

CITY OF DALY CITY
MINUTES – REGULAR MEETING - CITY COUNCIL
NOVEMBER 14, 2022

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The meeting was called to order by Mayor Daus-Magbual at 7:02 P.M.

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

Staff Present:
Tom Piccolotti, Interim City Manager
Rose L. Zimmerman, City Attorney
K. Annette Hipona, City Clerk

PRESENTATIONS:

Proclamation - United Against Hate Week

(Anthony Rodriguez; on behalf of Mayor Arreguin, City of Berkeley)

Proclamation - Small Business Saturday

Proclamation - Native American Heritage Month

APPROVAL OF MINUTES:

Regular Meetings of October 10, 2022 and October 24, 2022

It was moved by Councilmember Manalo, seconded by Councilmember DiGiovanni and carried to approve the minutes of October 10, 2022 and October 24, 2022.

APPROVAL OF AGENDA:

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

PUBLIC APPEARANCES/ORAL COMMUNICATIONS:

Al Comolli, San Mateo County Gun Buyback, reported on an upcoming gun buyback event on December 3rd from 10AM to 2 PM at 1000 Skyway Road in San Carlos. The event, which will be managed by the Sheriff's Office, will be done anonymously, and individuals turning in their gun(s) will receive funds.

Note on Public Comments: For this meeting, members of the public had the option of attending in person or attending virtually 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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Call In User 1, John Daly, expressed concern about the lack of transparency for a Veteran's Day event and stated his disapproval of Councilmember Manalo, Vice Mayor Buenaventura, Councilmember Sylvester and County Supervisor Canepa. John voiced support for Councilmember DiGiovanni, Daly City Police and San Francisco Police, and stated that people and not guns are the problem.

Fernando Montanes raised an issue regarding pedestrian safety and road safety, reporting on streetlight outages in the Westmoor neighborhood, and requested improving the City's infrastructure.

Call In User 2, translating for Marianne Martinez; stated the May 2021 City event was illegal, accused Councilmember Manalo, Vice Mayor Buenaventura and Mayor Daus-Magbual of racism, asking for the Vice Mayor's resignation.

CONSENT AGENDA:

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

Communications:

Accept 2022 Qtr. 3 Investment Report

Resolutions:

Authorize the City Manager to Execute an Amendment to the Professional Services Agreement with CSG Consultants, Inc. for Map Review and City Surveyor Services

Resolution 22-188, Authorizing Amendment To The Professional Services Agreement With CSG Consultants, Inc.

Adopt Resolution to Amend Recurrent and Part-time Hourly Rates Schedule in Accordance with City Council Adopted Minimum Wage

Resolution 22-189, Adopting Amendment To Recurrent And Part-Time Hourly Rates Schedule

Approve Resolutions Amending Employer Contributions Under Public Employees' Medical and Hospital Care Act for Members of Each Employee Group

Resolutions 22-190 through 22-210, Fixing The Employer Contribution Under The Public Employees' Medical And Hospital Care Act At An Equal Amount For Employees And Annuitants With Respect To Each Employee Group (21 resolutions)

Accept Notice of Completion for the Civic Center South Roof Project

Resolution 22-211, Accepting Completion Of Certain Project In The Department Of Public Works (Civic Center South Roof Project)

Authorize the City Manager to Execute a Professional Services Agreement for Project Management and Construction Support Services for Various HVAC, Roofing and Generator Projects

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Resolution 22-212, Authorizing Execution Of Professional Services Agreement With Swinerton Builders Dba Swinerton Management & Consulting, Inc. For Project Management And Construction Support Services For Various HVAC, Roofing And Generator Projects

Accept Fiscal Year 2022 Annual Report on Collection and Use of Developer Public Facility Fees

Resolution 22-213, Approving Fiscal Year 2022 Annual Report On Collection And Use Of Developer Public Facility Fees

Authorize City Manager to Execute Agreement for Microsoft Software

Resolution 22-214, Authorizing Execution Of A Three-Year Enterprise Agreement With CDW-G For Microsoft Software

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

Resolution 22-215, Authorizing Remote Teleconference Meetings By The City Council And All Boards, Commissions, And Standing Committees Of The City In Accordance With Assembly Bill 361 For A Period Of Thirty Days

Check Registers

Check Registers for the Month of October 2022

END OF CONSENT AGENDA

PUBLIC HEARINGS:

Introduction of an Ordinance for the 2022 California Building Standards Codes, and Adoption of the 2022 California Fire Code and 2021 International Fire Code Amendments to Recycling and Diversion of Construction and Demolition Debris Ordinance

Chief Building Supervisor Mario Sigala provided the staff report and addressed questions on the following: affordable housing exceptions, refund/recovery amounts, whether the permitting process is too stringent, provisions for EV charging, reach codes, and fire safety requirements.

It was moved by Councilmember Sylvester seconded by Councilmember DiGiovanni and carried to open the public hearing. There were no speakers on this matter.

It was moved by Councilmember Manalo seconded by Councilmember Sylvester and carried to close the public hearing.

It was moved by Councilmember Buenaventura, seconded by Councilmember Manalo and for the City Attorney to read the ordinance by title only. Mayor Daus-Magbual introduced the following ordinance:

Ordinance 1461, Repealing And Replacing Chapters 15.00, 15.08, 15.10, 15.14, 15.16, 15.20, 15.22, 15.24, 15.32, 15.60, & 15.65 Addition Of Chapter 15.12, Amendments To Chapter 15.64 Of Title 15 Of The Daly City Municipal Code

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Amendment to PD 47 Planned Development Standards and Approval of Parking Management Plan for King Plaza Shopping Center (950 – 980 King Drive) - Zone Change ZC-09-21-015237

Planning Manager Michael Van Lonkhuysen presented the applicant's parking management plan proposal from the shopping center and provided staff's recommendations.

It was moved by Councilmember Manalo, seconded by Councilmember DiGiovanni and carried to open the public hearing.

Mark Hudak, Attorney for Classic Bowl, acknowledged the parking issue at King Plaza Center but voiced concern with segregating half of the parking spaces for retail's exclusive use which, Mark stated, would be fatal for Classic Bowl. Mark expressed concern with the proposed 2-hour parking for any of the parking spaces at the site, as they would negatively impact the experience of Classic Bowl patrons who park on site for at least 3 to 4 hours. Mark recommended an alternative plan, which Mark claimed was agreed to by both parties – a 4-hour time limit. Parking Consultant Gary Black noted the increase of food uses in King Plaza Center and provided data on parking demand on site.

Janet Fogarty, Attorney for King Plaza/Owner, presented a parking lot management plan proposing 2 or 1-hour time limits for less than half the spaces and untimed parking for the rest of the spaces. The parking management plan, developed by Walker Consulting, found the spaces near short-term uses need the limited time parking, while the spaces near Classic Bowl can remain unlimited. Janet reported variance conditions for Classic Bowl, previously approved by the City, have not been met. King Plaza Center owner, Tammy Ho, is trying to bring the property into compliance with the City's zoning code. Janet requested clarification for the CC&R process for the application.

The following speakers expressed concern with parking issues at King Plaza Center and supported a parking plan which includes time limits for spaces aimed at short-term parking. Individuals relayed that having all unlimited parking causes very little turnover in the parking lot forcing potential customers to leave the plaza. Customers voiced frustration with the difficulty in locating a parking space. Business owners expressed concern over negative economic impacts as people who are unable to locate parking end up leaving the plaza.

Tammy Ho, owner King Plaza Ctr.
Peter Quach, Manila Market owner
Louisa Chu
Ken Wong
Brian Chen
Paul Lee
Merlin Edwards
Wilson Ho
Onyi Hui
Justin Cheong
Tse Ernest
James
Ray Satorre
Kris Fernandes
Ms. M.
Chris

Joji Mercado, King Plaza tenant/business owner
Gaber Shalaby
Dorie Paniza
Jefferson Polynesian Club (via Dorie Paniza)
Rich Bonomi
Lyman Chao
Connie Chan
Sunny Kwong
Stephen Wong, King Plaza tenant/business owner
Emily Ho
Peter Wong
Jason Chung (translating for grandfather)
Jimmy L
Chloe W.
James Barret, Manila Market

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The following speakers opposed the parking plan and voiced support for Classic Bowl. Some people expressed concern that timed parking will negatively impact bowlers disproportionately and some were concerned that limiting parking may ultimately cause Classic Bowl to go out of business. Individuals expressed support for the different businesses located at the plaza and requested some compromise, while others suggested a 4 or more-hour parking limit as an alternative. Bowlers, Classic Bowl employees and other members of the community spoke of the benefits provided by Classic Bowl to the community, including providing a safe space for family and friends to gather, providing a space to promote activity and wellness for seniors and youth, and the charitable contributions made by Classic Bowl to the community.

Matt DeVincenzi, General Manager, Classic Bowl
Felicia Leong, Chamber of Commerce
Harry Brown
Charles David
Kenneth Dolar
Richard Pazderka
Rob Petroni, Classic Bowl League
Chris Chan
Robert Hiraoka
Dustin Chase
Ken Holmes
Chelsea Bendehele
Margie deluna
Neldon Diyogi
Jason Choi
Cindy Blackstone, Knights of Columbus
Dang Yap
Raymond Marks
Daniel Schlimmer, Classic Bowl employee
Christian Magat
Mike Lynch
Ann Radel

Leslie
Lisa De Luna
Dennie Mendoza
Stacey DeVincenzi
Jon Lee, Classic Bowl Employee
Joe Sylvester
Airene Morales, Classic Bowl Employee
Matthew Chan
Norman Gershenz
Keith O.
Bob Newman
Kristie Leong
Justin Lu
Adrian Pascual
Tyrone Arriola
Nolan Capus
Ryan DeLuna
Stephanie Godizano
Michelle Magat
Sabrina Balarbar
Steven Suen

Call in User 1, John Daly, requested the applicant and Classic Bowl become panelists, urged businesses to focus on take-out and delivery service, opposed the housing development in Westlake, and recommended developing in St. Francis Square instead.

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

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

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

Resolution 22-216, Adopting The Parking Management Plan And Affirming Categorical Exemption Under CEQA_(King Plaza Shopping Center - 950-980 King Drive)

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It was moved by Councilmember Sylvester, seconded by Vice Mayor Buenaventura and carried for the City Attorney to read the ordinance by title only.

Councilmember Sylvester introduced the following ordinance:

Ordinance 1462, Amending The Daly City Zoning Map By Amending Ordinance No. 1316
Re: Planned Development Standards For PD-47 (King Plaza Shopping Center)

Introduction of an Ordinance of the City Council of the City of Daly City Amending Chapter 2.04 of the Daly City Municipal Code Re: Salaries of City Councilmembers

City Attorney Rose Zimmerman provided the staff report to discuss the salary of Councilmembers, which may be adjusted up to 5% for each calendar year. Ms. Zimmerman addressed questions on when salary increases for the Council was last considered and what the increase has been historically. Director of Finance and Administrative Services Tim Nevin provided clarification on the salary increases for other employee groups over the past 14 years and on the calculations and the fiscal impact(s) for a 5% salary increase vs. a 4% salary increase. Staff was given direction to increase the bi-weekly salary by 4%.

It was moved by Councilmember Sylvester , seconded by Councilmember DiGiovanni and carried to open the public hearing.

Call In User 1, John Daly, voiced concern with the Council's low approval ratings, stated it was not working out for the Council and asked them to consider the public, the taxpayers, for their approval ratings.

Ray S. supported the salary increase and recommended performing a salary standardization study for comparison with other cities due to the higher costs of living in Daly City and the Bay Area in general.

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

It was moved by Councilmember Buenaventura, seconded by Councilmember DiGiovanni and for the City Attorney to read the ordinance by title only.

Mayor Daus-Magbual introduced the following ordinance:

Ordinance 1463, Amending Chapter 2.04 Of The Daly City Municipal Code Re: Salaries Of City Councilmembers

ORDINANCES

Second Reading, Ordinance No. 1460 Re: Unlawful Possession of Used Catalytic Converter

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

Ordinance 1460, Adding Chapter 9.58 To The Daly City Municipal Code Regarding Unlawful Possession Of Used Catalytic Converter

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REPORTS:

Mayor Daus-Magbual attended the following: a Kapwa Kultural Center & Café event which focused on Filipino American youth and mental health; the Bayshore Block Party; the Daly City/Colma Chamber of Commerce Turkey Bowl; and the Daly City Public Library Associates' Art and Lit. Festival. Mayor Daus-Magbual thanked the Recreation Department for their video honoring veterans to commemorate Veteran's Day.

Councilmember Manalo thanked staff for having the art of San Francisco Artist Carlos Gonzalez at City Hall which honors the life of Larry Itliong.

ADJOURNMENT:

Mayor Daus-Magbual adjourned the meeting on Tuesday, November 15, 2022 at 1:30 AM in memory of Bryan Nase.

Approved as submitted, this 28th

day of November, 2022.

City Clerk

Mayor