

CITY OF DALY CITY

Regular Meeting - CITY COUNCIL

AGENDA

Monday, April 25, 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.; 7:00 PM

PLEDGE TO THE FLAG:

ROLL CALL:

PRESENTATIONS:

San Bruno Community Recovery Update and Expression of Appreciation:
Councilmember Ken Ibarra and Police Chief Neil Telford

Minutes: Councilmember Ken Ibarra, City of San Bruno, and Police Chief Neil Telford gave an update on the community's recovery and thanked Daly City for their support. Councilmember Ibarra presented a proclamation to Mayor Klatt.

; 7:01 PM

Commending Sergeant Norman N. Palaby on His Recent Peninsula Council of Lions Clubs' Service Award

Minutes: Sergeant Norman N. Palaby was not present this evening.; 7:09 PM

Commending Fire Captain Mike Chavez, Fire Engineer Ernie da Roza, and Firefighter Willem Vanderwerff in Recognition of Their Recent Peninsula Council of Lions Clubs' Valor Awards

Minutes: Mayor Klatt and San Bruno Councilmember Ibarra presented Commendations

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.

to Fire Captain Mike Chavez, Fire Engineer Ernie da Roza, Firefighter Willem Vanderwerff and Fire Captain Kevin O’Sullivan in recognition of the hard work they have done for the City, the residents and the City’s outlining our community.

The Council expressed appreciation for the hard work they do.

; 7:10 PM

Commending Fire Captain Kevin O’Sullivan in Recognition of His Recent Peninsula Council of Lions Clubs' Heroism Award

Minutes: See item above.; 7:10 PM

Proclamation for the West Nile Virus and Mosquito and Vector Control Awareness Week - April 24-30, 2011

Minutes: Councilmember Torres presented a proclamation proclaiming April 24-30, 2011, as West Nile Virus and Mosquito and Vector Control Awareness Week to Robert Gay, Manager of the Mosquito and Vector Control District and Christine Fuller, Daly City Representative to San Mateo County’s Mosquito and Vector Control District.; 7:18 PM

APPROVAL OF MINUTES:

Regular Meeting of March 14, 2011

Motion on Approve

Motion to approve the Regular Meeting of March 14, 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. Affirm California Environmental Quality Act Determination of a Categorical Exemption for Junipero Serra Boulevard, Hoffman Street, and San Pedro Road Rehabilitation

Motion on Adopt

Motion to adopt Resolution No. 11-41, Affirming California Environmental Quality Act (CEQA)
Re: Junipero Serra Blvd, Hoffman St, and San Pedro Rd Rehabilitation

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

2. Authorization to Solicit Bids for Street Slurry Seal and Cape Seal 2011 Project

Motion on Adopt

Motion to adopt Resolution No. 11-42, Approving Design Documents and Authorizing Bid Invitations Re: Street Slurry Seal and Cape Seal 2011 Project

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

3. Authorization to Solicit Bids for Gellert Boulevard Bicycle Lanes Project

Motion on Adopt

Motion to adopt Resolution No. 11-43, Approving Design Documents and Authorizing Bid Invitations Re: Gellert Boulevard Bicycle Lanes Project

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

4. Proposed Assignment of Senior Library Page Classification to Hourly Salary Schedule Range H104

Motion on Adopt

Motion to adopt Resolution No. 11-44, Authorizing Establishment of Senior Library Page

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

5. Accept and Appropriate Grant from the Thelma Doelger Charitable Trust for Summer Reading Programs

Motion on Adopt

Motion to adopt Resolution No. 11-45, Approving Receipt of a Grant from the Thelma Doelger Charitable Trust for the Daly City Library's Summer Reading Program and Appropriation of Funds to the Library's Special Departmental Account

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

6. Increase Limit for Investment in Government National Mortgage Association Securities

Motion on Adopt

Motion to adopt Resolution No. 11-46, Approving City Treasurer Authority to Purchase Investments that Exceed the City's Five Year to Maturity Limit

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

7. Authorization to Execute Change Order with Envirometrix Corporation to Complete Underground Storage Tank Remediation at Fire Station 94

Motion on Adopt

Motion to adopt Resolution No. 11-47, Authorizing Construction Contract Change Order to Existing Contract with Envirometrix Corporation Re: Underground Storage Tank Remediation at Fire Station 94

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

8. Amendment of Utility Users Tax Exemption Requirements Resulting from Discontinuance of State Homeowners and Renters Assistance Program

Motion on Adopt

Motion to adopt Resolution No. 11-48, Amending Utility Users Tax Exemption Requirements Re: Discontinuance of State Homeowners and Renters Assistance Program

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

9. Acceptance and Appropriation of One-Time-Only Grant Funds from Aging and Adult Services of San Mateo County

Motion on Adopt

Motion to adopt Resolution No. 11-49, Accepting a One-Time-Only Grant from the San Mateo County Aging and Adult Services Department and Authorizing Appropriation of Grant Funds (Congregate Nutrition, Health Promotion and General Program Support)

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

Check Registers :

10. Check Registers for the Month of March 2011

Motion on Approve

Motion to approve Check Registers for the Month of March 2011

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

Authorizing Budgetary Adjustments:

11. Appropriation of Grant Funds For FY 2010-2011 - Outreach Worker Hourly Wages

Motion on Adopt

Motion to adopt Resolution No. 11-50, Approving Grant Funds for FY 2010-2011 for Outreach Worker Hourly Wages

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

12. Use of Asset Forfeiture Funds to Purchase Taser Holsters, Cartridge Carriers and Cartridges

Motion on Adopt

Motion to adopt Resolution No. 11-51, Authorizing Use of Federal and State Asset Forfeiture Funds for the Purchase of Taser Holsters, Cartridge Carriers and Cartridges

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

END OF CONSENT AGENDA

PUBLIC HEARINGS:

13. City's HUD Consolidated One-Year Action Plan for Fiscal Year 2011-12 and Amendment To HUD Action Plan for Fiscal Year 2008-09 Pertaining to Community Development Block Grant-R Funding

Staff:

Zobell

Recommended Action:

Open/Close Hearing

Adopt Resolution
Roll Call

Minutes: Housing and Community Development Supervisor Betsy ZoBell stated before the Council is the HUD Action Plan for Fiscal Year 2011/12, which describes how the City will use its federal housing and community development funds for the fiscal year, beginning July 1.

The City received a total of over \$2.2 million in request for a total of \$1.93 million in available Community Development Block Grant funds. The City has not received formal notification from HUD on the exact level of funding we will receive next year.

In order to meet HUD planning deadlines, a draft action plan has been prepared based on our best estimate of funding. It is possible that our final allocation levels will require us to cut about \$60,000 from the total allocations and about \$8,500 from the public service allocations. If necessary, we expect to present these revisions for your consideration in June.

The Draft Action Plan was reviewed and recommended by the Community Development Block Grant Advisory Committee. A summary of the committee's recommendation for specific activities and allocation of available block grant funds can be found as Exhibit A in the Agenda Report. In addition to block grant funds, the action plan describes how the City will use federal HOME funds. In 2011/12 we estimate that the City will receive an allocation of \$504,000 in Federal HOME funds. The committee recommends that these funds be used to subsidize development of new affordable housing.

We have provided ample opportunities for community input. We held a public hearing on housing and community development needs and completed a request for proposal process for community development block grant applicants. A summary of the action plan as well as notice of tonight's public hearing was published in The Examiner and the draft One-Year Action Plan was made available at the libraries, Community Service Center, City Hall and the City's website. To date, we have not received any public comments regarding the 2011/12 HUD Action Plan.

Staff is also requesting the Council consider the 2008/09 HUD Action Plan to reflect the reprogramming of \$130,000 in CDBG-R funds for the construction of sidewalk curb ramps throughout the city.

It is recommended that the Council conduct a public hearing; allocate funds for various CDBG and HOME activities for Fiscal Year 2011-12; approve the City's One-Year Action Plan; and adopt a resolution to approve a substantial amendment to the Fiscal Year 2008-2009 Action Plan.

Mayor Klatt opened the public hearing.

The following individuals expressed appreciation for the Council’s support:

Gina Papan, representing John’s Closet
Shiloh Kaho, representing Daly City Youth Health Center
Lois Ward, representing HIP Housing
Melissa Platte, representing Mental Health Association/Spring Street Shelter and Friendship Center
Denise Kelly, representing North Peninsula Food Pantry and Dining Center of Daly City
Seana O’Shaughnessy, representing Rebuilding Together
Maryann Bhimji, representing Samaritan House
Lauren Zorbas, representing Legal Aid Society of San Mateo County
Ann Sims, representing Bayshore Child Care Services
Anika Stevens, representing Project Sentinel
Fernando Cordova, representing Project Read
Robin Rudikoff, representing Shelter Network
Doran Martin, representing North Peninsula Neighborhood Center
Serena Ip, representing Housing Leadership Council of San Mateo County/HEART

; 7:25 PM

Motion on Close

Motion to Close public hearing.

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

Motion on Adopt

Motion to adopt Resolution No. 11-52, Amending 2008-2009 HUD Action Plan Pertaining to Community Development Block Grant-R Funding

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

Motion on Adopt

Motion to adopt Resolution No. 11-53, Approving the City’s HUD One-Year Action Plan for Fiscal Year 2011-2012 (July 1, 2011 through June 30, 2012)

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

ORDINANCES:

14. Extension of Temporary Moratorium on the Establishment and Operation of Medical Marijuana Collectives

Staff:

Schott

Recommended Action:

Adopt Ordinance

Roll Call

Minutes: Councilmember Guingona reported on the temporary moratorium for medical marijuana collectives in Daly City. The Subcommittee met with law enforcement and representatives from the medical marijuana cooperatives to gather more information in an effort to draft legislation.

Assistant City Attorney Kelly Schott stated the City has a temporary moratorium on marijuana collectives, which is set to expire on May 6, 2011.

Given the complexity of the issue, staff is recommending by 4/5 vote, the City Council waive reading and adopt an interim ordinance extending the moratorium for ten months and fifteen days.

; 8:03 PM

Motion on Adopt

Motion to adopt Ordinance No. 1355, An Interim Ordinance of the City Council of the City of Daly City Extending a Temporary Moratorium on the Establishment and Operation of Medical Marijuana Collectives

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.; 8:07 PM

APPOINTMENTS: Board/Commission Membership Committee Appointments

Minutes: There were no appointments.; 8:07 PM

REPORTS:

15. Council Committee

A Council Committee Meetings, April 11 - April 24, 2011

Minutes:

Councilmember Torres gave an update on the Centennial Committee.

; 8:09 PM

16. City Council

Minutes: Councilmember Guingona requested that the City appropriate a donation of \$500 to the Skyline College President Breakfast. ; 8:07 PM

Minutes: Councilmember Buenaventura reported on the Office of Emergency Council meeting at which time they discussed three different options regarding their budget. They also discussed the logistics of last month's tsunami warning.

; 8:14 PM

Minutes: Councilmember Canepa reported on the HEART meeting at which time they discussed funding HEART and what will be each city's donation. He stated all are invited to HEART's fundraiser on May 6, 2011 to get corporate sponsors.

; 8:18 PM

17. Staff

Minutes: There were no reports.; 8:20 PM

ADJOURNMENT:

Motion on Adourn

Motion to adjourn the meeting at 8:27 P.M. in memory of Kueng Siu Lee and Lorraine Reed.

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