

CITY OF DALY CITY
MINUTES – REGULAR MEETING - CITY COUNCIL
OCTOBER 25, 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:

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

PRESENTATIONS:

Proclaiming October 20, 2021 as National Chicken and Waffles Day

(Keith Richardson, Keith's Chicken N Waffles)

Reimagine SamTrans Project (Proposed Additions to Daly City Fixed Bus Routes)

(Jessica Epstein and Jonathan Steketee, SamTrans)

Proclaiming October 2021 as Domestic Violence Awareness and Prevention Month

(Bettina S. Yap, President, ALLICE (Alliance for Community Empowerment) Kumares and Kumpares)

Proclaiming October 2021 as Breast Cancer Awareness Month

(Freska, breast cancer survivor and advocate)

APPROVAL OF MINUTES:

Regular Meeting of October 11, 2021

It was moved by Councilmember Sylvester, seconded by Mayor Manalo and carried to approve the minutes of the Regular Meeting of October 11, 2021, as amended.

APPROVAL OF AGENDA:

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

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/dalycityoct25livestream> 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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It was moved by Councilmember Sylvester, seconded by Vice Mayor Daus-Magbual and carried to approve the consent agenda with the exception of items #8 and #9 which were removed for further discussion.

Resolutions:

Amending Traffic Regulations to Install a 75-ft. Passenger Loading/Unloading (White) Zone along the South Side of Brooklawn Avenue, just West of the Staircase to Tobias Elementary School

Resolution 21-140, Establishing Traffic Regulations

Accepting Public Service Utility Easements from the Chinese Cemetery Association for the Site Improvements at 4650 Callan Boulevard

Resolution 21-141, Authorizing Acceptance Of Public Service Utility Easements From The Chinese Cemetery Association For The Site Improvements At 4650 Callan Boulevard

Approving Application for Proposition 68 Per Capita Grant and Authorizing City Manager to Execute All Grant Documents for Polaris Park Improvement Project

Director of Public Works Richard Chiu provided background on Proposition 68 to fund various programs and requested Council to adopt a resolution to initiate the process of obtaining these grants. If approved, the City will receive \$244,645 in funds which would be used toward the Polaris Park Improvement Project.

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

Resolution 21-142, Approving Application(s) For Per Capita Grant Funds

Setting Time and Place for a Public Hearing to Consider Amendments to Daly City Municipal Code Chapter 17.36 – Home Occupations Zoning Ordinance to Allow Microenterprise Home Kitchen Operations (MEHKOs) Set Hearing: 11/8/21

Mayor Manalo provided information on MEHKOs, a County-initiated program which helps people in creating small business enterprises and utilize their culinary expertise to have additional income. Planning Manager Michael Van Lonkhuysen stated a public hearing will be held to consider changes to the City's home occupation regulations to exempt MEHKOs from the City's zoning ordinance allowing residents the opportunity to operate a small restaurant out of their home. Mayor Manalo thanked City Manager Maltbie and her staff for their work.

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

Resolution 21-143, City Setting Time And Place Of Public Hearing For Proposed Ordinance To Amend Chapter 17.36 Of The Daly City Municipal Code Re: Home Occupations To Allow Microenterprise Home Kitchen Operations (MEHKOs)

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Setting Time and Place of Public Hearing – Proposed Ordinance Adding Chapter 8.80 – Mandatory Organic Waste Disposal Reduction Set Hearing: 11/8/21

Resolution 21-144, Setting Time And Place Of Public Hearing For Proposed Ordinance To Add Chapter 8.80 Of The Daly City Municipal Code Re: Mandatory Organic Waste Disposal Reduction

Check Registers

Check Registers for the Month of September 2021

END OF CONSENT AGENDA

COMMUNICATIONS

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

Mayor Manalo reported the Jefferson Union High School District (the District) was agreeable for the continuance of the item and allowed the District to make its presentation during the meeting. Kalimah Salahuddin, JUHSD Board Trustee, discussed the board's purpose and goals with the project, including finding ways to generate revenue for the District while providing affordable homes and green spaces. Ms. Salahuddin discussed the current services and programs offered by the District to its students and asked for Council's support of the plan. Andrew Lie, Vice President of JUHSD Board, discussed the outreach and community engagement conducted by the District and the community feedback it has received. Bruce Fukuji, Brookwood Advisor consultant, presented the master plan. Ms. Salahuddin and Mr. Lie were amenable to meeting with the Affordable Housing Council Committee. Mayor Manalo and the District offered the opportunity for public comments during this time.

The following speakers were in favor of the District's plan and urged Council to work with the District and approve the proposal. Supporters of the plan included teachers, students and PTA members of the District. According to supporters, developing the underutilized site gives the opportunity to address several issues including: providing a stable revenue source for the District; providing needed affordable housing and housing in general; attracting and retaining high-quality educators and addressing the 25% turnover rate in the District through salary raises; and providing students consistency and high-quality education. Other positive impacts mentioned included the expansion of green and open spaces, trickle-down housing, fighting climate change by reducing fossil fuel emissions, and addressing California's new legislation requiring cities to create more housing units. Supporters noted the lack of viable options to address the District's lack of funds; commenters rejected the idea of having another parcel tax.

Melissa Ambrose
Dante Umtuch
Alyssa Jenkins
Monica Casey
Kat Wortham
Sean Karkazis
Dana Martinezmoles
Erick Willemse
Jescent Marcelino

April Holland
Michael Rubin
Ed Lopez
Pat Murray
Ethan Mizzi
Erin Chazer
Victoria Magbilang
Keanna Perez
SV Leads (Kelsey Banes)

Carly Burton
Jennifer Michel
Mikaela Yangco
Sharon Murphy
Kirsten Ashford
Emily Hanson
Josh Fetherston
Jack Hebb
Rich Pacheco

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Clayton Koo
Omar Rashid
Jefferson Council PTA (Noralyn Wolf)

Safa Chaudhry
Mike Crilly

Tom Nuris
Warren Shelby

The following speakers opposed the District's proposed plan. While some opponents acknowledged the need for more affordable housing and supported increasing teachers' salaries, various issues were raised with the plan. Issues included: the construction of high-rise buildings and unaffordable/market-rate homes; the low number of affordable units being proposed (10%); the lack of transparency in the plan's finances and contractual agreements for teachers' salaries from generated revenue; the elimination of a community garden and Westmoor Park; its negative impacts to climate change; issues of gentrification; displacement of people, wildlife and plants; non-compliance from the City's inclusionary housing ordinance; and the lack of a housing shortage.

Nick Occhipinti
DeVante Jewett
Hibah H
Sabrina Brennan
Liliana Rivera

Chaya Gordon
Eddy Holman
Gladwyn d'Souza
Jas
Suzanne Moore

Victoria Becker
Andrea Sims
Julie Starobin
D. Gold
Call-in User_1

Discussion continued between the Council on studying all the information they have received, the information they have yet to obtain, holding an Affordable Housing Committee meeting for more dialogue, and thanking everyone who provided input at the meeting.

The Council discussed the timeframe and date at which they would like to continue the item. It was moved by Councilmember Buenaventura, seconded by Mayor Manalo and carried to continue the item to the regular meeting of January 10, 2022, with the following roll call vote:

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

Use Permit UPR-7-19-14148 (Coastal Development Permit) and Design Review DR-7-19-14149 — Monopine Cell Tower at 220 Avalon Drive

Assistant Planner Brian Paland provided findings, neighborhood concerns, and Planning Commission recommendations relating to the construction of a monopine cell tower at 220 Avalon Drive.

The following speakers opposed construction of the cell tower on the site citing various reasons. Reasons included negative health impacts, the general unsightliness of cell towers, and its proximity to existing cell towers in the area, residential homes and the cliff.

Joel Cammarata

Tarna Ramsey

Evelyn Smith

Mr. Paland and Planning Manager Michael Van Lonkhuyzen addressed questions on free-standing monopoles, the locations of other cell towers in this area, the code requirements for antennas, whether other locations were considered, the number of cell towers currently in the City, the status of a previous cell tower that was appealed, health issue concerns, and who is responsible for the maintenance of the proposed tower.

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Tom Johnson, AT&T representative and applicant, discussed compliance to setback requirements and noted the lack of other viable locations for the monopine. According to Mr. Johnson, AT&T complies with FCC standards for emissions data.

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

Ayes: Buenaventura, Daus-Magbual, Manalo

No: DiGiovanni, Sylvester

Resolution 21-145, Approving Use Permit UPR-7-19-14148 (Coastal Development Permit) And Design Review DR-7-19-14149 To Install A Monopine Cell Tower At 220 Avalon Drive

It was moved by Mayor Manalo, seconded by Councilmember Buenaventura, and carried by voice vote to continue items #14 and 15 to the next agreed upon Council meeting of October 27, 2021.

Mayor Manalo moved Public Appearances to be taken before Communication items #14 and 15.

PUBLIC APPEARANCES/ORAL COMMUNICATIONS:

Call-In User_6, who identified themselves as Curt, asked to speak for six minutes, the same amount of time Cheryl was allowed during the meeting of October 11. Curt voiced concern with police being out of control, reported Mr. Allen was murdered by police, noted the lack of resignations received, the lack of answers to emails, and mentioned issues of conflicts of interest. Curt commended City Attorney Zimmerman for her work, commended Congresswoman Jackie Speier for her town halls, and stated that the Oath of Office is to the Constitution of the United States.

Call-In User_5, who identified themselves as the Public, wanted to make changes for the community and changes for the safety and security of society.

The following speakers expressed concern and disappointment in Councilmember DiGiovanni's conduct at the September 13 Council meeting where, speakers stated Councilmember DiGiovanni made unfounded accusations against Filipino organizations and fellow Councilmembers concerning conflicts of interest at the Gellert Park event. Speakers stated those accusations harmed organizations, whose goal was to help AAPI communities during a time of attacks, by discrediting the community work being done by those organizations. Some commenters stated Councilmember DiGiovanni should be held to a level of accountability by the rest of the Council for her lack of decorum during that Council meeting. Some encouraged Councilmember DiGiovanni to reach out and learn from the community.

Stephanie Balon
Krystle Cansino
Hazel Benigno

Mr. Hambre
Fernando Montanes
Abigail Mesa

Christi Morales-Kumasawa
Christian Guerero

Mayor Manalo deferred Reports and Adjournments to the Council meeting of October 27, 2021. Mayor Manalo ended the meeting on October 26, 2021 at 12:26 AM.

On October 27, 2021, at 5:30 PM, Mayor Manalo reconvened the regular meeting of October 25, 2021. City Clerk Annette Hipona took roll call with all Councilmembers recorded as present.

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Approval of Written Response to Grand Jury Report: "Building Greater Trust between the Community and Law Enforcement via the Racial Identity Profiling Act (RIPA)"

Police Captain Cameron Christensen provided background on AB 953 and presented the written response to the Grand Jury's findings, conclusions and recommendations within the report. Subsequently, the draft response will be finalized and sent to the Superior Court as requested.

It was moved by Councilmember DiGiovanni, seconded by Councilmember Sylvester and carried by unanimous roll call vote to approve the written response.

Approval of Written Response to 2020/2021 San Mateo County Civil Grand Jury Report, "San Mateo County: California's Ground Zero for Sea Level Rise"

Assistant City Manager Stephen Stolte reported the City agrees with the majority of the findings of the Grand Jury Report, but there were concerns regarding ongoing funding for OneShoreline (the San Mateo County Flood and Sea Level Rise Resiliency District) and equity in allocation of funding to sea level rise projects. The City wanted to ensure that residents do not pay more than their fair share for sea level rise projects in bayside communities. Mr. Stolte addressed questions on which projects OneShoreline can assist the City with, stating the City would like to collaborate with OneShoreline on the long-term project of managing Mussel Rock and possibly stormwater mitigation projects.

It was moved by Mayor Manalo, seconded by Vice Mayor Daus-Magbual and carried by unanimous roll call vote to approve the written response.

Council Committee Meetings: July 12 - October 25, 2021

Jefferson Union High School District (JUHSD) Committee (Manalo/Sylvester)

City Council

Councilmember Sylvester thanked the public for providing comments on the Serramonte Del Rey Project at tonight's meeting. Councilmember Sylvester ensured the public a report on police officer body-worn cameras is forthcoming.

Mayor Manalo reported the police body-worn cameras were live as of October 18, 2021, which City Manager Shawna Maltbie confirmed, and stated the report will most likely be given on the November 22nd meeting. Mayor Manalo thanked staff for working on the body-worn cameras diligently. Mayor Manalo wished all a Happy Filipino History Month and thanked Kasayahan for providing programming globally. Mayor Manalo reported attendance at the renaming of South San Francisco's Westborough Community Center in honor of Alice Bulos, a community leader across the Bay Area and the nation; the special event was celebrated during Filipino History Month. Mayor Manalo congratulated the Bayshore community for its block party event at Bayshore School; the Mayor thanked Freska for being the emcee and thanked departments that were present including the Fire and Police Departments who provided booths. Mayor Manalo commended Undiscovered SF for its community business mixer which looked at ways to support and incubate small businesses. Mayor Manalo acknowledged the wonderful work from staff that provided the thank you taco truck lunch to City employees as a token of appreciation for staff's work.

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Councilmember DiGiovanni reported on the Filipino Heritage and History event by Bayshore School which created T-shirts to celebrate. Councilmember DiGiovanni reported on the success of Bayshore's block party, thanking the school board, the PTA, Theresa Faapuaa, Joy, Rudolf, Rick, Cecil, the Police and Fire Departments, vendors, Pacific Islanders groups, and the Polynesian dancers. Councilmember DiGiovanni thanked the South San Francisco City Council and City Manager for inviting the Daly City Council to celebrate the life and legacy of Alice Bulos, as they renamed their Westborough Center in Ms. Bulos's memory; the family of Alice Bulos, the Consul General, Mayor Addiego and Councilmembers Nicolas and Nagales were also in attendance. Councilmember DiGiovanni thanked Daly City employees for their work and thanked Human Resources and City Manager's Office staff for providing the thank you lunch.

Vice Mayor Daus-Magbual announced the Daly City Public Library Associates (DCPLA) will have a used-books sale on October 30-31 from 10 AM – 5 PM & on November 6-7 from 10 AM – 5 PM; the proceeds will go towards Daly City libraries. Please contact DCPLA Director Victoria Magbilang at info@dcpla.org for more information on this event. Vice Mayor Daus-Magbual also announced the Westlake Performing Arts will hold their Halloween Extravaganza on Saturday from 5 PM-9 PM; the Vice Mayor encouraged everyone to check out the event and to contact wspal@sbcglobal.net for tickets.

Mayor Manalo reported attendance at Cecil Owens's retirement where he was honored; Mr. Owens was a dedicated worker and served the Bayshore School Board for 42 years. Mayor Manalo reported that the City sent a letter to the Redistricting Commission letting them know the importance of Daly City to remain whole and of the community not being split. Mayor Manalo created a subcommittee for City Council policy that will be engaged in looking at Council policies. The Mayor thanked City Manager Maltbie and all the staff who ensured residents were safe during the storm.

Staff:

City Manager Maltbie thanked the Water & Wastewater, Fire, Police and Public Works staff for their hard work during the recent storm. Ms. Maltbie reported that staff has been following the American Relief Plan Act (ARPA) closely, has considered the recommendations and input received at the previous town hall, and will be providing an updated presentation at the November 22nd Council meeting.

ADJOURNMENT:

Mayor Manalo adjourned the meeting on October 27, 2021 at 6:31 PM in memory of Dianne Lynn Stevens.

Approved as submitted, this 8th

day of November, 2021.

City Clerk

Mayor