

CITY OF DALY CITY
MINUTES – REGULAR MEETING – CITY COUNCIL
FEBRUARY 12, 2024

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The regular meeting was called to order by Mayor Manalo at 7:00 P.M.

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

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

PRESENTATIONS:

Age-Friendly Strategic Plan
(Alfredo Vergara-Lobo, Principal, Vergara-Lobo Associates)

Proclamation - Black History Month
(Leslie DuBridge, Class Development/Cultural Arts Administrator)

Daly City Public Library Associates (DCPLA) Grant to the Daly City Public Library
(Clayton Koo, Director, DCPLA)

APPROVAL OF MINUTES:

Regular Meeting of January 22, 2024

Vice Mayor Daus-Magbual made a motion to amend the minutes referring to item #13, 'A Resolution Admonishing Councilmember Pamela DiGiovanni', to accurately reflect what was stated by Councilmember DiGiovanni and Vice Mayor Daus-Magbual at the meeting of January 22, 2024.

It was moved by Mayor Manalo, seconded by Vice Mayor Daus-Magbual and carried by the following roll call vote to approve the minutes of January 22, 2024, as amended.

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

APPROVAL OF AGENDA:

It was moved by Councilmember DiGiovanni, seconded by Vice Mayor Daus-Magbual and carried to approve the agenda.

Note on Public Comments:

To provide public comments, members of the public have the option to- 1) attend in person, 2) email the City Clerk, or 3) submit comments through the public comment portal on the City's website. Persons with disabilities who require auxiliary aids or services in attending or participating in this meeting are instructed to call the office of the City Clerk at 991-8078 prior to the meeting.

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PUBLIC APPEARANCES:

Brent Turner referred to a public comment he made at the last meeting about having a conversation with an activist and encouraging the activist to disassociate from Councilmember DiGiovanni. Turner reached out to City Clerk Hipona to ensure the comment was summarized properly.

Rebecca Ayson raised issue about an egregious act that was done against her by Councilmember DiGiovanni, which DiGiovanni denied at the last meeting. Ayson stated after supporting and helping DiGiovanni during her campaign for office, including loaning DiGiovanni money, DiGiovanni threw crumpled balls of money at Ayson when she repaid the loan. Ayson asked for an apology as well as accountability from DiGiovanni for her actions, noting there was still an opportunity to earn back some respect.

Cheryll Catuar noted that some people rely on reading the minutes to see what happened during a meeting, since not everyone has access to the internet to watch Council meetings online, or on TV. Catuar raised issue with DiGiovanni shaming her victims, stating DiGiovanni was aware of the complaints against her but has not taken any accountability thus far. Catuar voiced concern with DiGiovanni's misuse of City vehicles which are paid for by taxpayers' dollars, and noted the investigation of DiGiovanni was initiated by the City's Human Resources Department.

Fernando Montanes voiced concern with the lack of remorse and the victim-blaming by Councilmember DiGiovanni when she was being admonished by the Council, which Montanes stated was merely a slap on the wrist. Montanes was waiting for acknowledgement and apologies from DiGiovanni for her mistakes and for her to do better. Montanes admonished the disrespect of an elder in the community by DiGiovanni.

Edzelyn Cabiles spoke about being one of the victims of Councilmember DiGiovanni, referring to the investigation of DiGiovanni. Cabiles noted meeting DiGiovanni in 2019 and helping her from that time. Cabiles referred to being harassed by DiGiovanni at a Daly City event in which DiGiovanni called the police to have Cabiles removed from the event without cause. Cabiles called for DiGiovanni's resignation for lying, misusing City resources, being racist, and using Cabiles, demanded DiGiovanni pay for the investigation and misused City resources, and questioned the lack of an apology from DiGiovanni.

Paul Peterson voiced concerns about PG&E, noting the frequent power outages in their neighborhood lasting for longer periods during the last 5 years. Peterson stated there is a deterioration of PG&E's equipment and power grid, seeing as the last storm knocked out power for more than 32 hours in their neighborhood. Peterson noted the PG&E bill, which has doubled from 3 years ago, will be raised again soon, and urged the Council to place a complaint with the CPUC or PG&E's CEO to demand for public improvements.

CONSENT AGENDA:

It was moved by Councilmember DiGiovanni, seconded by Councilmember Sylvester and carried to approve the consent agenda with the exception of items #7 and 9.

Resolutions:

Accept and Appropriate a \$10,300 Grant from the Daly City Public Library Associates

Resolution 24-23, Accepting And Appropriating Grant From The Daly City Public Library Associates

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Resolution Authorizing State of California Cannabis Equity Act Grant Funding

Resolution 24-24, Authorizing State Of California Cannabis Equity Act Grant Funding

Accept and Appropriate Fiscal Year 2024 Mid-Year Operating Budget Adjustments

Director of Finance and Administrative Services Tim Nevin provided the staff report and addressed questions regarding expenditures, funding allocations, revenue increases, transfers, and the forecasted surplus.

It was moved by Mayor Manalo, seconded by Councilmember Daus-Magbual and carried by unanimous roll call vote to adopt the resolution.

Resolution 24-25, Approving Fiscal Year 2024 Mid-Year Operating Budget Adjustments

Accept and Appropriate Fiscal Year 2024 Mid-Year Capital Improvement Program Budget Adjustments

Resolution 24-26, Accepting And Appropriating Fiscal Year 2024 Mid-Year Capital Improvement Program Budget Adjustments

Reallocation of Permanent Local Housing Allocation Funds (PLHA) funds to Midway Village

Senior Management Analyst Lenelle Suliguin provided the staff report and addressed questions regarding requirements of the PLHA funding.

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

Resolution 24-27, Authorizing Reallocation Of Permanent Local Housing Allocation Funds From 493 Eastmoor To Midway Village Phase 2

END OF CONSENT AGENDA

COMMUNICATIONS:

Resolution to Declare Loneliness a Public Health Crisis

Assistant to the City Manager Leilani Ramos provided the staff report including the profound impact on health related to loneliness and highlighted the six foundational pillars to addressing the issue.

Dr. Hakan Ozcelik, Professor, College of Business at Sacramento State University, provided information on the challenges and myths around loneliness and made recommendations on how to tackle the problem more effectively.

Dr. Jei Africa, Director of Behavioral Health and Recovery Services (BHRS), San Mateo County, provided information on the County's efforts in addressing loneliness and isolation, including the partnership between Aging and Adult Services, BHRS, and Public Health and Policy, and through projects like The Friendship Line and senior peer counseling services.

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It was moved by Mayor Manalo, seconded by Vice Mayor Daus-Magbual and carried by unanimous roll call vote to adopt the resolution:

Resolution 24-28, Declaring Loneliness, A Public Health Crisis In The City Of Daly City, County Of San Mateo

City Council Vacancy and Discussion of Next Steps

City Attorney Rose Zimmerman provided information on Councilmember Raymond Buenaventura's resignation from the City of Daly City, effective February 2, 2024. Zimmerman outlined the procedure to fill a City Council vacancy as set forth by the Government Code, and requirement of a special election upon a vacancy on the Council as set forth by the Daly City Municipal Code. Such a special election will be consolidated with the next general election, which is set for November 5, 2024. Zimmerman provided discussion around the vacancy and interim appointment by the City Council and a procedure they may follow moving forward.

Zimmerman addressed questions on Municipal Code 2.04.060, provisions if the Ordinance was not followed, special election costs, whether the item can be tabled to ensure compliance, whether the Ordinance takes precedence over the Government Code, clarifications for "writ of mandate", and how the special election will appear on the ballot.

The Council deliberated next steps regarding the special election, came to a consensus, and provided direction to staff to call for a special election to be consolidated with the general election at the next regularly scheduled City Council meeting.

Zimmerman addressed questions on the interim appointment and application process, the procedure during the Council vacancy in 2011, application format, whether the process will be done within 60 days of the resignation date, the methods for marketing the vacancy and appointment, and whether social media can be used to advertise the appointment. Zimmerman advised the Council to review the application, which will be provided in the next City Council packet.

The Council deliberated next steps on whether to have an appointment process and came to a consensus. The Council provided direction to staff to initiate an appointment process, develop an application for interested candidates, have an extensive outreach plan to advertise the vacancy to Daly City residents, and to provide the information to Council for review at the next regular meeting of February 26, 2024.

ORDINANCES:

Second Reading, Ordinance No. 1470, Amending Title 6 of the Daly City Municipal Code Re: Animal Control

It was moved by Mayor Manalo, seconded by Councilmember DiGiovanni and carried by unanimous roll call vote to adopt the ordinance.

Ordinance 1470, Amending Title 6 Of The Daly City Re: Animal Control

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REPORTS:

Council Committee

Peninsula Clean Energy (PCE) (Daus-Magbual)

City Council

Mayor Manalo joined Congressman Mullin's Coffee with City Council event in Redwood City; Mullin acknowledged meeting with Manalo in Washington D.C. and their discussion of the Mussel Rock and Vista Grande projects as well as the sustainability for Seton Hospital and its workers. Manalo commended Jefferson High School students for holding an E-waste collection event. Manalo reported attendance at the following events: the ribbon-cutting event for Peninsula Family Connection (PFC) at Susan B. Anthony School, acknowledging JESD for their innovative approach, PFC Director Eric, Executive Administrative Assistant Zermeno, and Supervisor Canepa; the inaugural Lunar New Year event at City Hall with over 200 participants, thanking the staff for their work, the West Coast Lion Dance Troupe, the Flying Angels Chinese Dance Academy, Silver Dragon Kung Fu Academy (with Director Cosgrove), the Baby Lion Dancers, artist Lillian M. Wu, sponsors Air Lollipops, Holistic Palliative Care, Ling Nam, Quest Diagnostics, Simmer Huang, Bay Area Community Health Advisory Council, Chinese Hospital, Daly City Chinese Youth Committee, the Chamber of Commerce, Northeast Medical Services, Rising Sun Center for Opportunity, the City Departments for resource tables, City Manager Piccolotti, and his staff Leilani Ramos, Angelica Zermeno and Charlie Machado-Morrow; the Crab Feed event at Pacelli Gym, thanking Recreation's Director Brown, Opal Fuller, and all the older adults for participating; Mission Fusion's dance production at Jefferson High School, thanking the youth for sharing their talent, and acknowledged the work of Ms. Mansel and Eden Magbilang; and the Skyline President Council event at the Skyline College campus to support their programs. Manalo acknowledged the 44th anniversary of Good News Fellowship, the first Pentecostal church in Daly City. Manalo proposed an open house event for the City of Daly City to highlight the City departments and services offered.

Vice Mayor Daus-Magbual thanked all the folks who put together the Lunar New Year celebration at City Hall, proclaiming it a spectacular event.

Councilmember DiGiovanni acknowledged City staff, the children, the Directors, the City departments, the performers and the food at the Lunar New Year celebration, and acknowledged Assistant to the City Manager Ramos and Executive Administrative Assistant Zermeno for the decorations. DiGiovanni reported attendance at Congressman Mullin's Coffee with City Council event where the issue of Mussel Rock was discussed, and acknowledged City Manager Piccolotti and staff.

ADJOURNMENT:

Mayor Manalo adjourned the meeting at 10:34 PM in memory of Robert Brizuela, Catriona Rueda Esquibel, Reynaldo Timosa Novicio, Jr. a.k.a. Mr. Ray, Jack Burgett, Beulah Brown, Anita M. Arguello, and Alton John Halvorson.

Approved as submitted, this 26th

day of February, 2024.

Juslyn C. Manalo
Mayor


City Clerk