



NOTICE OF PUBLIC HEARING REGARDING A PROPOSED STORM DRAINAGE AND FLOOD PROTECTION FEE

I. Background

On January 12, 2021, the San Bruno City Council adopted its Resolution No. 2021-04, proposing the adoption of a new Storm Drainage and Flood Protection Fee (the “Proposed Fee”) to address San Bruno’s aging stormwater system needs and mitigate the risk of flooding to homes and local businesses. You have been sent this notice because you have been identified as the record owner of a parcel of real property that would be subject to the Proposed Fee.

The City Council will hold a public hearing on the Proposed Fee on:

April 6, 2021 at 6:00 PM

The April 6, 2021 session will be a continuation of a public hearing scheduled for March 23, 2021 at 7:00. You were inadvertently not sent notice of the March 23, 2021 hearing. All members of the public are invited to participate in both the March 23, 2021 and the April 6, 2021 sessions of the public hearing. The City Council will accept testimony and protests on each date from any member of the public, regardless of which notice they received. Each member of the public who chooses to participate in the hearing has the option of participating on both or either one of the dates. All testimony and protests from both dates will be considered by the City Council, and there will be one, combined, tally for written protests received.

The public hearing will be a part of the City Council meeting scheduled for that same date. Due to the COVID-19 emergency, it is anticipated that the City Council meeting will be conducted virtually, using the Zoom platform. You may conveniently access the virtual meeting via the following web address: www.sanbruno.ca.gov/StormwaterPublicHearing.

You may also access the meeting by using the Zoom app or www.zoom.us or by calling (669) 900-9128 for audio-only participation. Use the following meeting information:

On March 23, 2021 at 7:00 p.m.

Webinar or Meeting ID: 981 8740 8980
Participant ID: #
Webinar or Meeting Password: 349478

On April 6, 2021 at 6:00 p.m.

Webinar or Meeting ID: 967 3438 8334
Participant ID: #
Webinar or Meeting Password: 216482

You are invited to speak to the City Council at the public hearing. The City Council will also accept and consider written testimony and protests that are submitted as described later in this notice.

Following the public hearing, the City Council may call a property-owner mail ballot election to approve the Proposed Fee. The City Council cannot impose the Proposed Fee without holding such an election.

More information about the Proposed Fee and the process for adopting the fee can be found online at www.sanbruno.ca.gov/stormwater.

II. The Storm Drainage System

The City of San Bruno operates the City's Storm Drainage System (the "System"). The System collects stormwater runoff from throughout the City and discharges it into San Bruno Channel. A properly functioning storm drainage system is critical for preventing flooding and property damage throughout the City and is engineered to avoid unnecessary pollution of local waterways.

The System is comprised of catch basins, v-ditches, underground pipelines and culverts, concrete and earth channels, and other improvements, many of which are located under the City's streets. Many of these system elements are more than one-hundred years old, and virtually the entire system is either of obsolete construction or beyond its designed lifecycle. The existing system requires frequent emergency repairs, is subject to failures and flooding, and does not have the capacity to properly handle a 25-year storm.

Modernization of the System and replacement of existing infrastructure will require approximately \$53.9 million in capital expenditures. The revenues from the existing storm drainage fee, which has not been increased in over 25 years, are insufficient to fund this work or to fully fund existing maintenance and flood prevention needs.

III. The Proposed Fee

The purpose of the Proposed Fee is to (i) construct storm drainage system improvements that will provide improved flood protection, are necessary or useful for compliance with regulatory requirements and/or replace existing elements of the storm drainage system; (ii) maintain, service, repair, and operate the storm drainage system and periodically replace or upgrade system elements; (iii) finance associated capital costs (including debt service and incidental and administrative costs associated with financing) and (iv) fund administrative costs of the fee and of the storm drainage system and improvements. Fee proceeds could only be used by the City for these purposes.

The Proposed rate of the annual Storm Drainage and Flood Protection Fee is:

\$0.0498859 per sq. ft. of Impervious Area

The Impervious Area of a parcel is the portion of the parcel that is covered by a rooftop, walkway, patio, driveway, parking lot, storage area, concrete or asphalt paving, gravel roads, or any other hard surface area that either prevents or retards the entry of water into the soil mantle or causes water to run off the surface in greater quantities or at an increased rate of flow. The Proposed Fee would apply citywide.

In order to keep pace with inflation, this Proposed Fee includes, and will be subject to, annual adjustments based on the San Francisco Bay Area Construction Cost Index (CCI) as published by Engineering News Record (ENR).

The rate of \$0.0498859 per square foot of Impervious Area was calculated by dividing the total annual storm drain budget of \$3.24 million by the 64,946,619 square feet of Impervious Area on parcels in the City. Impervious surfaces block the ability of the soil on a parcel to absorb rainwater, so the Impervious Area of a parcel is a good measure of that parcel's use of the storm drainage system.

The Proposed Fee for your property, as well as the presumed Impervious Area of that property, is shown on Attachment A, which is a part of this Notice.

The Impervious Area of a parcel is presumed to consist of the following percentage of the total square footage of the parcel, based on the zoning of the parcel:

R-1 Single-Family Residential	60%	C-M Commercial Manufacturing	95%
R-2 Low Density Residential	70%	C-N Neighborhood Commercial	95%
R-3 Medium Density Residential	85%	C-O Community Office	90%
R-4 High Density Residential	85%	A-R Administrative and Research	90%
C General Commercial	90%	M-1 Industrial	95%
C-B-D Central Business District	95%	O Open Space/Urban Parkland	10%
P-D Planned Development	Varies	Undesignated	95%

Vacant, unimproved parcels that are still in their natural states are presumed to have no Impervious Area.

The presumed Impervious Area for each parcel in the P-D Zone was calculated by identifying the actual use of the parcel and using the percentage shown in the table above for that type of use. In certain cases, such as a parcel that was developed for a use other than the main use of property in their land use zone (for example a school in an open space zone) or a parcel that is located in a subdivision developed in a manner that was not typical of development throughout the City for that zoning (for example a single family subdivision with very large parcels that are largely left in a natural state) the presumed Impervious Area was adjusted based on actual development on the parcel or in the subdivision.

The City will establish an appeal process where a property owner may appeal the City's determination of the Impervious Surface Area of the property owner's parcel.

The Proposed Fee, if approved, will be collected annually on the property tax bill beginning with the tax bill for Fiscal Year 2021-2022.

IV. Protests

The City will accept written protests against the Proposed Fee. Written protests will be accepted pursuant to the City's "Guidelines for the Acceptance and Tabulation of Written Protests." A copy of these guidelines, and of Resolution No. 2021-04, can be found online at www.sanbruno.ca.gov/stormwater.

Written protests may be submitted in any of the following ways:

- (i) By delivery to the Office of the City Clerk located at 567 El Camino Real, San Bruno, CA 94066 during published business hours.
- (ii) By mail addressed to the Office of the City Clerk at that same address.
- (iii) During the March 23, 2021 and April 6, 2021 sessions of the public hearing, protests may be deposited in the brown, metal drop box affixed to the north wall next to the Linden Avenue entrance to San Bruno City Hall no later than the close of the public input portion of the public hearing.

Any written protests must be *received* by the City Clerk prior to the close of the public input portion of the hearing on April 6, 2021 in order to be considered by the City Council. Written testimony may also be delivered to the City Clerk in the manners shown above. The City cannot accept written protests by e-mail or fax.

A written protest must (i) state that it is a protest against the Proposed Fee; (ii) state the name of the parcel owner or tenant that is submitting the protest.; (iii) identify the Assessor's Parcel Number or Street Address of the parcel with respect to which the protest is made; and (iv) include the original signature and legibly printed name of the person submitting the protest.

In the case of an owner who is a corporation or is otherwise not a natural person, the protest must include, instead of the information set forth in (iv) above, the name of the owner submitting the protest, the legibly printed name and original signature of the person executing the protest

on behalf of that owner, and an identification of the capacity in which that person executes the protest on behalf of the owner.

If a parcel is owned by more than a single person or entity, any owner may submit a written protest. A tenant can submit a written protest if he or she is entitled to submit a protest pursuant to Section 53755 of the Government Code or is described in Article XIII D, Section 2(g) of the California Constitution.

The City Council will not move forward with proceedings to establish the Proposed Fee if there is a majority protest against the Proposed Fee. A majority protest exists if valid written protests are timely submitted and not withdrawn with respect to, a majority (50% plus one) of the parcels subject to the Proposed Fee.

If you have any question regarding this notice, please contact Jimmy Tan, Public Works Director at (650) 616-7065 or email at stormwater@sanbruno.ca.gov.

STORM DRAIN MASTER PLAN LIST OF IMPROVEMENTS

Priority	Project ID	Estimated Cost (2020\$)	Description and Location	Constructed	Problem
1.1	A-1	\$5,958,771	Belle air box: north side of Pine Street	1900s	Existing RCBs are undersized
1.1A	A-4, A-5	\$8,685,467	Other pipeline upsizing to prevent need for detention basin in Crestmoor Canyon	N/A	Water retention during periods of heaving rain
1.1B	A-2	\$3,138,051	Upsize the Belle Air storm drain by adding a third 9' x 5' Reinforced Concrete Box (RCB).	N/A	Backwater caused by the undersized system impacts much of the lower City watersheds
1.2	E	\$2,303,588	Pipeline improvement: 7 th and Angus Avenues adjacent to pump station	1960s	Existing pipes are undersized
1.3	C-1	\$176,295	Bolt manholes and install catch basin backflow preventers in the vicinity of San Mateo, Huntington, Angus and Kains Avenues	1900s	Flat area; existing ground elevations are low; existing pipe has very shallow cover
1.4	F	\$2,221,317	Pipeline improvement: San Bruno Avenue East	1960s	Existing pipes are undersized
2.1	C-2	\$2,632,672	Pipeline improvement: North of Jenevein Avenue & El Camino Real	1900s	Existing pipes are undersized
2.2	C-3	\$1,657,173	Pipeline improvement: Jenevein Avenue between Hazel & Cypress Avenues	1900s	Existing pipes are undersized
2.3	A-3	\$963,746	Pipeline improvement: El Camino Real at 380 undercrossing	1970s	Existing pipes are undersized
2.4	C-4	\$1,621,914	Pipeline improvement: Whitman Way between Madison Avenue & Eastburn Court	1950s	Existing pipes are undersized
2.5	B-1	\$1,281,077	Pipeline improvement: Huntington Avenue at Cupid Row	1900s	Existing pipe has insufficient capacity due to flat slope
2.6	B-2	\$105,077	Concrete channel at City Park: south side of Crystal Spring Avenue	Park	Existing channel is undersized and running into parking lot
2.7	D	\$258,566	Catch basins at San Antonio Avenue	1900s	Existing street geometry has insufficient capacity for the overland flow
Total		\$31,004,414			