



**“The City With a Heart”**

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

## **AGENDA**

### **SAN BRUNO CITY COUNCIL**

**October 11, 2016**

**7:00 p.m.**

A Reception will be held in the Senior Center Foyer at 6:30 p.m. to Recognize the Beautification Awards Program Award Recipients

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

City Council meetings are conducted in accordance with Roberts Rules of Order Newly Revised and City Council Rules of Procedure. You may address any agenda item by standing at the microphone until recognized by the Council. All regular Council meetings are recorded and televised on CATV Channel 1 and replayed the following Thursday, at 2:00 pm. You may listen to recordings in the City Clerk’s Office, purchase CD’s, access our web site at [www.sanbruno.ca.gov](http://www.sanbruno.ca.gov) or check out copies at the Library. We welcome your participation. In compliance with the Americans with Disabilities Act, individuals requiring reasonable accommodations or appropriate alternative formats for notices, agendas and records for this meeting should notify us 48 hours prior to meeting. Please call the City Clerk’s Office 650-616-7058.

**1. CALL TO ORDER:**

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

**3. ANNOUNCEMENTS:**

**4. PRESENTATIONS:**

- a. Present Beautification Task Force Awards.
- b. Present Proclamation to Declare October as Breast Cancer Awareness Month.
- c. Present Distinguished Service Awards to Police Corporal Valiente and Officer Harper.
- d. Receive Presentation on the Peninsula Corridor Joint Powers Board Caltrain Electrification Project.

**5. REVIEW OF AGENDA:**

**6. APPROVAL OF MINUTES** of Special Council Meeting of September 27, 2016 and Regular Council Meeting of September 27, 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 September 26 and October 3, 2016.
- b. **Approve:** Payroll of September 23, 2016.
- c. **Adopt:** Reconciliation of General Ledger to Bank Reports and the Investment Reports Dated August 31, 2015.
- d. **Accept:** Resignation from Traffic, Safety & Parking Committee Member. Declare Vacancy and Direct the City Clerk to Initiate the Process for Appointment of a New Member.
- e. **Adopt:** Resolution Authorizing the Purchase of Rain Gear from Peninsula Uniforms for Police Department Personnel in the Amount of \$29,295.

- f. **Adopt:** Resolution Supporting California Proposition 67, Ban on Single-Use Plastic Bag Referendum.

**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. Appoint Citizens to Fill Vacancies in the Citizen Advisory Boards, Commissions and Committees.  
b. Receive Report and Direct Staff to Reschedule the November 8, 2016 Regular City Council Meeting to November 9, 2016.

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

Receive Annual Report from the Planning Commission.

**12. COMMENTS FROM COUNCIL MEMBERS:**

**13. CLOSED SESSION:**

**14. STUDY SESSION:**

Conduct Study Session Discussion of Key Issues Related to Zoning Ordinance Update:

- Changes in land use tables, by zoning district
- Signage, including murals
- Downtown parking and zoning regulations
- Consideration of use of Public Benefit Districts

**15. ADJOURNMENT:**

The next regular City Council Meeting will be held on October 25, 2016 at 7:00 p.m. at the Senior Center, 1555 Crystal Springs Road, San Bruno.



**"The City With a Heart"**

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

## **MINUTES SAN BRUNO CITY COUNCIL**

**September 27, 2016**

**6:00 p.m.**

**1. CALL TO ORDER: THIS IS TO CERTIFY THAT** the San Bruno City Council met on September 27, 2016 at San Bruno's Senior Center, 1555 Crystal Springs Rd., San Bruno, CA. The Council meeting was called to order at 6:00 p.m.

**2. ROLL CALL:**

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

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

**4. CONDUCT OF BUSINESS:**

**Mayor Ruane** said they would Conduct Interviews to Fill Vacancies on San Bruno's Bicycle & Pedestrian Advisory Committee, Citizens Crime Prevention Committee, Community Preparedness Committee, Culture and Arts Committee, Parks and Recreation Commission, Planning Commission, Senior Advisory Committee, Traffic & Safety Committee. New applicants were as follows:

Deanna Robinson applied for Citizens Crime Prevention  
Jerome Hong applied for Community Preparedness Committee  
Mary Aileen McCann applied for Culture & Arts Commission  
Judy Puccini applied for Culture & Arts Commission  
Carlos Gonzalez applied for Culture & Arts Commission  
Melody Blanchard applied for Citizens Crime Prevention or Parks & Recreation Commission  
(City employee)  
Richard Sequine, Traffic Safety & Parking Committee

In addition to the new applicants, there were a number of former members of the Commissions, Boards and Committees present to reapply for their positions.

**Mayor Ruane** announced there would be no decisions made this evening, they would be made at the meeting on October 11, 2017.

**14. ADJOURNMENT:**

**Mayor Ruane** closed the meeting at 6:30 p.m. The next regular City Council Meeting will be held on September 27, 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  
October 11, 2016

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Carol Bonner, City Clerk

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Jim Ruane, Mayor



**“The City With a Heart”**

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**MINUTES  
SAN BRUNO CITY COUNCIL**

**September 27, 2016**

**7:00 p.m.**

**1. CALL TO ORDER: THIS IS TO CERTIFY THAT** the San Bruno City Council met on September 27, 2016 at San Bruno’s Senior Center, 1555 Crystal Springs Road, San Bruno, CA. The Council meeting was called to order at 7:00 p.m. **Mayor Ruane** thanked the garden club for the flower arrangement.

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

Presiding was Mayor Ruane, Vice Mayor Marty Medina, Councilmembers Ibarra, Rico Medina and O’Connell. **City Attorney Zafferano** led the pledge of allegiance. Recording by City Clerk Bonner.

**3. ANNOUNCEMENTS:** None.

**4. PRESENTATIONS:**

**Mayor Ruane** presented the following:

a. Present Proclamation to Declare Fire Prevention Week October 9 – 15, 2016. The Theme for 2016 is “Don’t Wait, Check the Date, Replace Smoke Alarms Every 10 years!” This proclamation was received by **Interim Fire Chief Downing** who thanked the City and said this is the 63<sup>rd</sup> annual Fire Prevention Week. Ten schools from Kindergarten through eighth grade are participating in the fire prevention week activities. There are over 261 participants who will receive rewards selected from over 3000 students district-wide. There will be an Open House at Station 51, 555 El Camino Real, San Bruno on October 8 from 11:00 a.m. to 2:00 p.m. There will be equipment and safety demonstrations on a number of programs the Fire Department offers.

b. Present Proclamation to Declare September as Prostate Cancer Awareness Month which the Mayor received and reminded people how important it is to be checked as he is a eighteen-year survivor.

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

**6. APPROVAL OF MINUTES** of Special Closed Council Meeting of September 13, Regular Council Meeting of September 13, 2016 and Special Council Meeting of September 14, 2016, approved as submitted.

**7. CONSENT CALENDAR:**

a. **Approve:** Accounts Payable of September 12 and 19, 2016.

b. **Approve:** Payroll of September 9, 2016.

c. **Adopt:** Resolution Amending the City Classification Plan by Adopting a Position Description for Police Lieutenant.

d. **Accept:** Resignation from Community Preparedness Board Member. Declare Vacancy and Direct the City Clerk to Initiate the Process for Appointment of a New Member.

e. **Adopt:** Resolution Authorizing Purchase of Self-Contained Breathing Apparatus (SCBA) Equipment from Municipal Emergency Services in the Amount of \$149,993.

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

**Councilmember Rico Medina** asked it be noted he did not approve of the Meyers-Nave expense on the warrant register.

**8. PUBLIC HEARING:** None.

**11.** Receive Annual Report from the Senior Citizens Advisory Board.

**Bill Hayes, Senior Advisory Board Member** introduced the members of the Board. He gave an informative review of what the Board has done over the last year and shared their plans for the next year.

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

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

**Valerie, SSF** talked about the Commodore dog park. She said since the park was opened, there has practically been no maintenance and she asked the items that need to be maintained be addressed. She said the dog park is a community. She talked about the lack of lighting.

**Mary Gordon** said the dog park needs help. Uneven pavement, tree roots. She asked new dirt be put in, she asked for lighting, park be washed down, half barrels for the dogs to play, a small bridge.

**Councilmember Ibarra** said the existing dog park will be looked at.

**10. CONDUCT OF BUSINESS:**

a. Adopt Resolution Authorizing the City Manager to Execute a Contract with MIG, Inc. for the Development of an ADA Self Evaluation and Transition Plan in an Amount Not to Exceed \$179,710.

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

**Councilmember Ibarra** said he knows ADA has changed and asked what the difference is between one guy and another guy telling us what is out of compliance and will a certain amount of money be needed to make some corrections, not only handicapped ramps but also in some of our public facilities. **Tan** said during evaluation of the proposal, they don’t look at the cost for professional proposals, unlike a contract for contractor, they evaluate it on a fair and equitable basis. He said there were only two proposals they would recommend, MIG and Sally Swanson and based on that, everyone agreed that MIG had the experience to perform this work. Then, the cost proposals were opened up to see what the actual costs were and they realized SZS was much lower than MIG. It was not just based on the cost of the proposal.

**Councilmember Ibarra** asked if there were serious ADA issues here at the Senior Center and what the recourse is. **Tan** said that is something they would be looking at with MIG and he was sure they would find things that were out of compliance and needed to be mitigated and to improve the current ADA standards.

**Councilmember Rico Medina** said cost should always come up with some equal bearing.

**Vice Mayor Marty Medina** expressed his concern over the funding of the project. **Tan** said it was included in the CIP. **Vice Mayor Marty Medina** asked if this will include all the trails that go through our park and the ramp that comes down through the park, will it be assessed as well. **Tan** said anything that has public access.

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

b. Adopt Resolution Accepting the Earl-Glenview Park Master Plan and Approving the Preferred Park Design Concept.

**Community Services Director Burns** gave a powerpoint overview of the staff report.

**Councilmember Ibarra** asked if she was satisfied with the outreach to the neighborhood. **Burns** said they did see participation decline from roughly 55 at the first meeting to 14 at the third meeting. In an attempt to bridge that, a letter went out to every household in the neighborhood following the third meeting inviting them to go to the City's web site and look at the draft concept master plan. A second letter went out to the neighborhood inviting input on the draft master plan. A nextdoor blast was sent out inviting the neighborhood to tonight's Council meeting.

**Councilmember Ibarra** asked what the plan was for the lower area of the park. **Burns** said at this point the contract plan does not plan utilization of that space.

**Brendan O'Connor, Claremont Dr.** gave a positive input on the park being built.

**Carolyn Gray, Fairmont Dr.** suggested fencing for safety. She talked about dogs being in the area. She said dogs should not be allowed.

**Eric, Fairmont Dr.** voiced his support for the park. He said safety is a major concern but it should not deter from this community park.

**Vice Mayor Marty Medina** agreed about dogs not being allowed in the park. He asked about the budget. He asked if the first year is covered. **Burns** said this evening's action has no fiscal impact; however, on October 25 they plan to come before Council for an award for a landscape design firm, there will be a cost connected for retaining the design firm. When the Council awards the contract there will be a cost associated with that. Presently there is nothing allocated for the maintenance of the park. She said in the 17-18 budget they will be requesting two additional parks maintenance positions and part of that is represented in that \$70,000.

**Vice Mayor Marty Medina** asked what the budget is and will there be enough money to do it. **Burns** said the money allocated out of the Crestmoor Fund is \$1,750,000. The work done by MIG back in 2014 was slightly less than \$40,000 to engage the community and do the concept plans. She estimated the design contract to be in the \$100,000 range. She said the report before Council this evening has a very large 30% contingency built into it because the design is so conceptual at this point. She stated they should be within budget.

**Councilmember Ibarra** said these are master plans and they are very preliminary. He said the concerns about safety will be addressed.

**Councilmember Rico Medina** agreed about the fencing. He was concerned about the funding, maintenance, consultants, etc.

**Councilmember O'Connell** said the park helps build the community. She said there needs to be a safety component. She said there is an Adopt a Park program. She said there were no plans to have a park.

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

c. Adopt Resolution Establishing City Council Policy for Consultation with City Advisory Bodies Prior to City Council Appropriation of Restricted City Funds and Reallocating the Prior Appropriation of \$50,000 from the City Art Fund to the General Fund Capital Reserve for the 324 Florida Avenue Park Project.

**Assistant City Manager Yuki** gave an overview of the staff report. She said there are two separate resolutions.

**Councilmember Rico Medina** said reversing the money out of Culture and Arts is the right thing to do.

**Councilmember Rico Medina** introduced the resolution establishing City Council policy for consultation with City Advisory Bodies and passed with a unanimous vote.

**Councilmember O’Connell** introduced the resolution reallocating the prior appropriation of \$50,000 from the City Art Fund and passed with a unanimous vote.

d. Adopt Resolution Accepting the San Bruno Annex of the San Mateo County Hazard Mitigation Plan and San Mateo County Hazard Mitigation Plan.

**Battalion Chief Cresta** gave an overview of the staff report and asked for questions.

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

e. Adopt Resolution Authorizing Purchase of Software Upgrades and Permitting System Program Enhancements from SunGard Public Sector, Inc., in the Amount of \$76,536, and Electronic Devices in the Amount of \$13,997, for a Total Amount of \$90,533.

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

**Councilmember O’Connell** asked what the training consists of. **Building Official Bronold** said it is being provided by SunGard and he believed there was one week of training for all the modules here at City Hall.

**Councilmember O’Connell** asked about Record Retention. **Zafferano** said the use of the devices does not affect our retention policy.

**Councilmember Ibarra** asked how this is going to work for the inspectors. **Bronold** right now the process used is paper. The handhelds will be pre-loaded with the inspection data enabling the inspectors to start earlier in the morning. Their comments can be made right in the field. He said because it is wireless and has the internet connection, any code questions, interpretations, they can pull up and discuss with the contractor on the job site. In response to **Councilmember Ibarra’s** question, **Bronold** said unpermitted work can be more readily identified.

**Vice Mayor Marty Medina** asked how many building inspectors. **Bronold** said two building inspectors, three code enforcement officers, an extra handheld for a spare, the other four are for planning.

**Vice Mayor Marty Medina** said he would like to see this come back in six months.

**Councilmember Rico Medina** asked about communicating with the people at the main office? **Bronold** said the interaction will be through data and Wi-Fi capabilities. **Councilmember Rico**

**Medina** asked if the charge that the credit card imposes on the City could be looked into. **Woltering** concurred. **Councilmember Rico Medina** asked if the counter would be closed while the training occurs. **Bronold** said there are consultants to back staff up.

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

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

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

**12. COMMENTS FROM COUNCIL MEMBERS:**

**Councilmember O’Connell** invited everyone to come out to the meeting on October 11 for Beautification Task Force Awards.

**Mayor Ruane** said next Tuesday, October 4 is the Taste of San Bruno.

**13. CLOSED SESSION:**

**5. ADJOURNMENT:**

**Mayor Ruane** closed the meeting at 8:47 p.m. The next regular City Council Meeting will be held on October 11, 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  
October 11, 2016

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Carol Bonner, City Clerk

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Jim Ruane, Mayor

09/26/16

CITY OF SAN BRUNO  
WARRANT REGISTER  
TOTAL FUND RECAP

FUND	FUND NAME	AMOUNT
001	GENERAL FUND	\$265,549.99
132	AGENCY ON AGING	\$960.00
133	RESTRICTED DONATIONS	\$1,109.41
190	DISASTER RECOVERY FUND	\$5,181.33
201	PARKS AND FACILITIES CAPITAL	\$7,987.50
207	TECHNOLOGY CAPITAL	\$4,030.00
611	WATER FUND	\$73,059.05
631	WASTEWATER FUND	\$16,828.12
641	CABLE TV FUND	\$107,393.55
701	CENTRAL GARAGE	\$1,730.00
702	FACILITY MAINT. FUND	\$9,914.45
703	GENERAL EQUIPMENT REVOLVING	\$13,727.18
707	TECHNOLOGY DEVELOPMENT	\$3,181.45
711	SELF INSURANCE	\$15,961.30
880	PROJECT DEVELOP. TRUST	\$1,935.00
TOTAL FOR APPROVAL		\$528,548.33

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 164245 THROUGH 164373 INCLUSIVE, TOTALING IN THE AMOUNT OF \$528,548.33 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,

 9-27-16  
FINANCE DIRECTOR                      DATE

7.a.

Document group: komalley Bank: apbank 05507660

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0000858 ADECCO EMPLOYMENT SERVICES	164249	9/26/2016	2,195.59
0001170 AIRGAS USA, LLC	164250	9/26/2016	29.09
0000372 ALLIED SECURITY ALARMS	164252	9/26/2016	1,080.91
0018976 ALPHA ANALYTICAL LAB. INC.	164253	9/26/2016	184.00
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0001965 ARISTA BUSINESS	164257	9/26/2016	42.64
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0018465 AT&T MOBILITY	164260	9/26/2016	46.65
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0014739 CAL-STEAM	164268	9/26/2016	51.09
0097912 CALIFORNIA LIBRARY ASSOCIATION	164266	9/26/2016	790.00
0018831 CALIFORNIA MUNICIPAL STATISTICS, INC.	164327	9/26/2016	800.00
0106437 CALIX, INC.	164267	9/26/2016	3,039.18
0104049 CAROL COSTAKIS	164280	9/26/2016	6.85
0099694 CATERING BY KASS KAPSIK	164245	9/23/2016	1,000.00
0099694 CATERING BY KASS KAPSIK	164270	9/26/2016	1,175.00
0018977 CBS TELEVISION STATIONS	164271	9/26/2016	11,138.38
0017679 CDW GOVERNMENT, INC	164272	9/26/2016	212.15
0017843 CENTRAL COUNTY FIRE DEPT.	164273	9/26/2016	133.80
0100758 CHRISTINE FRIIS	164294	9/26/2016	1,000.00
0016324 CINTAS CORPORATION	164274	9/26/2016	101.96
0017051 CITY OF MILLBRAE	164275	9/26/2016	180,089.04
0001889 CITY OF REDWOOD CITY	164276	9/26/2016	1,136.00
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0015857 COUNTY OF SAN MATEO	164281	9/26/2016	76.00
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0106080 DATALINK CORPORATION	164283	9/26/2016	1,566.82
0018188 DAU PRODUCTS	164284	9/26/2016	2,648.01
0018169 DELL MARKETING L.P.	164285	9/26/2016	1,530.29
0101178 DISCOUNT PLUMBING	164287	9/26/2016	4,000.00
0105977 E.M. HUNDLEY	164288	9/26/2016	344.87
0106529 ERTEC ENVIRONMENTAL SYSTEMS	164289	9/26/2016	286.04
0106116 EVERBANK COMMERCIAL FINANCE, INC.	164277	9/26/2016	409.78
0000944 FEDEX	164291	9/26/2016	78.84
0018117 FLYERS ENERGY, LLC	164292	9/26/2016	10,876.88
0102869 FRANCHISE TAX BOARD	164293	9/26/2016	50.00
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Document group: komalley Bank: apbank 05507660

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0096837 GYM DOCTORS	164303	9/26/2016	225.00
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0100768 ILHAM ALHAFNAWI	164251	9/26/2016	59.00
0099054 INTERSTATE TRS FUND	164309	9/26/2016	673.85
0100746 JERRY AND LUISA NEVES	164330	9/26/2016	1,700.00
0105822 LEE & RO, INC.	164312	9/26/2016	2,288.24
0105752 LEVEL 3 COMMUNICATIONS, LLC	164313	9/26/2016	4,479.94
0105034 LFP BROADCASTING, LLC	164314	9/26/2016	55.90
0104424 LIDIA'S ITALIAN DELICACIES	164315	9/26/2016	960.00
0017026 LYNX TECHNOLOGIES, INC.	164316	9/26/2016	4,030.00
0106010 MAINTENANCE DESIGN GROUP,LLC	164317	9/26/2016	7,987.50
0100759 MARIA ESTRELLA	164290	9/26/2016	24.00
0106236 MAZE & ASSOCIATES	164319	9/26/2016	12,597.00
0102770 METLIFE	164320	9/26/2016	350.46
0000027 MEYERS   NAVE PROFESSIONAL LAW	164321	9/26/2016	5,181.33
0100806 MICHAEL DELLOLIO	164286	9/26/2016	1,000.00
0104481 MICHAEL MATTIAS	164318	9/26/2016	41.24
0001709 MILLBRAE LOCK	164322	9/26/2016	6.43
0096800 MOBILE CALIBRATION SVCS. LLC	164323	9/26/2016	256.00
0106173 MOFFATT & NICHOL	164324	9/26/2016	688.00
0000333 MOSS RUBBER & EQUIP. CORP.	164325	9/26/2016	79.42
0017289 MUNISERVICES, LLC	164328	9/26/2016	692.22
0000357 NATIONAL CABLE TV CO-OP, INC.	164329	9/26/2016	6,000.81
0103301 NHL NETWORK US, LP	164331	9/26/2016	742.86
0105238 NORTHERN SERVICES INC.	164332	9/26/2016	1,106.93
0018157 OCLC INC	164333	9/26/2016	362.90
0092263 OFFICE DEPOT INC	164334	9/26/2016	546.32
0018284 OFFICEMAX INC.	164335	9/26/2016	203.74
0000012 PACIFIC GAS & ELECTRIC	164336	9/26/2016	61,761.51
0106156 PENGUIN RANDOM HOUSE LLC	164337	9/26/2016	57.22
0015163 PENINSULA SPORTS OFFICIALS ASSOC.INC.	164352	9/26/2016	672.00
0100772 POLLY MOYER	164326	9/26/2016	150.00
0095538 POP MEDIA NETWORKS, LLC	164338	9/26/2016	764.87
0102915 PRECISE PRINTING & MAILING	164339	9/26/2016	145.51
0000285 PREFERRED ALLIANCE, INC.	164340	9/26/2016	572.40
0104869 PURSUIT NORTH	164341	9/26/2016	13,727.18
0000071 R & B COMPANY	164342	9/26/2016	9,740.55
0000175 RECOLOGY SAN BRUNO	164343	9/26/2016	1,584.98
0097266 REGINA ROMERO	164345	9/26/2016	119.00
0106539 RICKY MAC MASONRY	164344	9/26/2016	630.00
0013581 ROVI GUIDES, INC.	164346	9/26/2016	9,947.08
0018461 SERRAMONTE FORD, INC.	164347	9/26/2016	1,715.61
0104726 SHARPS SOLUTIONS, LLC	164348	9/26/2016	96.00
0101667 SHELL DOOR SERVICE	164350	9/26/2016	5,591.40
0093872 SHOWCASES	164351	9/26/2016	75.49

Document group: komalley Bank: apbank 05507660

Vendor Code & Name	Check #	Check Date	Amount
0097079 SPRINT	164353	9/26/2016	37.99
0017802 SUPPLYWORKS	164354	9/26/2016	2,763.00
0102962 SWANK MOTION PICTURES, INC.	164355	9/26/2016	756.00
0106540 SYLVIA GREENLEY	164302	9/26/2016	5.85
0018073 TEAMSTERS LOCAL 350	164356	9/26/2016	2,448.00
0106472 TEN-FOUR COMMUNICATIONS	164357	9/26/2016	136.56
0017659 THE CALIFORNIA CHANNEL	164358	9/26/2016	113.08
0103095 TUTV	164360	9/26/2016	119.29
0102744 UNIVERSAL BUILDING SERVICES	164361	9/26/2016	326.00
0099592 UNIVISION COMMUNICATIONS, INC.	164362	9/26/2016	5,997.52
0098625 UPS	164363	9/26/2016	44.32
0096844 USA BLUE BOOK	164364	9/26/2016	2,155.95
0105133 UTILITY TELECOM, INC.	164365	9/26/2016	189.87
0102988 VANTAGEPOINT TRANSFER AGENTS	164366	9/26/2016	10,802.05
0095749 VERIZON WIRELESS	164367	9/26/2016	839.07
0100577 VIRGILIO CARPIO	164269	9/26/2016	281.01
0105762 VUBIQUITY INC.	164368	9/26/2016	3,776.13
0104660 WEST YOST ASSOCIATES, INC.	164370	9/26/2016	20,742.50
0018580 WILEY PRICE & RADULOVICH LLP	164371	9/26/2016	5,726.42
0103866 WILL ANDERSON	164255	9/26/2016	238.35
0100345 YUE WANG	164369	9/26/2016	276.00
0104033 ZCORUM, INC.	164373	9/26/2016	28,504.70
		<b>GrandTotal:</b>	<b>528,548.33</b>
		<b>Total count:</b>	<b>129</b>

10/03/16

CITY OF SAN BRUNO  
WARRANT REGISTER  
TOTAL FUND RECAP

FUND	FUND NAME	AMOUNT
001	GENERAL FUND	\$56,411.76
611	WATER FUND	\$34,958.44
621	STORMWATER FUND	\$102.68
631	WASTEWATER FUND	\$26,834.82
641	CABLE TV FUND	\$40,617.39
701	CENTRAL GARAGE	\$8,895.71
702	FACILITY MAINT. FUND	\$208.23
707	TECHNOLOGY DEVELOPMENT	\$150.39
TOTAL FOR APPROVAL		\$168,179.42

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 164374 THROUGH 164490 INCLUSIVE, TOTALING IN THE AMOUNT OF \$168,179.42 HAVE BEEN CHECKED IN DETAIL AND APPROVED BY THE PROPER OFFICIALS, AND IN MY OPINION REPRESENT FAIR AND JUST CHARGES AGAINST THE CITY IN ACCORDANCE WITH THEIR RESPECTIVE AMOUNTS AS INDICATED THEREON.

RESPECTFULLY SUBMITTED,

  
FINANCE DIRECTOR

10-6-16  
DATE

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Vendor Code & Name	Check #	Check Date	Amount
0104680 ACCESS 24 COMMUNICATIONS INC.	164374	10/3/2016	398.45
0000858 ADECCO EMPLOYMENT SERVICES	164375	10/3/2016	6,447.03
0100325 ADRIENNE CANDELA	164395	10/3/2016	53.80
0001170 AIRGAS USA, LLC	164376	10/3/2016	209.18
0000163 AIRPORT AUTO PARTS INC.	164377	10/3/2016	143.89
0018976 ALPHA ANALYTICAL LAB. INC.	164378	10/3/2016	1,244.00
0016688 ALPHA TECHNOLOGIES, INC.	164379	10/3/2016	92.65
0100955 ALTON RICH	164462	10/3/2016	47.12
0100976 AMBER CROSS	164401	10/3/2016	8.76
0000082 AMERICAN MESSAGING	164380	10/3/2016	44.69
0096700 ANDY'S WHEELS & TIRES	164382	10/3/2016	625.13
0001202 ARAMARK UNIFORM SERVICES	164384	10/3/2016	818.64
0106225 ARIES INDUSTRIES, INC.	164385	10/3/2016	361.50
0001965 ARISTA BUSINESS	164386	10/3/2016	545.00
0000118 ART'S PENINSULA LOCKSMITH	164387	10/3/2016	29.71
0016123 AT&T	164388	10/3/2016	20.53
0017191 AT&T	164389	10/3/2016	662.42
0018583 AT&T MOBILITY	164390	10/3/2016	63.32
0100867 BEN PATTY	164457	10/3/2016	12.15
0018390 BEN'ZARA MINKIN	164440	10/3/2016	5,879.00
0018390 BEN'ZARA MINKIN	164441	10/3/2016	5,879.00
0105710 BRANDON HART	164425	10/3/2016	941.08
0100894 BRANDON KUSZAK	164434	10/3/2016	52.10
0018323 BSK ASSOCIATES	164393	10/3/2016	160.00
0017284 CHEMSEARCHFE	164396	10/3/2016	386.95
0016324 CINTAS CORPORATION	164397	10/3/2016	715.32
0015857 COUNTY OF SAN MATEO	164399	10/3/2016	1,503.33
0106504 CREATIVE BUS SALES	164400	10/3/2016	57.92
0100842 CRYSTAL TOTAH	164479	10/3/2016	38.00
0018979 CT CORPORATION	164402	10/3/2016	296.00
0106080 DATALINK CORPORATION	164403	10/3/2016	11,915.50
0102345 DUKE'S ROOT CONTROL, INC.	164406	10/3/2016	14,288.30
0105820 EAST BAY TIRE CO	164407	10/3/2016	3,704.09
0100918 EDUARD VINOKUR	164487	10/3/2016	76.98
0100971 ERIK ESPARZA	164409	10/3/2016	72.68
0018697 EVIDENT	164410	10/3/2016	377.04
0013683 F. FERRANDO & CO.	164411	10/3/2016	2,508.00
0018551 FASTENAL COMPANY	164412	10/3/2016	4,313.76
0000944 FEDEX	164413	10/3/2016	59.21
0017335 FIBER INSTRUMENT SALES INC	164414	10/3/2016	212.52
0001782 FLOWERS ELECTRIC & SVC.CO.INC.	164415	10/3/2016	240.00
0016861 GAMETIME	164417	10/3/2016	1,517.08
0105960 GARRATT CALLAHAN	164418	10/3/2016	2,719.33
0100950 GAY ANNABELLE G. APUADA	164383	10/3/2016	151.25
0104135 GLOBAL TRACKING COMMUNICATIONS, INC.	164480	10/3/2016	329.89
0000162 GRAINGER	164420	10/3/2016	576.49
0000541 GRANITE ROCK COMPANY	164421	10/3/2016	1,651.92
0095966 GREATAMERICA FINANCIAL SVCS.	164422	10/3/2016	359.14
0100854 GUILLERMO ORTIZ	164452	10/3/2016	16.76
0017882 HOME BOX OFFICE	164426	10/3/2016	15.00
0001786 IN DEMAND-NYC	164427	10/3/2016	1,548.50
0018838 INFOSEND, INC.	164428	10/3/2016	3,997.34
0000836 INTOXIMETERS INC	164429	10/3/2016	143.33

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Vendor Code & Name	Check #	Check Date	Amount
0100943 JEAN-CHRISTOPHE MERIAUX	164437	10/3/2016	14.21
0100853 JEREMY VELASCO	164485	10/3/2016	102.74
0096838 JOHN MURPHY	164431	10/3/2016	125.00
0099854 KARLA GAMA	164416	10/3/2016	27.73
0090330 KEVIN MCEVOY	164433	10/3/2016	4,945.00
0102274 LAURENTINO PADILLA	164456	10/3/2016	98.09
0106342 LESLIE SALAZAR	164465	10/3/2016	208.65
0100942 LORETTA GROULX	164423	10/3/2016	47.12
0100746 LUISA NEVES	164444	10/3/2016	31.02
0017026 LYNX TECHNOLOGIES, INC.	164435	10/3/2016	520.00
0100978 MARYMOUNT PLACE LLC	164436	10/3/2016	176.59
0016041 METROMOBILE COMMUNICATIONS	164438	10/3/2016	195.00
0106216 MICHAEL CLARKE	164398	10/3/2016	124.13
0001709 MILLBRAE LOCK	164439	10/3/2016	36.38
0000333 MOSS RUBBER & EQUIP. CORP.	164442	10/3/2016	998.21
0100905 NANCY CAMPOS	164394	10/3/2016	12.15
0000357 NATIONAL CABLE TV CO-OP, INC.	164443	10/3/2016	3,579.04
0103301 NHL NETWORK US, LP	164445	10/3/2016	736.20
0100945 NOEL JUCABAN JR	164432	10/3/2016	161.81
0102950 NORTH AMERICAN NUMBERING PLAN	164381	10/3/2016	125.00
0092263 OFFICE DEPOT INC	164446	10/3/2016	313.42
0018284 OFFICEMAX INC.	164447	10/3/2016	71.45
0000210 OLE'S CARBURETOR & ELECTRIC INC	164448	10/3/2016	862.40
0097567 ONE HOUR DRY CLEANING	164450	10/3/2016	220.55
0001292 ORCHARD BUSINESS/SYNCOB	164451	10/3/2016	921.11
0103933 OWEN EQUIPMENT SALES	164453	10/3/2016	755.98
0000012 PACIFIC GAS & ELECTRIC	164454	10/3/2016	23,765.15
0000101 PACIFIC NURSERIES	164455	10/3/2016	561.08
0100915 PAUL DONOHUE	164405	10/3/2016	139.29
0100917 PHIL DOHERTY	164404	10/3/2016	21.18
0017235 PPC BROADBAND, INC.	164458	10/3/2016	8,191.79
0100974 PRAMODKUMAR RAMAKRISHNAN	164460	10/3/2016	53.80
0000071 R & B COMPANY	164459	10/3/2016	1,382.74
0090749 RED WING SHOE STORE	164461	10/3/2016	485.55
0100846 RICHARD BORTOLI	164392	10/3/2016	10.61
0016729 RICOH AMERICAS CORPORATION	164463	10/3/2016	328.19
0103531 RICOH USA, INC.	164464	10/3/2016	356.46
0100848 ROBERT WEST	164489	10/3/2016	29.37
0100966 SAMUEL HALEY-HILL	164424	10/3/2016	92.79
0093465 SAN MATEO COUNTY SHERIFF	164467	10/3/2016	550.00
0018461 SERRAMONTE FORD, INC.	164468	10/3/2016	26.79
0102917 SFPUC FINANCIAL SERVICES	164470	10/3/2016	6,232.00
0100882 SHANDRA JEFFRIES	164430	10/3/2016	5.21
0100900 SHEILA GODHIGH	164419	10/3/2016	19.14
0018962 SHOE DEPOT INC.	164471	10/3/2016	372.71
0001225 SIERRA PACIFIC TURF SUPPLY, INC	164472	10/3/2016	732.48
0106108 SPECIAL SERVICES GROUP, LLC	164473	10/3/2016	600.00
0105481 STARVISTA	164474	10/3/2016	14,564.01
0102991 STEVE SALAZAR	164466	10/3/2016	52.20
0017036 STEVEN'S BAY AREA DIESEL SER., INC.	164391	10/3/2016	282.45
0000801 STEWART AUTOMOTIVE GROUP	164475	10/3/2016	1,065.39
0002025 TELECOMMUNICATIONS ENGINEERING ASSOCIATE	164408	10/3/2016	85.00
0103559 THE MLB NETWORK, LLC	164476	10/3/2016	1,868.08
0017527 TIFCO INDUSTRIES INC.	164477	10/3/2016	268.49

Document group: komalley      Bank: apbank      05507660

Vendor Code & Name	Check #	Check Date	Amount
0105045 TINT ON WHEELS	164478	10/3/2016	200.00
0000665 TSQ SOLUTIONS INC.	164481	10/3/2016	325.00
0001362 TV GUIDE MAGAZINE, LLC	164482	10/3/2016	216.18
0018198 UMESH MAHARAJ	164483	10/3/2016	125.00
0018618 UNITED SITE SERVICES INC.	164484	10/3/2016	194.20
0102865 UNIVERSAL SERVICE ADMINISTRATIVE CO.	164469	10/3/2016	5,189.59
0095749 VERIZON WIRELESS	164486	10/3/2016	2,729.13
0105762 VUBIQUITY INC.	164488	10/3/2016	2,863.22
0098613 WINNIFRED OMODT	164449	10/3/2016	91.32
0103399 ZUMAR INDUSTRIES, INC.	164490	10/3/2016	164.07
		<b>GrandTotal:</b>	<b>168,179.42</b>
		<b>Total count:</b>	<b>117</b>



**City Council Agenda Item  
Staff Report**

CITY OF SAN BRUNO

---

DATE: October 11, 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 September 23, 2016 is recommended. The Labor Summary report reflecting the total payroll amount of \$1,521,125.75 for bi-weekly pay period ending September 18, 2016 is attached.

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**LABOR SUMMARY FOR PAY PERIOD ENDING : Sept 18, 2016**

<b>pyLaborDist</b>	<b>09/23/16</b>
Fund: 001 - GENERAL FUND	1,151,146.20
Fund: 121 - FEDERAL/STATE GRANTS	2,986.21
Fund: 122 - SOLID WASTE/RECYCL.	2,361.15
Fund: 190 - EMERGENCY DISASTER FUND	12,697.70
Fund: 201 - PARKS AND FACILITIES CAPITAL	53.51
Fund: 203 - STREET IMPROVE. PROJECTS	3,142.67
Fund: 611 - WATER FUND	89,334.66
Fund: 621 - STORMWATER FUND	14,037.36
Fund: 631 - WASTEWATER FUND	80,585.18
Fund: 641 - CABLE TV FUND	101,994.67
Fund: 701 - CENTRAL GARAGE	11,984.98
Fund: 702 - FACILITY MAINT.FUND	30,551.45
Fund: 707 - TECHNOLOGY DEVELOPMENT	14,878.95
Fund: 711 - SELF INSURANCE	5,371.06
<b>Total</b>	<b>1,521,125.75</b>



City of San Bruno  
567 El Camino Real  
San Bruno, CA 94066

**CITY OF SAN BRUNO**  
**Portfolio Summary**  
**August 31, 2016**

Investments	CUSIP	Book Value / Purchase Price	Market Value	Interest Rate	Maturity Date	% of Portfolio
<b>Investment Pools</b>						
Local Agency Investment Fund		14,380,787.23		0.61%		25%
Glennview Fire Local Agency Investment Fund		3,059,683.19		0.61%		5%
San Mateo County Pool		20,437,031.92		0.92%		36%
<b>Total Investment Pools</b>		<b>37,877,502.34</b>				<b>66%</b>
<b>Union Bank Investments</b>						
Federal Home Loan Mortgage Corp	3134G6ZX4	1,000,000.00	1,004,080.00	0.85%	August 25, 2017	2%
Federal Home Loan Bank Notes	3130A5HT9	1,000,000.00	999,900.00	0.75%	August 28, 2017	2%
Federal Home Loan Mortgage Corp	3134G5AU9	2,000,000.00	2,008,440.00	1.19%	December 26, 2017	3%
Federal Home Loan Mortgage Corp	3134G7FK2	1,000,000.00	1,002,780.00	1.10%	March 23, 2018	2%
Federal Home Loan Banks	3130A7H73	1,000,000.00	1,000,430.00	1.10%	March 29, 2018	2%
Federal Farm Credit Banks	3133EFD95	2,000,000.00	1,997,120.00	1.15%	November 23, 2018	3%
Federal Farm Credit Bank	3133EFBQ9	1,000,000.00	1,000,040.00	1.37%	March 1, 2019	2%
Federal Home Loan Mortgage Corp	3134G8RK7	1,000,000.00	999,320.00	1.00%	March 29, 2019	2%
Federal Farm Credit Bank	3133EF4C8	2,000,000.00	2,000,220.00	1.19%	April 25, 2019	3%
Federal Farm Credit Bank	3133EGSD8	2,000,000.00	1,994,980.00	1.13%	August 23, 2019	3%
Cal State Federal Taxable	13063CKL3	2,015,100.00	2,039,000.00	2.22%	May 1, 2019	4%
U.S. Government Money Market	26200630S	3,331,691.68	3,331,691.68	0.01%		6%
<b>Total Union Bank Investments</b>		<b>19,346,791.68</b>	<b>19,378,001.68</b>			<b>34%</b>
<b>TOTAL INVESTMENTS</b>		<b>\$ 57,224,294.02</b>				<b>100%</b>

All securities held by the City of San Bruno as of August 31, 2016 were in compliance with the City's Investment Policy Statement. There is adequate cash flow and maturity of investments to meet the City's needs for the next six months.

7.0.

10/5/2016 7:17:29PM

## City of San Bruno

Through period: 2

Through August 2016

	Cash	Investments	Fund Total
001 GENERAL FUND	(441,243.10)	53,815.34	(387,427.76)
002 GENERAL FUND RESERVE	10,017,298.00	0.00	10,017,298.00
003 ONE-TIME REVENUE	10,221.04	0.00	10,221.04
004 NEW CAP IMPROV/ONE-TIME INITIATIVE RSRV	7,890,390.27	0.00	7,890,390.27
101 GAS TAX	74,246.65	0.00	74,246.65
102 MEASURE A TRANSPORTATION TAX	352,600.99	0.00	352,600.99
103 STREET SPECIAL REVENUE	314,024.09	0.00	314,024.09
104 TRAFFIC CONGESTION RELIEF	0.00	0.00	0.00
111 POLICE ASSET FORFEITURE	181,291.10	0.00	181,291.10
112 SAFETY AUGMENT. -PROP.172	0.00	0.00	0.00
113 POLICE SPECIAL REVENUE	41,989.57	0.00	41,989.57
114 TRAFFIC SAFETY GRANT	0.00	0.00	0.00
121 FEDERAL/STATE GRANTS	21,310.54	0.00	21,310.54
122 SOLID WASTE/RECYCL.	272,915.91	0.00	272,915.91
123 LIBRARY SPECIAL REVENUE	158,530.93	0.00	158,530.93
131 IN-LIEU FEES	3,533,441.27	0.00	3,533,441.27
132 AGENCY ON AGING	39,263.78	0.00	39,263.78
133 RESTRICTED DONATIONS	1,198,338.33	0.00	1,198,338.33
134 ED JOHNSON BEQUEST FUND	0.00	0.00	0.00
135 GLENVIEW FIRE DONATIONS	0.00	0.00	0.00
136 EMERGENCY DISASTER RESERVE	3,059,683.19	0.00	3,059,683.19
151 SUCCESSOR AGENCY TO THE SB RDA - OPS	0.00	0.00	0.00
152 CITY OF SB AS SUCCESSOR HOUSING AGENC\	411,129.00	0.00	411,129.00
153 RDA OBLIGATION RETIREMENT FUND	527,000.62	650,090.90	1,177,091.52
190 DISASTER RECOVERY FUND	1,738,013.31	0.00	1,738,013.31
201 PARKS AND FACILITIES CAPITAL	2,242,673.72	0.00	2,242,673.72
203 STREET IMPROVE. PROJECTS	2,621,989.88	0.00	2,621,989.88
207 TECHNOLOGY CAPITAL	233,097.69	0.00	233,097.69
251 SUCCESSOR AGENCY TO THE SB RDA - CAPIT/	0.00	0.00	0.00
302 LEASE DEBT SERVICE	196,504.00	16.20	196,520.20
351 SUCCESSOR AGENCY TO THE SB RDA -2000 C\	0.00	0.00	0.00
611 WATER FUND	9,622,681.70	0.00	9,622,681.70
621 STORMWATER FUND	1,708,914.91	0.00	1,708,914.91
631 WASTEWATER FUND	11,518,640.89	9.24	11,518,650.13
641 CABLE TV FUND	(8,039,527.40)	0.00	(8,039,527.40)
701 CENTRAL GARAGE	581,087.78	0.00	581,087.78
702 FACILITY MAINT.FUND	619,205.11	0.00	619,205.11
703 GENERAL EQUIPMENT REVOLVING	5,506,836.48	0.00	5,506,836.48
707 TECHNOLOGY DEVELOPMENT	287,214.79	0.00	287,214.79
711 SELF INSURANCE	1,742,925.66	91,118.50	1,834,044.16
870 SAN BRUNO COMMUNITY FOUNDATION	0.00	0.00	0.00
880 PROJECT DEVELOP. TRUST	72,438.30	0.00	72,438.30
891 S.B. GARBAGE CO. TRUST	451,778.57	0.00	451,778.57
<b>Grand Total:</b>	<b>58,766,907.57 *</b>	<b>795,050.18</b>	<b>59,561,957.75</b>

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

Investment Porfolio Value	\$57,224,294.02
Cash on hand - Checking Account	4,742,205.62
Payroll and Accounts Payable Outstanding Checks	(3,346,371.67)
Deposits in Transit	146,779.60
General Ledger Cash Balance as of August 31, 2016	\$58,766,907.57

Totals are through period: 2

Page: 1

## Vicky Hasha

---

**From:** Jennifer Shapona  
**Sent:** Tuesday, September 27, 2016 8:19 AM  
**To:** Carol Bonner; Vicky Hasha; Jimmy Tan  
**Subject:** FW: TSPC resignation

Hello,

Please see the communication below from Tim Ross.

Thank you,

Jennifer

**From:** Tim Ross  
**Sent:** Monday, September 26, 2016 9:35 PM  
**To:** jessica barnes-lopez; Tom Hamilton; Mark H.; Jennifer Shapona; David Wong; Ryan Johansen  
**Subject:** TSPC resignation

Dear fellow TSPC members,

I have recently been appointed to the San Bruno Community Foundation's board of directors and will no longer be able to serve on the TPSC. While I am excited to be involved with the Foundation, I have also really enjoyed serving with each of you and will miss seeing you at our monthly meetings.

Jessica, I am sorry I could not serve during a transition period. Unfortunately, the TSPC and SBCF meet at the same time so my resignation will need to be effective immediately.

All the best,  
Tim

--

Tim Ross



## City Council Agenda Item Staff Report

CITY OF SAN BRUNO

**DATE:** October 11, 2016

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

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

**SUBJECT:** Adopt Resolution Authorizing the Purchase of Rain Gear from Peninsula Uniforms for Police Department Personnel in the Amount of \$29,295.

### **BACKGROUND:**

The Fiscal Year 2016-17 Operating Budget includes \$32,000 for the purchase of rain gear for Police Department Personnel. This gear protects against foul weather and it also serves to make officers more visible when directing traffic and performing other duties as required in difficult environments.

Rain coat and pants are regularly worn by Police Department Personnel assigned to patrol during periods of inclement weather. Personnel assigned to patrol and parking enforcement are often exposed to wet and windy conditions while answering calls for service during poor weather conditions. These calls for service may include traffic collisions, traffic enforcement, parking enforcement, traffic control, and the investigation of criminal activity. These types of response regularly require personnel to work in these conditions for prolonged periods of time. Additionally, personnel working in an investigative capacity are also required to respond to crime scenes regardless of weather conditions at any time of the day or night.

### **DISCUSSION:**

Pursuant to current Public Safety Memorandums of Understanding for both Police and Mid-Management (sections 29 and 31 respectively), safety equipment is required to be issued to newly hired full time police officers. This requirement is also included in California Labor Code Section 6401 and California Government Code Section 50081. Among the listed items is "rain coat and rain pants." For example, existing safety standards require that rain gear be "reversible" in order to comply with the California Code of Regulations. The reversible format allows for a dual purpose to include dark material for tactical considerations and a highly reflective material for conducting traffic control or operating near a roadway. The high visibility reflective material is critical in ensuring staff safety when responding to a traffic related incident during any time of the day or night, and is required by California Code of regulations section 1598. This section requires that Department employees who are on foot directing traffic, in daylight or in hours of darkness, do so while wearing warning garments that are highly visible, and reflective to a minimum of 1,000 feet.

To meet these requirements the Department has historically reissued used rain gear to new employees. This rain gear was purchased many years ago and is inadequate by today's safety standards. The existing gear is extremely light weight and made from a plastic like material that

7.e.

is very susceptible to tearing. As this gear has been damaged, it has not been replaced, resulting in an inadequate supply for personnel in the field. Over the past several years funding has not been allocated for rain gear within the operating budget. A recent inventory of safety equipment revealed an inadequate amount of rain gear. Furthermore, the rain gear that was inventoried was found to be in poor condition and not suitable to reissue to personnel in the field. Due to the age and poor quality of existing reissued rain gear, many officers have used their own personal rain gear to protect themselves from the elements. Use of personal gear detracts from an otherwise professional appearance in the field due to a lack of uniformity, and the gear may not comply with established safety regulations.

Rain gear that meets applicable standards will be purchased for all Police Officers (including Reserve Police Officers) and Community Service Officers. While full-time Police Officers are provided with an annual allowance to purchase uniforms, Reserve Police Officers and Community Service Officers are not. Therefore, the Department will purchase rain gear for Reserve Police Officers and Community Service Officers as well.

The table below illustrates the proposed costs received by staff to complete this purchase.

Vendor	Cost of Rain Jacket and Hood	Cost of Rain Paints	Tax	Shipping	Total Cost Per Unit	Total Cost for 63 Units
Blauer Uniforms	\$462	\$315	\$70	Shipping required but not provided with quote	\$847	\$53,361*
CopQuest Police Equipment	\$305	\$315	\$56	Shipping required but not provided with quote	\$676	\$42,588*
Peninsula Uniforms	\$266	\$160	\$39	Shipping not required	\$465	\$29,295

\*Shipping costs not included in total cost.

**FISCAL IMPACT:**

An allocation of \$32,000 was approved in the adopted Fiscal Year 2016-17 Operating Budget. The total cost to purchase sixty-three sets of rain gear (including sales tax) equals \$29,295.

**ALTERNATIVES:**

Direct staff to explore other options for the replacement of rain gear.

**RECOMMENDATION:**

Adopt resolution authorizing the purchase of rain gear from Peninsula Uniforms for Police Department Personnel in the amount of \$29,295.

**ATTACHMENTS:**

1. Resolution

**DATE PREPARED:**

September 28, 2016

**REVIEWED BY:**

\_\_\_\_\_ Fin

\_\_\_\_\_ CA

\_\_\_\_\_ ACM

\_\_\_\_\_ CM

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

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN BRUNO APPROVING THE PURCHASE OF RAIN GEAR FROM PENINSULA UNIFORMS FOR POLICE DEPARTMENT PERSONNEL IN THE AMOUNT OF \$29,295**

**WHEREAS**, clothing to protect police personnel when working in poor weather, including wind and rain has not been purchased for San Bruno Police Department Personnel in over twenty years; and

**WHEREAS**, pursuant to current Public Safety Memorandums of Understanding for both Police and Mid-Management (sections 29 and 31, respectively), safety equipment is required to be issued to newly hired full time police officers; and

**WHEREAS**, this requirement is also included in both California Labor Code Section 6401 and California Government Code Section 50081; and

**WHEREAS**, the anticipated cost to purchase sixty-three sets of rain gear for police personnel is \$29,295 and is included in the FY2016-2017 operating budget; and

**WHEREAS**, existing used reissued rain gear is inadequate by today's safety standards.

**NOW, THEREFORE BE IT RESOLVED** that the City Council of the City of San Bruno authorizes the purchase of rain gear from Peninsula Uniforms for Police Department Personnel in the amount of \$29,295.

ATTEST:

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

-o0o-

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 11<sup>th</sup> day of October 2016 by the following vote:

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



City Council Agenda Item  
Staff Report

CITY OF SAN BRUNO

**DATE:** October 11, 2016  
**TO:** Honorable Mayor and Members of the City Council  
**FROM:** Connie Jackson, City Manager  
**SUBJECT:** Adopt Resolution Supporting California Proposition 67, Ban on Single-Use Plastic Bag Referendum

**BACKGROUND:**

On January 22, 2013, the City Council adopted a reusable bag ordinance to regulate the distribution of single-use carry-out bags used by retail establishments. Before the adoption of this ordinance, which took effect on April 22, 2013, the City of San Bruno worked closely with the San Mateo County Department of Environmental Health to participate in a county-wide ban to facilitate a regional approach on use of single-use carryout bags at point-of-sale due to the adverse environmental impacts caused by the widespread distribution of plastic bags. At that time, City staff actively worked with the County and other jurisdictions in the development of the ordinance and the preparation of an Environmental Impact Report (EIR). The County coordinated this effort on behalf of eighteen cities in San Mateo County and six cities in Santa Clara County.

On September 30, 2014, the State of California Governor signed and filed with the Secretary of State, Senate Bill 270 (SB 270). SB 270 prohibits most retail establishments that fall within a specified criteria, from providing single-use bags at point-of-sale and from selling single-use bags for less than \$0.10 throughout the State of California. SB 270 also established a timeline to impose the identified prohibitions as well as a resource to assist establishments through the transition by identifying reusable grocery bag producers, etc.

**DISCUSSION:**

California Proposition 67 is a referendum to overturn SB 270, which would allow retail establishments in California to reinstitute use of single-use plastic bags at no cost to the consumer, unless a local ordinance is in effect.

A "Yes" vote to Proposition 67 is a vote in favor of upholding SB 270 and will continue to ban single-use bags. A "No" vote to Proposition 67 is a vote in favor of reversing or overturning SB 270.

The outcome of Proposition 67 will not affect the City of San Bruno reusable bag ordinance, which prohibits single-use carry-out bags as detailed in San Bruno Municipal Code section 10.25.040. However, the City of San Bruno has a substantial interest in protecting its residents from single-use carryout bags which pose a serious negative regional and state-

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wide environmental impact as well as the high percentage of unsightly litter that the bags create. Several local agencies and public officials are in support of the single-use bag ban, including San Francisco County, and Councilmembers from the Cities of Burlingame, Daly City, Millbrae, San Mateo, San Carlos and many others.

**FISCAL IMPACT:**

There is no direct cost to the City for support of California Proposition 67.

**ALTERNATIVES:**

1. Do not adopt resolution to support California Proposition 67, Plastic Bag Ban Veto Referendum
2. Direct staff to provide further analysis regarding California Proposition 67

**RECOMMENDATION:**

Adopt Resolution Supporting California Proposition 67, Ban on Single-Use Plastic Bag Referendum

**ATTACHMENTS:**

1. Resolution
2. California Proposition 67 Summary [Resource: <http://voterguide.sos.ca.gov/en/quick-reference-guide/67.htm>]
3. Senate Bill 270 Text

**DISTRIBUTION:**

None

**DATE PREPARED:**

October 3, 2016

**REVIEWED BY:**

\_\_\_\_\_ CM

RESOLUTION 2016 - \_\_\_\_

**ADOPT RESOLUTION SUPPORTING CALIFORNIA PROPOSITION 67,  
BAN ON SINGLE-USE PLASTIC BAG REFERENDUM (2016)**

**WHEREAS**, the San Bruno City Council adopted a Reusable Bag ordinance on January 22, 2013, to regulate the distribution of single-use carry-out bags used by retail establishments; and

**WHEREAS**, the State of California Governor signed Senate Bill 270 (SB 270). SB 270 prohibits most retail establishments that fall within a specified criteria, from providing single-use bags for point-of-sale transactions throughout the State of California; and

**WHEREAS**, California's Plastic Bag Ban Referendum will appear as Proposition 67 on the November 2016 ballot, in which a "yes" vote will be in favor of upholding SB270, the plastic bag ban and a "no" will be in favor of overturning SB 270; and

**WHEREAS**, plastic bags are a major source of litter and pollution in California, costing taxpayers millions of dollars annually to manage plastic bag litter throughout the state; and

**WHEREAS**, plastic bags are non-biodegradable, clog drains, blow out of landfills, and end up as litter on streets, and in green spaces; and California requires suffocation warnings on plastic bags because they pose a threat of death to small children and babies; and

**WHEREAS**, 150 California cities and counties, including the City of San Bruno, already have banned single-use plastic grocery bags independent of the state law representing over one-third of the state's population; and

**WHEREAS**, California's Proposition 67 would continue California's success in phasing out plastic bags, keeping in place a law passed by the legislature and signed by the Governor on September 30, 2014.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of San Bruno adopt a resolution in favor of supporting California Proposition 67, Ban on Single-Use Plastic Bag Referendum.

Dated: October 11, 2016

ATTEST:

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

-o0o-

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 11th day of October by the following vote:

AYES: COUNCILMEMBERS: \_\_\_\_\_

NOES: COUNCILMEMBERS: \_\_\_\_\_

ABSENT: COUNCILMEMBERS: \_\_\_\_\_

PROPOSITION **BAN ON SINGLE-USE PLASTIC BAGS.**  
**67** REFERENDUM.

**OFFICIAL TITLE AND SUMMARY**

PREPARED BY THE ATTORNEY GENERAL

67

A “Yes” vote approves, and a “No” vote rejects, a statute that:

- Prohibits grocery and certain other retail stores from providing single-use plastic or paper carryout bags to customers at point of sale.
- Permits sale of recycled paper bags and reusable bags to customers, at a minimum price of 10 cents per bag.

**SUMMARY OF LEGISLATIVE ANALYST’S ESTIMATE OF NET STATE AND LOCAL GOVERNMENT FISCAL IMPACT:**

- Relatively small fiscal effects on state and local governments. Minor increase of less than a million dollars annually for state administrative costs, offset by fees. Possible minor savings to local governments from reduced litter and waste management costs.

**ANALYSIS BY THE LEGISLATIVE ANALYST**

**BACKGROUND**

**Carryout Bag Usage.** Stores typically provide their customers with bags to carry out the items they buy. One type of bag commonly provided is the “single-use plastic carryout bag,” which refers to a thin plastic bag used at checkout that is not intended for continued reuse. In contrast, “reusable plastic bags” are thicker and sturdier so that they can be reused many times. Many stores also provide single-use paper bags. Stores frequently provide single-use paper and plastic carryout bags to customers for free, and some stores offer reusable bags for sale. Each year, roughly 15 billion single-use plastic carryout bags are provided to customers in California (an average of about 400 bags per Californian).

**Many Local Governments Restrict Single-Use Carryout Bags.** Many cities and counties in California have adopted local laws in recent years restricting or banning single-use carryout bags. These local laws have been implemented due to concerns about how the use of such bags can impact the environment. For example, plastic bags contribute to litter and can end up in waterways. In addition, plastic bags can be difficult to recycle because they can get tangled in recycling machines. Most of these local laws ban single-use plastic carryout bags at grocery stores, convenience stores, pharmacies, and liquor stores. They also usually require the store to charge at least 10 cents for the sale of any carryout bag. Stores are allowed to keep the resulting revenue. As of June 2016, there were local carryout bag laws in about 150 cities and counties—covering about 40 percent of California’s population—mostly in areas within coastal counties.

**Passage of Statewide Carryout Bag Law.** In 2014, the Legislature passed and the Governor signed a statewide carryout bag law, Senate Bill (SB) 270. As described in more detail below, the law prohibits certain stores from providing single-use plastic carryout bags. It also requires these stores to charge

customers for any other carryout bag provided at checkout.

**PROPOSAL**

Under the State Constitution, a new state law can be placed before voters as a referendum to determine whether the law can go into effect. This proposition is a referendum on SB 270. Below, we describe what a “yes” and “no” vote would mean for this measure, its major provisions, and how this measure could be affected by another proposition on this ballot.

**What a “Yes” and “No” Vote Mean**

**“Yes” Vote Upholds SB 270.** Certain stores would be prohibited from providing single-use plastic carryout bags and generally required to charge at least 10 cents for other carryout bags. These requirements would apply only to cities and counties that did not already have their own single-use carryout bag laws as of the fall of 2014.

**“No” Vote Rejects SB 270.** A store could continue to provide single-use plastic carryout bags and other bags free of charge unless it is covered by a local law that restricts the use of such bags.

**Main Provisions of Measure**

**Prohibits Single-Use Plastic Carryout Bags.** This measure prohibits most grocery stores, convenience stores, large pharmacies, and liquor stores in the state from providing single-use plastic carryout bags. This provision does not apply to plastic bags used for certain purposes—such as bags for unwrapped produce.

**Creates New Standards for Reusable Plastic Carryout Bags.** This measure also creates new standards for the material content and durability of reusable plastic carryout bags. The California Department of Resources Recovery and Recycling (CalRecycle) would be responsible for ensuring that bag manufacturers

**ANALYSIS BY THE LEGISLATIVE ANALYST**

CONTINUED

meet these requirements. The measure also defines standards for other types of carryout bags.

**Requires Charge for Other Carryout Bags.** This measure generally requires a store to charge at least 10 cents for any carryout bag that it provides to consumers at checkout. This charge would not apply to bags used for certain purposes—such as bags used for prescription medicines. In addition, certain low-income customers would not have to pay this charge. Under the measure, stores would retain the revenue from the sale of the bags. They could use the proceeds to cover the costs of providing carryout bags, complying with the measure, and educational efforts to encourage the use of reusable bags.

**Another Proposition on This Ballot Could Affect Implementation of This Measure**

This ballot includes another measure—Proposition 65—that could direct revenue from carryout bag sales to the state if approved by voters. Specifically, Proposition 65 requires that revenue collected from a state law to ban certain bags and charge fees for other bags (like SB 270 does) would have to be sent to a new state fund to support various environmental programs.

If both measures pass, the use of the revenues from carryout bag sales would depend on which measure receives more votes. Figure 1 shows how the major provisions of SB 270 would be implemented differently depending on different voter decisions on the two measures. Specifically, if Proposition 67 (this referendum on SB 270) gets more “yes” votes, the revenue would be kept by stores for specified purposes. However, if Proposition 65 (initiative) gets more “yes” votes, the revenue would be used for environmental programs. We note that Proposition 65 includes a provision that could be interpreted by the courts as preventing SB 270 from going into effect at all should

both measures pass and Proposition 65 gets more “yes” votes. However, this analysis assumes that the other provisions of SB 270 not related to the use of revenues—such as the requirement to ban single-use plastic carryout bags and charge for other bags—would still be implemented.

**FISCAL EFFECTS**

**Minor State and Local Fiscal Effects.** This measure would have relatively small fiscal effects on state and local governments. Specifically, the measure would result in a minor increase of less than a million dollars annually in state costs for CalRecycle to ensure that bag manufacturers meet the new reusable plastic bags requirements. These costs would be offset by fees charged to makers of these bags. The measure could also result in other fiscal effects—such as minor savings to local governments from reduced litter cleanup and waste management costs.

Visit <http://www.sos.ca.gov/measure-contributions> for a list of committees primarily formed to support or oppose this measure. Visit <http://www.fppc.ca.gov/transparency/top-contributors/nov-16-gen-v2.html> to access the committee’s top 10 contributors.

**Figure 1  
Implementation of Referendum Would Be Affected by Outcome of Proposition 65**

	<b>Proposition 67 (SB 270 Referendum) Passes</b>	<b>Proposition 67 (SB 270 Referendum) Fails</b>
<b>Proposition 65 (Initiative) Passes</b>	Statewide carryout bag law in effect. Use of revenues from sale of carryout bags depends on which proposition gets more votes: <ul style="list-style-type: none"> <li>• If more “yes” votes for referendum, revenue is kept by stores.</li> <li>• If more “yes” votes for initiative, revenue goes to state for environmental programs.<sup>a</sup></li> </ul>	No statewide carryout bag law. Revenue from any future statewide law similar to SB 270 would be used for environmental programs.
<b>Proposition 65 (Initiative) Fails</b>	Statewide carryout bag law in effect and revenue from the sale of carryout bags is kept by stores.	No statewide carryout bag law.

<sup>a</sup> Alternatively, a provision of Proposition 65 could be interpreted by the courts as preventing Senate Bill (SB) 270 from going into effect at all.



*California*  
LEGISLATIVE INFORMATION

**SB-270 Solid waste: single-use carryout bags.** (2013-2014)

**Senate Bill No. 270**

CHAPTER 850

An act to add Chapter 5.3 (commencing with Section 42280) to Part 3 of Division 30 of the Public Resources Code, relating to solid waste, and making an appropriation therefor.

[ Approved by Governor September 30, 2014. Filed with Secretary of State  
September 30, 2014. ]

LEGISLATIVE COUNSEL'S DIGEST

SB 270, Padilla. Solid waste: single-use carryout bags.

(1) Existing law, until 2020, requires an operator of a store, as defined, to establish an at-store recycling program that provides to customers the opportunity to return clean plastic carryout bags to that store.

This bill, as of July 1, 2015, would prohibit stores that have a specified amount of sales in dollars or retail floor space from providing a single-use carryout bag to a customer, with specified exceptions. The bill would also prohibit those stores from selling or distributing a recycled paper bag at the point of sale unless the store makes that bag available for purchase for not less than \$0.10. The bill would also allow those stores, on or after July 1, 2015, to distribute compostable bags at the point of sale only in jurisdictions that meet specified requirements and at a cost of not less than \$0.10. The bill would require these stores to meet other specified requirements on and after July 1, 2015, regarding providing reusable grocery bags to customers, including distributing those bags only at a cost of not less than \$0.10. The bill would require all moneys collected pursuant to these provisions to be retained by the store and be used only for specified purposes.

The bill, on and after July 1, 2016, would additionally impose these prohibitions and requirements on convenience food stores, foodmarts, and entities engaged in the sale of a limited line of goods, or goods intended to be consumed off premises, and that hold a specified license with regard to alcoholic beverages.

The bill would allow a retail establishment to voluntarily comply with these requirements, if the retail establishment provides the department with irrevocable written notice. The bill would require the department to post on its Internet Web site, organized by county, the name and physical location of each retail establishment that has elected to comply with these requirements.

The bill would require the operator of a store that has a specified amount of sales in dollars or retail floor space and a retail establishment that voluntarily complies with the requirements of this bill to comply with the existing at-store recycling program requirements.

The bill would require, on and after July 1, 2015, a reusable grocery bag sold by certain stores to a customer at the point of sale to be made by a certified reusable grocery bag producer and to meet specified requirements with regard to the bag's durability, material, labeling, heavy metal content, and, with regard to reusable grocery bags made from plastic film on and after January 1, 2016, recycled material content. The bill would impose these requirements as of July 1, 2016, on the stores that are otherwise subject to the bill's requirements.

The bill would prohibit a producer of reusable grocery bags made from plastic film from selling or distributing those bags on and after July 1, 2015, unless the producer is certified by a 3rd-party certification entity, as

specified. The bill would require a reusable grocery bag producer to provide proof of certification to the department. The bill would require the department to provide a system to receive proofs of certification online.

The department would be required to publish on its Internet Web site a list of reusable grocery bag producers that have submitted the required certification and their reusable grocery bags. The bill would require the department to establish an administrative certification fee schedule, which would require a reusable grocery bag producer providing proof to the department of certification or recertification to pay a fee. The bill would require that all moneys submitted to the department pursuant to these fee provisions be deposited into the Reusable Grocery Bag Fund, which would be established by the bill, and continuously appropriated for purposes of implementing these proof of certification and Internet Web site provisions, thereby making an appropriation. The bill would also require a reusable grocery bag producer to submit applicable certified test results to the department. The bill would authorize a person to object to a certification of a reusable grocery bag producer by filing an action for review of that certification in the superior court of a county that has jurisdiction over the reusable grocery bag producer. The bill would require the court to determine if the reusable grocery bag producer is in compliance with the provisions of the bill and, based on the court's determination, would require the court to direct the department to either remove or retain the reusable grocery bag producer on its published Internet Web site list.

The bill would allow a city, county, or city and county, or the state to impose civil penalties on a person or entity that knows or reasonably should have known it is in violation of the bill's requirements. The bill would require these civil penalties to be paid to the office of the city attorney, city prosecutor, district attorney, or Attorney General, whichever office brought the action, and would allow the penalties collected by the Attorney General to be expended by the Attorney General, upon appropriation by the Legislature, to enforce the bill's provisions.

The bill would declare that it occupies the whole field of the regulation of reusable grocery bags, single-use carryout bags, and recycled paper bags provided by a store and would prohibit a local public agency from enforcing or implementing an ordinance, resolution, regulation, or rule, or any amendment thereto, adopted on or after September 1, 2014, relating to those bags, against a store, except as provided.

(2) The California Integrated Waste Management Act of 1989 creates the Recycling Market Development Revolving Loan Subaccount in the Integrated Waste Management Account and continuously appropriates the funds deposited in the subaccount to the department for making loans for the purposes of the Recycling Market Development Revolving Loan Program. Existing law makes the provisions regarding the loan program, the creation of the subaccount, and expenditures from the subaccount inoperative on July 1, 2021, and repeals them as of January 1, 2022.

This bill would appropriate \$2,000,000 from the Recycling Market Development Revolving Loan Subaccount in the Integrated Waste Management Account to the department for the purposes of providing loans for the creation and retention of jobs and economic activity in California for the manufacture and recycling of plastic reusable grocery bags that use recycled content. The bill would require a recipient of a loan to agree, as a condition of receiving the loan, to take specified actions.

(3) The bill would require the department, no later than March 1, 2018, to provide a status report to the Legislature on the implementation of the bill's provisions.

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

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

**SECTION 1.** Chapter 5.3 (commencing with Section 42280) is added to Part 3 of Division 30 of the Public Resources Code, to read:

### **CHAPTER 5.3. Single-Use Carryout Bags**

#### **Article 1. Definitions**

**42280.** (a) "Department" means the Department of Resources Recycling and Recovery.

(b) "Postconsumer recycled material" means a material that would otherwise be destined for solid waste disposal, having completed its intended end use and product life cycle. Postconsumer recycled material does not include materials and byproducts generated from, and commonly reused within, an original manufacturing and fabrication process.

(c) "Recycled paper bag" means a paper carryout bag provided by a store to a customer at the point of sale that meets all of the following requirements:

(1) (A) Except as provided in subparagraph (B), contains a minimum of 40 percent postconsumer recycled materials.

(B) An eight pound or smaller recycled paper bag shall contain a minimum of 20 percent postconsumer recycled material.

(2) Is accepted for recycling in curbside programs in a majority of households that have access to curbside recycling programs in the state.

(3) Has printed on the bag the name of the manufacturer, the country where the bag was manufactured, and the minimum percentage of postconsumer content.

(d) "Reusable grocery bag" means a bag that is provided by a store to a customer at the point of sale that meets the requirements of Section 42281.

(e) (1) "Reusable grocery bag producer" means a person or entity that does any of the following:

(A) Manufactures reusable grocery bags for sale or distribution to a store.

(B) Imports reusable grocery bags into this state, for sale or distribution to a store.

(C) Sells or distributes reusable bags to a store.

(2) "Reusable grocery bag producer" does not include a store, with regard to a reusable grocery bag for which there is a manufacturer or importer, as specified in subparagraph (A) or (B) of paragraph (1).

(f) (1) "Single-use carryout bag" means a bag made of plastic, paper, or other material that is provided by a store to a customer at the point of sale and that is not a recycled paper bag or a reusable grocery bag that meets the requirements of Section 42281.

(2) A single-use carryout bag does not include either of the following:

(A) A bag provided by a pharmacy pursuant to Chapter 9 (commencing with Section 4000) of Division 2 of the Business and Professions Code to a customer purchasing a prescription medication.

(B) A nonhandled bag used to protect a purchased item from damaging or contaminating other purchased items when placed in a recycled paper bag, a reusable grocery bag, or a compostable plastic bag.

(C) A bag provided to contain an unwrapped food item.

(D) A nonhandled bag that is designed to be placed over articles of clothing on a hanger.

(g) "Store" means a retail establishment that meets any of the following requirements:

(1) A full-line, self-service retail store with gross annual sales of two million dollars (\$2,000,000) or more that sells a line of dry groceries, canned goods, or nonfood items, and some perishable items.

(2) Has at least 10,000 square feet of retail space that generates sales or use tax pursuant to the Bradley-Burns Uniform Local Sales and Use Tax Law (Part 1.5 (commencing with Section 7200) of Division 2 of the Revenue and Taxation Code) and has a pharmacy licensed pursuant to Chapter 9 (commencing with Section 4000) of Division 2 of the Business and Professions Code.

(3) Is a convenience food store, foodmart, or other entity that is engaged in the retail sale of a limited line of goods, generally including milk, bread, soda, and snack foods, and that holds a Type 20 or Type 21 license issued by the Department of Alcoholic Beverage Control.

(4) Is a convenience food store, foodmart, or other entity that is engaged in the retail sale of goods intended to be consumed off the premises, and that holds a Type 20 or Type 21 license issued by the Department of Alcoholic Beverage Control.

(5) Is not otherwise subject to paragraph (1), (2), (3), or (4), if the retail establishment voluntarily agrees to comply with the requirements imposed upon a store pursuant to this chapter, irrevocably notifies the department of its intent to comply with the requirements imposed upon a store pursuant to this chapter, and complies with the requirements established pursuant to Section 42284.

**Article 2. Reusable Grocery Bags**

**42281.** (a) On and after July 1, 2015, a store, as defined in paragraph (1) or (2) of subdivision (g) of Section 42280, may sell or distribute a reusable grocery bag to a customer at the point of sale only if the reusable bag is made by a producer certified pursuant to this article to meet all of the following requirements:

- (1) Has a handle and is designed for at least 125 uses, as provided in this article.
- (2) Has a volume capacity of at least 15 liters.
- (3) Is machine washable or made from a material that can be cleaned and disinfected.
- (4) Has printed on the bag, or on a tag attached to the bag that is not intended to be removed, and in a manner visible to the consumer, all of the following information:
  - (A) The name of the manufacturer.
  - (B) The country where the bag was manufactured.
  - (C) A statement that the bag is a reusable bag and designed for at least 125 uses.

(D) If the bag is eligible for recycling in the state, instructions to return the bag to the store for recycling or to another appropriate recycling location. If recyclable in the state, the bag shall include the chasing arrows recycling symbol or the term "recyclable," consistent with the Federal Trade Commission guidelines use of that term, as updated.

(5) Does not contain lead, cadmium, or any other toxic material that may pose a threat to public health. A reusable bag manufacturer may demonstrate compliance with this requirement by obtaining a no objection letter from the federal Food and Drug Administration. This requirement shall not affect any authority of the Department of Toxic Substances Control pursuant to Article 14 (commencing with Section 25251) of Chapter 6.5 of Division 20 of the Health and Safety Code and, notwithstanding subdivision (c) of Section 25257.1 of the Health and Safety Code, the reusable grocery bag shall not be considered as a product category already regulated or subject to regulation.

(6) Complies with Section 260.12 of Part 260 of Title 16 of the Code of Federal Regulations related to recyclable claims if the reusable grocery bag producer makes a claim that the reusable grocery bag is recyclable.

(b) (1) In addition to the requirements in subdivision (a), a reusable grocery bag made from plastic film shall meet all of the following requirements:

(A) On and after January 1, 2016, it shall be made from a minimum of 20 percent postconsumer recycled material.

(B) On and after January 1, 2020, it shall be made from a minimum of 40 percent postconsumer recycled material.

(C) It shall be recyclable in this state, and accepted for return at stores subject to the at-store recycling program (Chapter 5.1 (commencing with Section 42250)) for recycling.

(D) It shall have, in addition to the information required to be printed on the bag or on a tag, pursuant to paragraph (4) of subdivision (a), a statement that the bag is made partly or wholly from postconsumer recycled material and stating the postconsumer recycled material content percentage, as applicable.

(E) It shall be capable of carrying 22 pounds over a distance of 175 feet for a minimum of 125 uses and be at least 2.25 mils thick, measured according to the American Society of Testing and Materials (ASTM) Standard D6988-13.

(2) A reusable grocery bag made from plastic film that meets the specifications of the American Society of Testing and Materials (ASTM) International Standard Specification for Compostable Plastics D6400, as updated, is not required to meet the requirements of subparagraph (A) or (B) of paragraph (1), but shall be labeled in accordance with the applicable state law regarding compostable plastics.

(c) In addition to the requirements of subdivision (a), a reusable grocery bag that is not made of plastic film and that is made from any other natural or synthetic fabric, including, but not limited to, woven or nonwoven nylon, polypropylene, polyethylene-terephthalate, or Tyvek, shall satisfy all of the following:

- (1) It shall be sewn.

(2) It shall be capable of carrying 22 pounds over a distance of 175 feet for a minimum of 125 uses.

(3) It shall have a minimum fabric weight of at least 80 grams per square meter.

(d) On and after July 1, 2016, a store as defined in paragraph (3), (4), or (5) of subdivision (g) of Section 42280, shall comply with the requirements of this section.

**42281.5.** On and after July 1, 2015, a producer of reusable grocery bags made from plastic film shall not sell or distribute a reusable grocery bag in this state unless the producer is certified by a third-party certification entity pursuant to Section 42282. A producer shall provide proof of certification to the department demonstrating that the reusable grocery bags produced by the producer comply with the provisions of this article. The proof of certification shall include all of the following:

(a) Names, locations, and contact information of all sources of postconsumer recycled material and suppliers of postconsumer recycled material.

(b) Quantity and dates of postconsumer recycled material purchases by the reusable grocery bag producer.

(c) How the postconsumer recycled material is obtained.

(d) Information demonstrating that the postconsumer recycled material is cleaned using appropriate washing equipment.

**42282.** (a) Commencing on or before July 1, 2015, the department shall accept from a reusable grocery bag producer proof of certification conducted by a third-party certification entity, submitted under penalty of perjury, for each type of reusable grocery bag that is manufactured, imported, sold, or distributed in the state and provided to a store for sale or distribution, at the point of sale, that meets all the applicable requirements of this article. The proof of certification shall be accompanied by a certification fee, established pursuant to Section 42282.1.

(b) A reusable grocery bag producer shall resubmit to the department proof of certification as described in subdivision (a) on a biennial basis. A reusable grocery bag producer shall provide the department with an updated proof of certification conducted by a third-party certification entity if any modification that is not solely aesthetic is made to a previously certified reusable bag. Failure to comply with this subdivision shall result in removal of the relevant information posted on the department's Internet Web site pursuant to paragraphs (1) and (2) of subdivision (e) for each reusable bag that lacks an updated proof of certification conducted by a third-party certification entity.

(c) A third-party certification entity shall be an independent, accredited (ISO/IEC 17025) laboratory. A third-party certification entity shall certify that the producer's reusable grocery bags meet the requirements of Section 44281.

(d) The department shall provide a system to receive proofs of certification online.

(e) On and after July 1, 2015, the department shall publish a list on its Internet Web site that includes all of the following:

(1) The name, location, and appropriate contact information of certified reusable grocery bag producers.

(2) The reusable grocery bags of producers that have provided the required certification.

(f) A reusable grocery bag producer shall submit applicable certified test results to the department confirming that the reusable grocery bag meets the requirements of this article for each type of reusable grocery bag that is manufactured, imported, sold, or distributed in the state and provided to a store for sale or distribution.

(1) A person may object to the certification of a reusable grocery bag producer pursuant to this section by filing an action for review of that certification in the superior court of a county that has jurisdiction over the reusable grocery bag producer. The court shall determine if the reusable grocery bag producer is in compliance with the requirements of this article.

(2) A reusable grocery bag producer whose certification is being objected to pursuant to paragraph (1) shall be deemed in compliance with this article pending a determination by the court.

(3) Based on its determination, the court shall direct the department to remove the reusable grocery bag producer from, or retain the reusable grocery bag producer on, its list published pursuant to subdivision (e).

(4) If the court directs the department to remove a reusable grocery bag producer from its published list, the reusable grocery bag producer shall remain off of the published list for a period of one year from the date of the court's determination.

**42282.1.** (a) A reusable grocery bag producer shall submit the fee established pursuant to subdivision (b) to the department when providing proof of certification or recertification pursuant to Sections 42281.5 and 42282.

(b) The department shall establish an administrative certification fee schedule that will generate fee revenues sufficient to cover, but not exceed, the department's reasonable costs to implement this article. The department shall deposit all moneys submitted pursuant to this section into the Reusable Grocery Bag Fund, which is hereby established in the State Treasury. Notwithstanding Section 11340 of the Government Code, moneys in the fund are continuously appropriated, without regard to fiscal year, to the department for the purpose of implementing this article.

### **Article 3. Single-Use Carryout Bags**

**42283.** (a) Except as provided in subdivision (e), on and after July 1, 2015, a store, as defined in paragraph (1) or (2) of subdivision (g) of Section 42280, shall not provide a single-use carryout bag to a customer at the point of sale.

(b) (1) On and after July 1, 2015, a store, as defined in paragraph (1) or (2) of subdivision (g) of Section 42280, shall not sell or distribute a reusable grocery bag at the point of sale except as provided in this subdivision.

(2) On and after July 1, 2015, a store, as defined in paragraph (1) or (2) of subdivision (g) of Section 42280, may make available for purchase at the point of sale a reusable grocery bag that meets the requirements of Section 42281.

(3) On and after July 1, 2015, a store, as defined in paragraph (1) or (2) of subdivision (g) of Section 42280, that makes reusable grocery bags available for purchase pursuant to paragraph (2) shall not sell the reusable grocery bag for less than ten cents (\$0.10) in order to ensure that the cost of providing a reusable grocery bag is not subsidized by a customer who does not require that bag.

(c) (1) On and after July 1, 2015, a store, as defined in paragraph (1) or (2) of subdivision (g) of Section 42280, shall not sell or distribute a recycled paper bag except as provided in this subdivision.

(2) A store, as defined in paragraph (1) or (2) of subdivision (g) of Section 42280, may make available for purchase a recycled paper bag. On and after July 1, 2015, the store shall not sell a recycled paper bag for less than ten cents (\$0.10) in order to ensure that the cost of providing a recycled paper bag is not subsidized by a consumer who does not require that bag.

(d) Notwithstanding any other law, on and after July 1, 2015, a store, as defined in paragraph (1) or (2) of subdivision (g) of Section 42280, that makes reusable grocery bags or recycled paper bags available for purchase at the point of sale shall provide a reusable grocery bag or a recycled paper bag at no cost at the point of sale to a customer using a payment card or voucher issued by the California Special Supplemental Food Program for Women, Infants, and Children pursuant to Article 2 (commencing with Section 123275) of Chapter 1 of Part 2 of Division 106 of the Health and Safety Code or an electronic benefit transfer card issued pursuant to Section 10072 of the Welfare and Institutions Code.

(e) On and after July 1, 2015, a store, as defined in paragraph (1) or (2) of subdivision (g) of Section 42280, may distribute a compostable bag at the point of sale, if the compostable bag is provided to the consumer at the cost specified pursuant to paragraph (2), the compostable bag, at a minimum, meets the American Society for Testing and Materials (ASTM) International Standard Specification for Compostable Plastics D6400, as updated, and in the jurisdiction where the compostable bag is sold and in the jurisdiction where the store is located, both of the following requirements are met:

(1) A majority of the residential households in the jurisdiction have access to curbside collection of foodwaste for composting.

(2) The governing authority for the jurisdiction has voted to allow stores in the jurisdiction to sell to consumers at the point of sale a compostable bag at a cost not less than the actual cost of the bag, which the Legislature hereby finds to be not less than ten cents (\$0.10) per bag.

(f) A store, as defined in paragraph (1) or (2) of subdivision (g) of Section 42280, shall not require a customer to use, purchase, or accept a single-use carryout bag, recycled paper bag, compostable bag, or reusable grocery bag as a condition of sale of any product.

**42283.5.** On and after July 1, 2016, a store, as defined in paragraph (3), (4), or (5) of subdivision (g) of Section 42280, shall comply with the same requirements of Section 42283 that are imposed upon a store, as defined in paragraph (1) or (2) of subdivision (g) of Section 42280.

**42283.6.** (a) The operator of a store, as defined in paragraph (1) or (2) of subdivision (g) of Section 42280 that makes recycled paper or reusable grocery bags available at the point of sale, shall be subject to the provisions of the at-store recycling program (Chapter 5.1 (commencing with Section 42250)).

(b) A store that voluntarily agrees to comply with the provisions of this article pursuant to subdivision (g) of Section 42280, shall also comply with the provisions of the at-store recycling program (Chapter 5.1 (commencing with Section 42250)).

**42283.7.** All moneys collected pursuant to this article shall be retained by the store and may be used only for the following purposes:

(a) Costs associated with complying with the requirements of this article.

(b) Actual costs of providing recycled paper bags or reusable grocery bags.

(c) Costs associated with a store's educational materials or educational campaign encouraging the use of reusable grocery bags.

**42284.** (a) A retail establishment not specifically required to comply with the requirements of this chapter is encouraged to reduce its distribution of single-use plastic carryout bags.

(b) Pursuant to the provisions of subdivision (g) of Section 42280, any retail establishment that is not a "store," that provides the department with the irrevocable written notice as specified in subdivision (c), shall be regulated as a "store" for the purposes of this chapter.

(c) The irrevocable written notice shall be dated and signed by an authorized representative of the retail establishment, and shall include the name and physical address of all retail locations covered by the notice. The department shall acknowledge receipt of the notice in writing and shall specify the date the retail establishment will be regulated as a "store," which shall not be less than 30 days after the date of the department's acknowledgment. The department shall post on its Internet Web site, organized by county, the name and physical location or locations of each retail establishment that has elected to be regulated as a "store."

#### **Article 4. Enforcement**

**42285.** (a) A city, a county, a city and county, or the state may impose civil liability on a person or entity that knowingly violated this chapter, or reasonably should have known that it violated this chapter, in the amount of one thousand dollars (\$1,000) per day for the first violation of this chapter, two thousand dollars (\$2,000) per day for the second violation, and five thousand dollars (\$5,000) per day for the third and subsequent violations.

(b) Any civil penalties collected pursuant to subdivision (a) shall be paid to the office of the city attorney, city prosecutor, district attorney, or Attorney General, whichever office brought the action. The penalties collected pursuant to this section by the Attorney General may be expended by the Attorney General, upon appropriation by the Legislature, to enforce this chapter.

#### **Article 5. Preemption**

**42287.** (a) Except as provided in subdivision (c), this chapter is a matter of statewide interest and concern and is applicable uniformly throughout the state. Accordingly, this chapter occupies the whole field of regulation of reusable grocery bags, single-use carryout bags, and recycled paper bags, as defined in this chapter, provided by a store, as defined in this chapter.

(b) On and after January 1, 2015, a city, county, or other local public agency shall not enforce, or otherwise implement, an ordinance, resolution, regulation, or rule, or any amendment thereto, adopted on or after September 1, 2014, relating to reusable grocery bags, single-use carryout bags, or recycled paper bags, against a store, as defined in this chapter, unless expressly authorized by this chapter.

(c) (1) A city, county, or other local public agency that has adopted, before September 1, 2014, an ordinance, resolution, regulation, or rule relating to reusable grocery bags, single-use carryout bags, or recycled paper bags may continue to enforce and implement that ordinance, resolution, regulation, or rule that was in effect before that date. Any amendments to that ordinance, resolution, regulation, or rule on or after January 1, 2015, shall be subject to subdivision (b), except the city, county, or other local public agency may adopt or amend an ordinance, resolution, regulation, or rule to increase the amount that a store shall charge with regard to a recycled paper bag, compostable bag, or reusable grocery bag to no less than the amount specified in Section 42283.

(2) A city, county, or other local public agency not covered by paragraph (1) that, before September 1, 2014, has passed a first reading of an ordinance or resolution expressing the intent to restrict single-use carryout bags and, before January 1, 2015, adopts an ordinance to restrict single-use carryout bags, may continue to enforce and implement the ordinance that was in effect before January 1, 2015.

#### **Article 6. Financial Provisions**

**42288.** (a) Notwithstanding Section 42023.2, the sum of two million dollars (\$2,000,000) is hereby appropriated from the Recycling Market Development Revolving Loan Subaccount in the Integrated Waste Management Account to the department for the purposes of providing loans for the creation and retention of jobs and economic activity in this state for the manufacture and recycling of plastic reusable grocery bags that use recycled content, including postconsumer recycled material.

(b) The department may expend, if there are applicants eligible for funding from the Recycling Market Development Revolving Loan Subaccount, the funds appropriated pursuant to this section to provide loans for both of the following:

(1) Development and conversion of machinery and facilities for the manufacture of single-use plastic bags into machinery and facilities for the manufacturer of durable reusable grocery bags that, at a minimum, meet the requirements of Section 42281.

(2) Development of equipment for the manufacture of reusable grocery bags, that, at a minimum, meet the requirements of Section 42281.

(c) A recipient of a loan authorized by this section shall agree, as a condition of receiving the loan, to retain and retrain existing employees for the manufacturing of reusable grocery bags that, at a minimum, meet the requirements of Section 42281.

(d) Any moneys appropriated pursuant to this section not expended by the end of the 2015-16 fiscal year shall revert to the Recycling Market Development Revolving Loan Subaccount for expenditure pursuant to Article 3 (commencing with Section 42010) of Chapter 1.

(e) Applicants for funding under this section may also apply for funding or benefits from other economic development programs for which they may be eligible, including, but not limited to, both of the following:

(1) An income tax credit, as described in Sections 17059.2 and 23689 of the Revenue and Taxation Code.

(2) A tax exemption pursuant to Section 6377.1 of the Revenue and Taxation Code.

**SEC. 2.** No later than March 1, 2018, the department, as a part of its reporting requirement pursuant to Section 40507 of the Public Resources Code, shall provide a status report on the implementation of Chapter 5.3 (commencing with Section 42280) of Part 3 of Division 30 of the Public Resources Code.



## City Council Agenda Item Staff Report

CITY OF SAN BRUNO

**DATE:** October 1, 2016

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

**FROM:** Connie Jackson, City Manager

**SUBJECT:** Receive Report and Direct Staff to Reschedule the November 8, 2016 Regular City Council Meeting to November 9, 2016

### BACKGROUND:

In accordance with the San Bruno Municipal Code section 2.04.020, the San Bruno City Council regularly meets for business on the second and fourth Tuesdays of each month at 7:00 p.m. at the San Bruno Senior Center. These meetings are open to the public and are conducted in compliance with California's Ralph M. Brown Act. This year, the first meeting in November falls on November 8, 2016, which is the same day as the 2016 Presidential General Election.

For the General Election, there are a total of 10 polling locations within the San Bruno city limits, including City Hall. City Hall serves as a primary polling location for residents and remains open from 7:00 a.m. through 8:00 p.m. Residents that are unsure of their polling location can place their vote at City Hall, in conference room 115, as well as deliver their mail-in ballots to a locked mailing box located near or in the same polling room.

### DISCUSSION:

Staff recommends the City Council consider rescheduling the regular November 8, 2016 City Council meeting. Rescheduling the November 8<sup>th</sup> meeting will assist in avoiding potential scheduling conflicts and will allow the public to participate in both the General Election and City Council meeting. The City Clerk's Office staff also help facilitate the representatives from the County who administer the polling locations and assist with the transmission of information to the County.

In order to schedule a special meeting, the City Clerk's Office will post a cancellation notice for November 8 and will agendize the alternative meeting date. The cancellation of a regular City Council meeting requires action by the City Council. Staff recommends advance notice of any change to the meeting schedule in order to provide the public sufficient notice.

Staff recommends that the City Council consider scheduling a special City Council meeting on Wednesday, November 9 at 7:00 p.m. at the San Bruno Senior Center.

Should the City Council prefer to cancel and not reschedule the November 8, 2016 City Council meeting, the only regular City Council meeting in November will be held on Tuesday, November 22, 2016 at 7:00 p.m.

**FISCAL IMPACT:**

None

**ALTERNATIVES:**

1. Do not consider rescheduling the November 8, 2016 regular City Council meeting.
2. Identify alternative dates to reschedule the November 8, 2016 regular City Council meeting.

**RECOMMENDATION:**

Receive report and direct staff to reschedule the November 8, 2016 regular City Council meeting to November 9, 2016.

**ATTACHMENTS:**

None



## City Council Agenda Item Staff Report

CITY OF SAN BRUNO

**DATE:** October 11, 2016

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

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

**SUBJECT:** Conduct Study Session Discussion of Key Issues Related to Zoning Ordinance Update:

- Changes in land use tables, by zoning district
- Signage, including murals
- Downtown parking and zoning regulations
- Consideration of use of Public Benefit Districts

### **PURPOSE:**

In support of the City Council's on-going efforts and interests in improving and revitalizing San Bruno's downtown area, the October 11, 2016 Study Session primarily focuses on aspects of the Zoning Ordinance Update related to downtown. Work on the Zoning Ordinance Update has been in the context of assuring that the City's Zoning Ordinance is consistent with and supports the San Bruno General Plan, the Transit Corridors Plan, the Walk n' Bike Plan, and other City adopted policy documents and Codes.

For the October 11, 2016 City Council Study Session, topics listed in **Attachment B** to this staff report are proposed for discussion and, as appropriate, Council direction to staff:

- Changes in land use tables, by zoning district.
- Signage, including murals.
- Downtown parking and zoning regulations.
- Consideration of use of Public Benefit Districts.

These issue areas and discussion points are addressed in the tables provided in **Attachment C** to this staff report.

### **BACKGROUND:**

The Zoning Ordinance ("Zoning Code"), Title 12, Article III of the Municipal Code, prescribes development standards, land use restrictions, development application review provisions and similar issues, along with establishment of a Zoning Map which identifies land uses for all property within the City based on the City's adopted General Plan Land Use Diagram.

#### Why update the Zoning Code?

The last comprehensive update to the Zoning Code was in 1982, with periodic and specific-issue amendments made in subsequent years. The City fully commenced work on a

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comprehensive update to its Zoning Code in 2011, before work was temporarily deferred. Work to complete the Zoning Code update has been underway since 2015.

There are several reasons supporting the need for completing the comprehensive Zoning Code update, summarized in the table below:

Basis for Zoning Code Update	How Addressed in Updated Zoning Code
<i>General Plan Update (2009)</i>	<ul style="list-style-type: none"> <li>▪ Zoning Map update</li> <li>▪ Changes to certain permitted land uses (residential, commercial, downtown)</li> <li>▪ Changes to downtown regulations</li> <li>▪ Changes reflecting walkability, bicycle use</li> </ul>
<i>Transit Corridors Specific Plan (2014) and Measure N Passage</i>	<ul style="list-style-type: none"> <li>▪ Creation of new Mixed Use zones</li> <li>▪ Walkability and downtown vibrancy-related development standards</li> <li>▪ Increased building heights and residential densities</li> <li>▪ Shared parking for mixed uses and reduced residential parking standards</li> </ul>
<i>Changes in state Planning law and Court Actions</i>	<ul style="list-style-type: none"> <li>▪ Multiple policy changes made to the law, including for homeless shelters, transportation planning, energy savings and climate change, accessibility, water conservation, environmental compliance, and in administrative practices</li> </ul>
<i>Changes in Planning practices</i>	<ul style="list-style-type: none"> <li>▪ Greater emphasis on transit oriented developments</li> <li>▪ Emphasis on mixed uses</li> <li>▪ Changes in parking standards</li> <li>▪ Emphasis on walkability, public transit and bicycle use</li> </ul>
<i>Residential Design Guidelines (2010)</i>	<ul style="list-style-type: none"> <li>▪ Inclusion of residential development guidelines, standards and review procedures</li> </ul>
<i>Walk 'n Bike Plan (2016)</i>	<ul style="list-style-type: none"> <li>▪ Provisions for ease of bike use, pedestrian activity</li> </ul>
<i>Ease of Zoning Code use</i>	<ul style="list-style-type: none"> <li>▪ Formatting changes to make Code easier to read</li> <li>▪ Improved Zoning Code organization</li> <li>▪ Elimination of unclear language and development standards</li> <li>▪ Use of clear summary tables and graphics</li> <li>▪ Creation of a searchable Code via City webpage</li> </ul>

Actions To-Date on the Zoning Code Update

There have been several key actions on the Zoning Code update since 2011, including:

- Completion of a Sustainability Audit
- Conducting outreach meetings
- Conducting several City Council Study Sessions, including a joint study session with the Planning Commission.
- Completion of Preliminary Draft Zoning Code updates.

These Zoning Code update actions to-date are summarized in **Attachment A** to this staff report, with a summary of the previous City Council Study Sessions, including Council comments received on key Zoning-related issues, provided in **Attachment B**.

**NEXT STEPS FOR COMPLETION THE ZONING CODE UPDATE:**

With input and direction received from the October 11<sup>th</sup> Study Session, combined with any needed additional Council Study Session to be held, staff will complete its work on a public Draft Zoning Code. This will also include preparation of a CEQA (environmental review) document. The Draft Zoning Code will then be the subject of Planning Commission review at a noticed public hearing before being presented to the City Council at a public hearing, and anticipated adoption by Spring 2017.

Additionally, staff would like to use the opportunity of the October 11<sup>th</sup> Study Session to solicit any items of particular concern or questions Councilmembers may have on other matters beyond those presented at the October 11<sup>th</sup> meeting. These issues and items would then be brought back for Council discussion at another Study Session, to be held prior to end of 2016. Possible future Study Session topics include:

- Additional details on Community Benefit Districts, if so directed at the October 11<sup>th</sup> Study Session
- Transitional Land Uses
- Use size limitations
- Micro Housing Units

**FISCAL IMPACT:**

Staff will present a request to the City Council mid-year FY 2016-2017 for additional funds to complete this project as necessary.

**ALTERNATIVES:**

None.

**RECOMMENDATION:**

Conduct Study Session discussion, and provide appropriate direction to staff.

**DISTRIBUTION:**

None.

**ATTACHMENTS:**

- A. Schedule of Actions To Date
- B. Summary of Previous City Council Study Sessions
- C. October 11, 2016 Study Session Discussion Topics

**DATE PREPARED:**

October 7, 2016

**REVIEWED BY:**

\_\_\_\_\_ CM

**Attachment A**  
**Zoning Code Update – Actions To-Date**

Date	Action Taken
January 2011	Completion of a Sustainability Audit
January 2012	Completion of an Annotated Outline of the Zoning Ordinance
Various dates, 2012 - 2013	Outreach meetings to review key issues related to the updates
July 2012	Preparation of initial Administrative Draft of the Zoning Ordinance
February 20, 2013	Study Session #1 with City Council (joint session held with Planning Commission)
October 27, 2015	Study Session #2 with City Council
November 10, 2015	Study Session #3 with City Council
February – August, 2016	Staff completion of updated Preliminary Draft Zoning Code, with subsequent revisions and staff discussions

**Attachment B**  
**Summary of Previous City Council Study Sessions**  
**Zoning Code Update**

Study Session Topic	Summary / Previously Proposed by Council
<p>Single-family residential development:</p> <ul style="list-style-type: none"> <li>▪ Floor Area Ratio (FAR)</li> <li>▪ Additions to existing residences</li> <li>▪ Review procedures and permitting</li> </ul>	<p>Increase the permitted cap (limit) on Floor Area Ratio (FAR) by 5% to a maximum FAR of 0.60, and a maximum residence size of 4,000 sf</p> <p>Increase the current administrative approval limit on additions to residences increased from 50% to 75% of existing floor area.</p> <p>The following actions would require ARC and PC review (Design Review, Use Permits):</p> <ul style="list-style-type: none"> <li>• To exceed the new FAR standards.</li> <li>• To exceed the new 75% addition standard.</li> <li>• Three story residential construction.</li> <li>• An Architectural Review Permit would be required for any addition over 1,000 square feet and for new homes/total home size of 2,000 square feet.</li> </ul> <p>The following actions would be approved by the Community Development Director, with provision of public notice to neighbors:</p> <ul style="list-style-type: none"> <li>• New construction and additions up to the applicable FAR cap.</li> <li>• Remodels adding up to 75% of floor area to an existing residence.</li> <li>• Second story decks, and windows facing side yards, new homes and additions up to 1,850 sq ft with a 1 car garage, and 2,800 sq ft with 2 car garages, garages for more than 3 cars and +600 sq ft, and similar limitations under the current Code would be eliminated, using the FAR and addition square footage thresholds (all falling under Community Development Director review authority).</li> </ul>
<p>Second Residential Units</p>	<p>Allow use of existing driveway or uncovered parking space for second units, but in consideration of parking limitations in neighborhoods with limited on-street parking</p>
<p>Accessory structures</p>	<p>Require use of stepped setbacks from side and rear property lines, based on height of the accessory structure, to reduce impacts to adjoining properties. The Code would not allow accessory structures in the front yard.</p>

Historic Preservation	Focus on CEQA compliance for demolition of potential historic structures, and in consideration of incentives for homeowners to preserve historic structures.
Home Occupations	Would clarify need for parking for an outside (non-resident) employee for larger home occupations, and clarify provisions for number of customers allowed to the home; require Planning Commission review of major home occupations.
Non-conforming uses	Retain six-month abandonment period to allow reestablishment of a legal non-conforming use.
Industrial Zones	Provide for wider range of land uses, including employment-generating uses, within Industrial zone; provide for improved building and site designs.
Landscaping	Landscaping requirements to include sustainability, water-conservation measures.
Urban Food Production	Zoning Code to address use of home gardens, community gardens and potential for larger urban agriculture uses.
Parking	Several changes to be incorporated addressing reduced parking standards for mixed use and other development in proximity to transit, and for shared parking. Green parking standards also addressed, reducing stormwater runoff and improving water quality.
Permitting	Several changes addressed, including expanded administrative-level approvals, and reduced ARC actions.
Hours of business operation,	Would recognize general hours of commercial operation as being from 6:00 a.m. to 11:00 p.m., with some variation by Zoning district and with extended hours subject to a use permit and compliance with City noise standards.
Outside dining	Would allow outside dining as a permitted use in Mixed Use Zones, if incidental to a primary restaurant use.
Alcohol sales at restaurants	Would allow alcohol sales as a permitted accessory use to a permitted restaurant.

**Attachment C - October 11, 2016 Study Session Discussion Topics**

Zoning Topic	Issue	Zoning Code Approach and Process	Discussion
<p><b><i>Changes in Land Use, by Zoning District</i></b></p>	<p>The Zoning Code update includes modified land use tables for each of the Zoning districts. While most of the land use provisions would remain unchanged from the current Code, some new adjustments are proposed. Most of the changes occur in creation of the mixed use zones that would apply to the downtown and El Camino Real areas.</p> <p>Because the Zoning Ordinance has not been updated for a long time, it does not address uses that have evolved over the past few decades. This makes it very difficult for staff to regulate these uses and results in over concentration of undesirable uses or undesirable uses within disfavored locations.</p>	<p>Residential Zones: key changes would have large family day care operations allowed by use permit, and places of worship allowed by use permit, and disallowing use of any commercial parking lots in the multi-family zones.</p> <p>Commercial and Mixed Use Zones: the new mixed use zones reflect the intent of the Transit Corridors Plan to allow a wide range of commercial and retail services with multi-family residential uses.</p> <p>In general, the list of uses is being expanded based upon input staff has received from interactions with the public. Use definitions will be provided for all uses and the “similar to” safety valve will remain to address future uses that have not yet been discovered.</p>	<p>The key changes in land use would reflect the policy and land use provisions contained in the Transit Corridors Plan, allowing for commercial and multi-family residential uses in the new mixed use zones that are intended to support transit oriented development. These include multi-family residential uses off of ground-floor, multi-story buildings, and a focus on provision of retail, general commercial and restaurant uses in the downtown area that will generate a vibrant, active downtown community for living, shopping and entertainment.</p> <p>One key issue is how the zoning ordinance can limit less desirable land uses (which can include check cashing, massage, tattoo, e-cigarette and similar establishments), and avoid overconcentration of such uses or placement near sensitive land use receptors, and promote more desirable land uses within the downtown. The intent is to move closer to the desired land use and design vision for the downtown.</p> <p>The larger question is whether the zoning ordinance should “zone out” less desirable uses altogether or whether there is a place for such uses within the community and if so, where?</p>

<b>Zoning Topic</b>	<b>Issue</b>	<b>Zoning Code Approach and Process</b>	<b>Discussion</b>
<p><b>Signage, including Murals</b></p>	<p>Currently, the aggregate sign area permitted for all signs is 75 sq. ft. for lots with a street frontage of 25 feet or less, plus an additional 3 sq. ft. for each additional foot of street frontage beyond 25 feet, up to a maximum of 225 square feet.</p> <p>These regulations are the same for all zoning districts but appear to be better suited for uses on El Camino Real which has a wider R.O.W. The result is that the permitted signage is too large for the CBD/ Downtown which has a more pedestrian scale.</p> <p>Also, the sign regulations do not promote a sense of place for the CBD/ Downtown and they do not address certain types of unwanted or problematic signs which makes regulating them very difficult.</p>	<p>The updated Code would eliminate signs considered to be unsightly or undesirable (roof-top signs, use of freeway signs). New provisions would be added for mixed use zones in the downtown calling for higher level of sign detail and to ensure quality sign design/construction and a general cohesion of sign styles.</p> <p>The updated Code would allow for slightly larger 16 sq ft awning signs (8 sq ft now); smaller freestanding signs (32 sq ft, compared to 48 sq ft now); and reduced maximum size of wall signs along San Mateo Avenue (50 sq ft, compared to 100 sq ft now).</p> <p>Additionally, staff is seeking to address use of murals as part of the sign program. Under the draft Code, a painting on a wall would be considered a wall sign if used to attract business. However, the City may wish to consider allowing for painted signs under a separate standard, particularly if posted strictly as an expression of art and if the quality of the painted mural can be assured/maintained over time.</p>	<p>The adjustments to the Sign Code would help eliminate use of unsightly signs, including roof-top signs which, even if well-designed, can present an undesirable visual impact. Adjustments to sign size standards also would be appropriate – somewhat larger awning signs can help enforce walkability in the downtown and around commercial areas, while reduction in the size of allowable wall signs along San Mateo Avenue will help unify sign appearance along the corridor. Additionally, the Code would impose an additional set of sign guidelines applicable to San Mateo Avenue and the new mixed use zones in the downtown area to address sign design, placement, scale and color to present a more unified and high-quality sign design theme for these areas, ensuring replacement of outdated and illegal signs over time.</p> <p>The Code should also address use of murals. Murals can be very well designed, providing artistic benefit to a property or general area if done in a quality manner. Some communities have addressed use of murals separately from standard signage, with a “mural” classified as a painting or artwork affixed to a building, freestanding wall or fence, and distinguished from standard signage in that it does not advertise a business, commercial endeavor or product sold or offered for sale on the site or off-site. One possible approach is to enlist the assistance of the Architectural Review Committee and/or the Cultural and Art Commission in reviewing any proposals for new murals.</p>

Zoning Topic	Issue	Zoning Code Approach	Discussion
<p><b>Downtown Parking and Zoning Regulations</b></p>	<p>Adoption of the TCP reduced parking requirements for uses within downtown to promote a more pedestrian environment. As a result, existing parking requirements within the Zoning Ordinance are not consistent with the TCP requirements. The existing parking requirement is also an impediment to locating some desired uses within the CBD because they require more parking than existing uses.</p> <p>Many of the parking standards are proposed to be adjusted as part of the updated Zoning Code, including reflection of mixed use development in the downtown area.</p>	<p>The Zoning Ordinance update would sync the TCP parking requirements with the Code leaving intact parking standards for low-density residential uses. However, parking requirements for downtown (all mixed use) zones, would be based on dwelling unit size (.5 space for studio units, 1 space for 1-bedroom units, 2 spaces for 2 bedroom units, up to 2.5 spaces for 3+ bedroom units), with reduced parking standards for retail uses, restaurants and office uses. No additional parking would be required to change to a more intense use within the CBD, making it easier to locate certain desirable permitted uses within the CBD.</p> <p>At the same time, the draft Code also emphasizes use of shared parking, trip reduction programs (expansion of what currently is in the Code for transportation demand management), mechanical parking systems and electric vehicle charging stations, access to transit, bicycle parking and other approaches that collectively would reduce parking demand/area devoted to parking in the downtown.</p>	<p>The draft parking standards are based on provisions and policies of the Transit Corridors Plan, which emphasize greater pedestrian activity associated with mixed use (including live/work/shop) zoning provisions. This will occur as a result of establishment of new mixed use zones and development standard from the Transit Corridors Plan (and as approved under Measure N), providing for buildings as tall as 90 feet and 7 stories in the Transit Oriented zone. Reduced parking demand, as a result of the reduction in multiple-destination vehicle trips, allows for reduced on-site parking regulations.</p> <p>The approach with mixed use zoning and focus on higher-intensity land uses near public transit (BART, Amtrak) is fairly common in the Bay Area and in San Mateo County, with the communities of South San Francisco, Redwood City and San Mateo using similar development standards. These include designation of Priority Development Areas, supported by and consistent with San Mateo County C/CAG policy for investment of infrastructure funding and future population growth.</p>

<b>Zoning Topic of Public Benefit Districts Plans</b>	<b>Issue</b>	<b>Zoning Code Approach</b>	<b>Discussion</b>
	<p>The purpose of allowing Public Benefit Zoning/Public Benefit Plan is to create incentives above and beyond what might be developed under typical market conditions for particular types of development at key locations in San Bruno. This would occur by developer provision for certain public benefits which would benefit the San Bruno community in exchange for use of incremental modified or flexible development standards that otherwise would apply to the property.</p>	<p>The Municipal Code currently does not contain provisions for use of a Public Benefit Zone/Plan. The City can currently utilize Development Agreements (DA), though a DA would have more limited use potential than a Public Benefit Plan. A Public Benefit Zone/Plan would likely contain requirements to address findings such as:</p> <ul style="list-style-type: none"> <li>• Further goals and objectives of the General Plan.</li> <li>• Use of exceptional project design.</li> <li>• Help in creation of affordable housing beyond what typical market conditions would provide, and above and beyond City affordable housing provisions (Below Market Rate Housing Program provisions).</li> <li>• Assist in funding implementation of the new Walk 'n Bike Plan.</li> <li>• Lead to creation of new public spaces and plazas.</li> <li>• Help in creation of new jobs for San Bruno residents and support City economic development vision.</li> <li>• Stimulate desired mixed-use development at key locations</li> </ul>	<p>The City can benefit from use of Public Benefit Zoning and use of Public Benefit Plans. The mechanism would allow for negotiation between the City and a developer on a wide range of development projects. Like a DA, a Public Benefit Plan would create expanded opportunity for the City to gain desired improvements beyond what standard conditions of project approval might allow, while a developer could utilize modified development standards or other features in building their project. However, a DA typically is associated with very large and complex projects that have extensive obligations and responsibilities on the part of the City and a developer, while a Public Benefit Plan can be applied on a smaller scale and tailored to a specific development project and creation of benefits serving the project area.</p> <p>Several communities in California have successfully used Public Benefit (or Community Benefit) Plans, including the Cities of Oakland, San Francisco, San Jose and Los Angeles. San Francisco applied the Plan to development of a large residential neighborhood in the Hunters Point area, gaining affordable housing, job training, and local hiring of residents, while a similar range of Plan benefits were gained in an Oakland waterfront residential development.</p> <p>With new mixed use development potential in the downtown area, and with other development projects focused on City office parks anticipated in the future, use of a Public Benefits program can help</p>

		<p>along key transit corridors and within one-half mile of San Bruno BART and Amtrak Stations.</p>	<p>achieve many City goals. The process would typically involve Council review and approval of a Public Benefits Plan, including community input as part of Plan formulation.</p> <p>Key would be to ensure a balance between developer interests (concessions for reduced or modified development standards, and what that might equate to in terms of design, land use impacts, etc.) and that of City interests (benefits to be received through the Public Benefit Plan), and that use of Public Benefit Plans not become commonplace (to be used as an assumed available alternative to having to meet development standards) – the Plan should be required to demonstrate why it is necessary, even when providing public benefit. Where development standards are modified, the project should also be accompanied by exceptional project design elements, above and beyond ensuring compliance with any applicable City design guidelines.</p>
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