
  - Change the colors of the various bikeway types to make them more easily distinguishable.
  - Switch the bike route to Sweeney Ridge from Amador Avenue to Sneath Lane.
  - Remove the proposed bikeway on Cherry Avenue south of Kains Avenue; instead, designate the following as proposed bike routes (Class III): Kains from Cherry to Chestnut; Chestnut from Kains to Park; Park from Chestnut to Oak; and Oak from Park to Jenevein.
  - Remove the proposed bikeways on El Camino Real from Memory Lane to Crystal Springs Road and on Crystal Springs Road from Linden Avenue to El Camino Real. Instead, designate Memory Lane from Elm Avenue to El Camino Real as a proposed enhanced bike route (Class III).
  - Designate Crestmoor Drive from San Bruno Avenue to Crystal Springs Road as a proposed bike route (Class III). Also, change "Crystal Springs Ave" to "Crystal Springs Rd."
- Conceptual designs:
  - Huntington Avenue from the Centennial Way Trail to Downtown (p. 86-87): Mention that conventional bike lanes on both sides of the street are a back-up option depending on the results of a traffic-impact analysis. Also mention that Caltrain is generally supportive of the concept but that further study, coordination and design are needed to understand how the concept can best accommodate access to and from the station by all modes. Replace the photo example with one showing a buffer in the form of a curb rather than flexible posts. (Figure 6)
  - Cherry Avenue at Grundy Lane (p. 88-89): Mention that consideration will need to be given to access to and from the site by corporate shuttles. (Figure 7). Also, clarify throughout the chapter as needed that the Cherry Avenue bikeway could be a bike lane with a painted buffer (Class II) or a physically separated bikeway (Class IV), depending on the final design.
  - El Camino Real at Bayhill Drive / Euclid Avenue (p. 90-91 ): Mention that stop-sign controlled intersections along Euclid should be considered as bicyclists begin to utilize this bike route. (Figure 4)
  - San Bruno Avenue and Elm Avenue (p. 92-93): Revise narrative and conceptual design to mention consideration of a two-stage left-turn box from San Bruno Avenue to Elm, and cyclist-activated pushbutton at the southeast corner of San Bruno Avenue.

**ATTACHMENT 1**  
**ERRATA - PROPOSED AMENDMENTS TO THE**  
**SAN BRUNO WALK N' BIKE PLAN**

- o Elm Avenue and Linden Avenue (p. 94-95): Clarify that the one-way route on Elm would begin south of Kains Avenue while the one-way route on Linden would begin north of San Felipe Avenue. Also, mention the need for focused public outreach among residents of the neighborhood before implementing the concept. On the drawing, indicate the roadway width of both streets as 10-12 feet. (Figure 10)
- o Add a conceptual design for the San Bruno Avenue underpass at 1-280 consisting of the removal of a turn lane or a travel lane-depending on the results of a traffic study-in each direction of the avenue in order to accommodate bike lanes. (add new Figure)

After the June 7, Planning Commission meeting:

- Page 80 add: "Note: Proposed improvements to modify Sneath Lane (from El Camino Real to the western City limits) and Crystal Springs Road (From Oak Avenue to the Junipero Serra Freeway) could be subject to a majority ballot vote in accordance with Ordinance 1264 concerning scenic corridors."
- And add: "The City will implement pedestrian and also bicycle projects (for example, bulb-outs, roundabouts and separated bikeways) as temporary, low-cost pilot projects, to test their performance before installing more permanent versions."

**CH. 7: SUPPORT PROGRAMS AND OTHER RECOMMENDATIONS**

- "Promotion and Encouragement" section (p. 97-98): Revise the proposed activity related to street closure events as follows: "Organizing or permitting annual or seasonal street closures in the downtown for 'Sunday Streets'- or 'Ciclovía'-type events, for informal, unprogrammed congregation and recreation, including as part of the San Mateo County-sponsored 'Streets Alive! Parks Alive!' program."
- "Promotion and Encouragement" section (p. 97-98): Revise the proposed activity related to wayfinding signage and move it to the "Medium term: Years 2019-2021" section (p. 100; see below for the revised language).
- "Promotion and Encouragement" section (p. 97-98): Add the following proposed activity: "Organize, sponsor or support targeted group activities that promote walking and biking among seniors, youth, wheelchair users, seniors, people with mobility disabilities and other demographics."
- "Promotion and Encouragement" section (p. 97-98): Mention that the City should consider pursuing a grant to develop an app providing information about walking and biking in San Bruno.
- "Enforcement" section (p. 99), first bullet point: Revise "hire one additional full-time officer to focus on traffic enforcement" to instead dedicate an officer part-time to traffic enforcement.
- "Enforcement" section (p. 99), second bullet point: Add a mention of educating the public about not blocking the sidewalk with parked cars or garbage cans, and having the Police Department give out educational/awareness "fix-it" type tickets before citing drivers.
- "Near term: Years 2017-2018" section (p. 100):. Revise the recommendation on bike parking at schools and shopping destinations as follows: "Encourage and support the school districts to provide adequate, well-designed bike parking at all the public schools; do likewise with **BART** and Caltrain for bike parking at their stations in San Bruno; and with the operators of San Bruno Towne Center, The Shops at Tanforan and Bayhill Shopping Center for bike parking throughout these shopping destinations."

**ATTACHMENT 1**  
**ERRATA- PROPOSED AMENDMENTS TO THE**  
**SAN BRUNO WALK N' BIKE PLAN**

- "Near term: Years 2017-2018" section (p. 100): Revise the recommendation on Bay Area Bike Share along the lines of the following, and reclassify it as a medium-term recommendation: "Explore options for providing bike-share service such as the City of San Mateo's Bay Bikes program in San Bruno, including in partnership with neighboring cities, the county, the San Mateo County Transportation Authority or C/CAG."
- "Near term: Years 2017-2018" section (p. 100): Add the following recommendation: "Develop a formal, written process for the consideration of requests for new marked crosswalks and stop signs (including the conditions under which crosswalks and stop signs would be approved) and enable the public to submit requests online."
- "Near term: Years 2017-2018" section (p. 100): Add the following recommendation: "Amend Chapter 7.48 of the San Bruno Municipal Code to eliminate all requirements related to the licensing of bicycles and to allow children under the age of 12 (rather than ten) to bike on the sidewalk except in the downtown."
- "Medium term: Years 2019-2021" section (p. 100): Add the following recommendation: "Design and install wayfinding signage to help pedestrians and cyclists find their way, especially between the Caltrain and BART stations, the downtown, San Bruno Towne Center, The Shops at Tanforan, Bayhill Office Park and Bayhill Shopping Center; and in collaboration with the National Park Service, to the Milagra Ridge and Sweeney Ridge trails."

June 7, Planning Commission meeting:

- Pursue a grant for app development for bike/ped safety and for community outreach.

After the June 7, Planning Commission meeting:

- Page 97 after 4<sup>th</sup> paragraph add:

"Of the many activities and programs identified in the 10-year work plan, the number that the City will actually be able to implement will depend of availability and timing of funding opportunities and staff resources to pursue and administer grants. To fund activities, the City will rely on obtaining grants to fund these programs and pursue partnering opportunities with other agencies when feasible to maximize opportunities." Identifying activities and programs in the Plan is intended to increase the City's leverage to successfully obtain grants as the opportunities arise. For example, for some funding cycles the timing may not be timely and the City might not be staff resources to pursue it at that time, and staff will apply for grant funding that may not be successful. Funding for actual implementation will need to be considered as part of the City annual budget process. This Plan provides and overall program approach which will require implementation through the City's Capital Improvements Plan (CIP) and operating budget."

- Page 98, add: Identify locations and funding for a bike "fix it" station, such as at the BART station, downtown or other destinations.
- Page 100, Near term years 2017-2018, Change the dates from 2017- 2018 to 2016 -2018 and add:
  - Add a dedicated pedestrian and bicycle section to the City's "San Bruno Responds" webpage enabling the public to request "spot improvements" (minor fixes or repairs) to facilities, the installation of bike racks, and traffic enforcement action at locations that experience chronic traffic violations.
  - Conduct pedestrian and bicycle counts at key locations around the City to document current activity and changes over time, particularly before and after implementation of a project or program.

**ATTACHMENT 1**  
**ERRATA - PROPOSED AMENDMENTS TO THE**  
**SAN BRUNO WALK N' BIKE PLAN**

- Update the City's zoning code to include bike parking requirements for new commercial, large multi-family residential and other land use developments.
- Explore the feasibility of bike-share service in the area of the downtown and the Caltrain and BART stations.
- To implement the City's Complete Streets Policy, develop a checklist that would be used in planning and designing any transportation improvement to ensure it considers the needs of all users.
- Identify locations to perform pedestrian and bicycle counts.
- Page 101, "Longer Term: Years (2022-2026)": add "As core are improvements are implemented and the City is able to identify needed funding sources, conduct a feasibility study to determine alternatives to improve Bay Trail connections through San Bruno via multi-use trails."

**CH. 8: LONGER-TERM IMPROVEMENTS**

- Longer-term improvements map (p. 104): Revise the map as follows:
  - Change the shape of the bubble around Crestmoor Canyon (improvement #6 on the map) so that it implies a more direct connection to improvement #4.
  - Add a proposed longer-term improvement, labeled #12, in the southwest corner of the city from City Park to Crestmoor Drive.
- "El Camino Real" section (p. 109-110): At Caltrans' suggestion, recommend studying the removal of parking in order to accommodate bicycling improvements on El Camino Real.
- "Along Sari Antonio Avenue" (p. 111 ): Clarify that the strip of open space between the street and the Caltrain and BART tracks is owned by Caltrain. Also, mention that further study, coordination and design are needed to determine whether a trail at this location would be acceptable to Caltrain; that primary considerations include preserving the integrity of the right-of-way, keeping as much physical separation between pedestrians and the tracks as possible and ensuring compatibility with any planned or contemplated rail infrastructure projects; and that the City would need an easement from Caltrain to construct a trail at this location.
- After "Linden Avenue cut-through" (p. 112): Describe a proposed longer-term pedestrian and bicycle connection for the southwest corner of the city, extending from City Park to Crestmoor Drive and possibly taking advantage, in the longer term, of improved access through the San Bruno Senior Center site, trails in Junipero Serra County Park and the San Francisco Public Utilities Commission (S.F. PUC) tunnel near Crystal Springs Road / Crestmoor Drive. Mention the need for coordination with, and collaboration from, the County and S.F. PUC.

After the June 7, Planning Commission meeting:

- Page 103, add: "Many of the suggested pedestrian improvements in the Grand Boulevard Initiative TIGER II study report are recommended in the Walk 'n Bike Plan."
- Page 103, bottom left, revise dates from 2015-2016 time frame to 2025 - 2026 timeframe".
- Page 103, "Overview": add "As core are improvements are implemented and the City is able to identify needed funding sources, conduct a feasibility study to determine alternatives to improve Bay Trail connections through San Bruno via multi-use trails."

**ATTACHMENT 1**  
**ERRATA- PROPOSED AMENDMENTS TO THE**  
**SAN BRUNO WALK N' BIKE PLAN**

**CH. 9: IMPLEMENTATION**

- "Funding" section, first paragraph (p. 117): Revise \$12.6 million to \$108 million to be consistent with the rest of the chapter.
- "Estimated Costs of Proposed Improvements" (p. 116): Revise the costs in the table to reflect the updated costs associated with the amendments made to the public draft of the plan.
- "Funding" section: Update costs, as necessary, to reflect changes to projects and programs. Make sure the total cost figures on pages 115, 116 and 117 are consistent.

After the June 7, Planning Commission meeting:

- Page 115, add: "To maintain momentum for implementation, add that an "Internal Task Force" be created, consisting of representatives of the Community Development, Public Services, Police and other relevant departments, and that it meet quarterly or bi-monthly? to discuss and advance implementation of the plan."
- And add: "An Implementation Plan be created outlining the actions for the short term plan implementation"
- Page 117, "Funding" add: "Of the many proposed improvements identified in the 10-year work plan, the number that the City will actually be able to implement will depend of availability and timing of funding opportunities and staff resources to pursue and administer grants. To fund projects, the City will rely on obtaining grants to funding and pursue partnering opportunities with other agencies when feasible to maximize opportunities." By identifying activities and programs in the Plan, is intended to increase the City's leverage to successfully obtain grants as the opportunities arise. For example, for some funding cycles the timing may not be timely and the City might not be staff resources to pursue it at that time, and staff will apply for grant funding that may not be successful. Funding for actual implementation will need to be considered as part of the City annual budget process. This Plan provides and overall program approach which will require implementation through the City's Capital Improvements Plan (CIP) and operating budget."
- Add the following minor updates to the funding sources matrix pages 118 - 120:
  - o Page 118:
    - State ATP grant - delete date, add "TBD"
    - Regional ATP, delete date, add "TBD"
    - OBAG grant - Add: "call for projects could be as early as the call for projects for San Mateo County is expected in August 2016 or March 2016 - January 2017."
    - Transportation Fund for Clean Air - add: "new funding cycle each fiscal year".
  - o Page 119:
    - Highway Safety Program - delete: next expected spring 2016, add: "August 12, 2016 and TBD for 2017".

**ATTACHMENT 2**  
**REVIEWING AGENCIES, ORGANIZATIONS AND OTHER ENTITIES**

California Department of Transportation (District 4)  
ABAG - San Francisco Bay Trail  
BART  
C/CAG  
Caltrain  
City of Daly City  
City of Menlo Park  
City of Millbrae  
City of San Mateo  
City of South San Francisco  
Golden Gate National Recreation Area  
Golden Gate National Parks Conservancy  
San Francisco International Airport - Bureau of Planning and Environmental Affairs  
San Francisco Public Utilities Commission  
San Mateo Community College District  
San Mateo County Health Services Agency  
San Mateo County Office of Education  
San Mateo County Office of Sustainability  
San Mateo County Parks and Recreation Division  
San Mateo County Planning Department  
San Mateo County Transit District  
San Mateo County Transportation Authority

**Organizations and Other Entities**

California Walks  
Capuchino High School  
Chamber of Commerce  
Commute.org  
First Baptist Church (San Mateo Adult School class)  
Friends of Caltrain  
Genentech Bike Club  
Google (Youtube)  
Grand Boulevard Initiative  
Happy Hall School  
Peninsula Velo  
Saint Robert's Church and school  
San Bruno churches (various)  
San Bruno Mother's Club  
San Bruno Park School District  
San Bruno Life  
SF2G (Google riders group)  
Sierra Club  
Silicon Valley Bicycle Coalition

**ATTACHMENT 2**  
**REVIEWING AGENCIES, ORGANIZATIONS AND OTHER ENTITIES**

Skyline College (Bay Area Entrepreneur Center)

Stratford School (Crestmoor)

Tanforan Shopping Center

TransForm

Tuesday Evening Walking Group

Shelter Creek Apartments

Walmart eCommerce

### ATTACHMENT3 Walk 'n Bike Implementation

There are a number of actions that the City could undertake in the very near term (roughly over the 12-18 months) to begin implementing the Walk 'n Bike Plan. Prompt action would be a visible demonstration to the public of the City's support of, and commitment, to improving non-motorized transportation.

Perhaps, most importantly, the City could pursue several upcoming or ongoing outside grant funding sources to implement capital improvements or programmatic activities proposed in the Walk 'n Bike Plan. The most promising of these sources are listed in the table on pages 118-120 of the Plan. The grants with certain or likely application deadlines over the next 12 months are:

- August 12, 2016: Highway Safety Improvement Program.
- Fall 2016: Transportation Development Act Article 3.
- Late 2016–early 2017: One Bay Area Grant County Program.
- January 2017: California Office of Traffic Safety grants.
- February 2017: San Mateo County Safe Routes to School.
- February 2017: TIGER Discretionary Grants.
- March 2017: Affordable Housing and Sustainable Communities Program
- April 2017: Transportation Fund for Clean Air, Regional Fund and County Program Manager Fund.

In terms of ongoing funding sources, there are two, both of which provide funding for bike parking. These are (i) the San Mateo County Bicycle Parking Reimbursement Program, which reimburses half of the cost of purchasing and installing bicycle parking facilities up to \$500 per unit; and (ii) the Bay Area Air Quality Management District's Bicycle Rack Voucher Program, which provides vouchers for up to \$60 per bike rack. Both of these programs are ongoing, with applications being reviewed on a first-come-first-served basis. They are subject to availability of grant funds, which are renewed annually July 1 for both programs. The City could use funds from these two sources to install bike parking at City facilities and on sidewalks at key destinations. The City could also encourage and help the two school districts and three main shopping centers to obtain funds and install bike parking on their property.

Absent, or pending, outside funding, the City might be able to use other City funding sources to implement some visible, low-cost improvements quickly. The main ones are painting bike lanes and bike route sharrows, installing bikeway signage, and installing bike parking racks at City facilities and on sidewalks at select locations.

In addition to the above, there are several meaningful changes to City practices or other actions that the City can take in the next few months to advance pedestrian and bicycle planning in San Bruno. These items are listed under the section on other near-term actions and recommendations on page 100 of the plan:

- Add a dedicated pedestrian and bicycle section to the City's "San Bruno Responds" webpage enabling the public to request "spot improvements" (minor fixes or repairs) to facilities, the

### **ATTACHMENT 3**

#### **Walk 'n Bike Implementation**

installation of bike racks, and traffic enforcement action at locations that experience chronic traffic violations.

- Conduct pedestrian and bicycle counts at key locations around the City to document current activity and changes over time, particularly before and after implementation of a project or program.
- Update the City's zoning code to include bike parking requirements for new commercial, large multi-family residential and other land use developments.
- Explore the feasibility of bike-share service in the area of the downtown and the Caltrain and BART stations.
- To implement the City's Complete Streets Policy, develop a checklist that would be used in planning and designing any transportation improvement to ensure it considers the needs of all users.

To maintain momentum for implementation, the Plan proposes that an internal task force be created, consisting of representatives of the Community Development, Public Services, Police and other relevant departments, and that it meet quarterly to discuss and advance implementation of the plan. Moreover, the Plan proposes that City staff provide regular reports to the Bicycle and Pedestrian Advisory Committee outlining progress in implementing the Plan, and similar reports to the City Council.

**City Council Agenda Item  
Staff Report**

CITY OF SAN BRUNO

**DATE:** July 12, 2016

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

**FROM:** Kerry Burns, Community Services Director

**SUBJECT:** Receive Report on 2016 Community Day in the Park Event and Provide Direction to Staff Regarding 2017 Event Funding

**BACKGROUND:**

On Sunday, June 5, 2016, the City of San Bruno delivered the 3<sup>rd</sup> Annual Community Day in the Park. For the first time, this year's event was coordinated with the Lions Club's 75<sup>th</sup> Annual Posy Parade and was funded in large part through the San Bruno Community Foundation. As part of the City Council review of the Fiscal Year 2016-17 budget at the June 28, 2016 meeting, the City Council considered funding for the Community Day event and requested an opportunity to review the financial results of the 2016 event once information was available.

**DISCUSSION:**

As with past Community Day's, the goal of the 3<sup>rd</sup> Annual Community Day in the Park was to bring together the community in City Park for an afternoon of camaraderie, fun, food and music. This year, the event was scheduled to coincide with the Lions Club Posy Parade with the objective of increasing community participation and attendance at both events. In the months before the Posy Parade and Community Day, representatives of the Lions Club and City staff met to discuss the City resources which would be necessary to support the two events as well as the staging and layout of City Park for the baseball game, car show, rides, food booths, field games and stage.

Both events were very well attended, with one estimate placing attendance in City Park following the Posy Parade and during the Community Day event at approximately 2,500 people. As with the past two years, Community Day in the Park included entertainment, rides and food. This year there was live music, and instead of food trucks, local restaurants and service organizations sold food and beverages. In total, seven vendors sold a variety of food and beverages, including beer and wine. Six rides were available for children and adults and information tables were staffed by the Bike and Pedestrian Advisory Committee, Citizens Crime Prevention Committee, Community Preparedness Committee, Community Services Department and Public Services Department. Lastly, a variety of games were hosted for children by the Community Services Department.

The total cost of the 3rd Annual Community Day in the Park was \$49,002. Of this total, the direct cost for the event was \$38,245 as follows:

Publicity - signage, postcard, fliers, and lawn signs	\$ 5,608
Rides	24,605
Entertainment - bands, stage and, sound system	6,150
County Health Permit/Inspection	600
Port-a-Potties	1,282
Subtotal - Direct Costs	\$ 38,245

In addition to the direct costs associated with the delivery of the event, staff was assigned overtime on the day of the event to provide traffic control, conduct maintenance activities, ensure public safety and conduct field games. Broken down by assigned service, this staff overtime expense totaled \$10,756.90. This amount does not include staff time associated with traffic control and parking enforcement associated with the Posy Parade.

Traffic Control and Park Patrol	\$ 4,825.49
Event First Aid	182.48
Road Closure	665.77
Event Set Up, Clean Up and Wristband Sales	5,083.16
Subtotal - Overtime Expense	\$10,756.90

The San Bruno Community Foundation has committed a \$30,000 contribution to cover costs for the event. Wrist band sales for the event rides generated a total of \$12,340 (873 wristbands sold). The resulting net cost to the City for the event is \$6,662 as follows:

Event Revenues	\$30,000	Community Foundation
	12,340	Wristband Sales
	42,340	Total
Event Costs	\$38,245	Direct Costs
	10,757	Staff Costs
	49,002	Total
Net Costs	\$ 6,662	(\$49,002-\$42,340)

Staff has completed its internal debriefing of both the Posy Parade and Community Day in the Park and has identified some proposed changes to the layout to improve circulation within the public space. Staff observed that there were long lines at times during the event at both rides as well as the food booths. In order to reduce wait times with large event attendance, staff recommends adding additional rides and additional food booths. Staff will meet with representatives of the Lions Club in the next few weeks

to review the event and discuss planning for a coordinated Posy Parade and Community Day event next year.

Going forward, the Community Foundation has identified its intent to reduce funding for the event by \$5,000 in 2017 and further in subsequent years to encourage the City to engage other community partners in funding the event. The Foundation suggests that corporate sponsorships could be solicited, for example, from YouTube, Walmart.com and others to cover the event costs. The City's recently adopted FY 2016-17 Operating Budget includes \$30,000 for the 2017 Community Day event consisting of \$25,000 from the Community Foundation and \$5,000 from other donors.

As part of the 2016-17 Budget review discussion, the City Council identified its interest to review revenues and costs for the 2016 Community Day event to assist planning and budgeting for the 2017 event. As part of this review, and as identified above, staff observed that the success of the 2016 event resulted in large attendance and long waits at both rides and at the food booths. Staff recommends that adding two additional rides and two additional food booths would alleviate this problem. The cost of the proposed additional rides would be \$7,000.

The sale of ride wristbands is currently the only revenue that the event generates to offset total event costs. Wristbands sales for the 2016 event were strong at over 870 sold. Staff does not anticipate that adding rides will necessarily increase event revenues by any significant amount. As a result, the proposed change to reduce wait times at the event and reduce Foundation funding to \$25,000, could increase the City's net cost for the event by a total of \$12,000, \$7,000 for new rides and \$5,000 reduced Foundation committed funding, to approximately \$18,600 unless additional funding sponsorships are identified.

Staff is seeking City Council review of the 2016 Community Day event and financial report and the draft Grant Report to the Foundation. Staff is also seeking City Council comments and direction regarding budgeting and initial planning for the 2017 Community Day event.

#### FISCAL IMPACT:

This report provides information on the event, the expenses and revenues associated with its preparation and delivery.

#### RECOMMENDATION:

Receive Report on 2016 Community Day in the Park Event and Provide Direction to Staff Regarding 2017 Event Funding

**ALTERNATIVES:**

1. Scale back the event to reduce number of the activities available.
2. Procure additional funding contributions for the expansion of the event.

**ATTACHMENTS:**

1. San Bruno Community Foundation Grant Report

**DISTRIBUTION:**

None

**REVIEWED BY:**

FIN

ACM

CM

# SAN BRUNO

## Community Foundation

### GRANT REPORT FORM

Please complete and return this Grant Report Form to the San Bruno Community Foundation at [grants@sbcf.org](mailto:grants@sbcf.org) within 60 days following the close of the Grant Period. Terms used herein have the same definition as given in the Grant Agreement.

#### I. Grant Information

Project/Program Funded: Community Outreach, \_\_\_\_\_

Grant Period: 5-2-01-6" -----

Grant Amount: \$ 30 000

Grant Amount Expended: \$ 30 000

#### II. Grantee Contact Information

Contact Name: Kerri Bums

Title: Community Services Director

Mailing Address: 567 El Camino Real San Bruno CA 94066

Phone: 650-616-7181

Email: [kbums@sanbruno.ca.gov](mailto:kbums@sanbruno.ca.gov)

#### III. Grant Report

A. **Confirmation of Requirements.** Please confirm that each of the following requirements was met consistent with the Grant Agreement by checking each box. If you are not able to confirm any of the requirements below, please provide an explanation in a narrative attached to this report.

Grant used in furtherance of Grant purposes

Grant not used in violation of the Grant Agreement

No changes have occurred to Grantee's tax-exempt status since the Grant Agreement

B. **Statement of Revenues and Expenditures** associated with the Grant. Please complete and attach template.

Direct Costs	
Publicity - signage, postcard, fliers, and lawn signs	\$ 5,608
Rides	24,605
Entertainment - bands, stage and, sound system	6,150
County Health Permit/Inspection	600
Port-a-Potties	1,282
Subtotal - Direct Costs	\$ 38,245

Staff Overtime	
Traffic Control and Park Patrol	\$ 7,359.92
Event First Aid	182.48
Road Closure	665.77
Event Set Up, Clean Up and Wristband Sales	5,083.16
Subtotal - Overtime Expense	\$13,291.33

Event Revenues	\$30,000	Community Foundation
	12,340	Wristband Sales
	42,340	Total

Event Costs	\$38,245	Direct Costs
	13,291	Staff Costs
	51,536	Total

Net Costs \$ 9,196

C. **Programmatic Accomplishment(s).** In an attached narrative no longer than three pages total, please respond to the following questions:

1. What were the major accomplishments achieved through this Grant? Describe the goals for the funded project or program as well as the Grantee's success in meeting those goals.

As with past Community Day's, the goal of the 3rd Annual Community Day in the Park was to bring together the community in City Park for an afternoon of camaraderie, fun, food and, music. This year, the event was scheduled to coincide with the Lions Club Posy Parade with the objective of increasing community participation and attendance at both events. As a result, both events were very well attended, with one estimate placing attendance in City Park following the Posy Parade and during the Community Day event at approximately 2,500 people.

2. Did Grantee experience any challenges that may have prevented accomplishing its goals or completing this project?

Staff has completed its internal debriefing of both the Posy Parade and Community Day in the Park and has identified some proposed changes to the layout to improve circulation within the public space. Staff observed that there were long lines at times during the event at both rides as well as the food booths. In order to reduce wait times with large event attendance, staff recommends adding additional rides and additional food booths. Staff will meet with representatives of the Lions Club in the next few weeks to review the event and discuss planning for a coordinated Posy Parade and Community Day event next year.

3. What are Grantee's plans for this project or program in the future? How will Grantee sustain it in the coming years?

As part of the 2016-17 Budget review discussion, the City Council identified its interest to review revenues and costs for the 2016 Community Day event to assist planning and budgeting for the 2017 event. As part of this review, staff observed that the success of the 2016 event resulted in large attendance and long waits at both rides and at the food booths. Staff reconunends that adding two additional rides and two additional food booths would alleviate this problem. The cost of the proposed additional rides would be \$7,000.

The Foundation has proposed engaging other conununity funding partners to cover the anticipated costs of the event going forward. The City plans to work with the Foundation to continue the event and funding in future needs.

4. Please share any success stories or evaluation data from those who benefited from the funded project or program. Provide at least one anecdote about how this Grant impacted an individual, group, or the community as a whole.

Community Day in the Park provided the opportunity for communitybased volunteer groups such as the Boy Scouts, Rotary and Lions Club to provide services within their town. It also gave the opportunity for community organizations like Crime Prevention Committee and Community Preparedness Committee and City Departments such as the Community Set-vices, Police and Fire Departments to provide beneficial information to the public. The event also allows San Bruno residents to build camaraderie amongst one another to build a stronger community. Joining Community Day in the Park with the Posy Parade also exposes San Bruno's long lasting parade to a wider audience of people who may not normally attend it.

- D. **Publicity Materials.** Please attach copies of publications or other public communications acknowledging or referencing the San Bnmo Community Foundation related to the Grant.
- E. **Photo(s).** Please provide in JPEG format at least one photo relating to your project that the San Bruno Community Foundation is permitted to use in its discretion in one or more of its communications and marketing materials, including print and/ or e-newsletters, flyers, and website.

I hereby certify that the above and attached statements are true, accurate, and complete.

Signature of Authorized Representative

Date

Name of Authorized Representative

Title of Authorized Representative

*Email this completed, signed Grant Report/Form and my necessary attachments to grants@sbcfor.g*

For Grantor's Use Only

Reviewed by:

On:



Posy Parade 11 am  
Community Day 12pm-5pm  
Sunday, June 5

Immediately following the Posy Parade

MUSIC BY...

Apple Z & Rebel Yell

San Bruno City Park

Ride #1 Ride #2 Ride #3

Ride #4 Ride #5 Ride #6

Ride #7

FOOD SOLD BY...

Lion's Club, Rotary Club, Kettle Korn

Carroll's Meats, Snow Cones

Car Show

Pre-Sale Ride Bands at the  
Recreation Center & City Hall

\$10 if purchased before June 5 \$20 on day of event

No monetary refunds will be issued if it rains on the day of your picnic. Please call us on the Monday morning after your cancelled picnic if it rains. Once we verify that your picnic couldn't be held because of rain, we will put a credit on account for future use within the Recreation Department.

Posy Parade & Community Day in the Park

Sunday, June 5

Super Heroes on Parade at 11:00am

Community Day 12:00 - 5:00pm

San Bruno City Park

Food, Rides, Music, Baseball, and More!

Ride Wristbands available at Recreation Center and City Hall for \$10. Purchase the day of the event for \$20 at Recreation Center.



**City Council Agenda Item  
Staff Report**

CITY OF SAN BRUNO

**DATE:** July 12, 2016

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

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

**SUBJECT:** Adopt Resolution Authorizing the City Manager to Execute a Construction Contract with JMB Construction, Inc. for the Jenevein Avenue Sewer Replacement Project in the Amount of \$1,528,060 and Approving a Construction Contingency of \$229,209, Transfer of \$949,820 from the Trenton Sewer Main Project, Appropriation of an Additional \$160,373 from the Wastewater Capital Fund and a Total Project Budget in the Amount of \$2,057,269

**BACKGROUND:**

In November 2010, a sanitary sewer overflow (SSO) from the 6-inch sewer main underneath two homes (514 Cherry Avenue and 511 Chestnut Avenue) caused significant damage to three homes and the backyard of 514 Cherry Avenue. Due to this incident and the fact that the sewer main runs directly under residential properties, the City contracted with Nor-Cal Pipeline Services in 2014 to rehabilitate the Chestnut sewer main. Although the mitigation addressed an immediate SSO issue, a larger capital improvement project is required to prevent future SSOs. The Jenevein Avenue Sewer Improvement Project was identified as one of the capacity improvement projects required to be completed per the consent decree with San Francisco Baykeepers.

On October 28, 2014, the City Council authorized a contract with West Yost Associates to provide the professional engineering design for the project. The scope of work included preparation of a technical memorandum, geotechnical investigation, surveying, detailed final design, bid documents and construction support services. The project is designed to relieve flows through existing sewer mains between Chestnut, Beech and Oak Avenues. Flows from approximately 290 homes will be diverted to the new sewer pipeline which will alleviate the capacity deficiency issues in the existing 6-inch sewer main underneath the private properties. The project consists of installing approximately 3,110 feet of various diameter sewer pipelines from 8-inch through 14-inch along Jenevein Avenue between Cherry and Acacia Avenues.

**DISCUSSION:**

On June 2, 2016, staff issued a notice inviting bids for the construction of the Jenevein Avenue Sewer Replacement project. A notice to bidders was sent to 60 contractors listed in the City's contractor directory, posted on the City's website and provided to 5 plan advertisement centers. The project was also advertised twice in the San Mateo Times newspaper on June 6, 2016 and June 13, 2016. Staff held a non-mandatory pre-bid

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meeting on June 21<sup>st</sup> that was attended by two contractors. An addendum was released on June 27<sup>th</sup> and was sent to all plan holders and posted on the City website. Staff conducted the bid opening for the project on June 30<sup>th</sup> and received six (6) bids which are as follows:

No.	Contractor	Total Cost
1.	JMB Construction, Inc.	\$1,528,060
2.	Precision Engineering	\$1,714,700
3.	Darcy & Harty Construction	\$1,732,040
4.	Ranger Pipelines, Inc.	\$1,800,690
5.	Casey Construction	\$1,940,960
6.	KJ Woods Construction, Inc.	\$1,988,000
	Engineer's Estimate	\$1,988,670

The lowest bid was received from JMB Construction, Inc. in the amount of \$1,528,060, which was approximately \$460,610 lower than the engineer's estimate. Staff has reviewed the bid materials and determined that the submitted bid is complete and accurate. Staff recommends awarding the project to JMB Construction, Inc., a local contractor that has satisfactorily completed numerous sewer pipeline replacement projects for public agencies such as City of San Jose, Burlingame, and San Rafael Sanitation District. JMB Construction, Inc. also completed the Crestmoor Neighborhood Reconstruction Phase III Project and Water Pump Station No. 4 (College Drive) for the City of San Bruno. The horizontal directional drilling (HOD) contractor for JMB Construction, Inc. meets the experience requirements as specified in the contract documents. The HOD trenchless construction method was selected in comparison to traditional open trench method for the bypass pipeline as it is cost effective and has less impact to the neighborhood. The open trench method would require excavation of more than 30 feet to install the bypass pipeline through the intersection of Chestnut and Jenevein Avenue. JMB Construction, Inc. provided appropriate references for previous similar projects that were verified by staff and is considered to be a qualified, responsive and responsible bidder.

Construction of the project will have impacts on area residents, such as roadway closure, noise, dust, service interruption, and accessibility in and out of their private properties. Minimizing the neighborhood impact is one of the goals for successful completion of this project. A community meeting will be conducted with the neighborhood in August 2016 to discuss potential project impacts and obtain residents' comments and feedback.

#### FISCAL IMPACT:

The adopted FY 2016-21 CIP budget includes \$797,076 in carryover funding with a new allocation request of \$150,000 for a total project budget of \$947,076 for this project. Unfortunately, due to staff oversight, this amount was not adequately updated in the recent preparation, review and approval of the FY 2016-2021 CIP to more accurately reflect anticipated project costs. Staff is requesting that the savings of \$949,820 from the Trenton Sewer Main Project be reallocated to this project. An additional \$160,373 is requested for appropriation from the Wastewater Capital Fund for a total budget of \$2,057,269.

Construction Contract	\$ 1,528,060
Construction Contingency (15%)	\$ 229,209
Staff Management and Inspection	\$ 300,000
Total Estimated Construction Phase	\$ 2,057,269

**ALTERNATIVES:**

1. Reject all bids and direct staff to re-advertise the project. This action will further delay the completion of the Jenevein Avenue Sewer Replacement Project, subject the City to potential SSOs and fines, and possibly result in a higher bid price.
2. Do not award the construction contract and do not complete the project. The Jenevein sewer main would be vulnerable to system failure which would result in severe SSOs and potential catastrophic situations.

**RECOMMENDATION:**

Adopt resolution authorizing the City Manager to execute a construction contract with JMB Construction, Inc. for the Jenevein Avenue Sewer Replacement Project in the amount of \$1,528,060 and approving a construction contingency of \$229,209, transfer of \$949,820 from the Trenton Sewer Main Project, appropriation of an additional \$160,373 from the Wastewater Capital Fund and a total project budget in the amount of \$2,057,269.

**DISTRIBUTION:**

None

**ATTACHMENTS:**

1. Resolution
2. Site Map
3. 2016-17 CIP Budget Worksheet

**DATE PREPARED:**

June 28, 2016

**REVIEWED BY:**

-- FIN

-- ACM

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**RESOLUTION NO. 2016 -**

**RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A CONSTRUCTION CONTRACT WITH JMB CONSTRUCTION, INC. FOR THE JENEVEIN SEWER REPLACEMENT PROJECT IN THE AMOUNT OF \$1,528,060 AND APPROVING A CONSTRUCTION CONTINGENCY OF \$229,209, TRANSFER OF \$949,820 FROM THE TRENTON SEWER MAIN PROJECT, APPROPRIATION OF AN ADDITIONAL \$160,373 FROM THE WASTEWATER CAPITAL FUND AND A TOTAL PROJECT BUDGET IN THE AMOUNT OF \$2,057,269**

**WHEREAS**, the City adopted a resolution to accept the Sewer Master Plan on February 25, 2014; and

**WHEREAS**, the Jenevein Sewer Replacement Project is included in the adopted 2016-21 Capital Improvement Program (CIP) budget under the Sewer Main Improvement and Replacement project; and

**WHEREAS**, the Jenevein Sewer Replacement Project will relieve wastewater flows through existing sewer mains between Chestnut, Beech and Oak Avenues; and

**WHEREAS**, the City Council authorized the award of the design contract with West Yost Associates on October 28, 2014; and

**WHEREAS**, the City advertised this project for bid on June 6, 2016 and June 13, 2016 in compliance with State Contract Code, local purchasing regulations and federal funding requirements and received six (6) bids; and

**WHEREAS**, JMB Construction submitted the lowest construction bid in the amount of \$1,528,260 and was determined to be the lowest cost, responsive and responsible bidder; and

**WHEREAS**, JMB Construction has satisfactorily completed similar sewer replacement projects, and has a valid contractor's license required to perform the scope of work of this project; and

**WHEREAS**, a total construction budget of \$2,057,269 for this project includes a construction contingency of \$229,209 to address potential unforeseen field conditions and \$300,000 for staff project management and inspection; and

**WHEREAS**, an appropriation of \$1,110,193 is necessary from the Wastewater Capital Fund to ensure completion of this project.

**NOW, THEREFORE, BE IT RESOLVED** that the San Bruno City Council authorizes the City Manager to execute a construction contract with JMB Construction, Inc. for the Jenevein Sewer Replacement Project in the amount of \$1,528,060.

**BE IT FURTHER RESOLVED** that the City Council authorizes a construction contingency of \$229,209, transfer of \$949,820 from the Trenton Sewer Main Project, appropriation of \$160,373 from the Wastewater Capital Fund and a total budget in the amount of \$2,057,269.

Dated: July 12, 2016

ATTEST:

Carol Bonner, City Clerk

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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 12th day of July 2016 by the following vote:

AYES: Councilmembers:

NOES: Councilmembers

ABSENT: Councilmembers:

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**City Council Agenda Item  
Staff Report**

CITY OF SAN BRUNO

DATE: July 12, 2016

TO: Honorable Mayor and Members of the City Council

FROM: Jimmy Tan, Public Services Director/City Engineer

SUBJECT: Adopt Resolution Authorizing the City Manager to Execute a Construction Contract with Casey Construction for the Trenton Sewer Replacement Project in the Amount of \$1,313,242, Approving a Contingency of \$265,000, and Approving a Total Construction Budget in the Amount of \$1,878,242

**BACKGROUND:**

The Trenton Drive sewer main is located in an easement behind the homes on the south side of Trenton Drive, uphill from San Bruno Avenue. The sewer main is approximately 2,400 feet long and was constructed in the 1950s using an 8-inch diameter vitrified clay pipe. The main line collects sewage from several neighborhoods in the upper Crestmoor area north and south of San Bruno Avenue and the adjacent properties. The existing main runs between the homes along the south side and San Bruno Avenue in an area of steep terrain and heavy eucalyptus and vegetative growth. The Trenton sewer main is inundated with root intrusion, which requires constant and extensive maintenance work by City crews. At many locations along this sewer main, City crews are unable to maneuver the maintenance equipment to the manholes in order to clear blockages. The Trenton area had eight sanitary overflows (SSOs) between 2007 and 2010, with four of the eight SSOs being the more serious Category 1, SSO, where there are over 1000 gallons spilled or not 100% recovered from a storm drain. The Trenton sewer is in need of rehabilitation or replacement in order to reduce sanitary sewer overflows (SSOs).

In November 2012, the City Council awarded an engineering design contract to West Yost Associates (West Yost) to evaluate options for replacement and relocation of the existing sewer main to resolve access and maintenance issues. West Yost performed a design feasibility study which summarized six (6) alternatives in a Technical Memorandum. In October 2013, staff presented the following six alternatives to the City Council:

Alternative 1 - rehabilitate the existing sewer with cured-in-place pipe (CIPP). CIPP is a structural rehabilitation method that will reduce inflow and infiltration, as well as root intrusion. However, installation of CIPP would reduce the inside diameter of the pipe by about  $\frac{1}{2}$  to  $\frac{3}{4}$  of an inch, which would reduce the flow capacity of the pipe.

Alternative 2 - replace the sewer main by pipe-bursting with high density polyethylene (HOPE) pipe. The new pipe would be installed along the existing alignment and grade, and the inside diameter could be increased to slightly larger than the existing pipe. The HOPE sewer main would have fused joints and new lateral connections that would eliminate root intrusion. However, pipe-bursting the two segments of sewer pipes that runs between

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homes on Trenton Drive to the easement may cause damage to the homes from the pipe-bursting process.

Alternative 3 - construct a new sewer in Trenton Drive with a single discharge point to San Bruno Avenue and a new sewer in San Bruno Avenue to the manhole downstream of Livingston Terrace. The advantage of Alternative 3 is that only the discharge point between the houses extending down to San Bruno Avenue would be in the easement area, and the two manholes in easements would be accessible from existing access roads.

The challenges of this alternative are construction related. Because all of the houses on the southeast side of Trenton Drive are two stories, with the second story below the street level, the sewer in Trenton Drive would be 15 to 27 feet deep. Constructing a sewer at this depth requires substantial shoring, and is more costly than standard sewers with 4 to 6 feet of cover. Rerouting the laterals from the backyard to the front yard would also be challenging. Although the sewer laterals would most likely be installed by horizontal directional drilling, accessing the backyards with a drilling rig would require descending stairs (many of which are wood) or opening the fences and accessing from the easement area. Due to the bending limitations of the pipe material, the lateral excavations would need to extend approximately 10 feet beyond the connection point in the street to pull in the lateral pipe. Long term maintenance of deep sewer laterals and mains would be problematic and costly.

Alternative 4 - similar to Alternative 3, but would include two discharge points from Trenton to the easement behind the homes. Adding a second discharge point allows the sewer to follow the grade of the road. The high points of the new sewer would be established using the lowest building corner elevation and subtracting 2 feet in elevation to account for rerouting the laterals. The depth of the sewer would range from 15 to 18 feet. The advantages and disadvantages are similar to Alternative 3. However, there would be two sewers through easements, and the new sewer in San Bruno Avenue would be nearly twice as long as Alternative 3.

Alternative 5 - a hybrid project that would include CIPP, pipe-bursting and open-cut construction. Similar to Alternative 2, the majority of the existing sewer would be replaced by pipe-bursting to provide a seamless sewer system in the existing easements. The portions of pipe between the homes on Trenton Drive would be rehabilitated with CIPP. The two end line segments of the sewer system, along the southern and eastern edges of the Trenton Drive properties, could be replaced by open-cut construction and raised slightly to improve flow.

This alternative would eliminate pavement cutting on Trenton Drive and Livingston Terrace, provide a root barrier and eliminate any concerns related to pipe bursting under or near existing structures. To improve access to the sewer behind Livingston Terrace, the segment of main between the Livingston Terrace units would be re-routed around the condominium complex and connect directly to an existing main in San Bruno Avenue.

Alternative 6 - install individual grinder pumps in the backyard of each house, install individual force mains from the backyard to the front yard, install common force mains in Trenton Drive and extend the sewer main west in San Bruno Avenue to pick up flow from the last easement sewer.

The advantage of this alternative is that nearly all existing sewer mains in the easements could be abandoned. The disadvantages include both construction challenges and ongoing maintenance issues. The construction challenge is similar to Alternatives 3 and 4 in that a sewer force main lateral would need to be constructed from each backyard up to Trenton Drive. If the City installs individual grinder pumps, it is presumed that the City would be responsible for their maintenance. This option presents 40 individual points of maintenance responsibility, as well as regular rehabilitation and /or replacement of mechanical equipment located on private property.

Based on the above analysis of the six alternatives, staff recommended Alternative 5 in order to eliminate pavement cutting in Trenton Drive and eliminate any concerns related to pipe bursting under or near existing properties. The City Council concurred with staff's recommendation to proceed with the design of the sewer improvement.

During the initial phase of the design, the consultant prepared a tree removal plan and conducted a biological survey to determine the environmental impact of the proposed construction to the easement area behind the homes. The tree removal plan indicated that approximately 50 trees would have to be removed along the alignment of the existing sewer in order to provide access during construction and to re-connect the laterals after pipe-bursting. The majority of these trees are eucalyptus, with a few of the trees up to 4 feet in diameter and 80 to 90 feet in height.

During site reconnaissance, several habitats of a California Special-Status Species, San Francisco Dusky-Footed Woodrat (Woodrat), were observed in the wooded area between Trenton Drive and San Bruno Avenue. The Woodrat is not currently listed as an Endangered Species by the EPA and US Department of Fish and Wildlife, but is legally protected by the California Department of Fish and Game as a Species of Special Concern. Accordingly, the Woodrat must be treated as an endangered species for construction projects that are subject to the California Environmental Quality Act (CEQA) and their habitats must not be disturbed or destroyed during construction. The proposed pipe-bursting and tree removals near the Woodrat area would have a significant environmental impact to the Woodrats' habitats. Project staff coordinated closely with the City's Community Development Department to determine the CEQA requirements for the proposed construction and concluded that an initial study, and possibly an environmental impact report (EIR) would be required and the CEQA process may take one year or more to complete.

Staff, along with the design contractor, revisited the design and came up with an alternative to eliminate the potential impacts. The revised design substitutes the pipe sections that were planned for pipe-busting with CIPP construction. CIPP installation is a relatively quiet operation from manhole to manhole, without the need for excavations to reconnect the laterals. The laterals can be re-established from within the pipe using a remote controlled cutting device, therefore eliminating the need to remove any trees. Since CIPP will reduce the diameter of the pipe, the previously proposed new sewer main on San Bruno Avenue will have to be extended to the west to provide the needed additional capacity. By avoiding the disturbance to the Woodrat habitat and eliminating any tree removals, the project can meet the requirements for Categorical Exemption under CEQA.

The previously recommended Alternative 5 included an access road along the existing sewer main in the easement area. To avoid any disturbance to the Woodrat habitats and tree removals, the construction of an access road is no longer feasible. By rehabilitating the

existing main with CIPP, the structural integrity of the existing pipe will be significantly improved. Although maintenance crews will still need to access each segment of the main via manholes, it is anticipated that the new CIPP liner will eliminate root intrusion and significantly reduce maintenance needs. The rehabilitate main is expected to last up to fifty years.

#### DISCUSSION:

West Yost Associates completed the design for the Trenton Sewer Replacement Project in May 2016 and the project was advertised for bid. In compliance with the State Contract code and the City's local purchasing regulations, a Notice to Bidders for this project was sent to 60 contractors and 5 plan advertisement centers. The project was also advertised twice in the San Mateo Times newspaper on May 7, 2016 and May 14, 2016, and on the City's website. A mandatory pre-bid meeting was held on May 23, 2016 and was attended by four contractors.

Four bids were received and opened on June 1, 2016, with the following bid results:

No.	Contractor	Base Bid
1.	Casey Construction	\$ 1,313,242
2.	Rangers Pipelines	\$ 1,592, 139
3.	JMB Construction	\$ 1,686,796
4.	Cratus Inc.	\$ 2, 100,053
	Engineers Estimate	\$ 1.7 million

The lowest bid received was submitted by Casey Construction, a sewer and water construction company with a business location in Emerald Hills, California. Staff has reviewed the bid materials and determined that the submitted bid is complete and accurate. Casey Construction has successfully completed numerous sewer and water main construction projects for public agencies in the Bay Area. Casey Construction has also successfully completed the Glenview Neighborhood Water Phase I Project and the SFPUC Pressure Regulators Project for the City. The CIPP subcontractor for Casey Construction met the CIPP experience requirements specified in the contractor documents. Casey Construction has a valid contractor's license required to perform the work and is considered to be a qualified, responsive, and responsible bidder.

#### FISCAL IMPACT:

During preliminary design, it was anticipated that tree removals and an access road would be included as part of the project. The 2016-17 Capital Improvement Program (CIP) budget, funded through Wastewater Capital Funds, includes \$2,828,062 for the Trenton Sewer Replacement Project. During final design, the access road and tree removals were deleted from the scope of work. The total construction cost for this project is estimated at \$1,878,242 and will result in a savings of \$949,820 from the budget amount. Staff is requesting that this savings be reallocated to the Jenevein Avenue Sewer Replacement

Project. Due to the heavy vegetation and steep terrain in the easement area, a 20% contingency is requested.

Construction Contract	\$ 1,313,242
Construction Contingency (20%)	\$ 265,000
Staff Management and Inspection	\$ 300,000
 Total Estimated Construction Phase	 \$ 1,878,242

**ALTERNATIVES:**

1. Reject all bids and direct staff to re-advertise the project.
2. Do not award the construction contract and do not complete the project.

**RECOMMENDATION:**

Adopt resolution authorizing the City Manager to execute a construction Contract with Casey Construction for the Trenton Sewer Replacement Project in the amount of \$1,313,242, approving a contingency of \$265,000, and approving a total construction budget in the amount of \$1,878,242.

**ATTACHMENTS:**

1. Resolution
2. Site Map
3. 2016-17 CIP

**DATE PREPARED:**

June 24, 2016

**DISTRIBUTION:**

None

**REVIEWED BY:**

\_\_\_ CD  
\_\_\_ FIN  
\_\_\_ ACM  
\_\_\_ CM

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

**RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A CONSTRUCTION CONTRACT WITH CASEY CONSTRUCTION FOR THE TRENTON SEWER REPLACEMENT PROJECT IN THE AMOUNT OF \$1,313,242, APPROVING A CONTINGENCY OF \$265,000, AND APPROVING A TOTAL CONSTRUCTION BUDGET IN THE AMOUNT OF \$1,878,242**

**WHEREAS**, the Trenton Drive sewer main is located in an easement behind the homes on the south side of Trenton Drive, uphill from San Bruno Avenue and collects sewage from the adjacent properties and flows from multiple neighborhoods; and

**WHEREAS**, the sewer main was constructed in the 1950s and is in need of rehabilitation or replacement in order to reduce sanitary sewer overflows (SSOs) and to improve accessibility of the main line for maintenance; and

**WHEREAS**, Public Services staff, in conjunction with West Yost Associates, prepared plans and specifications to receive bids for the Trenton Sewer Replacement Project; and

**WHEREAS**, the City advertised this project for bid in compliance with State Contract Code, and local purchasing regulations and received four (4) sealed bids; and

**WHEREAS**, Casey Construction submitted the lowest bid in the amount of \$1,313,242 and was determined to be the lowest cost, responsive and responsible bidder; and

**WHEREAS**, Casey Construction has satisfactorily completed similar sewer replacement projects, and has a valid contractor's license required to perform the scope of work of this project; and

**WHEREAS**, a total construction budget of \$1,878,242 for this project includes a construction contingency of \$265,000 to address potential unforeseen field conditions and staff project management and inspection; and

**WHEREAS**, there are sufficient funds appropriated for the Trenton Sewer Replacement Project in the adopted FY 2016-17 CIP budget.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council hereby authorizes the City Manager to execute a construction contract with Casey Construction for the Trenton Sewer Replacement Project in the amount of \$1,313,242 approving a contingency of \$265,000, and approving a total construction budget in the amount of \$1,878,242.

Dated: July 12, 2016

ATTEST:

Carol Bonner, City Clerk

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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 12th day of July 2016 by the following vote:

AYES: Councilmembers:

NOES: Councilmembers

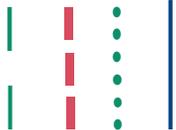
ABS ENT: Councilmembers:

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# Mathematics

# Algebra

Unit 1: Introduction to Algebra

Lesson 1: Variables and Expressions

Lesson 2: Simplifying Expressions

Lesson 3: Solving Linear Equations

Lesson 4: Word Problems

Lesson 5: Systems of Equations

Lesson 6: Inequalities

Lesson 7: Absolute Value

Lesson 8: Review

Unit 2

Lesson 1

Lesson 2

Lesson 3

Lesson 4

Lesson 5

Lesson 6

Lesson 7

Lesson 8

Lesson 9

Lesson 10

Lesson 11

Lesson 12

Lesson 13

Lesson 14

Lesson 15

Lesson 16

Lesson 17

Lesson 18

Lesson 19

Lesson 20

Unit 3

Lesson 1

Lesson 2

Lesson 3

Lesson 4

Lesson 5

Lesson 6

Lesson 7

Lesson 8

Lesson 9

Lesson 10

Lesson 11

Lesson 12

Lesson 13

Lesson 14

Lesson 15

Lesson 16

Lesson 17

Lesson 18

Lesson 19

Lesson 20

**City Council Agenda Item  
Staff Report**

CITY OF SAN BRUNO

**DATE:** July 12, 2016

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

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

**SUBJECT:** Adopt Resolution Authorizing the City Manager to Execute a Construction Contract with LC General Engineering and Construction, Inc. for the Sidewalk Repair Project in the Amount of \$417,771, Approving a Construction Contingency of \$20,888 and Approving a Total Project Budget in the Amount of \$438,659

**BACKGROUND:**

The City's Capital Improvement Program (CIP) includes the Sidewalk Repair Program to provide a safe and accessible public sidewalk system and reduce liability to both the City and property owners. In 2007, the City embarked on a six-year program to address known damaged sidewalk locations based on a survey completed in 2004. Sidewalk repairs were completed throughout the City. Since implementation of the program, the City has repaired over 1,240 sidewalk locations and installed more than 100 accessible curb ramps.

Per City's Municipal Code Section 8.12 and Streets and Highway Code Sections 5610-5618, property owners are responsible for maintenance and repair of damaged sidewalks that are adjacent to their private property. Property owners are encouraged to participate in the City repair program by authorizing the City to perform necessary sidewalk repair with the property owner covering the cost of the repair. The incentives and benefits for property owners participating in the sidewalk program include lower unit prices than a property owner might otherwise pay directly with a repair firm, waiver of City's standard encroachment permit fees, and construction inspection by the City.

The Municipal Code makes the City responsible for the sidewalk damage created by an adjacent street tree. In 2014, the City contracted with Precision Concrete Cutting to complete the horizontal saw-cut of sidewalks to remove minor sidewalk offsets and to complete an updated citywide sidewalk condition assessment. The 2014 sidewalk survey identified 12,105 uneven sidewalk defects ranging in height from  $\frac{1}{8}$ " to 2" of which 796 sidewalk damage is from an adjacent tree which will be addressed by the City.

Deficiency	Number of Locations
Offset less than $\frac{1}{8}$ "	277
Offset between $\frac{1}{8}$ " and 1"	174
Offset between 1" and 1 $\frac{1}{2}$ "	109
Offset between 1 $\frac{1}{2}$ " and 1 $\frac{1}{2}$ "	64
Offset greater than 1 $\frac{1}{2}$ "	172
Total:	796

This project will address known City responsibility sidewalk locations where the damage is caused by City trees. The priority is to remove and replace sidewalk deficiencies adjacent to City trees and where vertical offsets are greater than 1 %". It is anticipated that the sidewalk repair program will continue annually for the next four years replacing an average of 7,500 square feet per year or approximately 200 locations. The project is anticipated to begin in August 2016.

Although, the City has a program to improve City responsible sidewalks, an aggressive program is needed to get property owner's sidewalks repaired as there are approximately 11,000 locations identified in the survey that are not caused by an adjacent tree. In order to solicit private property owner participation, staff has mailed a notice to each property owner in previous sidewalk repair program describing the opportunity to partner with the City's repair program. Since the program commenced in 2007, approximately 107 property owners have participated to have their sidewalk replaced by the City's contractor. Staff is interested in discussing the approach to obtain more property owner involvement and obtain direction from Council in a future meeting.

#### DISCUSSION:

On March 3, 2016, staff conducted the bid opening for the project and received two bids. The two bids were rejected at the Council meeting on April 12, 2016 due to both bids being significantly above the engineering estimate by over 22%. The City Council authorized staff to re-advertise the project for bids.

The project was reposted on June 2, 2016. Notice to bidders was sent to fifty-five (55) contractors listed in the City's contractor directory, posted on the City's website and provided to five (5) construction distribution centers. A total of two (2) bids were received and opened on July 6, 2016 as follows:

No.	Contractor	Basis of Award
1.	LC General Engineering and Construction, Inc.	\$417,771
2.	JJR Construction, Inc.	\$971,500
	Engineer's Estimate	\$382,500

The lowest bid was received from LC General Engineering and Construction, Inc. in the amount of \$417,771 which was approximately 9 percent higher than the engineer's estimate of \$382,500. Staff recommends awarding the project to LC General Engineering and Construction, Inc. of San Francisco which has satisfactorily completed numerous sidewalk replacement projects for City and County of San Francisco as part of their as-needed sidewalk repair contract. Staff contacted the respective project managers and determined that LC General Engineering and Construction, Inc. meets the contractor qualifications and requirements as specified in the contract documents to perform the work and is considered to be qualified, responsive and responsible bidder.

FISCAL IMPACT:

The 2016-17 budget includes \$453,785 for the Sidewalk Repair Program. Based on the LC General Engineering and Construction, Inc. bid amount and a 5% construction contingency, the total project cost is within the budget amount and will not result in any additional fiscal impacts.

Construction Contract	\$	417,771
Construction Contingency (5%)	\$	20,888
Total Project Cost	\$	438,659

ALTERNATIVES:

1. Reject all bids and rebid the project.
2. Do not award the construction contract, do not complete the project, and research alternative methods to address sidewalk damage caused by adjacent trees.
3. Provide alternate direction to staff regarding priorities for the current year sidewalk repair work program.

RECOMMENDATION:

Adopt Resolution authorizing the City Manager to execute a construction contract with LC General Engineering and Construction, Inc. for the Sidewalk Repair Project in the amount of \$417,771, approving a construction contingency of \$20,888, and approving a total project budget in the amount of \$438,659

DISTRIBUTION:

None

ATTACHMENTS:

1. Resolution
2. FY 2016-21 CIP Budget Document

DATE PREPARED:

June 29, 2016

REVIEWED BY:

\_\_\_ CM  
\_\_\_ ACM  
\_\_\_ CA  
\_\_\_ FIN

**RESOLUTION NO. 2016 -**

**RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A CONSTRUCTION CONTRACT WITH LC GENERAL ENGINEERING AND CONSTRUCTION, INC. FOR THE SIDEWALK REPAIR PROJECT IN THE AMOUNT OF \$417,771, APPROVING A CONSTRUCTION CONTINGENCY OF \$20,888, AND APPROVING A TOTAL PROJECT BUDGET IN THE AMOUNT OF \$438,659**

**WHEREAS**, the City of San Bruno's Capital Improvement Program (CIP) includes the Sidewalk Repair Project to repair and replace concrete curbs, gutters, driveways, and sidewalks, and to install accessible curb ramps; and

**WHEREAS**, the completion of the Sidewalk Repair Contract will improve pedestrian safety and promote pedestrian access; and

**WHEREAS**, the City advertised this project for bid in compliance with State Contract Code and local purchasing regulations on March 3, 2016 and received two sealed bids that were 22% higher than the engineering estimate; and

**WHEREAS**, due the high bid prices received the Council authorized to re-advertise the project for bids on April 12, 2016; and

**WHEREAS**, the City re-advertised this project for bid on June 2, 2016 in compliance with State Contract Code, local purchasing regulations, and federal funding requirements and received two (2) sealed bids; and

**WHEREAS**, LC General Engineering and Construction, Inc. was the low bidder and submitted a bid in the amount of \$417,771 and was determined to be the qualified, responsive and responsible bidder; and

**WHEREAS**, LC General Engineering and Construction, Inc. has satisfactorily completed numerous sidewalk replacement projects for City and County of San Francisco, meets the contractor qualifications, and has a valid contractor's license required to perform the scope of work of this project; and

**WHEREAS**, a total budget of \$438,659 for this project includes a construction contingency of \$20,888 to address potential unforeseen field conditions and staff project management and inspection; and

**NOW, THEREFORE, BE IT RESOLVED** that the San Bruno City Council authorizes the City Manager to execute a construction contract with LC General Engineering and Construction, Inc. for the Sidewalk Repair Project in the amount of \$417,771, approving a construction contingency of \$20,888, and approving a total project budget in the amount of \$438,659.

Dated: July 12, 2016

ATTEST:

Carol Bonner, City Clerk

-oOo-

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 12th day of July 2016 by the following vote:

AYES: Councilmembers:

NOES: Councilmembers

ABSENT: Councilmembers:

# Streets Capital

# Sidewalks

## Sidewalk Repair Program

PROJECT #: 83908

Total Project Cost: \$2,697,252

DEPARTMENT: Public Services

PROJECT APPROPRIATIONS	Prior Appropriations	2016-17		2017/18	2018/19	2019/20	2020/21	Total 2016-21 Budget
		Estimated Carryover	New Request					
Repairs	\$ 2,097,252	\$ 453,785	\$ -	\$ 150,000	\$ 150,000	\$ 150,000	\$ 150,000	\$ 1,053,785
<b>FUNDING SOURCES</b>								
Gas Tax	\$ 822,313	\$ 148,449	\$ -	\$ 50,000	\$ 50,000	\$ 50,000	\$ 50,000	\$ 348,449
Measure A	868,131	167,143	-	100,000	100,000	100,000	100,000	567,143
ABAG Grant	37,037	-	-	-	-	-	-	-
CIW/MG Grant	25,030	-	-	-	-	-	-	-
Homeowner Participation	137,141	-	-	-	-	-	-	-
Lifeline Grant (Prop 1B)	207,600	138,193	-	-	-	-	-	138,193
<b>Total</b>	<b>\$ 2,097,252</b>	<b>\$ 453,785</b>	<b>\$ -</b>	<b>\$ 150,000</b>	<b>\$ 150,000</b>	<b>\$ 150,000</b>	<b>\$ 150,000</b>	<b>\$1,053,785</b>

**Project Description:** This program includes sidewalk improvement projects to provide a safe and accessible public sidewalk system by repairing and replacement of City owned sidewalks. The sidewalk survey was completed in fiscal year 2015-16 and included locations of sidewalk defects for both City and residents' responsibilities. To encourage participation, the City will notify residents of the Sidewalk Replacement Program and encourage the residents to participate in the Program. The encroachment permit fees will be waived for residents utilizing the City's contractor to perform repairs. The City will initiate a new Sidewalk Repair Program beginning fiscal year 2016-17.



**Project Details**

Initial Funding Year	2004/05
Target Completion Year	On-going
Expended as of June 30, 2016	\$1,643,467