

CITY OF DALY CITY
MINUTES – REGULAR MEETING - CITY COUNCIL
NOVEMBER 23, 2020

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***Note on Public Comments:** For this meeting, members of the public were encouraged to watch the meeting via livestream at <https://bit.ly/dalycitynov23> and to submit comments through the livestream website and/or submit public comments via email to cityclerk@dalycity.org prior to the public meeting. Persons with disabilities who require auxiliary aids or services in attending or participating in this meeting were instructed to call the office of the City Clerk at 991-8078 prior to the meeting.*

The meeting was called to order by Mayor Sylvester at 7:06 P.M. by video conference call pursuant to Governor Gavin Newsom's Executive Order N-29-20.

ROLL CALL: Councilmembers Present:
Glenn R. Sylvester, Mayor
Juslyn C. Manalo, Vice Mayor
Raymond A. Buenaventura
Rod Daus-Magbual
Pamela DiGiovanni

Staff Present:
Shawna Maltbie, City Manager
Rose L. Zimmerman, City Attorney
K. Annette Hipona, City Clerk

PRESENTATIONS:

Grant Award from Daly City Public Library Associates
(Victoria Magbilang, Executive Director)

C.L.E.A.N. Daly City
(Leilani Ramos, Assistant to the City Manager)

APPROVAL OF MINUTES:

Regular Meeting of November 9, 2020

It was moved by Vice Mayor Manalo, seconded by Councilmember Daus-Magbual and carried to approve the minutes of the regular meeting of November 9, 2020.

APPROVAL OF AGENDA:

It was moved by Councilmember DiGiovanni, seconded by Councilmember Daus-Magbual and carried to approve the agenda.

CONSENT AGENDA:

It was moved by Councilmember DiGiovanni, seconded by Mayor Sylvester and carried to approve the consent agenda with item numbers 3, 5, and 6 pulled for further discussion.

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Resolutions:

Authorizing the City Manager to Execute an Agreement for the Installation of a New Fire Station Alerting System

Resolution 20-174, Authorizing Execution of an Agreement Between the City of Daly City and US Digital Designs for New Fire Station Alerting System

Setting Time and Place for a Public Hearing to Consider General Plan Amendment GPA-11-19-014331, Zone Change ZC-11-19-014332, and Design Review DR-11-19-014333 at 305 Eastmoor Avenue

Resolution 20-175, Setting Time and Place of Public Hearing Regarding General Plan Amendment GPA-11-19-014331, Zone Change ZC-11-19-014332 Design Review DR-11-19-014333 and Mitigated Negative Declaration, 305 Eastmoor Avenue

Accepting and Appropriating Measure A Local Shuttle Program Funds for the Daly City Bayshore Shuttle

Director of Public Works Richard Chiu provided background on the Bayshore Shuttle and information on operation costs. Mr. Chiu recommended accepting \$341,000 in New Measure A Local Shuttle Program Category funds to finance and continue the operation of the Bayshore Shuttle.

It was moved by Councilmember DiGiovanni, seconded by Mayor Sylvester and carried by voice vote to adopt the following resolution:

Resolution 20-176, Accepting and Appropriating Measure A Local Shuttle Program Funds for the Daly City Bayshore Shuttle

Accepting and Appropriating \$10,220 in Grants from the Daly City Public Library Associates

Resolution 20-177, Accepting and Appropriating Grant from the Daly City Public Library Associates

Accepting and Appropriating a \$5,000 Crisis Collections Grant from the California State Library

Library Services Manager Chela Anderson reported receipt of a \$5,000 grant from the California State Library, which will be appropriated for e-materials as people continue to practice social distancing and library buildings remain closed due to the pandemic.

It was moved by Vice Mayor Manalo, seconded by Councilmember Daus-Magbual and carried by voice vote to adopt the following resolution:

Resolution 20-178, Accepting and Appropriating Grant Funding from the California State Library

Adopting Resolutions for Salary and Benefits for Specific Executive Management Classifications

Donna Williamson, labor negotiator, provided information for the proposed adjustments, explaining the cost of living increases were consistent with the other bargaining units. Ms. Williamson also cited compaction in certain classifications for the salary increases and equity adjustments for positions behind market.

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Assistant City Manager Stephen Stolte read public comments.

Nick Occhipinti, resident, voiced concern over untimely salary increases for the City's highest-paid administrators at a time when the minimum wage is only increasing to \$15 per hour, small businesses are struggling to make ends meet, and voters have just passed Daly City's Measure Q for emergency services during a pandemic.

Kailee Kerr voiced concern over using the City's general funds to raise the salary of the Police Chief and requested that funds go towards community support and library and recreation services instead. Ms. Kerr requested public oversight with regard to Measure Q funds by holding a public stakeholders forum.

It was moved by Mayor Sylvester, seconded by Councilmember Buenaventura and carried by voice vote to adopt the following resolutions:

Resolution 20-179, Approving the Salary and Benefits for Specific Executive Management and City Manager and City Attorney

Amendment and Restatement of Easement Agreement between 2201 Junipero Serra LLC and the City of Daly City for Property Located Adjacent to 2201 Junipero Serra Boulevard, Daly City, CA

Resolution 20-181, Authorizing Amendment and Restatement of Easement Agreement Between 2201 Junipero Serra LLC and the City of Daly City

Authorizing the City Manager to Execute an Agreement for Financing of Two New Pierce Fire Engines

Resolution 20-182, Authorizing Execution of an Agreement Between the City of Daly City and Community Leasing Partners for the Purchase of Two New Pierce Fire Engines

Check Registers

Check Registers for the Month of October 2020

END OF CONSENT AGENDA

PUBLIC HEARINGS:

Introduce Ordinance Repealing and Replacing Chapter 8.32 – Illegal Dumping and Littering

Assistant to the City Manager Leilani Ramos discussed the proposed ordinance including the citations for violators, its purpose and intent, and the goals of C.L.E.A.N. Daly City, a recently launched initiative to address illegal dumping through education and engagement. Ms. Ramos addressed questions regarding camera-based enforcement and annual pick-up services provided by Republic Services. Ms. Zimmerman clarified the proposed ordinance would rely on administrative citations instead of penalties for infractions or misdemeanors, since citations would have steeper fines.

Mayor Sylvester opened the public hearing. There were no comments on this matter

It was moved by Councilmember DiGiovanni, seconded by Councilmember Daus-Magbual and carried to close the public hearing.

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It was moved by Mayor Sylvester, seconded by Councilmember DiGiovanni and carried for the City Attorney to Read by Title Only.

Mayor Sylvester introduced the following ordinance:

Ordinance 1441, Repealing and Replacing Chapter 8.32 of the Daly City Municipal Code Regarding Illegal Dumping and Littering

Disposition and Development Agreement between 1837 Junipero Serra Hotel Development, LLC (Developer) and the City of Daly City for Property Located at 1837 Junipero Serra Boulevard

Director of Economic and Community Development Tatum Mothershead provided information on the negotiated agreement which is for the purchase of City property located at the subject site for \$1,000,000. Ken Hira, Kosmont Companies, addressed questions on marketing efforts for local employment opportunities.

Mayor Sylvester opened the public hearing. There were no comments on this matter.

It was moved by Vice Mayor Manalo, seconded by Councilmember Daus-Magbual and carried to close the public hearing.

It was moved Councilmember DiGiovanni, seconded by Vice Mayor Manalo and carried by unanimous roll call to adopt the following resolution:

Resolution 20-183, Approving the Execution of a Disposition and Development Agreement Between the City of Daly City and 1837 Junipero Serra Hotel Development, LLC (1837 Junipero Serra Boulevard)

Approval of a Resolution Approving Government Code Section 52201 and 53083 Summary Report in Connection with the Disposition and Development of Property by and Between the City of Daly City 1837 Junipero Serra Hotel Development, LLC located at 1837 Junipero Serra Boulevard

Ms. Mothershead provided information on Government Codes 52201 and 53083 with regard to the disposition and development of property located at 1837 Junipero Serra Boulevard. Mr. Hira highlighted details of the prepared Summary Report including the agreement, the purchase price, the economic opportunity and the economic development subsidy. Ms. Zimmerman and the developer addressed questions on outreach that can be done to reach residents for employment opportunities.

Mayor Sylvester opened the public hearing. There were no comments on this matter

It was moved by Councilmember DiGiovanni, seconded by Councilmember Daus-Magbual and carried to close the public hearing.

It was moved Vice Mayor Manalo, seconded by Councilmember DiGiovanni and carried by unanimous roll call to adopt the following resolution:

Resolution 20-184, Approving Government Code Section 52201 Summary Report in Connection with the Disposition and Development of Property by and Between the City of Daly City 1837 Junipero Serra Hotel Development, LLC (1837 Junipero Serra Boulevard)

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AWARD OF BIDS/CONTRACTS:

Appropriate Funds and Award of Construction Contract for the Central Corridor Bicycle and Pedestrian Safety Improvements Project

Senior Civil Engineer Shirley Chan recommended accepting all bids and awarding a construction contract to Golden Bay Construction in the amount of \$2,117,549.25 and appropriate \$731,022 of AB1600 Transportations funds to fully fund the project. Ms. Chan explained the scope of the work to be done under the project and the areas targeted for improvement.

It was moved by Vice Mayor Manalo, seconded by Councilmember DiGiovanni and carried by unanimous roll call to adopt the following resolution:

Resolution 20-180, Authorizing Execution of Construction Contract for the Central Corridor Bicycle and Pedestrian Safety Improvements Project

ORDINANCES:

Second Reading, Ordinance No 1440, Adding Section 5.92 of Title 15 of the Daly City Municipal Code Re: Short-Term Rentals

It was moved by Vice Mayor Manalo, seconded by Councilmember Daus-Magbual and carried by unanimous roll call to adopt the following ordinance:

Ordinance 1440, Adding Chapter 5.92 to the Daly City Municipal Code Re: Short-Term Rentals

PUBLIC APPEARANCES/ORAL COMMUNICATIONS:

Assistant City Manager Stephen Stolte read public comments received. The following members of the public requested transparent budgeting and public oversight with regard to the revenue received from Measure Q funds. They asked Council to host a stakeholders public forum to ensure community input is provided on how these funds will be spent. Commenters also requested the City to not increase the Daly City Police Department's budget including salaries, since it receives 41% of the City's budget. Some voiced concern over the racial profiling by local law enforcement and requested Council to look at current policies to reduce the harm inflicted on black and brown communities. Instead, commenters suggested using Measure Q funds towards the following: behavioral and mental health emergency response, early childhood & elementary education, supporting low-income black and brown communities, and generally establishing a new standard for community support and response

Warren Shelby, resident	Janette Armas	Jill Aguinaldo, resident
Holly Lim	Tony Samara, People's	Alliance of San Mateo
Nadia Conrad Bick	Bella Shelby	Vinuta Naik
Khamsouk Insisiengmay	Jeremy Yanson	Joanna Rosales

APPOINTMENTS:

It was moved by Mayor Sylvester, seconded by Vice Mayor Manalo and carried by voice vote to re-appoint Teresa Proano to the Planning Commission.

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REPORTS:

Council Committee Meetings: October 25 - November 22, 2020

Cannabis Committee (Buenaventura/Daus-Magbual)
Peninsula Clean Energy (Daus-Magbual)
Communte.org (DiGiovanni)
Bay Area Water Supply Conservation Agency (Manalo)
Peninsula Conflict Resolution (Manalo)

City Council

Councilmember DiGiovanni thanked Bayshore School and Jefferson Union High School District staff and board members for their coordinated efforts to provide COVID testing and reported attendance of the Peninsula Conflict Resolution Center's meeting with Supervisor Canepa.

Staff

City Manager Shawwna Maltbie thanked the community for staying engaged, thanked the workforce for making adjustments to their work, and thanked the City Council for its leadership. Ms. Maltbie reminded everyone of upcoming City events including the Council Reorganization meeting on December 14th, Frosty Fest, and the Christmas tree-lighting.

ADJOURNMENT:

At 10:18 PM, Mayor Sylvester adjourned the meeting in memory of Julio Beltran, Frances A. Dowd, Sean Laffan, Cosmedino Leyson Sr., Alexander Valenzuela, and Eleanor Woolard.

Approved as submitted, this 14th

day of December, 2020.

City Clerk

Mayor