

CITY OF DALY CITY
MINUTES – REGULAR MEETING - CITY COUNCIL
MAY 24, 2021

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The meeting was called to order by Mayor Manalo at 7:00 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:
Shawwna Maltbie, City Manager
Rose L. Zimmerman, City Attorney
K. Annette Hipona, City Clerk

APPROVAL OF MINUTES:

Special Meeting of May 5, 2021 and Regular Meeting of May 10, 2021

It was moved by Councilmember Buenaventura, seconded by Councilmember DiGiovanni and carried to approve the minutes of the Special Meeting of May 5, 2021 and Regular Meeting of May 10, 2021. Councilmember Sylvester abstained.

APPROVAL OF AGENDA:

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

CONSENT AGENDA:

It was moved by Councilmember Buenaventura, seconded by Vice Mayor Daus-Magbual and carried to approve the consent agenda with the exception of item # 2, which was taken off consent for further discussion.

Resolutions:

Authorizing the Purchase of Equipment to Update PBX System

Resolution 21-56, Authorizing Purchase of Equipment to Update PBX System

Setting Time and Place of Public Hearing: Notice of Intent to Lien Real Property

Director of Finance and Administrative Services Tim Nevin provided background on the

Note on Public Comments: For this meeting, members of the public were encouraged to watch the meeting via livestream at <https://bit.ly/dalycitymay24> 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.

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agreement with San Mateo County to impose lien assessments on real property for unpaid business license rental property taxes which addresses Daly City's Municipal Code on rental income collected. Mr. Nevin addressed a question on when property owners will receive notifications regarding the hearing.

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

Resolution 21-57, Setting Time and Place of Hearing Re: Notice of Intent to Lien Real Property (Hearing Date: June 28, 2021, Time: 7:00 P.M.)

Accepting Notice of Completion for Police Parking Lot Security Fence Project

Resolution 21-58, Accepting Completion of Certain Project in the Department of Public Works (Police Parking Lot Security Fence Project)

Authorizing City Manager to Execute an Agreement with the County of San Mateo for Continued Provision of Animal Control Services for a Five-Year Term Beginning July 1, 2021

Resolution 21-59, Approving and Authorizing Agreement with the County of San Mateo for Animal Control Services

Authorizing Agreement with Eiger Marketing Group to Provide Traffic and Safety Services for the LPGA Mediheal Championship Occurring June 7-13, 2021

Resolution 21-60, Approving Execution of an Agreement with Eiger Marketing Group to Provide Traffic and Safety Services for the LPGA Mediheal Championship

Accepting and Appropriating Additional Funding for the Agency Infrastructure Funding Grant from Second Harvest of Silicon Valley for the Food Pantry at Doelger Senior Center

Resolution 21-61, Accepting and Appropriating an Agency Infrastructure Funding Grant from Second Harvest of Silicon Valley for the Food Pantry at Doelger Senior Center

END OF CONSENT AGENDA

PUBLIC HEARINGS:

Public Hearing – National Pollutant Discharge Elimination System (NPDES) Local Stormwater Program Regulatory Fee

Senior Management Analyst Sibely Calles provided background for the regulatory fee and explained how the fees are assessed and how collected funds are utilized. Ms. Calles addressed questions on the revenue estimate from collected fees vs. the estimated operating cost of the stormwater program.

It was moved by Councilmember Sylvester, seconded by Councilmember DiGiovanni and carried to open the public hearing. There were no speakers on this item.

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

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It was moved by Councilmember Sylvester, seconded by Councilmember DiGiovanni and carried by unanimous roll call vote to adopt the following resolution:

Resolution 21-62, Maintaining Regulatory Fees Necessary to Fund the City's Local Specific Stormwater Management Plan Program Activities as to the National Pollutant Discharge Elimination System (NPDES) and Authorizing Their Collection on the Property Tax Roll

COMMUNICATIONS:

Coastal Development Permit (Use Permit UPR-4-21-14989) — 2019 Gabion Wall and Stormwater Maintenance Project at Mussel Rock Landfill (150 Westline Drive)

Planning Manager Michael Van Lonkhuysen requested a use permit for the subject project, presented the proposed site improvements, and listed the Planning Commission's recommendations.

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 21-63, Adopting Findings of Fact and Imposing Conditions of Approval on Coastal Development Permit for 2019 Gabion Wall and Stormwater Maintenance Project at Mussel Rock Landfill - 150 Westline Drive

Adopting Comprehensive Operating and Capital Improvement Plan Budget for Fiscal Year 2022

Director of Finance and Administrative Services Tim Nevin presented the recommended operating budget for fiscal year 2022. Mr. Nevin highlighted City Council budget priorities, revenue sources, expenditures by department, Measure Q designated programs, general reserves, revenues lost due to the pandemic, enterprise funds, succession planning, uses of the American Rescue Plan Act funds (estimated to be \$25.3 million), and next steps including a long-term sustainability plan. Mr. Nevin addressed questions regarding cannabis business tax revenues, increases in department expenditures, restrictions to and plans for the American Rescue Act funds, best practices for reserve levels, cost recovery goals, expected TOT taxes, and proposed budgeting for the pilot programs.

Director of Public Works Richard Chiu presented the capital improvement program (CIP) budget for fiscal year 2022, which will address long-term needs over the next 10 years. Mr. Chiu addressed questions on improvements for specific facilities (Doelger Senior Center, Westlake School Performing Arts facility), use of enterprise fund reserves, street lighting concerns, and the potential utilization and purchase of electric vehicles,

City Manager Shawwna Maltbie discussed the proposed Restorative Justice Pilot Program, noting that staff was tasked with researching and prioritizing this topic as was discussed during the Council retreat and town hall meetings. Ms. Maltbie discussed the potential staffing and administrative costs related to the pilot program, which will have a high level of oversight and intensive coordination with the City Manager's and/or City Attorney's department(s) and Council subcommittee.

Christine Fuller voiced concern with the proposed \$500k budget for the Restorative Justice Program, noting confidentiality issues with victims and their perpetrators. Ms. Fuller requested more public transparency on this issue.

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Daly City Library staff Joshua Rees, Celina Tirona and Shannon Benner Boxer thanked the Council for prioritizing restoration of three positions that were previously cut in the Library & Recreation Department, noting the restorations as crucial in helping the Bayshore and John Daly libraries provide more open hours to the community. Mr. Rees hoped to see the other positions restored in the future. Ms. Tirona recounted her experience with libraries and the need for these facilities to be open to better serve the community. Ms. Boxer expressed excitement for having more library hours for communities that live near the John Daly and Bayshore branches.

Marguerite Machen, County's Commission on the Status of Women Commissioner, thanked the City for acknowledging the importance of mental health and freedom from substance abuse to the overall health of the community. Ms. Machen raised awareness on the disproportionate impact the pandemic has had on women, encouraging those who need help with mental wellness to seek help and access the County's mental health website (smchealth.org) for virtual resources.

Joanna Rosales urged Council to have a transparent community input process for the budget and recommended the following: prioritizing community centers, libraries, youth and senior services, homelessness, and mental health services; hosting listening sessions for community input on budget prioritization; and allocating funds towards mandatory anti-racist training for all City officials. Ms. Rosales acknowledged the proposed budget addressed some of the services she mentioned.

Jay Yanson expressed appreciation for the efforts to provide more funding for library and recreation programs. Ms. Yanson emphasized the importance of libraries as resource hubs which provide computer and internet access to various members of the community who may be struggling during the pandemic.

Eduardo Gonzalez expressed concern in additional resources being given to the police department. Mr. Gonzales made the following recommendations: centering social justice and equity; renewing commitment in the community; holding listening sessions in advance of budget meetings, more equitable distribution of funds, more funding for the library and recreational services, and allocating Measure Q funds around the needs of low income people.

Nadia Bick reported on affordable housing and displacement prevention as being the most important issues voiced by Daly City residents, expressing concern that these were not prioritized in the budget. Ms. Bick made the following recommendations: prioritize library and recreation services over the police department; not using Measure Q funds for the police department and expanding City-wide Wi-Fi to close the digital divide.

Discussion ensued with Council deliberations on the proposed budgeting for the Pilot Restorative Justice Program, the Community Wellness and Crisis Response Pilot Program, and the Library & Recreation services. Council discussed the broad scope of the Restorative Justice Program, subsequent meetings that will be done to develop the program, how it is related to Measure Q funds, and the types of cases that could be considered. Mayor Manalo requested holding a study session in the summer to discuss a recovery plan with the small business community and residents to receive feedback on community needs. Another suggestion made is to hold a listening session for the public for the next budget cycle to provide for more transparency.

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It was moved by Mayor Manalo, seconded by Councilmember Buenaventura and carried by the following roll call vote to adopt the resolution:

Ayes: Buenaventura, Daus-Magbual, Manalo
Noes: DiGiovanni, Sylvester

Resolution 21-64, Adopting Comprehensive Biennial Operating Budget and Capital Budget for Fiscal Year 2022

PUBLIC APPEARANCES/ORAL COMMUNICATIONS:

Before the start of public appearances, Mayor Manalo provided the following update: the Council has requested the California Attorney General's office to conduct an independent investigation into the officer-involved shooting of Roger Allen. The City is also engaging to hire an outside independent expert to lead the administrative investigation that includes reviewing the officers' actions with police policies, procedures and tactics.

Fernando Montanes thanked Councilmember Buenaventura, Vice Mayor Daus-Magbual and Mayor Manalo for listening to the community's grievances and investing into welfare and social programs in supporting mental health and restorative justice. Mr. Montanes expressed concern with the comments made on the School-to-Prison Pipeline (SPP) issue, supported re-investment of funds into wellness programs and community resources, and cited the importance of mental health and wellness.

Jay Yanson expressed concerns with the heavy policing within Daly City, the recent shootings in Broadmoor, the harassment of Rogers Allen's sister, and issues with calling police for assistance. Ms. Yanson uplifted the work of friend Amanda from Vibes & Smiles for creating kits that support the community and Asian seniors.

Marguerite Machen shared her experiences related to the large disparity she has seen in the community, particularly relating to needs in the African American community. Ms. Machen expressed appreciation to the Council for passing the budget and voiced support for trusting the process.

Christine Fuller requested for tact and respect during public comments. Ms. Fuller asked members of the public for an open dialogue and discussion without resorting to personal attacks.

REPORTS:

Council Committee: May 9 – May 23, 2021

Social Justice Committee (Buenaventura/Manalo)
Bay Area Water Supply & Conservation Agency (BAWSCA) (Manalo)

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Councilmember DiGiovanni looked forward to hearing more about the upcoming Restorative Justice Pilot Program, explaining that her earlier vote was due to that program not being originally mentioned under Measure Q.

Mayor Manalo reported participation in the following: the Housing Our People Effectively Interagency Council (addressing housing and homelessness); the bi-weekly COVID-19 San Mateo County elected official briefings; the Vaccine Communications and Equity Working Group (to ensure vaccines in the community); and the Communities United Rally in Central Park to rally against hate and anti-Asian violence. Mayor thanked community partners Pilipino Bayanihan Resource Center (PBRC), ***Kultivate Labs, the Filipino Mental Health Initiative of San Mateo County and Vibes & Smiles for hosting a fundraiser event for the Saint Sentinels program, which is looking to create community patrols and self-defense classes and is a direct response to the anti-Asian violence, particularly towards the elderly. Mayor Manalo also acknowledged participation and support provided by staff, participation by Supervisor Canepa, Councilmember Buenaventura, and Vice Mayor Daus-Magbual and demonstrations by the Eskabo Daan Filipino Marial Arts School at the fundraiser event held at Gellert Park.

Staff

City Manager Shawwna Maltbie thanked Council for the thoughtful, professional discussion during the meeting. Ms. Maltbie acknowledged there is still a lot of work to be done on the proposed programs but was confident in the Council continuing to work together as a team.

ADJOURNMENT:

At 10:31 PM, Mayor Manalo adjourned the meeting in memory of Alexandra Haralambidis, Renoel “Reno” Billena, and Benedict “Benny” Rosario.

Approved as submitted, this 14th

day of June, 2021.

City Clerk

Mayor

****** Mayor Manalo made amendments to the May 24, 2021 minutes during the regular City Council meeting of June 14, 2021***