

CITY OF DALY CITY

REGULAR MEETING - CITY COUNCIL

AGENDA

Monday, September 14, 2009 - 7:00 PM

For those wishing to address the City Council on any Item on the Agenda or under Public Appearances/Oral Communications, please complete a Speaker Card located at the entrance to the Council Chambers and submit to a Staff Member as early in the meeting as possible.

Persons with disabilities who require auxiliary aids or services in attending or participating in this meeting should call the office of the City Clerk at 991-8078 as soon as possible.

CALL TO ORDER:

Minutes: The meeting was called to order by Vice Mayor Guingona at 7:00 P.M.; 7:10 PM

PLEDGE TO THE FLAG:

ROLL CALL:

Minutes: Vice Mayor Guingona announced that Mayor Torres is out on business this evening.

; 7:02 PM

PRESENTATIONS:

Daly City's Local Hazard Mitigation Plan (Matt Lucett)

Minutes: Community Disaster Preparedness Coordinator Matt Lucett gave a PowerPoint presentation on Daly City's Local Hazard Mitigation Plan. A copy of his presentation is on file in the Office of the City Clerk. Mr. Lucett stated we will be holding a public meeting on the Local Hazard Mitigation Plan on Monday, September 21, 2009 at 7:00 P.M.

; 7:10 PM

APPROVAL OF MINUTES:

Regular Meetings of July 13 and 27, 2009

Motion on Approve

AVAILABILITY OF PUBLIC RECORDS:

All public record to an open session item on this agenda, which are not exempt from disclosure pursuant to the California Public Records Act, that are distributed to a majority of the legislative body will be available for public inspection at the City Clerk's Office, City Hall located at 333 90th Street, Daly City, CA during normal business hours, at the same time that the public records are distributed or made available to the legislative body.

Motion to approve Regular Meetings of July 13 and 27, 2009

Passed For: 0; Against: 0; Abstain: 0; Absent: 1

APPROVAL OF AGENDA:

Motion on Approve

Motion to approve the agenda

Passed For: 0; Against: 0; Abstain: 0; Absent: 1

CONSENT AGENDA

All items listed on the Consent Agenda are considered to be routine and may be approved by one roll call vote of the City Council. There shall be no separate discussion of the matters on the Consent Agenda unless requested by a member of the City Council. If discussion is required, that item will be removed from the Consent Agenda and will be considered separately at the end of the Agenda.

Minutes: Vice Mayor Guingona stated it was requested that Item No. 3, Commending Chief Gary McLane on the Occasion of his retirement and Item No. 10, Authorizing Budgetary Adjustments: A. Request for Approval to Accept Grant Funding from the Office of Traffic Safety, would be taken at the end of the Consent Agenda.; 7:02 PM

Communications :

1. Department of Public Works - re: Approving Plans & Specifications, Affirming CEQA Determination and Authorizing Solicitation of Bids for Street Resurfacing 2009 (Phase II) and King Drive Bicycle Lanes Projects

Motion on Adopt

Motion to adopt Resolution No. 09-128, Approving Design Documents and Authorizing Bid Invitations Re: Street Resurfacing 2009 (Phase II) and King Drive Bicycle Lanes Project

Passed For: 4; Against: 0; Abstain: 0; Absent: 1

Resolutions :

2. Accepting Notice of Completion for Street Slurry Seal/Cape Seal 2009

Motion on Adopt

Motion to adopt Resolution No. 09-129, Accepting Completion of Certain Project in the Department of Public Works - Street Slurry Seal/Cape Seal 2009

Passed For: 4; Against: 0; Abstain: 0; Absent: 1

3. Commending Chief Gary McLane on the Occasion of his Retirement

Minutes: The Council expressed appreciation for Police Chief Gary McLane's distinguished career in the Daly City Police Department and extended its best wishes to Chief McLane upon his retirement.

; 7:19 PM

Motion on Adopt

Motion to adopt Resolution No. 09-136, Commending Gary Steven McLane on the Occasion of His Retirement

Passed For: 4; Against: 0; Abstain: 0; Absent: 1

4. Fiscal Year 2009-10 Service League Subgrantee Contract Agreement under Community Development Block Grant Program

Motion on Adopt

Motion to adopt Resolution No. 09-130, Approving and Authorizing Execution of Service League of San Mateo County Subgrantee Contract Agreement for Community Service Programs under Community Development Block Grant Program (Fiscal Year 2009-2010)

Passed For: 4; Against: 0; Abstain: 0; Absent: 1

5. Approving Bus Stop and Bus Route for MUNI's 8BX Route

Motion on Adopt

Motion to adopt Resolution No. 09-131, Amending Traffic Regulations

Passed For: 4; Against: 0; Abstain: 0; Absent: 1

6. Authorization to Negotiate a Contract Change Order for John Daly Boulevard and Westmoor Avenue Sidewalk Improvements Project

Motion on Adopt

Motion to adopt Resolution No. 09-132, Authorizing Construction Contract Change Order for John Daly Boulevard and Westmoor Avenue Sidewalk Improvements Project

Passed For: 4; Against: 0; Abstain: 0; Absent: 1

7. Authorization to Submit Application for Highway Safety Improvement Program Funds

Motion on Adopt

Motion to adopt Resolution No. 09-133, Authorizing Submitting Grant Application to the State of California Department of Transportation (CalTrans) for Highway Safety Improvement Programs (HSIP) Grant Funds (Fiscal Year 2009-2010)

Passed For: 4; Against: 0; Abstain: 0; Absent: 1

8. Amending Traffic Regulations:

1. Installing Stop Control on the Southbound Road from Mussel Rock Transfer Station at its intersection with Westline Drive. (TSR 10-07)

Motion on Adopt

Motion to adopt Resolution No. 09-134, Establishing Traffic Regulations 1. Installing Stop Control on the Southbound Road from Mussel Rock Transfer Station at its intersection with Westline Drive. (TSR 10-07)

Passed For: 4; Against: 0; Abstain: 0; Absent: 1

Check Registers :

9. Check Registers for the Month of August 2009

Motion on Approve

Motion to approve Check Registers for the Month of August 2009

Passed For: 4; Against: 0; Abstain: 0; Absent: 1

Authorizing Budgetary Adjustments:

10. A. Request For Approval To Accept Grant Funding From The Office Of Traffic Safety

Minutes: Police Captain Eric Wollman reviewed the Agenda Report and recommended that the Council give approval to accepting grant funding in the amount of \$331,151 from the Office of Traffic Safety through the National Traffic Safety Administration to be used to assist the Daly City Police Department's Traffic Safety Program to benefit the community.

Councilmembers Gomez and Klatt expressed appreciation for staff's efforts in getting these grants.

; 7:16 PM

Motion on Adopt

Motion to adopt Resolution No. 09-135, Approving Receipt of Grant Funds from the California State Office of Traffic Safety for the Daly City Police Department

Passed For: 4; Against: 0; Abstain: 0; Absent: 1

END OF CONSENT AGENDA

AWARD OF BIDS/CONTRACTS:

11. John Daly Boulevard and Westmoor Avenue Sidewalk Improvements Project

Staff

Fuller

Recommended Action

Adopt Resolution Roll Call

Minutes: Director of Public Works John Fuller gave a PowerPoint presentation on the John Daly Boulevard and Westmoor Avenue Sidewalk Improvements Project. Mr. Fuller stated the City received two Transportation Development Act grants that were distributed by the City/County Association of Governments to improve pedestrian safety at the intersections of John Daly/Santa Barbara Avenue and Westmoor Avenue/Southgate Avenue.

Mr. Fuller recommended that the City Council accept all bids, waive minor irregularities, and award a construction contract to JJR Construction, Inc. of San Mateo in the amount of \$67,473.20 for the subject project.

; 7:24 PM

Motion on Adopt

Motion to adopt Resolution No. 09-137, Authorizing Execution of Contract with JJR Construction Inc. (John Daly Boulevard and Westmoor Avenue Sidewalk Improvements Project)
Passed For: 4; Against: 0; Abstain: 0; Absent: 1

PUBLIC APPEARANCES/ORAL COMMUNICATIONS:

NOTE: Speakers are limited to two minutes, unless modified by the Mayor. The Council cannot take action on any matter raised under this item

Minutes: Sonny Quinquini, Franciscan Mobile Home Park Resident, was present to address the appointment process for the Rent Review Commission. He expressed opposition to a LINC representative automatically sitting on the Commission.

Maria Perez, Franciscan Mobile Home Park Resident, expressed concern about their first amendment rights being taken away by management. She was also concerned about them borrowing the maintenance money to pay the property tax and not paying it back. She thanked Councilmember Canepa for his support.

Betty Manuel, Franciscan Mobile Home Park Resident, spoke on behalf of the senior citizens living on fixed incomes, who can not afford the rent increase.

Bill Stipinovich, Franciscan Mobile Home Park Resident, called on the Council to take this

matter seriously and to remind the Council that these are our homes. We have gotten documents and legal counsel with our own money.

Annette Miramontes, Franciscan Mobile Home Park Resident, reviewed the past services they received and what they are receiving now. She was opposed to appointing a LINC representative to the Commission.

Sandee Holman, Franciscan Mobile Home Park Resident, was opposed to a LINC representative being appointed to the Commission. We want input on who is going to be on this Commission.

Ricci Rubio, Franciscan Mobile Home Park Resident, introduced the new group, Residents for Justice of the Franciscan Mobile Home Park to address the process of the appointment to the Rent Review Commission. He was opposed to LINC being appointed to the Commission because he felt it was a conflict of interest. We are asking for fairness and justice.

Candi Campbell, Franciscan Mobile Home Park Resident, spoke on the assessment calculation and the required payment of property taxes in San Mateo County.

In remembrance of Daly City's former City Clerk Helen Flowerday, City Clerk Annette Hipona expressed appreciation for her dedicated service to the people of Daly City and sent her condolences to her family.

City Attorney Rose Zimmerman updated the Council on the petition regarding the Franciscan Mobile Home Park the City received. The petitioners are represented by legal counsel. She has corresponded with their legal counsel in regards to moving forward and is waiting for a response from them. At this time, the Council is moving forward in good faith accepting applications for consideration to form the Rent Review Commission. We will update the Council when we receive those applications.
; 7:44 PM

APPOINTMENTS: Board/Commission Membership Committee Appointments

Minutes: Councilmember Canepa motioned to reappoint Carole Hutchen to Personnel Board.; 7:45 PM
Motion on Approve

Motion to reappoint Carole Hutchins to the Personnel Board with term expiring April 25, 2015.
Passed For: 4; Against: 0; Abstain: 0; Absent: 1

REPORTS:

12. Council Committee

A Council Committee Meetings from August 24 -

September 13, 2009

Minutes: The Council Committee reported on the CDBG Committee Meeting Re: Housing Prevention and Rapid Re-housing Program Funds. (Gomez/Klatt)

; 7:47 PM

13. City Council

Minutes: Councilmember Klatt asked for a proclamation declaring October as Filipino Heritage Month. Councilmember Klatt invited everyone to the Quezon City Sister City's 15th Annual Fil-Am Festival at the Serramonte Shopping Center this coming Saturday and Sunday.

Councilmember Gomez reported on the Disaster Preparedness Day Event she attended this past Saturday. Councilmember Gomez also reported on the Chamber of Commerce Business Fair she attended this past Saturday at Serramonte Shopping Center.

Councilmember Guingona reported on a fight he attended on Saturday at which time Ana Julaton became Daly City's first female boxing champion who went ten rounds and won by a split decision.

; 7:50 PM

14. Staff

Minutes: Assistant City Manager Kerry Burns stated the City will be developing the next two year budget. The City will be holding four public meetings from September 26th to October 31st to discuss what values and priorities the community wants the City to take into consideration in developing the budget. Ms. Burns announced Daly City's "Make a Difference Day" will be on October 24, 2009.

; 7:57 PM

ADJOURNMENT:

Minutes: Adjourn the meeting in memory of Steven Gregory Hart, Senator Edward Kennedy, Richard Bridges, Helen Flowerday, Julie Inocencio, Carol Himmler, William Manson, and Lloyd Peterson.; 8:01 PM

Motion on Adjourn

Motion to adjourn the meeting at 7:55 p.m. in memory of Steven Gregory Hart, Senator Edward Kennedy, Richard "Rocky" Bridges, Helen Flowerday, Julie Inocencio, Carol Himmler, William Manson and Lloyd Peterson

Passed For: 4; Against: 0; Abstain: 0; Absent: 1