

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN BRUNO ADDING  
CHAPTER 12.265 (BAYHILL SPECIFIC PLAN AREA DEVELOPMENT IMPACT FEE) AND  
AMENDING CHAPTER 12.260 TO TITLE 12 (LAND USE) ARTICLE III (ZONING) OF THE  
CITY OF SAN BRUNO MUNICIPAL CODE**

**SECTION 1.** City Council makes the following findings:

**A.** The Mitigation Fee Act contained in Government Code 66000 *et seq.*, permits the City to impose development impact fees on new development for the purposes of funding the public facilities necessary to serve that new development.

**B.** The Bayhill Specific Plan was adopted by the City Council in 2021 and provides a land use and regulatory framework for redevelopment of the Bayhill Office Center and adjacent Bayhill Shopping Center for higher-intensity development.

**C.** The Bayhill Specific Plan identified improvements necessary to serve new development at the level of service standards embodied in the Specific Plan or in the City's General Plan as well as to address mitigations identified in the Bayhill Specific Plan Environmental Impact Report.

**D.** New development in the Bayhill Specific Plan Area will increase the demand for public facilities to serve that Area.

**E.** A Bayhill Specific Plan Area Development Impact Fee Program can help to ensure that developers pay a "fair share" of the capital costs associated with the public facilities that are necessitated by or serve development projects in that Area.

**F.** The Bayhill Specific Plan Area Development Impact Fee Program will not fund costs attributable to existing deficiencies in public facilities, but can include the costs attributable to the increased demand for public facilities reasonably related to a development project in order to (1) refurbish existing facilities to maintain the existing level of service or (2) achieve an adopted level of service that is consistent with the General Plan.

**G.** The Bayhill Specific Plan Area Development Impact Fee Program will be independent and in addition to all other City, County, other agency, or regional development impact fees that may also be applicable to the Specific Plan Area.

**H.** The City Council finds that the impact fees and charges imposed by this Ordinance are necessary and reasonable to implement the goals and objectives of the City's General Plan and the Bayhill Specific Plan and are permitted by California state law.

**I.** On October 25, 2022, the City Council held a duly noticed public hearing to consider the City's proposed new development fee at which time all interested persons were given an opportunity to comment.

**SECTION 2.** Chapter 12.265 (Bayhill Specific Plan Area Development Impact Fee) is hereby added to Title 12 (Land Use) Article III (Zoning) of the San Bruno Municipal Code, to read as follows:

## **CHAPTER 12.265**

### **BAYHILL SPECIFIC PLAN AREA DEVELOPMENT IMPACT FEE**

#### Sections:

12.265.010	Purpose
12.265.020	Definitions
12.265.030	Fee Imposed
12.265.040	Rate
12.265.050	Payment
12.265.060	Credit for Redevelopment
12.265.070	Improvement Agreement
12.265.080	Special Fund
12.265.090	Appeals
12.235.100	Inflation Adjustment

#### **12.265.010 Purpose**

The purpose of this chapter is to impose a fee upon development projects in the Bayhill Specific Plan Area to fund the costs of public facilities that are needed to serve demand created by those development projects. The amount of the fee will not include the costs attributable to demand generated by existing development.

#### **12.265.020 Definitions**

“Building Permit” means a full structural building permit as well as partial permits such as foundation-only permits.

“Certificate of occupancy” as used in this Chapter, has the same meaning as in California Government Code section 66007(e).

“Developer” means the owner of land that is to be developed as part of a Development Project; however, Developer does not include: (a) the City and or (b) the United States or any of its agencies, the State of California or any of its agencies, the California State University, the Regents of the University of California, a county, a county office of education, a city, a school district, community college district, or any other district, a public authority, or any other political subdivision or public corporation of the State of California.

“Development Project” or “Project” means a development or redevelopment project that requires a building permit under this code.

“Fee” means a fee imposed pursuant to Section 12.265.030 of this chapter.

## **12.265.030 Fee Imposed**

A. Except as otherwise provided in this chapter, the Bayhill Specific Plan Area Development Impact Fee is hereby imposed upon the Developer of each Development Project in the Bayhill Specific Plan Area as a condition of development. The boundaries of the Bayhill Specific Plan Area are set forth and depicted in Figure 1-2 of the Bayhill Specific Plan.

B. The Fee is imposed on the following Development Projects:

1. Non-Residential Development Projects.
  - a. New construction of gross square feet of space for non-residential uses.
  - b. Construction that includes the conversion of existing non-residential building space from one land use category to a different land use category that would change from a fee category with a lower fee to a fee category with a higher fee. There is no fee if the change in use is from a higher to a lower fee Category. No credit is given if there is a negative impact fee amount.
  - c. Construction that adds additional square footage with the expansion or interior alteration of an existing non-residential structure.

For Development Projects that include multiple non-residential land use types, the fees are calculated for each specific land use based on the floor plans submitted for the building permit. The use type is determined by the primary use, not uses that are accessory to the primary use.

2. Residential Development Projects
  - a. New construction of one or more residential dwelling units.
  - b. Construction that includes the conversion of existing non-residential building space to one or more residential dwelling units.
  - c. Construction that adds one or more residential dwelling units with the expansion or interior alteration of an existing residential structure.
3. Mixed Residential and Non-Residential Development Projects.
  - a. New construction of one or more residential dwelling units, or gross square feet of space for non-residential uses.

For Development Projects that include multiple land use types, the fees are calculated for each specific land use based on the floor plans submitted for the building permit. Accessory Dwelling Units are subject to applicable Development Impact Fees as specified in Chapter 12.90.080(D).

## **12.265.040 Rate**

The rate of the Fee shall be set by the City Council by ordinance or resolution. At the time it sets a rate, the City Council shall make each of the findings required by Section 66001(a) of the California Government Code.

## **12.265.050 Payment**

A. Except as otherwise provided in this section, the Fee required by this chapter shall be paid prior to the issuance of a building permit for the Development Project. The City shall not issue a building permit for a Development Project unless the Fee has been paid.

B. Except as otherwise required by law, the Fee for a Development Project shall be calculated at the rates in effect as of the date the Fee is paid. A developer may pay all or a portion of the Fee owed at any time prior to issuance of the building permit, at the rate in effect at the time payment is made. For phased projects, the amount due shall be paid on a pro rata basis based on the ratio of the square footage, or housing units, of the phase being constructed to the entire square footage, or housing units, of the approved development, and each portion shall be paid prior to the issuance of any building permit for each phase.

C. If applicable state law does not permit the City to require payment of the Fee for a Development Project on the schedule set forth in Subdivision A of this section, then the Fee for that Development Project shall be paid on a lump sum basis for the entire Development Project at the earliest date that the City is permitted to require such payment under state law. If payment is to be made pursuant to this subdivision, the City shall not issue a building permit to the Developer until (i) the Developer and the City enter into a contract for delayed payment as authorized by Section 66007(c) of the California Government Code; (ii) such contract is recorded in the manner set forth in that Section; and (iii) unless the Developer is specifically exempt from such requirement under state law, the Developer posts a performance bond or a letter of credit from a federally insured, recognized depository institution to guarantee payment of the Fee.

## **12.265.060 Credit For Existing Development**

Where the Development Project involves the demolition of an existing structure and its replacement with a new structure the Developer shall be entitled to credits against the Fee required by this chapter. A credit shall not be applied for any building or part of a building unless the Developer can establish, to the satisfaction of the City, that the building or part of building was either occupied by a resident (for a residential building) or occupied by a business that conducted actual business activities (for a non-residential building) during six of the twelve months prior to the date on which a complete and adequate building permit application for the Development is submitted. The credit shall be equal to the Fee that would be charged for the development of the structure to be demolished, calculated at the rate in effect on the date the Fee is paid. In no event shall the amount of the credit reduce the Fee for the Development Project below \$0, and a credit may not be transferred to any other Development Project or used for any purpose other than offsetting Fee imposed pursuant to this chapter.

## **12.265.070 Improvement Agreement**

A. The City may, but is not required to, enter into an Improvement Agreement with a Developer pursuant to which the Developer will construct, pursuant to City standards and requirements, one or more public improvements that would otherwise be eligible for funding with the proceeds of the Fee.

B. The credit amount shall be the engineering and construction costs that would be reasonably incurred by the City in building the public facility, and shall not exceed the amount set forth in the Improvement Agreement.

C. The credit will be available to the Developer only upon completion of the public improvement to the satisfaction of the City.

D. The Improvement Agreement must be approved by the City Council and may include any additional terms as the City Council finds to be necessary or useful.

#### **12.265.080 Special Fund**

A. A Bayhill Specific Plan Area Development Impact Fee Fund shall be created.

B. When the City receives payment of the Fee pursuant to this chapter, that payment shall be deposited in the fund established pursuant to this Section in a manner that avoids any commingling of the Fee with other revenues and funds of the City, except for temporary investments.

C. Any interest income earned by moneys in the fund established pursuant to this Section shall also be deposited in that fund.

D. Moneys in the Bayhill Specific Plan Area Development Impact Fee Fund shall be expended by the City to fund improvements to public infrastructure necessary to accommodate growth consistent with the Bayhill Specific Plan and level of service requirements described therein.

#### **12.265.090 Annual Reporting**

For each separate account or the fund established pursuant to Section 12.265.080, the city shall comply with the public reporting requirements in Sections 66001 and 66006 of the California Government Code.

#### **12.265.100 Appeals**

A. If a Developer believes that the City incorrectly calculated the Fee applied to such Developer's Project or that the Fee is not reasonably related to the impact of the Developer's Project on the Bayhill Specific Plan Area facilities, the Developer may apply to the City Manager for an adjustment to the Fee.

B. Any such appeal must be made in writing, and must include a proposed revised Fee amount and an explanation of why the proposed revision constitutes a correct application of the terms of this Chapter and of any resolutions or other actions of the City Council that set the rate of the Fee or that otherwise affect the Fee.

C. The written appeal must be filed no later than the later of (i) ten days after the date on which the Fee becomes due or (ii) ten days after the date on which the Fee is paid. An appeal may be filed prior to payment of the Fee; however, full payment of the Fee, as calculated by the City shall remain a precondition to building permit issuance or the issuance of a certificate of occupancy or the conduct of a final inspection (as applicable) unless and until the City Manager makes a determination that revises the amount of the Fee.

D. The City Manager shall have thirty days to respond to the appeal after it has been filed, either by determining that the original calculated amount was correct, or by determining that a revised amount should be due. The determination of the City Manager is the

final determination of the City. If the City Manager does not respond to the appeal within the thirty day period, the appeal shall be deemed finally rejected.

E. If the City Manager determines that the correct Fee is less than the amount already paid to the City, the City will refund to the Developer the amount of the overpayment. If the City Manager determines that the correct Fee is greater than the amount already paid to the City, the Developer shall pay to the City the amount of the underpayment.

F. This Section does not excuse the Developer from compliance with Chapter 9 of Division 1 of Title 7 of the California Government Code (beginning with Section 66020) with respect to any matter subject to that chapter of the Government Code.

### **12.265.100 Inflation Adjustment**

Each July 1, beginning July 1, 2023, the rate of the Fee shall be automatically adjusted to reflect the change in the California Construction Cost Index for San Francisco, California published by the Engineer News Record (or any successor to such index) during the twelve months prior to the February proceeding that July 1. However, the City Council may, by resolution, prevent any such adjustment from taking effect.

**SECTION 3.** San Bruno Municipal Code Chapter 12.260 (Development Impact Fees) is amended as shown in underline for additions and ~~strike through~~ for deletions, as follows:

#### **12.260.010 Purpose.**

The purpose of this chapter is to impose fees upon development projects that fully or partially offset the costs of public facilities that are needed to serve demand created by that development project. The amount of fees will not include the costs attributable to demand generated by existing development.

#### **12.260.020 Definitions.**

“Building permit” means a full structural building permit as well as partial permits such as foundation-only permits.

“Developer” means the owner of land that is to be developed as part of a development project; however, developer does not include: (1) the city and/or (2) with respect to any fee other than the Utilities Facilities Impact Fee, the United States or any of its agencies, the state of California or any of its agencies, the California State University, the Regents of the University of California, a county, a county office of education, a city, a school district, community college district, or any other district, a public authority, or any other political subdivision or public corporation of the state of California.

“Development project” or “project” means a development or redevelopment project that requires a building permit under this code.

“Fee” means a fee imposed pursuant to Section 12.260.030 of this chapter.

12.260.030 Fees imposed.

A. Except as otherwise provided in this chapter, the following fees are hereby imposed upon the developer of each development project in the city as a condition of development:

Community Facilities Impact Fee;

Public Safety Facilities Impact Fee;

General Government Facilities Impact Fee;

Utilities Facilities Impact Fee;

Transportation Facilities Impact Fee.

B. The fee is imposed on the following Development Projects:

4. Non-Residential Development Projects.

- a. New construction of gross square feet of space for non-residential uses.
- b. Construction that includes the conversion of existing non-residential building space from one land use category to a different land use category that would change from a fee category with a lower fee to a fee category with a higher fee. There is no fee if the change in use is from a higher to a lower fee Category. No credit is given if there is a negative impact fee amount.
- c. Construction that adds additional square footage added with the expansion or interior alteration of an existing non-residential structure.

For Development Projects that include multiple non-residential land use types, the fees are calculated for each specific land use based on the floor plans submitted for the building permit. The use type is determined by the primary use, not uses that are accessory to the primary use.

5. Residential Development Projects

- a. New construction of one or more residential dwelling units.
- b. Construction that includes the conversion of existing non-residential building space to one or more residential dwelling units.
- c. Construction that adds one or more residential dwelling units with the expansion or interior alteration of an existing residential structure.

6. Mixed Residential and Non-Residential Development Projects.

- a. New construction of one or more residential dwelling units, or gross square feet of space for non-residential uses.

For Development Projects that include multiple land use types, the fees are calculated for each specific land use based on the floor plans submitted for the building permit. Accessory Dwelling Units are subject to applicable Development Impact Fees as specified in Chapter 12.90.080(D).

#### 12.260.040 Rate.

The rate of each fee shall be set by the city council by ordinance or resolution. At the time it sets a rate, the city council shall make each of the findings required by Section 66001(a) of the California Government Code.

#### 12.260.050 Payment.

A. Except as otherwise provided in this section, the fees required by this article shall be paid prior to the issuance of a building permit for the development project. The city shall not issue a building permit for a development project unless the fees have been paid.

B. The fees for a development project shall be calculated at the rates in effect as of the date the fees are paid~~developer submits a complete and adequate application for a building permit for the development project. A developer may pay all or a portion of the fee owed at any time prior to issuance of the building permit, at the rate in effect at the time payment is made.~~ For phased projects, the amount due shall be paid on a pro rata basis based on the ratio of the square footage, or housing units, of the phase being constructed to the entire square footage, or housing units, of the approved development, and each portion shall be paid prior to the issuance of any building permit for each phase.

C. If applicable state law does not permit the city to require payment of the fees for a development project on the schedule set forth in subsection A of this section, then the fees for that development project shall be paid on a lump sum basis for the entire development project at the earliest date that the city is permitted to require such payment under state law. If payment is to be made pursuant to this section, the city shall not issue a building permit to the developer until: (1) the developer and the city enter into a contract for delayed payment as authorized by Section 66007(c) of the California Government Code; (2) such contract is recorded in the manner set forth in that section; and (3) unless the developer is specifically exempt from such requirement under state law, the developer posts a performance bond or a letter of credit from a federally insured, recognized depository institution to guarantee payment of the fees.

#### 12.260.060 Credit for redevelopment.

Where the development project involves the demolition of an existing structure and its replacement with a new structure, the developer shall be entitled to credits against the fees required by this chapter. A credit shall not be applied for any building or part of a building unless the developer can establish, to the satisfaction of the city, that the building or part of building was either occupied by a resident (for a residential building) or occupied by a business that conducted actual business activities (for a non-residential building) during six of the twelve months prior to the date on which a complete and adequate building permit application for the development is submitted. A credit shall be calculated separately for each of the five fees imposed pursuant to Section 12.260.030 of this chapter. Each credit shall be equal to the fee that would be charged for the development of the structure to be demolished, calculated at the



rate in effect on the date the ~~fees are paid~~ ~~developer submits a complete and adequate application for his or her building permit~~. In no event shall the amount of the credit reduce any fee for the development project below zero dollars, and a credit may not be transferred to any other development project in the city, applied to any of the five fees other than the fee for which it was calculated or used for any purpose other than offsetting fees imposed pursuant to this chapter. For example, a credit calculated based on the rate for the Community Facilities Impact Fee may not be applied to any fee other than the Community Facilities Impact Fee.

#### 12.260.070 Improvement agreement.

A. The city may, but is not required to, enter into an improvement agreement with a developer pursuant to which the developer will construct, pursuant to city standards and requirements, one or more public improvements that would otherwise be eligible for funding with the proceeds of a fee.

B. The credit amount shall be the engineering and construction costs that would be reasonably incurred by the city in building the public facility, and shall not exceed the amount set forth in the improvement agreement.

C. The credit will be available to the developer only upon completion of the public improvement to the satisfaction of the city.

D. The credit shall be applied first to the fee that would otherwise be eligible to fund the public improvement. For example, a credit awarded for construction of a transportation facility shall be applied first against the Transportation Facilities Impact Fee for the development project. If the amount of the credit exceeds the amount of the associated fee, the credit may be applied to other fees due against the development project pursuant to this chapter. When a credit is applied against some other fee, an amount equal to the credit shall be transferred by the city from the fund established pursuant to Section 12.260.080 of this chapter for the associated fee to the fund established pursuant to Section 12.260.080 for the fee to which the credit is applied. For example, if a fifty thousand dollar credit for a transportation facility is applied to a Public Safety Facilities Impact Fee, then fifty thousand dollars shall be transferred from the city's Transportation Facilities Impact Fee Fund to the city's Public Safety Facilities Impact Fee Fund.

E. The improvement agreement must be approved by the city council and may include any additional terms as the city council finds to be necessary or useful. (Ord. 1869 § 3, 2019)

#### 12.260.080 Special funds.

A. The following accounts or funds shall be established:

Community Facilities Impact Fee Fund;

Public Safety Facilities Impact Fee Fund;

General Government Facilities Impact Fee Fund;

Utilities Facilities Impact Fee Fund;

Transportation Facilities Impact Fee Fund.

B. When the city receives payment of a fee pursuant to this chapter, that payment shall be deposited in the appropriate account or fund established pursuant to this section in a manner that avoids any commingling of the fees with other revenues and funds of the city, except for temporary investments.

C. Any interest income earned by moneys in an account or fund established pursuant to this section shall also be deposited in that account or fund.

D. Moneys in the Community Facilities Impact Fee Fund shall be expended by the city only for parkland acquisition and library, park and recreation improvements.

E. Moneys in the Public Safety Facilities Impact Fee Fund shall be expended by the city only for police and fire capital facilities and equipment.

F. Moneys in the General Government Facilities Impact Fee Fund shall be expended by the city only for community facilities and equipment necessary to maintain general government functions.

G. Moneys in the Utilities Facilities Impact Fee Fund shall be expended by the city only for water, sewer, storm drainage, and telecommunications infrastructure and equipment.

H. Moneys in the Transportation Facilities Impact Fee Fund shall be expended by the city only for transportation infrastructure.

#### 12.260.090 Annual Report

For each separate account or fund established pursuant to Section 12.260.080 of this chapter, the city shall comply with the public reporting requirements in Sections 66001 and 66006 of the California Government Code.

~~A. For each separate account or fund established pursuant to Section 12.260.080 of this chapter, the city shall, within one hundred eighty days after the last day of each fiscal year, make available to the public the information required by Section 66006(b)(1) of the California Government Code. The information may be included in the city's Consolidated Annual Financial Report or any other report prepared by the city, and need not be isolated in a separate document.~~

~~—B.—The city council shall review the information made available to the public pursuant to subsection A of this section at the next regularly scheduled public meeting not less than fifteen days after this information is made available to the public.~~

~~—C.—Notice of the time and place of the meeting where the city council will review the information, including the address where the information may be reviewed, shall be mailed, at least fifteen days prior to the meeting, to any interested party who files a written request with the city clerk for mailed notice of the meeting. Any written request for mailed notices shall be valid~~

~~for one year from the date on which it is filed unless a renewal request is filed. Renewal requests for mailed notices shall be filed on or before April 1 of each year.~~

~~—D. For the fifth fiscal year following the first deposit into the accounts or funds established pursuant to Section 12.260.080 of this chapter, and every five years thereafter, the city council shall, in connection with its review conducted pursuant to subsection C of this section, make each of the findings required by Section 66001(d) of the California Government Code. (Ord. 1869 § 3, 2019)~~

## 12.260.100 Appeals.

A. If a developer believes that one or more of the fees applied to his or her project have been calculated incorrectly by the city, he or she may apply to the city manager for an adjustment to those fees.

B. Any such appeal must be made in writing, and must include a proposed revised fee amount and an explanation of why the proposed revision constitutes a correct application of the terms of this chapter and of any resolutions or other actions of the city council that set the rate of the fees or that otherwise affect the fees.

C. The written appeal must be filed no later than the later of: (1) ten days after the date on which the fee becomes due; or (2) ten days after the date on which the fee is paid. An appeal may be filed prior to payment of a fee; however, full payment of the fee, as calculated by the city shall remain a precondition to issuance of a certificate of occupancy or the conduct of a final inspection (as applicable) unless and until the city manager makes a determination that revises the amount of the fees.

D. The city manager shall have thirty days to respond to the appeal after it had been filed, either by determining that the original calculated amount was correct, or by determining that a revised amount should be due. The determination of the city manager is the final determination of the city. If the city manager does not respond to the appeal within the thirty day period, the appeal shall be deemed finally rejected.

E. If the city manager determines that the correct fee is less than the amount already paid to the city, the city will refund to the developer the amount of the overpayment. If the city manager determines that the correct fee is greater than the amount already paid to the city, the developer shall pay to the city the amount of the underpayment.

F. The appeals process set forth in this section applies solely to the case where the developer believes that the city has incorrectly applied the fees according to the city's ordinances, resolutions, city council actions, and regulations. It does not apply to any claim that any such approved ordinances, resolutions, actions or regulations exceed the authority of the city or violate state or federal law. This section does not excuse the developer from compliance with Chapter 9 of Division 1 of Title 7 of the California Government Code (beginning with Section 66020) with respect to any matter subject to that chapter of the Government Code.

#### 12.260.110 Regulations.

The city manager may promulgate such interpretive regulations for the application of this chapter as he or she finds necessary or useful.

#### 12.260.120 Inflation adjustment.

Each July 1, ~~beginning July 1, 2020,~~ each rate automatically adjusted to reflect the change in the California Construction Cost Index for San Francisco, California published by the Engineer News Record (or any successor to such index) during the twelve months prior to the February proceeding that July 1. However, the City Council may, by resolution, prevent any such adjustment from taking effect. ~~However, any such adjustment shall take effect only if approved by the city council, by resolution, and shall take effect no earlier than sixty days following such approval.~~

#### 12.260.130 Bayhill specific plan area development impact fee program.

The Bayhill Specific Plan Area Development Impact Fee Program applies separately from and in addition to the Fees set forth in this Chapter. The Bayhill Specific Plan Area Development Impact Fee Program is set forth in Chapter 12.265 of Title 12 (Land Use) and applies to all Development Projects within the Bayhill Specific Plan Area.

**SECTION 4.** Adoption of this ordinance is found to be categorically exempt from the California Environmental Quality Act because the adoption of this Ordinance is not a project, in that it is a government funding mechanism which does not involve any commitment to any specific project (CEQA Guidelines Section 15378(b)(4)), and because it can be seen with certainty that there is no possibility that the fees may have a significant effect on the environment, in that this ordinance contains no provisions modifying the physical design, development, or construction of residences or nonresidential structures CEQA Guidelines Section 15061(b)(3)). The authorization for and adoption of the fee is also not a project because a project does not include the creation of a governmental funding mechanism that does not involve any commitment to any specific project (CEQA Guidelines section 15378(b)(4); the proposed ordinance commits no fees to any specific project.

**SECTION 6.** If any section, subsection, sentence, clause or phrase of the ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it should have adopted the ordinance and each section, subsection, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional.

**SECTION 7.** The City Manager is hereby authorized and directed to take other actions on behalf of City, which are not expressly and specifically reserved for the City Council, to implement and effectuate this ordinance. The City Clerk is directed to codify this ordinance in a manner which best reflects the legislative intent of the City Council in enacting this ordinance. The City Clerk is directed to resolve any numbering conflicts accordingly.

**SECTION 8.** The City Clerk shall publish this ordinance in accordance with applicable law.

**SECTION 9.** Effective date. This ordinance shall take effect thirty (30) days from the date of its passage. This ordinance shall be published according to law.

ATTEST:

\_\_\_\_\_  
Rico E. Medina, Mayor

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Vicky S. Hasha, Deputy City Clerk

APPROVED AS TO FORM:

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Trisha A. Ortiz, Interim City Attorney  
Richard Watson Gershon Law

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I hereby certify that foregoing **Ordinance No. \_\_\_\_\_**  
was introduced at a regular meeting of the San Bruno City Council on  
October 25, 2022 and adopted by the San Bruno City Council at a regular meeting on  
\_\_\_\_\_, by the following vote:

AYES: Councilmembers:

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

RECUSED: Councilmembers: \_\_\_\_\_

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

\_\_\_\_\_  
Vicky S. Hasha, Deputy City Clerk