

CITY OF DALY CITY

Regular Meeting - CITY COUNCIL

AGENDA

**Monday, February 8, 2021
7:00 PM**

Visit Daly City's virtual meeting website to register to attend the virtual meeting via Zoom, watch the livestream of the meeting and view the agenda:

<https://bit.ly/dalycityfeb8>

COVID-19 ANNOUNCEMENT - PUBLIC MEETINGS

Pursuant to Governor Newsom's Executive Order N-29-20, members of the Daly City Council and staff will participate in this meeting via a teleconference. Members of the public are encouraged to watch the meeting via Livestream (City Council Meeting Livestream) at <http://bit.ly/dalycityfeb8>.

Public Participation:

There are two ways to submit public comment: (1) send written comments by 4:00 pm on meeting day and (2) register to speak at the meeting via Zoom.

To submit a comment in writing, please email cityclerk@dalycity.org and write "Public Comment" in the subject line. In the body of the email, include the item number and/or title of the item as well as your comments. All comments received by 4:00 pm will be emailed to the City Council members and included as an "Add to Packet" on the City's website prior to the meeting. Those comments received after 4:00 pm will be added to the record and shared with the City Council members for the public meeting. Comments are not read aloud into the record.

To speak at the meeting, you must register to join via Zoom. The City requests that you complete your registration by 5:00 pm on the meeting date. After registering, you will receive a confirmation email containing instructions on how to join the meeting, including a unique link. Your address and email will not be disclosed to the public. Public comment is limited to two minutes maximum.

To register to speak at the meeting via Zoom, visit <http://bit.ly/feb8zoomreg>. You must familiarize yourself with Zoom prior to joining the meeting. When you would like to speak on an item during the public comment portion of the meeting, you will need to use the "raise hand" feature in Zoom. The City will not be providing technical support.

If you do not wish to speak, the City requests that you watch the livestream of the meeting on the City's virtual meeting website at <http://bit.ly/dalycityfeb8>.

Persons with disabilities who require auxiliary aids or services in attending or participating in this meeting should call the office of the City Clerk at 991-8078 as soon as possible.

AVAILABILITY OF PUBLIC RECORDS:

All public record to an open session item on this agenda, which are not exempt from disclosure pursuant to the California Public Records Act, that are distributed to a majority of the legislative body will be available for public inspection at the City Clerk's Office, City Hall located at 333 90th Street, Daly City, CA during normal business hours, at the same time that the public records are distributed or made available to the legislative body.

CALL TO ORDER:

PLEDGE TO THE FLAG:

ROLL CALL:

PRESENTATIONS:

Proclaiming February 2021 as Black History Month

(Keith Richardson--Keith's Chicken N Waffles, Kalimah Salahuddin---Jefferson Union High School District, Jorden Hill--President of the Black Student Union at Jefferson High School)

APPROVAL OF MINUTES:

Regular Meeting of January 25, 2021

APPROVAL OF AGENDA:

CONSENT AGENDA

All items listed on the Consent Agenda are considered to be routine and may be approved by one roll call vote of the City Council. There shall be no separate discussion of the matters on the Consent Agenda unless requested by a member of the City Council. If discussion is required, that item will be removed from the Consent Agenda and will be considered separately at the end of the Agenda.

Resolutions:

1. Acknowledging Compliance with State Mandated Fire Code Inspections
2. Appointing Daly City Bicycle-Pedestrian Advisory Committee Member
3. Setting Time and Place of Public Hearing - Proposed Temporary New Fee for Upper Level Swim Lessons at Giammona Pool **Set Hearing: 2/22/21**

END OF CONSENT AGENDA

PUBLIC HEARINGS:

4. Conduit Financing for Midway Village Affordable Housing

Staff: ZoBell

Recommended Action: Open/Close Hearing

Recommended Action: Adopt Resolution by Roll Call

COMMUNICATIONS:

5. Financial Overview

Staff: Nevin

Recommended Action: Information Only

PUBLIC APPEARANCES/ORAL COMMUNICATIONS:

NOTE: Speakers are limited to two minutes, unless modified by the Mayor.
The Council cannot take action on any matter raised under this item.

APPOINTMENTS: Board/Commission Membership Committee Appointments

REPORTS:

6. Council Committee
7. City Council
8. Staff

ADJOURNMENT:

Proclamation

BLACK HISTORY MONTH 2021

WHEREAS, February is officially celebrated as **Black History Month** to honor the achievements of African Americans in general, as well as their ongoing role in the development of the United States, and their contributions to the City of Daly City in particular; and

WHEREAS, in 1926 historian and author Dr. Carter G. Woodson, who is known as the father of Black History Studies, introduced Negro History Week to resist racism and to highlight the role Blacks have played in the development of civilization; and

WHEREAS, in 1992, the City of Daly City began honoring African Americans by observing Juneteenth, the oldest known celebration commemorating the ending of slavery in the United States, and over time, the Juneteenth commemoration grew into a celebration of Black History Month; and

WHEREAS, African Americans residing in Daly City have contributed to the betterment of our community through their skills, their volunteerism, their strength and vitality, their civic pride, and their business ventures; and

WHEREAS, this year, 2021, the 29th consecutive year of commemorating Black History in Daly City, the Daly City Department of Library and Recreation Services, in conjunction with the African American Community Initiative of San Mateo County's Office of Diversity and Equity, will host a celebration featuring cultural arts performances, an interactive wellness break, a soul food cooking demonstration, African American trivia, community shout outs, "door prize" drawings and more planned to foster community; and

WHEREAS, the 2021 event theme is "The Black Family: Representation, Identity, and Diversity," with special guests focusing on celebrating the Black Family through spoken word, the impact of COVID-19 on the health & wellness of the Black Family, and the LGBT/Queer Black Family representation; and

WHEREAS, the community is invited to this free, virtual event, to be held from 10:30am to 12:30pm, Saturday, February 20, 2021, and is encouraged to sign up to attend at <http://bit.ly/dalycityblackhistorymonth>.

NOW, THEREFORE, I, JUSLYN C. MANALO, Mayor and members of the City Council of Daly City, do hereby proclaim February 2021 as **BLACK HISTORY MONTH** in Daly City.

Signed and sealed by the Mayor and City Council of the City of
Daly City this 8th day of February 2021.

Mayor

Vice Mayor

Councilmember

Councilmember

Councilmember

CITY OF DALY CITY
MINUTES – REGULAR MEETING - CITY COUNCIL
JANUARY 25, 2021

To view videos of the City Council meetings, visit <http://yt.vu/+dalycitycouncil>

The meeting was called to order by Mayor Manalo at 7:02 P.M. by video conference call pursuant to Governor Gavin Newsom's Executive Order N-29-20.

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

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

APPROVAL OF MINUTES:

Special Meeting of December 14, 2020 and Regular Meeting of December 14, 2020

It was moved by Councilmember Sylvester, seconded by Councilmember DiGiovanni and carried to approve the minutes of the special and regular meetings of December 14, 2020.

APPROVAL OF AGENDA:

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

CONSENT AGENDA:

It was moved by Councilmember DiGiovanni, seconded by Councilmember Sylvester and carried to approve the consent agenda.

Resolutions:

Approving Notice of Completion for the Gellert Park Sports Field LED Lighting Project

Resolution 21-1, Accepting Completion of Certain Project in The Department of Public Works (Gellert Park Sports Field LED Lighting Project)

Note on Public Comments: For this meeting, members of the public were encouraged to watch the meeting via livestream at <https://bit.ly/dalycityjan25> and to register and speak at the meeting via Zoom, 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.

CITY OF DALY CITY
MINUTES – REGULAR MEETING - CITY COUNCIL
JANUARY 25, 2021

Approving Cost Sharing Agreement with Daly City Serramonte Center to Relocate and Upsize a Water Main Under Callan Boulevard

Resolution 21-2, Authorizing Execution of Cost Sharing Agreement with Daly City Serramonte Center to Relocate and Upsize a Water Main Under Callan Boulevard

Amending the Professional Services Agreement with CSG Consultants, Inc. for Construction Inspection Services

Resolution 21-3, Amending the Professional Services Agreement with CSG Consultants, Inc. for Additional Construction Inspection Services

Amending Traffic Regulations to: (1) Install a 10-ft. No Parking (red) zone on the east side of the east driveway to 4619 Brunswick Street (TSR 21/07); (2) Install a 25-ft. limited time metered parking space in front of 2 Como Avenue (TSR 21/09); and (3) Extend the existing 16-ft. red zone on the south side of Como Avenue, just east by Mission Street, by 10 ft. (TSR 21/09)

Resolution 21-4, Establishing Traffic Regulations

Authorizing the City Manager to Execute Agreements with the California Department of Tax and Fee Administration for Implementation of a Local Transactions and Use Tax

Resolution 21-5, Authorizing the City Manager to Execute Agreements with the California Department of Tax and Fee Administration for Implementation of a Local Transactions and Use Tax

Authorizing the Examination of Transactions (Sales) and Use Tax Records by Designated City Employees and Representatives

Resolution 21-6, Authorizing the Examination of Transactions (Sales) and Use Tax Records

Setting Time and Place for Public Hearing on Conducting TEFRA (The Tax Equity and Fiscal Responsibility Act of 1982) Hearing (Set Hearing 2/8/21)

Resolution 21-7, Setting Time and Place of Public Hearing to Conduct A Tax Equity and Fiscal Responsibility Act Hearing Re: Issuance of Bonds to Finance Development of Multifamily Housing at Midway Village

Adopting Resolution Taking a Stand Against Human Trafficking in the Bay Area and Proclaiming January 2021 as National Human Trafficking Awareness Month

Resolution 21-8, Taking A Stand Against Human Trafficking in the Bay Area and Proclaiming January 2021 as National Human Trafficking Awareness Month

Check Registers

Check Registers for the Months of November and December 2020

END OF CONSENT AGENDA

CITY OF DALY CITY
MINUTES – REGULAR MEETING - CITY COUNCIL
JANUARY 25, 2021

COMMUNICATIONS:

Approving the Memorandum of Understanding Agreement between the Cities of San Mateo, South San Francisco, Daly City, Redwood City and the County of San Mateo to Provide Mental Health Services

Police Lieutenant Ronald Mussman provided background for the Community Wellness and Crisis Response Team (CWCRT) pilot program, which includes dispatching a Behavioral Health and Recovery Services (BHRS) clinician with law enforcement to incidents involving mental health crises.

Jenn Bassler, Clinical Services Manager of Crisis and Outreach, and Lt. Mussman addressed questions on: training and resources provided to clinicians; indemnification safeguards in the agreement; analysis in the volume of calls received relating to mental crises; cultural humility and diversity training for clinicians; opportunities for having a clinician be the sole response to an incident; the program's goals; criteria for screening in-coming calls; whether there is a sole clinician designated for Daly City calls; and who is notified in the case of medical emergencies.

The following individuals expressed their thoughts on the pilot program, mental health services, and Daly City law enforcement. Most voiced support for the pilot program as a first step in providing much needed mental health services to the community. Some speakers shared negative experiences they've had with law enforcement response to these types of calls citing specific incidents ending in escalation and violence. Other speakers shared positive experiences they've had with the police department in the quality of service they received from law enforcement officers. Some urged Council to hire a team of clinicians to replace armed police officers to respond to calls from individuals in crisis. Other suggestions included: implementing policies to reduce the harm inflicted on black and brown communities; increasing program funding through Measure Q, and having public oversight with regard to the Measure Q funds.

Deodor Tronco
Jay Y.
Holly Lim

Jasmine Ordoñez
Theresa Faapuaa

Nick Occhipinti
Christine Fuller

Lt. Mussman and Ms. Bassler addressed concerns on: whether goals and objectives can change over time; protecting personal information from data analysis; how dispatchers would handle and screen incoming calls from individuals in crisis; how a clinician and law enforcement will collaborate during an incident; how the program will be budgeted; the length of the program; and how the cities were selected to be involved in the program.

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

Resolution 21-9, Authorizing Execution of Memorandum of Understanding Between the Daly City Police Department and The Police Departments of South San Francisco, San Mateo, Redwood City and The County of San Mateo

CITY OF DALY CITY
MINUTES – REGULAR MEETING - CITY COUNCIL
JANUARY 25, 2021

ORDINANCES:

Second Reading, Ordinance No 1443, Amending Zoning Ordinance to Rezone Existing 2.4 Acre Site Located at 305 Eastmoor from Public Facilities to Residential High Density

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

Ordinance 1443, Amending the Daly City Zoning Map – Rezoning Existing 2.4 Acre Site Located at 305 Eastmoor Avenue, Daly City from Sullivan Corridor – Public Facilities; Schools (SC – SCH) to Sullivan Corridor – Residential High Density (SC – R-H)

PUBLIC APPEARANCES/ORAL COMMUNICATIONS:

Phillip Seitzer, Tatum K. and Marie Galo voiced opposition to the geological testing and permit to develop the Thornton Beach bluff area due to its proximity to the San Andreas Fault, the lack of stability of the bluffs, and the monies required to install utilities. Speakers also mentioned the area is one of the few pieces of open space and nature available to residents. Ms. Galo expressed disappointment in the public not being allowed to speak at the last Council meeting wherein this matter was voted upon.

Nick Occhipinti commended the Council for approving the resolution on taking a stand against human trafficking which has occurred in Daly City and asked Council to request the Sheriff's Office to stop cooperating with ICE and protect the City's immigrant communities. Mr. Occhipinti also asked Council not to proceed with the project at Thornton Beach due to safety and preservation concerns.

APPOINTMENTS:

It was moved by Councilmember DiGiovanni and carried by voice vote to appoint Maria Carson to the Small Business Commission.

REPORTS:

Council Committee Meetings: December 15, 2020 – January 25, 2021

Peninsula Clean Energy (Daus-Magbual)
City/County Association Governments (DiGiovanni)
Bay Area Water Supply Conservation Agency (Manalo)

City Council

Mayor Manalo provided an update on how local services and business are affected by entering the purple tier after the state lifted its stay-at-home order. Mayor Manalo also provided an update on vaccine phasing and distribution as well as the current COVID-19 testing being done by Seton Hospital (500 per day). All updates will be posted on the website and given during the Mayor's weekly public service announcements. Mayor Manalo mentioned there will be continuing dialogue with the Black Lives Matter Movement (BLM) and ensuring there is progress towards ending systemic racism. Recently, the City is looking at implementing implicit bias training for staff, management, and commissioners, and

CITY OF DALY CITY
MINUTES – REGULAR MEETING - CITY COUNCIL
JANUARY 25, 2021

City Council (Continued)

eyeing a partnership with Skyline College to provide Ethnic Studies courses for the community. Mayor Manalo announced the City Council will hold its retreat to discuss workshopping and how the Council can unite towards goals in 2021. Councilmember DiGiovanni reported on COVID-19 testing provided by Curative at both the Jefferson and Bayshore School sites.

Staff

City Manager Shawwna Maltbie reported on the anti-bias training completed by all Daly City Police Officers in December of 2020. In addition to the diversity training offered to all employees and the required anti-discrimination training, the City is also looking to extend the anti-bias training to the entire workforce, commissioners, and Councilmembers. The City is also looking to partner with Skyline College to possibly offer a program for Ethnic Studies to residents. The departments of Public Works, Finance and City Attorney are currently looking at models to make the City's bidding process more progressive. Upcoming events include budget presentations in early February, the City Council retreat on February 27, and budget deliberations in April.

ADJOURNMENT:

At 9:43 PM, Mayor Manalo adjourned the meeting in memory of Don Ming Jong, Rodrigo R. Baldovino, Carmelita E. Flores, Prentiss E. Sanders, Ken Foss, Victor Silveria, Richard Frost, Lawrence Mack, Norman Lee, David Dillon Jr., Adam Gibson, Brian Sicknick, Ann Ernestine Franco, Dennis Hicks, Gloria Huey, Pasqual Murrillo, Marty Smith, and Louise Vicino.

Approved as submitted, this 8th

day of February, 2021.

City Clerk

Mayor



City Council Agenda Report

Item # _____

Meeting Date: February 08, 2021

Subject: 2020 MANDATED FIRE and LIFE SAFETY INSPECTIONS

Recommended Action

It is requested that the City Council acknowledge that North County Fire Authority has completed required annual mandated fire and life safety inspections within the City of Daly City.

Background

California Health & Safety Code Section 13146.2 requires all fire departments including the North County Fire Authority to report annually its compliance with Sections 13146.2 and 13146.3.

Discussion

California Health & Safety Code Sections 13146.2 and 13146.3 requires all fire departments, including the North County Fire Authority, to perform annual Fire and Life Safety compliance inspections in every occupancy used as a public or private school, hotel, motel, lodging house, apartment house, and certain residential care facilities.

Fiscal Impact

None

Summary/Conclusion

Requesting the City Council of the City of Daly City acknowledge receipt of the report by the North County Fire Authority under the requirements of the California Health & Safety Code in compliance with California Health and Sections 13146.2 and 13146.3.

Staff is available to provide any additional information desired by the Mayor or City Council Members.

Respectfully submitted,

Ron D. Myers
Fire Chief



City Council Agenda Report

Item # _____

Meeting Date: February 8, 2021

Subject: Appointment of Daly City Bicycle-Pedestrian Advisory Committee Member

Recommended Action

Staff recommends that the City Council approve the appointment of Natasha Opfell to the Daly City Bicycle-Pedestrian Advisory Committee (DC-BPAC).

Background

The Daly City Bicycle/Pedestrian Advisory Committee meets quarterly to review proposed pedestrian/bikeway improvement projects, project funding applications and to provide input on existing roadway/bikeway conditions affecting pedestrian and cycling activities in Daly City. Meetings are typically held quarterly the first Wednesday of January, April, July and October at City Hall. Since April 2020, the Committee has held virtual meetings. The members are appointed for a renewable two-year term. Existing and past members included bicycle and walking enthusiasts, students, workers and commuters. Volunteers must live or work in Daly City to serve on the DC-BPAC. The Bicycle/Pedestrian Advisory Committee is supported by Public Works Engineering Division personnel who prepare meeting agendas and reports for the committee's consideration.

The DC-BPAC bylaws approved in December of 2002 established a seven member committee with the terms for the first half of the members expiring on an even number year and the terms for the remaining half of the members expiring on an odd number year.

Discussion

The Committee consists of up to seven (7) voting members approved by the City Council. Current members include:

Member	Term Expiration
Clayton Koo	June 30, 2021
Melinda Hue	June 30, 2021
Weiser Manzano	June 30, 2021
Rachel Goodman	June 30, 2022
Henry Martinez	June 30, 2022
Alan Uy	June 30, 2022

In September 2020, Natasha emailed staff expressing interest in serving on the committee; however, the committee did not have any vacancies at that time. In December 2020, Ei Ei Samai resigned from the committee due to relocation out of Daly City. In January 2021, Natasha

submitted an application to fill the recently vacated position. Staff recommends the appointment of Natasha Opfell to complete the remaining two-year term expiring on June 30, 2022. If the appointment is approved, there would not be any vacancies on the committee.

Natasha Opfell works for the City of San Jose as a transportation planner and is a longtime bike and pedestrian advocate in the San Francisco Bay Area, having served on Caltrans District 4's pedestrian advisory committee. She believes that communities benefit from safe and equitable bike/ped/transit infrastructure. She has lived in Daly City for approximately 1 year.

Fiscal Impact

There is no specific fiscal impact associated with the recommended action. The only fiscal impact of the Daly City Bicycle/Pedestrian Advisory Committee is the Public Works support staff salary cost and minimal document reproduction costs. Funding is available for staff's time in the Public Works - Engineering Division operating budget 01-312-311-4241 for the Fiscal Year 2020-21.

Summary/Conclusion

Recommend the City Council approve the appointment of Natasha Opfell (term expiring on June 30, 2022) to the DC-BPAC.

Staff is available to provide any additional information desired by the Mayor or Councilmembers.

Respectfully submitted,



Shirley Chan
Traffic Engineer



Richard Chiu, Jr.
Director of Public Works

Attachment: N. Opfell application

Are you able to attend daytime meetings? yes, with notice Evening meetings? yes

Formal education, related special training or experience and/or related work experience:

BA URBAN PLANNING, PROFESSIONAL TRANSPORTATION ADVOCATE
PLANNER FOR 5+ YEARS

Present and past civic affiliations and/or activities: CALTRANS D4
PEDESTRIAN ADVISORY
COMMITTEE

Recognizing the need for attendance at night meetings, or from time to time necessary field inspections or daytime meetings, will you be able to give the necessary time required?

yes

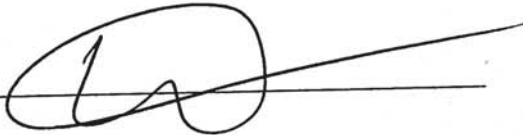
Are you a United States Citizen? yes Are you a registered voter in Daly City? yes

Please indicate names of any relatives you may have, who work for the City of Daly City: _____

N/A

Have you been interviewed for appointment to any other Commission, Committee, or Board in the past year? N/A If yes, which one: N/A

Additional information or remarks: _____

DATE: 1/11/2021 SIGNATURE: 

Please return completed application to:

OFFICE OF THE CITY CLERK
CITY HALL
333 - 90TH STREET
DALY CITY, CA 94015



City Council Meeting Agenda Report

Item # _____

Meeting Date: February 8, 2021

Subject: Setting Time and Place of Public Hearing - Proposed Temporary New Fee for Upper Level Swim Lessons at Giammona Pool

Recommended Action

It is recommended the City Council set February 22, 2021 at 7:00 p.m. as the date and time for a public hearing to consider temporarily changing the fee for upper level swim lessons at Giammona Pool from \$66 resident/\$81 non-resident to \$80 resident/\$95 non-resident during the COVID-19 pandemic.

Background

Since its opening in 2010, Giammona Pool has met the aquatic programming needs for Daly City residents. The pool has attracted more than 70,000 swimmers of all ages and skill levels each year. Prior to COVID-19, the number of swimmers registered for upper level swim lessons averaged at over 75 participants per session.

Giammona Pool, along with other Daly City facilities, closed on March 9, 2020, in response to the San Mateo County Shelter-In-Place Order. The most current State order allows pools to open based on the County's COVID-19 color status. Currently the County of San Mateo is in the color status of purple, which allows Swimming Lessons in both indoor and outdoor pools to open with distancing and safety modifications. San Mateo County has deemed swim lessons an essential activity for indoor and outdoor pools regardless of tier color.

Conclusion

Staff recommends the City Council set February 22, 2021 at 7:00 p.m. as the date and time for a public hearing to consider temporarily changing the fee for upper level swim lessons at Giammona Pool from \$66 resident/\$81 non-resident to \$80 resident/\$95 non-resident during the COVID-19 pandemic.

Staff is available to provide any additional information desired by the City Council.

Respectfully submitted,

Chris Mariano
Recreation Services Supervisor

Romeo Benson
Sr. Recreation Services Supervisor

Denise Brown
Recreation Services Manager



City Council Agenda Report

Item # _____

Meeting Date: February 8, 2021

Subject: Conduit Financing for Midway Village Affordable Housing

Recommended Action

- 1) Conduct a Tax Equity and Fiscal Responsibility Act ("TEFRA") public hearing regarding the issuance of an amount not to exceed \$65 million of tax-exempt conduit bonds to finance development of multifamily housing at Midway Village.
- 2) Adopt the resolution to approve the issuance of Bonds for the financing of the Project by the California Statewide Communities Development Authority (CSCDA).

Background

Midway Village is an apartment community under development by Mid Peninsula Housing Coalition ("MidPen"). The initial phase of the development will include 147 units to be located at 45 and 47 Midway Drive, in the City of Daly City, California.

The owner of the Project is expected to be a limited partnership or a limited liability company to be established by MidPen, or an affiliate thereof. One hundred (100) percent of the units in the Project will be occupied by low income residents.

MidPen has submitted to the California Municipal Finance Authority ("CMFA"), a joint exercise of powers authority and public entity of the State of California, an application to finance the acquisition, construction, improvement and equipping of a 147-unit rental housing facility for low-income tenants, to be located in the City of Daly City, California (the "City") at 45 and 47 Midway Drive (the "Project"). MidPen wishes to utilize tax-exempt bond funds to finance the development of the initial phase of Midway Village and intends to work with the California Municipal Finance Authority ("CMFA") as the municipal issuer of the Bonds in an aggregate principal amount not to exceed \$65,000,000.

The CMFA, pursuant to its Amended and Restated Joint Exercise of Powers Agreement, is authorized to assist in the financing of multifamily housing projects.

In order for the interest on the bonds to be excluded from the gross income of the owner of the bonds (i.e. tax-exempt), an "applicable elected representative" of the government unit must approve the issuance of the bond after a public hearing ("TEFRA hearing") following reasonable public notice. The proposed bond issuance is classified as a private activity for purposes of the Internal Revenue Code (the "Code"). Because CMFA's Board of Directors is not an elected body, the Code provides that a governmental unit with elected representatives and jurisdiction over the area in which the

City Council Agenda Report

Subject: TEFRA Hearing for Midway Village Apartment Development

Meeting Date: February 8, 2021

Page 2 of 3

project to be financed is located, in this case, the City Council of Daly City, is an “applicable elected representative” with respect to the bond issue.

In order for all or a portion of the Bonds to qualify as tax-exempt, the City of Daly City must conduct a public hearing (the “TEFRA Hearing”) providing for the members of the community an opportunity to speak in favor of or against the use of tax-exempt bonds for the financing of the Project. Prior to such TEFRA Hearing, reasonable notice must be provided to the members of the community. Following the close of the TEFRA Hearing, an “applicable elected representative” of the governmental unit hosting the Project must provide its approval of the issuance of the Bonds for the financing of the Project.

California Municipal Finance Authority

The CMFA was created in 2004 pursuant to a joint exercise of powers agreement to promote economic, cultural and community development, through the financing of economic development and charitable activities throughout California. To date, over 320 municipalities including the City of Daly City have become members of the CMFA.

The CMFA was formed to assist local governments, non-profit organizations and businesses with the issuance of taxable and tax-exempt bonds aimed at improving the standard of living in California. The CMFA’s representatives and its Commission have considerable experience in bond financings. The CMFA has issued more than \$21 billion through 900 plus financings since 2004 and consistently ranks in the top 10 of more than 3,000 nationwide public issuers of tax-exempt debt, as measured by annual issuance amount.

The Joint Exercise of Powers Agreement provides that the CMFA is a public entity, separate and apart from each member executing such agreement. The debts, liabilities and obligations of the CMFA do not constitute debts, liabilities or obligations of the members executing such agreement.

The Bonds to be issued by the CMFA for the Project will be the sole responsibility of the Borrower, and the City will have no financial, legal, moral obligation, liability or responsibility for the Project or the repayment of the Bonds for the financing of the Project. All financing documents with respect to the issuance of the Bonds will contain clear disclaimers that the Bonds are not obligations of the City or the State of California but are to be paid for solely from funds provided by the Borrower.

There are no costs associated with membership in the CMFA and the City will in no way become exposed to any financial liability by reason of its membership in the CMFA. In addition, participation by the City in the CMFA will not impact the City’s appropriations limits and will not constitute any type of indebtedness by the City. Outside of holding the TEFRA hearing and adopting the required resolution, no other participation or activity of the City or the City Council with respect to the issuance of the Bonds will be required.

City Council Agenda Report

Subject: TEFRA Hearing for Midway Village Apartment Development

Meeting Date: February 8, 2021

Page 3 of 3

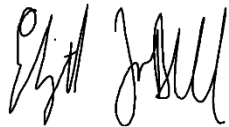
Fiscal Impact

The Board of Directors of the California Foundation for Stronger Communities, a California non-profit public benefit corporation (the “Foundation”), acts as the Board of Directors for the CMFA. Through its conduit issuance activities, the CMFA shares a portion of the issuance fees it receives with its member communities and donates a portion of these issuance fees to the Foundation for the support of local charities. With respect to the City, it is expected that that a portion of the issuance fee attributable to the City will be granted by the CMFA to the general fund of the City. Such grant may be used for any lawful purpose of the City.

Summary

In light of the foregoing, staff recommends that the City conduct the TEFRA Hearing and adopt the resolution in favor of the issuance of the Bonds by the CMFA for the purpose of the Midway Village Apartments.

Respectfully submitted,



Elizabeth ZoBell
Housing and Community Development
Supervisor



Tatum Mothershead
Director of Economic and Community
Development Department



City Council Meeting Agenda Report

Item # _____

Meeting Date: February 8, 2021

Subject: Receive a Financial Overview

Recommended Action

Staff recommends that the City Council receive a financial overview.

Background

Staff have been monitoring the effects of the COVID-19 pandemic upon the City's finances and would like to present a financial overview to the City Council.

Discussion

There are five areas that will be covered in the financial overview: 1) a recap of the City's financial position from July 2020; 2) emergency actions taken in response to the pandemic and recession; 3) the City's history of workforce and service reductions; 4) a Measure Q update; and, 5) revenue updates.

Summary/Conclusion

Staff recommends that the City Council receive a financial overview. Staff is available to provide any additional information desired by the Mayor or Councilmembers.

Respectfully submitted,

Timothy J. Nevin
Director of Finance and Administrative Services