

# CITY OF DALY CITY

## Regular Meeting - CITY COUNCIL

### AGENDA

Monday, February 14, 2011 - 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 Klatt at 7:00 P.M.; 7:01 PM**

#### PLEDGE TO THE FLAG:

#### ROLL CALL:

#### PRESENTATIONS:

Senator Leland Yee: Overview of Proposed Cow Palace Legislation

**Minutes: Senator Leland Yee gave an overview of the proposed legislation that would provide the local community with more influence over the decisions made at the Cow Palace. Senator Yee and Senator Ma has worked with Daly City Staff and individuals in Sacramento to address some of your concerns.**

**The Council expressed appreciation for Senator Yee's assistance to Daly City.  
; 7:09 PM**

American Heart Month Proclamation

**Minutes: Vice-Mayor Torres presented a proclamation proclaiming February 2011 as American Heart Month to Susan Lindstrom (American Heart Association Volunteer) in recognition of the importance of the on-going fight against heart disease. Ms. Lindstrom thanked the Council.**

**; 7:03 PM**

#### ***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 90<sup>th</sup> 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.***

APPROVAL OF MINUTES:

Regular Meeting of December 13, 2010

Motion on Approve

Motion to approve the minutes of December 13, 2010. Councilmember Gomez abstained on the minutes of December 13, 2010.

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

Regular Meeting of January 10, 2011

Motion on Approve

Motion to approve meeting of January 10, 2011

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

APPROVAL OF AGENDA:

Motion on Approve

Motion to approve the 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.

Resolutions :

1. Approval of Tier 2 Drought Implementation Plan

Motion on Adopt

Motion to adopt Resolution No. 11-12, Approving Tier 2 Drought Implementation Plan Pursuant to Section 3.11.C of the Water Supply Agreement with San Francisco

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

2. Notice of Completion for Street Slurry Seal and Cape Seal 2010

Motion to adopt Resolution No. 11-13, Accepting Completion of Certain Project in the Department of Public Works (Street Slurry Seal and Cape Seal 2010)

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

3. Countywide Subregion Membership to Administer ABAG's Regional Housing Needs Allocation

Motion on Adopt

Motion to adopt Resolution No. 11-14, Resolution Supporting the City of Daly City to Become a Member of a Countywide Subregion, an Entity that would Locally Administer ABAG's Regional Housing Needs Allocation Process (RHNA)

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

4. Proposed Assignment of Recreation Services Manager and Library Services Manager Classifications to Miscellaneous/Unrepresented Salary Schedule Range 64

Motion on Adopt

Motion to adopt Resolution No. 11-15, Authorizing Establishment of Recreation Services Manager and Library Services Manager

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

Authorizing Budgetary Adjustments:

5. To Appropriate \$4,487.53 in Donations from Friends of the Library to the Daly City Public Library

Motion on Adopt

Motion to adopt Resolution No. 11-16, Authorizing Budgetary Adjustments and Appropriations for Fiscal Year 2010-2011

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

6. To Appropriate \$42,412 for the Housing Endowment and Regional Trust of San Mateo County

Motion on Adopt

Motion to adopt Resolution No. 11-17, Authorizing Budgetary Adjustments and Appropriations for Fiscal Year 2010-2011

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

END OF CONSENT AGENDA

AWARD OF BIDS/CONTRACTS:

7. Award of Construction Contract for the Top of the Hill Improvements - Mission Street; Adopt Resolution Amending Traffic Regulations to Conform with Project Plans

**Staff**

Ovadia

**Recommended Action**

Adopt Resolutions

Roll Call

**Minutes: Senior Civil Engineer Robert Ovadia gave a PowerPoint presentation on the Top of the Hill Improvements – Mission Street Project with an overview of the goals of improving pedestrian safety, pedestrian mobility and transit access. It will provide a pedestrian-friendly environment and enhance the vibrancy of Mission Street.**

**Mr. Ovadia recommended that the City Council accept all bids and award a construction contract to Ghilotti Bros., Inc. of San Rafael, in the amount of \$3,444,267 including Base Bids 1 and 2 and Add Alternates 1 and 2. Award of the deductive alternate is not recommended as the cost savings is insufficient to justify award of the simpler design. He further recommended that the City Council adopt a separate resolution amending the traffic regulations to conform to the project plans.**

**Director of Public Works John Fuller stated changes to the traffic regulations are necessary because of the relocation of bus stops, reconfiguration of streets and parking spaces, and re-phasing of traffic signals.**

**; 7:19 PM**

Motion on Adopt

Motion to adopt Resolution No. 11-18, Authorizing Execution of Contract with Ghilotti Bros. Inc. (Top of the Hill Improvements – Mission Street Project)

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

Motion to adopt Resolution No. 11-19, Establishing Traffic Regulations

1. Amending Traffic Regulations along Mission Street, Los Olivos Avenue, Hillside Boulevard, John Daly Boulevard, Knowles Avenue, Alp Street, Theta Avenue, Vista Grande Avenue and Parkview Avenue to conform parking and traffic control regulations to the Top of the Hill Improvements – Mission Street Project

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

8. Award of Construction Contract for the City Hall Chiller Replacement Project (333 - 90th Street)

**Staff**

Ovadia

**Recommended Action**

Adopt Resolution

Roll Call

**Minutes: Senior Civil Engineer Robert Ovadia recommended that the City Council accept all bids, waive minor irregularities, and award a construction contract to R-E Corporation of Santa Rosa, for the installation of a new chiller located at the top of the Police Department driveway in the amount of \$38,005.**

**This replaces the existing air-cooled chiller with a more energy efficient model.**

**; 7:37 PM**

Motion on Adopt

Motion to adopt Resolution No. 11-20, Authorizing Execution of Construction Contract with R-E Corporation of Santa Rosa, California (City Hall Chiller Replacement Project 333 – 90th Street, Daly City, CA)

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

**ORDINANCES:**

9. Second Reading, Ordinance No. 1354, Amending Chapter 2.04 of the Municipal Code Re: Special Election to Fill Vacancy

**Staff**

Zimmerman

**Recommended Action**

Adopt Ordinance  
Roll Call

Motion on Adopt

Motion to adopt Ordinance No. 1354, Amending Section 2.04.060 of the Municipal Code Re:  
Special Election to Fill Vacancy

**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: The following individuals were in support of banning plastic bags. Cited concerns were plastic bags are not bio-degradable, and they litter streets and pollute oceans. It was suggested re-usable bio-degradable bags be used:**

**Manuel Martinez, Founder of Project Green Bag  
Cheryl Crofts  
Dominic Garcia  
Pamela DiGiovanni**

**Mrs. DiGiovanni suggested that the City keep in mind the U.S.A roundabouts that create a center, helps the city economically and keeps traffic flowing for cars, bike lanes and pedestrians.**

**; 7:40 PM**

APPOINTMENTS: Board/Commission Membership Committee Appointments

**Minutes: There were no appointments.; 7:45 PM**

REPORTS:

10. Council Committee

A Council Committee Meetings, January 25 -  
February 13, 2011

**Minutes: The Council Committees reported on the following:**

**General Plan Steering Committee (Klatt/Gomez)  
Centennial Committee (Gomez/Torres)**

**Medical Marijuana Committee Meeting (Guingona/Klatt)**

**; 7:46 PM**

11. City Council

**Minutes:** Mayor Klatt and Councilmember Guingona reported that they attended the Police Chiefs Association of San Mateo County meeting at which time they discussed Assembly member Fiona Ma's recommendation on the Cow Palace Bill.

Councilmember Guingona also reported he attended the City/County Association of Government meeting where they discussed a number of issues, such as, how to determine grant funding for safe pathways for schools.

Councilmember Canepa stated Daly City should move forward and consider legislation banning plastic bags at stores 10,000 square feet or more. He realized it could not be done tonight, but proposed it for a future meeting.

Councilmember Gomez stated the Solid Waste Committee looked into this issue and did not act on it because of the impact the ordinance would have on local businesses and our residents, the cost of an Environmental Impact Report and the risks of a possible lawsuit.

Councilmember Torres felt that they were treading on Brown Act violations so he left the Chambers at 8:03 P.M.

City Manager Patricia Martel clarified that an ordinance was never going to be introduced tonight. It was not presented for review by the City Attorney, City Manager or consultation by the Council to place such an item on the agenda for action. It is not an agenized item now or in the near future.

Councilmember Torres returned to the Chambers at 8:04 P.M.

**; 7:54 PM**

12. Staff

**Minutes:** There were no reports.; 8:03 PM

ADJOURNMENT:

Motion on Adjourn

Motion to adjourn the meeting at 8:07 P.M. in memory of Sandra Augustine, Lola Bocci, Alice

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Heredia Guzman, Manuel Romero Barajas, Martha Velez and Rica Llorente.

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