

CITY OF DALY CITY
MINUTES – REGULAR MEETING - CITY COUNCIL
NOVEMBER 22, 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:
 Shawna Maltbie, City Manager
 Rose L. Zimmerman, City Attorney
 K. Annette Hipona, City Clerk

PRESENTATIONS:

Proclaiming November 27, 2021 as Small Business Saturday
(Maybelle Manio, Small Business Commissioner)

DCPLA Grant for U.S. State Books to the Daly City Public Library
(Teresa Proaño, Board of Directors, Daly City Public Library Associates (DCPLA))

APPROVAL OF MINUTES:

Regular Meeting of November 8, 2021

It was moved by Councilmember Sylvester, seconded by Councilmember DiGiovanni and carried to approve the minutes of the Regular Meeting of November 8, 2021.

APPROVAL OF AGENDA:

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

CONSENT AGENDA:

It was moved by Councilmember DiGiovanni, seconded by Vice Mayor Daus-Magbual 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 and speak at the meeting via Zoom, and/or submit public comments via email to the City Clerk’s Office 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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Communications:

2021 Qtr. Ending 09/30/2021

Resolutions:

Accepting and Appropriating a \$5,220 Grant from the Daly City Public Library Associates

Resolution 21-155, Accepting And Appropriating Grant From The Daly City Public Library Associates

Accepting Resolution for a Sister City Relationship with Davao City in the Republic of the Philippines

Resolution 21-156, Authorizing Execution Of A Sister City Agreement With Davao City In The Republic Of The Philippines

Amending Recurrent and Part-time Hourly Rates Schedule in Accordance with City Council Adopted Minimum Wage

Resolution 21-157, Adopting Amendment To Recurrent And Part-Time Hourly Rates Schedule

Check Registers:

Check Registers for the Month October 2021

END OF CONSENT AGENDA

COMMUNICATIONS

Status Update on the Body Worn and Patrol Vehicle Camera Program (BWCP) for the City of Daly City Police Department

Acting Chief of Police John Gamez provided a timeline of the implementation of the BWCP which was purchased using Measure Q funds, as approved by the Council. According to Acting Chief Gamez, the BWCP went live on October 18, 2021. Acting Police Captain Ronald Mussman provided information on selected vendor Axon, on infrastructure upgrades and how policy for the program was created. The policy can be found online at: <https://www.dalycity.org/DocumentCenter/View/5396/Body-Worn-Camera-Policy-PDF>. Police Captain Cameron Christensen provided a policy overview, procedures for police officers and body worn camera basics.

Discussion continued with police staff addressing the Council's questions on the BWCP. Issues included the following: whether any disciplinary actions are taken when there is a violation of policy by an officer; the types of scenarios in which the cameras would not be activated; the types of actions and/or enforcements that would trigger camera activation; whether the cameras are activated during an officer's entire shift; the length of battery life for cameras per day and storage capability per shift; retention for storing and location of recordings; how accidental activations are processed; whether cameras will be used as video surveillance of public activities; whether a camera will be deactivated if requested by a member of the public; who has access to recordings that have been released; and when recordings will be accessible.

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4 DC supported the body worn cameras to have transparency but stated they are not enough and requested additional measures to ensure the cameras are used properly. 4 DC asked for accountability by all public service officers, commenting that the public has not heard from Police Chief Hensley. 4 DC called for the resignations of D.A. Wagstaffe and Sheriff Bolanos for their civil and human rights violations.

Sabrina commended Council for their questions but disapproved of officers having the sole discretion in activating cameras and stated cameras should be on as much as possible. Sabrina asked for clarity when cameras are activated, expressed concern of video footage being collated by police, and asked for the release of all unedited footage.

Jas requested cameras to be on 24/7, requested for the firing of police officers involved in the shooting of Roger Allen, commented on DCPD being violent and racist, demanded no more funding for police, and required more transparency and accountability from police and the Council.

Call-in User expressed disapproval about the lack of response to e-mails sent to Chief Gamez and Captain Christensen regarding the policy and requested for their resignations. Call-in User disapproved of the sole discretion of police officers activating cameras, requested changing the policy, and stated the lack of public trust in police.

Maya requested the police be held accountable and stated cameras only criminalize community members without stopping police brutality. Maya supported defunding the police and putting City resources towards education and community programs to uplift black and brown voices. Maya commented the cameras do not address the racist foundations of policing and asked for the re-imagining of public safety.

Marlon encouraged public reinforcement and support for DCPD and stated that the defunding of police is a simple-minded solution. Marlon voiced support for a well-staffed and well-trained police department, encouraged good policing, and stated the silent majority observe the law and want civility. Marlon expressed respect for the job of police officers who serve with respect, courtesy and honor.

RESOLUTIONS

Adopting Budget Plan for American Rescue Plan Act (ARPA) State and Local Fiscal Recovery Funds

Assistant City Manager Stephen Stolte reviewed the budget plan for ARPA funds which incorporates input received from the City Council and the community via a City town hall that was held on July 26th. Mr. Stolte presented an overview of the legislation, the eligible uses of the fund, Daly City's local recovery plan, and next steps. According to Deputy Director of Finance and Administrative Services Abby Veaser, the City will receive \$25.26 million in ARPA funds; Ms. Veaser presented the funding timelines including the deadline for when these funds must be spent (12/31/26). Mr. Stolte provided staff's funding recommendations for various categories under the City's operating and capital improvement program (CIP) budget plans. Ms. Veaser provided summaries of the operating budget plan (budgeted with \$15.35 million of ARPA funds) and the CIP budget plan (budgeted with \$9.9 million ARPA funds).

Discussions continued between the Council and staff to consider the following issues: raising the amount of premium pay for essential workers, where funds can be reallocated from within the budget, partnering with existing organizations for immigrant relief services, how funding recommendations were arrived at, whether enterprise funds can be utilized for certain CIP projects, which projects had timeline

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impacts, the premium pay amount for essential workers vs. staff members not in the essential group, when funding will be distributed, and what amounts other cities have paid their employees in premium pay.

The following speakers, including union employees and representatives for bargaining units, thanked Council for their support and thoughtful consideration regarding premium/hazard pay for essential workers. Individuals pointed out that since the pandemic, essential workers have not had the opportunity to telework and have continued direct interactions with the public, putting them at high risk. Some shared their difficult, potentially dangerous interactions with members of the public who refused to abide by COVID restrictions; these workers continued to provide professional customer service in the libraries and other public spaces.

Jeff Templin
Rod Palmquist
Celina Tirona

Joshua Rees
Nichola Crescenzi
Shannon Benner-Boxer

Mark Leach
Mark Gong

Call-in User acknowledged the importance of libraries but commented on the lack of cleanliness in the library.

***Discussion continued as Councilmember Sylvester recommended to increase premium pay from the recommended \$2,000 to \$5,000 per employee. Mayor Manalo recommended to increase premium pay to \$5,500 per employee and to raise the allocation for immigrant relief by \$100k. Director of Finance Tim Nevin acknowledged this increases the recommendation for premium pay from a cap of \$900k to \$2.475 million (a difference of \$1.575 million), and Mr. Stolte acknowledged the City will look at other immigrant-focused organizations in the community. Councilmember Sylvester requested clarification as to where the difference of \$1.675 million will be taken from; the Council and staff discussed where the monies can be reallocated from. Director of Public Works Richard Chiu and Mr. Nevin provided recommendations on which CIP programs/projects the difference can be moved from such as HVAC and storm drain projects, as mentioned by the Council. Mayor Manalo amended the motion to increase the cap for premium pay from \$900k to \$2.474 million.

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

Resolution 21-158, Adopting State And Local Fiscal Recovery Funds Budget Plan To Authorize Use Of American Rescue Plan Act State And Local Fiscal Recovery Funds

ORDINANCES

Second Reading, Ordinance No. 1452, Adding Chapter 8.80 to the Municipal Code Re: Mandatory Organic Waste Disposal Reduction

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

Ordinance 1452, Adding Chapter 8.80 Of The Daly City Municipal Code Re: Mandatory Organic Waste Disposal Reduction

***Councilmember Sylvester made amendments to the 11/22/21 minutes at the 12/13/21 regular meeting.

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Second Reading, Ordinance No. 1453, Amending Chapter 17.36 of the Daly City Municipal Code Re: Home Occupations

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

Ordinance 1453, Amending Chapter 17.36 Of Title 17 Of The Daly City Municipal Code Re: Home Occupations

PUBLIC APPEARANCES/ORAL COMMUNICATIONS:

Call-in User, Curt, expressed disapproval with the Mayor for using City resources, the Vice Mayor for a racist remark and the City Manager for the police officer-related shooting of Roger Allen.

Sabrina expressed disapproval with the Serramonte Del Rey map for discriminating against low-income residents by not providing affordable housing and for not providing enough green space.

Eddy expressed disapproval with the Serramonte Del Rey project for having low affordability for the community in terms of housing, for accelerating gentrification in the City, and for destroying a community garden.

APPOINTMENTS:

It was moved by Councilmember Sylvester, seconded by Councilmember DiGiovanni and carried by voice vote to appoint Bill Lex to the Library Board of Trustees.

It was moved by Mayor Manalo, seconded by Councilmember Buenaventura and carried by unanimous roll call vote to appoint Hamilton Anoa'i to the Recreation Commission.

REPORTS:

Council Committee Meetings: October 25 – November 22, 2021

Combined Affordable Housing Subcommittee and Development Subcommittee
(re: Discuss Aspects of JUHSD Project at Serramonte Del Rey) (Manalo/Sylvester)
Peninsula Clean Energy (PCE) (Daus-Magbual)
Bay Area Water Supply and Conservation Agency (BAWSCA) (Manalo)

City Council

Mayor Manalo reported that staff is looking at creating an ordinance to restrict cigarette smoke shops from being concentrated in one area as there is currently an abundance along the Mission corridor. Mayor Manalo thanked the Pilipino Bayanihan Resource Center (PBRC) for their annual Thanksgiving giveaway to support those in need in by providing grocery gift cards to families; over 300 cars lined up and participated at that event. Mayor Manalo participated at Chick-Fil-A's ribbon-cutting event in Serramonte which was attended by the owner operator and her family. The Mayor joined the Turkey Bowl with the Chamber of Commerce at Classic Bowl, the Council of Cities hosted by Menlo Park, and

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Serramonte Ford's 50th birthday celebration. Mayor Manalo reported the North Eastern Medical Service Center, with a coalition of providers, held a press conference at BART; they are working with grassroots organizations during the pandemic to help people get their booster shots and vaccines while working to ensure equity. Mayor Manalo reported the Daly City Stand United Against Hate campaign was throughout the week; small businesses, health care institutions and residents have shown their support for the campaign. Mayor Manalo thanked staff for the Veterans Day Event at War Memorial which was hosted by Veterans Post 8750 and honored veterans. Daly City Firefighters and Daly City Police gave a salute to and held a tribute for the veterans, while the Kindred Hospice organization provided lunch at the event. Mayor Manalo attended a toy drive for the holidays with San Francisco Asian Peace Officers Association, NACICEC to raise toys for those in need in the community.

Councilmember DiGiovanni acknowledged staff and members of the community for participating at the Chick-Fil-A ribbon-cutting event including City Treasurer Daneca Halvorson, Teresa Faapua and her son, and the franchise owner and her family.

ADJOURNMENT:

Mayor Manalo adjourned the meeting at 11:06 PM in memory of Edwina "Del" Sundiam Morales.

Approved as submitted, this 13th
day of December, 2021.

City Clerk

Mayor