

CITY OF DALY CITY
MINUTES – REGULAR MEETING - CITY COUNCIL
JANUARY 10, 2022

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The meeting was called to order by Mayor Daus-Magbual at 7:00 P.M. by video conference call pursuant to Governor Gavin Newsom's Executive Order N-29-20.

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

Staff Present:
Stephen Stolte, Assistant City Manager
Rose L. Zimmerman, City Attorney
K. Annette Hipona, City Clerk

Staff Absent:
Shawwna Maltbie, City Manager

APPROVAL OF MINUTES:

Special Meeting and Regular Meeting of December 13, 2021

It was moved by Councilmember Sylvester, seconded by Councilmember DiGiovanni and carried to approve the minutes of December 13, 2021.

APPROVAL OF AGENDA:

It was moved by Mayor Daus-Magbual to approve the agenda.

CONSENT AGENDA:

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

Resolutions:

Authorizing the City to Continue to Implement Teleconferenced Public Meetings Pursuant to Assembly Bill 361

Resolution 22-1, Authorizing Remote Teleconference Meetings by City Council and All Boards, Commissions, and Standing Committees of the City in Accordance with Assembly Bill 361 for a Period of Thirty Days

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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Check Registers

Check Registers for the Month of November

END OF CONSENT AGENDA

PUBLIC HEARINGS

General Plan Amendment GPA-04-21-014998, Planned Development PD-04-21-014997, Design Review DR-04-21-015000, Major Subdivision SUB-04-21-014999 – Preliminary Plan review of a proposed Precise Plan for the redevelopment of the Serramonte Del Rey Campus at 699 Serramonte Boulevard

Associate Planner Carmelisa Morales Lopez presented an overview of the precise plan, discussing its development plan, timeline, conditions, phasing plan and required entitlements. Ms. Morales Lopez summarized the topics discussed during committee meetings such as impacts of preserving the community garden, the proposal's addition of approximately 2 acres of park and open space, and timeline for the Affordable Housing Plan (AHP) approval.

Jefferson Union High School District (JUHSD) Board Trustees Kalimah Salahuddin and Andrew Lie discussed the District's purpose and goals with the plan. Ms. Salahuddin indicated the approval of the preliminary plan would allow the school district to solicit an affordable housing developer partner. According to the Trustees, the project would help fund the district by generating a steady revenue, raising teacher salaries to be competitive with other districts, retaining staff, funding student programs, supporting the City with its 1200+ units of housing, expanding green space on the property and providing a childcare program. Ms. Salahuddin stated JUHSD is fiscally prudent, provided a list of their supporters, and was in favor of continuing talks with the community to reach an amicable place regarding the development.

Mayor Daus-Magbual opened the public hearing.

The following speakers opposed the JUHSD plan as drafted, urging the Council to vote "No." While some acknowledged the need for more housing and supported a livable wage for teachers, various issues were raised as flaws in the plan. These issues included: elimination of the community garden and Westmoor Park; construction of 14-story high-rise buildings; unaffordability of the market rate units and the low number of affordable units being proposed (10%); non-compliance from the City's inclusionary housing ordinance; lack of transparency in the plan on generated revenue and teacher's salaries; negative impacts to climate change; issues of gentrification and displacement; and a lack of a housing shortage.

Nick Occhipinti
Sabrina Brennan
Jas
Glenn Mercado
Helen Nicely
Debbie Santiago
Blue Murov
Xavier Gomez

Berto
D. Gold
Hibah
Jacqi
Deni Asnis
Jeremy
Remi Tan
4DC

Nancy Lacsamana
Victoria Becker
Gladwyn d'Souza
Chaya Gordon
TK
Julie Starobin
Teresa Proano

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The following speakers were in favor of JUHSD’s proposal and urged Council to support the district by voting to approve the plan. According to supporters, developing the site gives the opportunity to address several issues including: providing the district with a steady revenue source; providing much-needed affordable and market rate housing in the area; expansion of the green space and making it accessible for all abilities; retaining high-quality educators and addressing the high turnover rate through salary raises; providing students consistent and high-quality education; and addressing the state’s Regional Housing Needs Allocation (RHNA) requirements. Speakers noted the lack of viable options to address the district’s lack of funds and some rejected the idea of turning to taxpayers for those funds.

Ethan Mizzi
Ed Lopez
Joel
Kelli Fallon
Jack Hebb
Clayton Koo
Javi E.
Nico Nagle
Common Ground CA

John Baker
Emily Lin
Kalisha Webster
Alex Melendrez
Dana Martinezmoles
Denton
Fern Hahn
Salim
Hayden

Eden
Monica Casey
Raayan
Emily
Kelsey Banes
Ken Chan
Andres
Michael Barnes

It was moved by Vice Mayor Buenaventura, seconded by Councilmember Manalo and carried to close the public hearing.

Discussion continued with Ms. Salahuddin and Mr. Lie addressing Council’s questions. Concerns included the potential to increase the affordable housing units to more than the proposed 10% (possibly to 20%); what type of outreach was done regarding the community garden; what steps were taken, if any, to try and preserve the garden; why it is not feasible to preserve the garden; clarifications for the placeholders on the green space; willingness to work with community members regarding the green space; clarification on the timeline for AHP approval; whether conditions can be added to the plan, and tower heights.

Mayor Daus-Magbual moved up the Council Committee Reports to hear the Affordable Housing Committee’s report. Councilmember Sylvester reported on the committee’s joint meeting with JUHSD, providing information on garden concerns and expressing concerns over building height and affordability among the six parcels. To support the plan, Councilmember Sylvester requested the following concerns be addressed and to be included as conditions: a maximum height limit for the area; a more equitable arrangement for the garden; increasing the affordability for units; more information on community outreach; and prohibiting clustering of affordable units in Parcel C. Councilmember Manalo reported on the district’s willingness to work with the community on the design of the proposed community garden and how the plan deviates from the City’s housing ordinance. Councilmember Manalo and Vice Mayor Buenaventura voiced interest in a good faith effort of reaching 20% affordability, to which Ms. Salahuddin and Mr. Lie were amenable. Ms. Salahuddin also addressed some of the concerns raised.

It was moved by Vice Mayor Buenaventura and seconded by Councilmember Manalo to approve the preliminary plan and include the condition for a good faith effort to reach 20% affordability. Vice Mayor Buenaventura accepted Councilmember Manalo’s friendly amendment to include a good faith effort to achieve a mix of lower AMI levels.

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

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

Resolution 22-2, Adopting Findings of Fact Following Planning Commission Recommendation
Re: Preliminary Plan Review for Planned Development PD-04-21-014997 (699 Serramonte Boulevard - Serramonte Del Rey Campus)

COMMUNICATIONS

Use Permit UPR-06-21-015101 — Tesla Supercharger at 1590 Bryant Street

Planning Manager Michael Van Lonkhuysen presented a request by Tesla to construct a 32-post electric vehicle supercharger facility for Tesla electric vehicles at the corner of Bryant and Washington streets. Mr. Van Lonkhuysen provided information on adjacent uses and traffic impacts.

Tessa Sanchez, Tesla representative, addressed questions, confirming that the proposed project can only serve Tesla vehicles and that it is one of the first standalone sites. Ms. Sanchez reported on Tesla's plans to open up its supercharger network in the future to be able to serve non-Tesla vehicles in North America.

Councilmember Sylvester recused himself from voting due to owning Tesla stock and products.

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

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

Resolution 22-3, Adopting Findings of Fact and Imposing Conditions of Approval on Use Permit UPR-06-21-015101 to Construct a 32-Post Charging Station for Tesla Vehicles (1580 Bryant St.)

PUBLIC APPEARANCES/ORAL COMMUNICATIONS:

Call-In User3 voiced concern with the legacy of the City Council, the City Manager and the Mayor. Call-In User3 acknowledged Councilmember Sylvester for voting "No."

TK voiced concern with streetlights being down in various areas of the City, acknowledged the work being done by the Public Works Department, and requested the issue be looked into.

Remi Tan voiced concern on public comment not being taken during Tesla's use permit request and questioned constructing a standalone vehicle charger on a potential housing site. Remi requested improvements be done at the Daly City Bart Station, reporting on criminal activities and the lack of sanitation in that area.

Hibah requested review of the garden survey that was emailed to the City Council and City Clerk which showed the garden's importance to the community and their opposition to the Serramonte del Rey development. Hibah expressed youth concerns regarding COVID-19 protocols at the school district and issues of sexual assault.

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REPORTS:

Council Committee Meetings: December 13, 2021 – January 10, 2022

Affordable Housing/Development, JUHSD Project at Serramonte del Rey (Manalo/Sylvester)
(This item was reported on during the public hearing on the Serramonte del Rey site)

City Council

Councilmember DiGiovanni wished everyone a Happy New Year and thanked the Daly City Police Department and Councilmember Sylvester, acknowledging January 9th as National Law Enforcement Appreciation Day. Councilmember DiGiovanni wanted to focus on community needs and look at where monies were allocated and rethink the budget so funds can be directed to unmet needs such as bargaining contracts, streetlights, and COVID-19 relief.

Councilmember Manalo reported on joining the Frosty Fest Countdown Event with the Mayor and thanked staff for putting on an amazing holiday event for the City's youth. Councilmember Manalo reported the attachments for the joint meeting between JUHSD and the Affordable Housing Council Committee are within Council's packet and was reported out earlier in the meeting.

Mayor Daus-Magbual expressed his gratitude to the Library and Recreation staff for the Frosty Fest Event which had inflatable displays and a video production online.

ADJOURNMENT:

Mayor Daus-Magbual adjourned the meeting at 11:08 PM in memory of John Madden, David Nguyen, Sidney Poitier, Bob Saget, Betty White, Nelly Santos Macahilas and Gabriel R. Montemayor.

Approved as submitted, this 24th
day of January, 2022.

City Clerk

Mayor