

CITY OF DALY CITY
MINUTES – REGULAR MEETING - CITY COUNCIL
SEPTEMBER 27, 2021

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The meeting was called to order by Mayor Manalo at 7:05 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

PRESENTATIONS:

DCPLA Grants for Bayshore Public Library

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

Proclaiming October 3 -9 2021 as Fire Prevention Week

(Sean Kavanaugh, Deputy Fire Chief, North County Fire Authority)

APPROVAL OF MINUTES:

Regular Meeting of September 13, 2021

It was moved by Councilmember Sylvester, seconded by Councilmember DiGiovanni and carried to approve the minutes of the Regular Meeting of September 13, 2021, as amended.

APPROVAL OF AGENDA:

It was moved by Councilmember DiGiovanni, seconded by Mayor Manalo and carried to approve the agenda.

CONSENT AGENDA:

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

Note on Public Comments: For this meeting, members of the public were encouraged to watch the meeting via livestream at <https://bit.ly/dalycitysep27> 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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Resolutions:

Accepting and Appropriating a \$6,000 Gordon L. King Memorial Grant from the Daly City Public Library Associates

Resolution 21-128, Accepting and Appropriating Grant from the Daly City Public Library Associates

Adopt Resolution Approving Proposed Revision of Various Job Specifications (Civil Service); New Job Specification and Assignment to Salary Schedule; and Title Changes of Various Job Classifications (At the Pleasure of the City Manager (APCM))

Resolution 21-129, Adopting Revised Job Specifications for Various Positions (Civil Service) and Title Changes to Various Job Classifications (APCM)

Authorizing the City Manager to Execute Memorandum of Understanding Between the City of Daly City and County of San Mateo for Disposable Food Service Ware Ordinance Education and Enforcement Activities

Resolution 21-130, Authorizing Execution of Memorandum of Understanding Between the City of Daly City and the County of San Mateo for Disposable Food Service Ware Ordinance Education and Enforcement Activities

Check Registers:

Check Registers for the Month of August 2021

END OF CONSENT AGENDA

COMMUNICATIONS:

Modifications to Lake Merced Golf Course at 2300 Junipero Serra Boulevard – Use Permit UPR-6-21-15105

Planning Manager Michael Van Lonkhuyzen presented the proposal of modifications to be done on the golf course and the Planning Commission's recommendations. Paul Staley, President of the Board of Directors of Lake Merced Golf Club, addressed questions about the impetus of the project and the possibility of hosting future LPGA events at the golf course.

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

Resolution 21-131, Adopting Findings of Fact and Imposing Conditions of Approval on Use Permit UPR-6-21-15105 for Modification to Lake Merced Golf Course (2300 Junipero Serra Boulevard, Daly City, California)

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Preliminary Plan Review of a Proposed Precise Plan for the Redevelopment of the Serramonte Del Rey Campus at 699 Serramonte Boulevard

Mayor Manalo provided background on the bonds passed by voters to create staff housing at the site to give faculty housing opportunities in Daly City. Mayor Manalo requested to the continue the item pending more dialogue around the affordable housing plan as well as the possible sustainability of a community garden on site. Councilmember Sylvester requested further information including a full title search, a rendition of the additional units, and an environmental impact report.

The following speakers were in favor of the proposed preliminary plan and urged Council to approve the project. According to speakers, developing the underutilized site gives the Jefferson Union High School District (JUHSD) the opportunity to address several problems. These issues included: providing much-needed affordable and general housing for faculty and staff; attracting and retaining quality educators to combat the high turnover rate while providing students consistency and continuity in education; addressing the low salaries of teachers in the district by targeting a livable wage; providing a stable revenue source for JUHSD and its program funding; and addressing Prop.13's underfunding of schools. Supporters also mentioned the project's goals such as: expansion of green and open spaces on site, preventing displacement, sustaining student enrollment, providing a transparent process, and reaping the benefits of leasing the district's land. Individuals expressed disappointment with not being able to hear the applicant's presentation at tonight's meeting and with the lack of action. Some pointed out that misinformation about the project is circulating in the form of a petition including the status of the district's garden as a community garden.

Melissa Ambrose	April Holland	Milo Trauss
Monica Casey	Ethan Mizzi	Michael Fung
Gino Napoli	Emily Hanson	Dorie Paniza-
Anya Shapiro,	Victoria Magbilang	Joel Kahn
Kalisha Webster	Clayton Koo	Denton Murphy
Erick Willemse	Sean Karkazis	Dana Martinezmoles
Alexander Melendrez	Erin Chazer	Heike Mansel
Sherrett Walker	Raayan Mohtashemi	Lila Magbilang
Angela Solis	Sharon Murphy	Benjamin McMullan
Kelsey Banes,	Edward Lopez	Mike Dunham
Marguerite Machen		

The following speakers opposed the preliminary plan as drafted, with some speakers thanking the Mayor for postponing the plan to allow for more discussion and revision. While individuals acknowledged the need for more affordable housing and supported a livable wage for teachers, recommendations were also given to revise the plan. Various issues were raised with the preliminary plan including: the construction of high-rise buildings and unaffordable homes; the low number of affordable units being proposed; the plan's disregard of community input; the lack of transparency in its finances; the removal of a community garden and relocation of Westmoor Park; the plan's harmful contribution to climate pollution; and the site's current zoned status. Speakers who requested the preservation of the community garden mentioned its value to the community in terms of providing a public green space that helps visitors with mental and physical wellness, as well as providing native tribes a place for ceremonies. A parcel tax was suggested as an alternative way to fund the school district.

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Deni Asnis	Chaya Gordon	Nick Occhipinti
Kathy Zarur	DeVante Jewett	Eddy Holman
Diane Lee	Hibah H	Maya Elgarico
Glenn Mercado	Gladwyn d'Souza	Russell Lee
Julie Starobin	Sabrina Brennan	Rene Daniel
Deeg Gold	Dashiell Leeds	Olga P.
Liliana Rivera	Jas	John Tu
Jose Perez	Debbie Santiago	Jung Kim
Melinda Hue		

Kalimah Salahuddin, JUHSD Board Trustee, thanked staff and public commenters and addressed accusations voiced against the school district and the misinformation that has been passed around. Ms. Salahuddin reiterated the school's goals to support all the community's children and to be good community partners. Ms. Salahuddin addressed concerns with the garden, stating her main responsibility is to the students, teachers and the construction of the staff housing.

Tom Nuris, former JUHSD School Board Member, reported JUHSD has been a low-wealth school district and has had issues with not being able to retain staff due to the lack of affordable housing in the area. Mr. Nuris was in favor of the project calling it a golden opportunity for the youth to have the highest quality of education and wished for the City to collaborate with the district.

Discussion ensued with Council considering different aspects of the proposed development including: the affordable housing component, the sustainability of the community garden, the vast size of the development, finding common ground between the different groups, the cost benefit analysis/EIR, clarifications on development revenue and salaries, effects to wetlands and indigenous peoples, the affordability of apartments, the estimated income generated for the district, and whether relocating the density within the plan is possible. The Council thanked everyone in attendance who provided input on the Serramonte Del Rey project and thanked the JUHSD and City staff for all their hard work.

It was moved by Mayor Manalo, seconded by Councilmember Sylvester and carried by roll call vote to continue the item to the regular meeting October 25, 2021.

Status Update for Hotel Site Request for Developer Qualifications and Proposals (RFQP)

Ken Hira, Kosmont Companies, provided a status update on the RFQP process for the hotel site located at 1850 Junipero Serra Boulevard, which currently has four submissions under review. The initial closing date was August 27, but it has been since extended to October 15. Mr. Hira addressed questions on the types of proposals being submitted for this site and the demand for convention spaces in the current market.

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RESOLUTIONS:

Resolution Adopting a Tax Rate Structure for the Voter Approved Cannabis Business Tax

Director of Finance and Administrative Services Tim Nevin provided two options for a cannabis rate structure, given the existing tax rates and the startup nature of cannabis businesses in Daly City. Two scenarios were presented with both options having a tiered tax structure including a second-tier tax for over \$1 million in gross receipts. Mr. Nevin addressed questions on the scenarios proposed, rate comparison with other cities, point of delivery tax revenues, other economic activity taxes, start-up costs for cannabis businesses, application timelines, eligibility guidelines, and possible opportunities to reassess the scenario at a later time.

It was moved by Vice Mayor Daus-Magbual, seconded by Mayor Manalo and carried by unanimous roll call vote to approve Scenario #1 with the Mayor's caveat to reassess one year after a business has been established, via the following resolution:

Resolution 21-132, Adopting a Tax Rate Structure for the Voter Approved Cannabis Business Tax

PUBLIC APPEARANCES/ORAL COMMUNICATIONS:

Irit Daly stated she was not afforded the time to comment on item #8 and mentioned the Zoom meeting link provided in the flyer notice contained a typo, making it difficult for people to join and provide input. Ms. Daly also reported the Planning Commission meeting on September 7 did not provide an opportunity for the public to participate at that meeting. Nick Bailey, General Manager at Lake Merced, was amenable to answering Ms. Daly's questions outside of the meeting.

Call-In User_3 noted the meeting started late at 7:02 PM. Call-In User_3 stated the First Amendment provides the right to speak anonymously during a meeting and questioned Councilmember Sylvester's statements about his public comments. Call-In User_3 asked for everyone's resignations and noted harassment from Police Officer Perez concerning a member of the public making a video recording.

APPOINTMENTS:

Councilmember DiGiovanni announced Jack Pastor's resignation from the Recreation Commission.

REPORTS:

Council Committee

Bay Area Water Supply & Conservation Agency (BAWSCA) (Manalo)
Peninsula Clean Energy Committee (PCE), Diversity, Equity, Accessibility & Inclusion
Committee (Daus-Magbual)
SFO Roundtable Committee (DiGiovanni)

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City Council

Mayor Manalo reported on the in-person League of Cities (now Cal Cities) conference attended by the Council last week, noting how well-organized the event was. Mayor Manalo was elected as the first Vice President of the Cal Cities API Caucus at the conference. The Mayor reported attendance at the following: the celebration memorial of Tyrese “The Great One” Knox; the SF Lions Club event at Gellert Park to create vaccine clinics (with Father Leonard Oakes); the commendation of Daly City resident Derrick Pecson (owner of Black and Gold Lounge) by Supervisor David Canepa for his community service; the Daly City Firefighters Car Show at Serramonte; and the 20th anniversary of Asian Pacific American Public Affairs (APAPA) which empowers the API community. *** Mayor Manalo thanked City Manager Maltbie and staff for the addition of a lactation room inside City Hall to address equity and accessibility.

Vice Mayor Daus-Magbual reported on the Cal Cities conference, commending guest speakers Bonnie St. John and Richard Montagnes for their inspiring talks. Vice Mayor Daus-Magbual reported attendance at a workshop called Human Centered Design to help policymakers understand the community they are serving. The Vice Mayor reported on conversations he has had with various Daly City commission members regarding implicit bias training, race and racism, the narratives that are being reproduced, and requested staff to re-think about how the City administers implicit bias training.

Councilmember DiGiovanni reported on the Daly City Firefighters Car Show, which raised a lot of funds for the community. Councilmember DiGiovanni expressed concern over the May 23 fundraiser event and the use of City resources as an elected official, particularly during a time when the City was shut down due to COVID-19 and residents were unable to rent any City facilities. Mayor Manalo stated the May 23 event was a collective effort and utilized the space to give opportunity for the community to receive resources, for which the City provided the space through a non-profit organization. Councilmember DiGiovanni stated the funds raised were for scholarships for the martial arts organization, hence the conflict of interest.

Councilmember Sylvester agreed with Vice Mayor Daus-Magbual’s comments on the importance of discussions around implicit bias and race. Councilmember Sylvester also stated that narratives are based on interpretation, because everyone comes from different walks of life.

ADJOURNMENT:

On September 28, 2021, at 12:35 AM, Mayor Manalo adjourned the meeting in memory of Jeomer Apostol Dagdagan and Marcelina Saad Daus.

Approved as submitted, this 11th

day of October, 2021.

City Clerk

Mayor

*****Mayor Manalo amended the minutes at the regular meeting of October 11, 2021**