

CITY OF DALY CITY

REGULAR MEETING - CITY COUNCIL

AGENDA

Monday, November 23, 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 Mayor Torres at 7:00 P.M.;

PLEDGE TO THE FLAG:

ROLL CALL:

PRESENTATIONS:

Introduction of City Commissioners

Minutes: Mayor Torres stated prior to the Council meeting we celebrated the work of the City's Commissioners from various commissions. The following City Commissioners were present: Segundo Bautista, Planning Commission, Richard Crump, Planning Commission, Denise Kelly, Planning Commission, Teresa Proaño, Parks and Recreation Commission, Perla Ibarrientos, Personnel Board, and Howard Edelman, Planning Commission.; 7:05 PM

Introduction of Chief of Police Manuel Martinez Jr.

Minutes: City Manager Patricia Martel introduced the City's new installed Chief of Police Manuel Martinez Jr. Ms. Martel gave a brief background on Chief Martinez 27 years of service with the San Jose Police Department and education.

Chief of Police Manuel Martinez, Jr. expressed appreciation for being appointed Daly City's Chief of Police. Chief Martinez stated it is his passion to work together with the community to have a safe environment for our Community.

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.

; 7:12 PM

STAR Awardees Recognition

Minutes: City Manager Patricia Martel announced the two Star Awards recipients: Alain Pereur, Building Maintenance Worker I, and Ryan Fernandez, Building Maintenance Worker II, in the Department of Public Works.

Director of Public Works John Fuller recognized them for their work.

; 7:15 PM

APPROVAL OF MINUTES:

Special Meeting of November 9, 2009

Motion on Approve

Motion to approve minutes of the of November 9, 2009

Passed For: 5; Against: 0; Abstain: 0; Absent: 0

APPROVAL OF AGENDA:

Motion on Approve

Motion to Approve APPROVAL OF AGENDA:

Passed For: 5; Against: 0; Abstain: 0; Absent: 0

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: Mayor Torres stated it was requested that Item No. 2, Authorizing Execution of Amendments to the Employment Agreement of City Manager and Item No. 3, Authorizing Execution of Amendments to the Employment Agreement of City Attorney would be taken at the end of the Consent Agenda.

; 7:02 PM

Resolutions:

1. Setting Time and Place for a Public Hearing on Community Development and Housing Needs and Authorizing the Solicitation of Request for Proposals of CDBG Funds **Set Hearing 12/14/09**

Motion on Adopt

Motion to adopt Resolution No. 09-168, Setting Time and Place of Public Hearing Re: Assessment of Community Development and Housing Needs and Authorizing the Solicitation of Request for Proposals of CDBG Funds, Hearing 12/14/09 – 7:00 P.M.
Passed For: 5; Against: 0; Abstain: 0; Absent: 0

2. Authorizing Execution of Amendments to the Employment Agreement of City Manager

Motion on Continue

Motion to continue this item to the meeting of January 11, 2010
Passed For: 3; Against: 2; Abstain: 0; Absent: 0
Minutes: Councilmember Canepa requested a continuance of this item to the first meeting in January in order to have an opportunity to review the original employment agreement for the City Manager.; 7:02 PM

3. Authorizing Execution of Amendments to the Employment Agreement of City Attorney

Motion on Adopt

Motion carried to continue this item to the meeting of January 11, 2010
Passed For: 3; Against: 2; Abstain: 0; Absent: 0
Minutes: Councilmember Canepa requested a continuance of this item to the first meeting in January in order to have an opportunity to review the original employment agreement for the City Attorney.; 7:02 PM

4. Setting Time and Place for a Public Hearing to Amend Bonding Requirements for Certain Public Officials **Set Hearing 01/11/10**

Motion on Adopt

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Motion to adopt Resolution No. 09-169, Setting Time and Place of Public Hearing Re: Bonding Requirements for Certain Public Officials Ordinance, Hearing 01/11/10 – 7:00 P.M.

Passed For: 5; Against: 0; Abstain: 0; Absent: 0

Check Registers:

5. Check Registers for the Month of October 2009

Motion on Approve

Motion to approve Check Registers for the Month of October 2009

Passed For: 5; Against: 0; Abstain: 0; Absent: 0

END OF CONSENT AGENDA

PUBLIC HEARINGS:

6. First Reading, re: Adding Chapter 15.65 of the Municipal Code Establishing a Green Building Program for New Residential Buildings

Staff

Pirnejad

Recommended Action

Open/Close Hearing

Motion for City Attorney to Read by Title Only

Councilmember Introduce Ordinance

Minutes: Assistant Director of Economic and Community Development Peter Pirnejad gave a PowerPoint presentation on the proposed New Residential Green Building Ordinance. He outlined the purpose of going green, homeowner benefits, standards for compliance, timelines for implementation and the approximate costs of going green. A copy of the presentation is on file in the Office of the City Clerk.

Mayor Torres opened the public hearing.

; 7:28 PM

Motion on Close

Motion to close the public hearing.

Passed For: 5; Against: 0; Abstain: 0; Absent: 0

Motion on Introduce

Motion to introduce Ordinance No. 1346, Adding Chapter 15.65 Establishing a Green Building Program for New Residential Buildings

Councilmember Gomez introduced the ordinance.

Passed For: 5; Against: 0; Abstain: 0; Absent: 0

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: There were no speakers.; 7:29 PM

APPOINTMENTS: Board/Commission Membership Committee Appointments

Minutes: Mayor Torres appointed the following individuals to the Mobile Home Rent Review Commission:

**Members at Large: Jonah Chew, George Mockridge and Mary Ellen Sherer
Franciscan Mobile Home Park Member: Jean Hayner, LINC Housing Corporation:
Rebecca Clark, Managing Director**

City Manager Patricia Martel stated the plan is to have them sworn in as of the next Council meeting and then schedule an orientation and then schedule the first meeting of the Rent Review Commission after the first of the year.

; 7:31 PM

REPORTS:

7. Council Committee

A Council Committee Meetings from October 26 -
November 22, 2009

Minutes: The Council Committees reported on the following:

Design Review Permit DR07-6 (GPA07-1, SUB07-1, UP07-3) 7555 Mission Street – Habitat for Humanity Greater San Francisco 36-Unit Condominium Development (Klatt/Guingona)

Administrative Draft Land Use Element Policies (Gomez/Klatt)

; 7:34 PM

8. City Council

Minutes: Mayor Torres reported on Saturday's event on the bio-swale the City created in front of the Serramonte Library to help with the treatment of water.

Councilmember Gomez wished Happy Birthday to Birthhold Herpe on turning 100 years old.

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; 7:35 PM

9. Staff

Minutes: There were no reports.; 7:35 PM

ADJOURNMENT:

Minutes: The meeting was adjourned at 7:36 P.M. in memory of Magdeleine Czabaranek, Josephine Murrin and Joseph Thomas Elsbernd.; 7:37 PM

Motion on Adjourn

Motion to adjourn the meeting at 7:36 P.M. in memory of Magdeleine Czabaranek, Josephine Murrin and Joseph Thomas Elsbernd.

Passed For: 5; Against: 0; Abstain: 0; Absent: 0