

CITY OF DALY CITY
MINUTES – REGULAR MEETING - CITY COUNCIL
FEBRUARY 28, 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 (Joined meeting at 8:30 p.m.)
 Glenn R. Sylvester

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

PRESENTATIONS:

Proclaiming February 28, 2022 as Rare Disease Day
(Matthew Abaya and Fred Briones, Rare Disease Day Bay Area)

General Fund 10-Year Forecast Update
(Director of Finance Tim Nevin and City Manager Shawna Maltbie)

APPROVAL OF MINUTES:

Regular Meeting of February 14, 2022

It was moved by Councilmember Sylvester, seconded by Councilmember DiGiovanni and carried to approve the minutes of February 14, 2022, as amended.

APPROVAL OF AGENDA:

It was moved by Mayor Daus-Magbual 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 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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Resolutions:

Accepting and Appropriating \$26,985 in Measure K funding for the Library Summer Learning Programming

Resolution 22-25, Accepting And Appropriating \$26,985 In Measure K Funds For The Library Summer Learning Program

Accepting and Appropriating a \$6,950 Grant from the State of California for Library Read Together Kits

Resolution 22-26, Accepting And Appropriating A \$6,950 Grant From The State Of California For Library Read Together Kits

Authorizing City Manager to Execute an Agreement with Tucson Purchasing Cooperative, and to Execute an Agreement with Smartwave Technologies, LLC. for the Purchase and Installation of a Public Wi-Fi Network in Census Tract 6002 (Bayshore Community Wi-Fi Project)

Resolution 22-27, Authorizing Execution Of An Agreement With Tucson Purchasing Cooperative To Participate In Cooperative Purchasing

Resolution 22-28, Authorizing Execution Of An Agreement With Smartwave Technologies LLC, For The Bayshore Community Wi-Fi Project

Authorizing Amendment to the Professional Services Agreement with Park Engineering, Inc. for Construction Management and Support Services for the Central Corridor Bicycle and Pedestrian Safety Improvements Project

Resolution 22-29, Authorizing Execution Of Amendment To The Professional Services Agreement With Park Engineering, Inc. For Construction Management And Support Services For Central Corridor Bicycle And Pedestrian Improvements Project

Appropriating Funds and Authorizing City Manager to Increase the Construction Contract and Execute an Amendment to the Professional Services Agreement for the Mussel Rock 2019 Gabion Wall and Stormwater Maintenance Project

Resolution 22-30, Authorizing Increase In Amount Of Construction Contract With Brannon Corporation For The Mussel Rock 2019 Gabion Wall And Stormwater Maintenance Project And Appropriation Of Funds

Resolution 22-31, Authorizing Amendment #1 Of Professional Services Agreement With Anchor Engineering, Inc., For Construction Management And Support Services For The Mussel Rock 2019 Gabion Wall And Stormwater Maintenance Project And Appropriation Of Funds

Accepting \$441,345.64 Grant from the State Water Resources Control Board

Resolution 22-32, Accepting A Grant From The State Water Resources Control Board

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Setting Time and Place of Public Hearing - Proposed Revision to Ordinance No. 1374 Section 2.16.020 Arts and Culture Commission Duties in Chapter 2.16 of the Daly City Municipal Code

Resolution 22-33, Setting Time And Place Of Public Hearing For Proposed Revision To Ordinance No. 1374 Section 2.16.020 Arts And Culture Commission Duties In Chapter 2.16 Of The Daly City Municipal Code

Setting Time and Place of Public Hearing – Proposed Ordinance Amending Chapter 8.64 – Regulating the Use of Disposable Food Service Ware by Food Facilities

Resolution 22-34, Setting Time And Place Of Public Hearing For Proposed Ordinance Repealing And Replacing Chapter 8.64 Of The Daly City Municipal Code Regulating The Use Of Disposable Food Service Ware By Food Facilities

Setting Time and Place for a Public Hearing to Consider an Ordinance Revision to Increase Small Business Commission Meeting Frequency from Six to Twelve Regularly Scheduled Meetings Per Year

Resolution 22-35, Setting Time And Place Of Public Hearing For Proposed Revision To Ordinance No. 1435 Chapter 2.58 Of The Daly City Municipal Code To Increase Small Business Commission Meeting Frequency

END OF CONSENT AGENDA

COMMUNICATIONS:

Consideration of Proposals for the Hotel Parcel at 1837 Junipero Serra Boulevard

Director of Economic Community and Development Tatum Mothershead provided information on the February 15 meeting where the City Council received presentations and interviewed four teams interested in developing the subject City parcel. At that time, Council did not have time to deliberate, but will have the opportunity to do so tonight. Ms. Mothershead recommended that next steps include selection of the development team(s) who will progress to a second round of interviews. The selected team(s) will work with staff to submit its term sheet that further details their proposal.

The City Council thanked staff and the development teams who presented at the Study Session. Discussion continued with Councilmembers making recommendations on the development teams they would like to have progress to the second round. The submittal from the LF George development team was also discussed and staff was given direction to follow up with LF George on whether they still had interest in pursuing the project.

Ken Hira, Kosmont Companies, addressed questions on the type of evidence the staff can gather to vet the developer(s) and questions to ask to determine financial wherewithal. Mr. Hira also provided clarification on the RFP timeline and addressed questions on the LF George submittal and whether they withdrew from the process. Ms. Mothershead addressed questions on whether there will be an opportunity for the Council to ask further interview questions and whether staff can work with the development team(s) on the project labor agreement.

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It was moved by Vice Mayor Buenaventura to have JM McLennan Development, Phase 3 Real Estate Partners, Inc. and LF George progress to the second round. The motion was seconded by Councilmember Sylvester.

Ms. Mothershead recommended providing LF George with an opportunity to make its presentation and answer interview questions at the City Council meeting of March 14 should the developer indicate interest in pursuing the project. Vice Mayor Buenaventura amended his motion to include Ms. Motherhead's recommendation. The motion carried by unanimous roll call vote to adopt the following resolution, as amended:

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

Resolution 22-36, Selecting Developers To Progress To The Next Step For The Hotel Parcel Project At 1837 Junipero Serra Boulevard

AWARD OF BIDS/CONTRACTS:

Accept Per Capita Program Grant, Appropriate Funds, and Award of Contract for the Polaris Park Improvement Project

Assistant to the Director of Public Works Jeff Fornesi recommended accepting and appropriating Per Capita Program funds totaling \$244,645, requested appropriation of \$130,355 Parkland Dedication fees, and recommended awarding a contract to Ross Recreation Equipment & Co. in the amount of \$243,336 for the subject project. Mr. Fornesi addressed questions on ownership of the site and the estimated timeline for the Polaris Park improvements.

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

Resolution 22-37, Accepting Per Capita Program Grant, Appropriating Funds And Awarding Contract For The Polaris Park Improvement Project To Ross Recreation Equipment, Inc.

PUBLIC APPEARANCES/ORAL COMMUNICATIONS:

Call-In User3 apologized for use of profanity, supported the lack of racial comments and stated the City was progressing. Call-In User3 requested the Police Department become more community-oriented and to de-escalate SWAT training and recommended holding meetings three to four times a month.

Bart Pantoja, Business Manager Secretary-Treasurer for the San Mateo County Building & Construction Trades Council, appreciated everybody's diligence and expressed interest in meeting with the Council at a future time.

REPORTS:

Council Committee Meetings: February 14, 2022- February 28, 2022

Peninsula Clean Energy (PCE)
(Diversity, Equity, Accessibility & Inclusion Subcommittee for PCE) (Daus-Magbual)
Council of Cities San Mateo County (Daus-Magbual)

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Vice Mayor Buenaventura reported on a constituent's request to fly the Ukrainian flag over Daly City City Hall to show the City's support for the Ukrainian people; the Vice Mayor supported this sentiment and also recommended a City Council resolution condemning the attack on Ukraine and deferred to City Manager Shawna Maltbie. City Attorney Rose Zimmerman also provided guidance on the federal flag and state rules and stated the City is allowed to raise the Ukrainian flag for a limited duration on a ceremonial basis via proclamation or direction.

Councilmember DiGiovanni supported flying the Ukrainian flag and City proclamation; she recommended contacting the Consul General of Ukraine in San Francisco to obtain a Ukrainian flag and suggested inviting their office to meet with the Council. Councilmember DiGiovanni reported on the Black History Month - 30th anniversary celebration with Class Development/Cultural Arts Administrator Leslie DuBridge, noting its importance in remembering America's history. Councilmember DiGiovanni thanked Recreation Services Manager Denise Brown and the Mayor and reported on the Recreation Commission meeting, where new commissioners Hamilton Anoa'i and Saul Miranda were sworn in and Nate Ortiz became its Chair.

Councilmember Sylvester supported denouncing the attack on Ukraine and provided information on where to purchase the Ukrainian flag. Councilmember Sylvester recommended to fly the Ukrainian flag at a minimum of once a week for as long as the war continues and also supported contacting the Consul General of Ukraine to obtain the flag.

Councilmember Manalo supported raising the Ukrainian flag to show solidarity and denounce the attack on Ukraine. Councilmember Manalo commended staff for the amazing work in putting together the Black History Month event which highlighted the history, the culture, and the heroes and heroines who shared their stories on equity and justice; the outdoor hybrid event was put on by Recreation staff and featured intergenerational programming. Councilmember Manalo asked the community to support the DCPLA's (Daly City Public Library Associates) luncheon and fundraiser event which will take place on St. Patrick's Day.

Mayor Daus-Magbual concurred with his fellow Councilmembers to support Ukraine. Mayor Daus-Magbual noted that although it is the last day of February, Black History Month is made every day and is American history; the Mayor supported continuing to learn about issues about the black community in parallel with the BIPOC communities.

Staff:

City Manager Maltbie consulted with City Attorney Zimmerman on flag rules and ensured that staff has started researching the flag request and will provide an update to Council soon.

ADJOURNMENT:

Mayor Daus-Magbual adjourned the meeting at 9:28 PM in memory of Uini Iosia and Jorge Alvarado.

Approved as submitted, this 14th
day of March, 2022.

City Clerk

Mayor