CITY OF DALY CITY

Regular Meeting - CITY COUNCIL

AGENDA

Monday, October 10, 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:

PLEDGE TO THE FLAG:

ROLL CALL:

PRESENTATIONS:

Proclaiming November 2011 Pancreatic Awareness Month (Sara N. Broussard)

Minutes: Councilmember Guingona presented a proclamation proclaiming November 2011 as National Pancreatic Cancer Awareness Month to Sara N. Broussard.

; 7:01 PM

Filipino-American History Month in Daly City (Ray Satorre, Pres. of PBRC)

Minutes: Councilmember Buenaventura presented a proclamation proclaiming October 2011 as Filipino-American History Month to Ray Satorre, President of Philipino Bayanihan Resource Center and Perla Ibarrientos.; 7:06 PM

Presentation by the Supporters of the Doelger Senior Center (Kathy King)

Minutes: Dee Canepa, President, Supporters of the Doelger Senior Center, introduced the new officers and the new Executive Director, Kathy King. The new executive director will be responsible for all their fundraising, grant writings and events.

Kathy King thanked the Supporters of the Board of the Doelger Senior Center for their faith in her. Ms. King is pleased to carry on the 31 year tradition of the Supporters of the

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.

Doelger Senior Center.; 7:12 PM

APPROVAL OF MINUTES:

Regular Meetings of August 22, 2011 and September 12, 2011

Motion on Approve

Motion to approve the minutes of August 22, 2011 and September 12, 2011

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

APPROVAL OF AGENDA:

Motion on Approve

Motion to approve the agenda.

Passed For: 4; 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: Mayor Klatt stated it was requested that Item No. 2, Cabaret License for El Mundo at 2 Chester Street, be taken at the end of the Consent Agenda.; 7:16 PM

Resolutions :

1. Authorization to Execute Contract for Continued Maintenance of Groundwater Model

Motion on Adopt

Motion to adopt Resolution No. 11-142, Approving Professional Services Contract with Hydrofocus Inc. for the Continued Maintenance of Westside Basin Groundwater Model

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

2. Cabaret License for El Mundo at 2 Chester Street

Minutes: Director of Finance and Administrative Services Donald McVey stated this is an application for a cabaret license at 2 Chester Street. The new owners of El Mundo Restaurant and Bar have refurbished the premises. They have recently received a license to sell beer and wine sales by the Alcohol Beverage Control Board. In order for them to combine that with live entertainment, a DJ or Karaoke, a cabaret license is required under our municipal code.

The Daly City Police Department completed its investigation and found that they qualify for that license. The owners understand that the entertainment has to end at 1:00 a.m. and to follow certain rules in the code, including uniformed security.

Richard Rocchetta, President, Hillside Homeowners Improvement Association, did not oppose the cabaret license, but was concerned about the impact of daily live music and DJs on the neighborhood. He stated karaoke was fine daily.

Jose Raquel Garcia, owner of El Mundo, requested a cabaret license and to allow karaoke in the restaurant because it is crucial for the operation of the business.

; 7:17 PM

Motion on Adopt

Motion to adopt Resolution No. 11-147, Adopting Findings Relating to a Variance from Security and the Imposition of Further Conditions for a Cabaret Permit Re: El Mundo (2 Chester Street, Daly City, California)

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

3. Cabaret License for Vallarta Nightclub at 7379 Mission Street

Motion on Adopt

Motion to adopt Resolution No. 11-143, Adopting Findings Relating to a Variance with Security and the Imposition of Further Conditions for a Cabaret Permit Re: Vallarta Nightclub (7379 Mission Street, Daly City, California)

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

4. License Agreement with the Supporters of the Doelger Senior Center, Inc.

Motion on Adopt

Motion to adopt Resolution No. 11-144, Approving and Authorizing License Agreement with Supporters of the Doelger Senior Center Inc.

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

5. License Agreement with the Daly City Library Associates

Motion on Adopt

Motion to adopt Resolution No. 11-145, Approving and Authorizing License Agreement with Daly City Public Library Associates

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

Authorizing Budgetary Adjustments:

6. Appropriation of Grant Funds - FY 2011-2012 - Outreach Worker Hourly Wages

Motion on Adopt

Motion to adopt Resolution No. 11-146, Appropriating Grant Funds to Provide Funds for Outreach Workers to Work for the HART Program

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

END OF CONSENT AGENDA

COMMUNICATIONS:

7. Use Permit UPR-6-11-4016 for the Modification of an Existing AT&T Wireless Facility Located within a Faux Chimney Structure on a Church Building at 777 Southgate Avenue

   A. EA (Categorical Exemption)
   B. Findings
   C. UPR-6-11-4016

   Staff:
   Engfer
   Recommended Action:
   Motion on A
   Adopt Resolutions B & C
   Roll Call

Minutes: Assistant Planner Steve Engfer reviewed the request by Matt Yergovich, representing AT&T, of a use permit application for the modifications of an existing wireless facility that is co-located at the Holy Child & St. Martin's Church. AT&T is

looking to increase capacity for the Fourth Generation (4G) Long Term Evolution (LTE). They are proposing to modify this site in order to provide the increased capacity opportunities to the public and close any coverage gaps in the area.

The proposal is for two new antennas and two new equipment cabinets with no expansion to the equipment area. The site is located at 777 Southgate Avenue between Bradley and Montrose Drive on Southgate Avenue. The surrounding uses are residential and directly adjacent is a City water tank site.

Mr. Engfer gave a PowerPoint presentation on the project site.

; 7:24 PM

Motion on Concur

Motion to concur with the Categorical Exemption under CEQA requirements.

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

Motion on Adopt

Motion to adopt Resolution No. 11-148, Adopting Findings of Fact and Imposing Conditions of Approval on Use Permit (UPR-6-11-4016), to Modify an Existing Co-Located Wireless Facility at 777 Southgate Avenue

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

8. Approval of Written Response to the 2010-2011 San Mateo County Civil Grand Jury Report: County Officials Need to Make Noise about Aircraft Noise

Minutes: City Manager Patricia Martel stated the 2010-11 Civil Grand Jury Report identifies that County Officials Need to Make Noise about Aircraft Noise, which pertains to the SFO Roundtable and whether or not it is operating effectively to reduce aircraft noise that unduly impacts County residents.

Ms. Martel provided a review and summary of the report and specific responses to the findings and recommendations. It is recommended that the City Council provide final direction on the written responses to the Grand Jury Report. A copy of the findings, recommendations and responses is on file in the Office of the City Clerk.

Councilmember Canepa felt that Daly City should rejoin the SFO Roundtable and appoint a member who will actively participate and represent the interest of Daly City residents; that they should form a local Citizens Advisory Committee to work with their respective elected members of the SFO Roundtable. Councilmember Buenaventura concurred with Councilmember Canepa and was interested in representing Daly City at the SFO Roundtable.

Discussion ensued with Mayor Klatt and Councilmember Guingona expressing concerns regarding rejoining the SFO Roundtable.

Mayor Klatt stated we should get re-established with the Roundtable, providing they address all of the Grand Jury's findings. If they take the steps to address the findings, Daly City will consider establishing a local Citizens Advisory Committee at a later time. Councilmember Guingona stated since we have someone who is interested in representing Daly City at the Roundtable, we should let him.

; 7:38 PM

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 addressed the Council in support of Saving the Daly City Dolphins Swimming Team:

Conrad Yip, Daly City Dolphins
Yanni Velasquez, Daly City Dolphins
Cassie Marzke, Daly City Dolphins
Ashley Davis, Daly City Dolphins
Yessenia Magallanes, Daly City Dolphins

Jack Pastor, Parks and Recreation Commissioner, stated that the commissioners are going to be taking an active, more advisory role in the community and are receptive to the youth and seniors in the community.

Tom Ledda, Parks and Recreation Commissioner, stated, as Park and Recreation Commissioners, their advisory role is taking a broader step in looking at community needs and programs, while looking at budget-tightening needs in the future.

; 7:00 PM

APPOINTMENTS: Board/Commission Membership Committee Appointments

Minutes: There were no Appointments.; 8:25 PM

REPORTS:

9. Council Committee

Minutes: There were no reports.; 8:25 PM

10. City Council

Minutes: Mayor Klatt announced last week the City Manager, Councilmember Guingona and I met with the Director of the Cow Palace, John Barlett, at a press conference on a new minor league hockey team (San Francisco Bulls) coming to Daly City's Cow Palace beginning in October 2012. Hopefully, we will be able to get the Ice Capades and more family entertainment back at the Cow Palace.

Councilmember Guingona expressed his commitment in working with the Daly City Dolphins to find a solution that keeps the Daly City Dolphins in Daly City. Councilmember Canepa concurred with Councilmember Guingona in working with the Daly City Dolphins.

; 8:25 PM

11. Staff

Minutes: City Manager Patricia Martel stated she held a meeting on September 1st regarding the miscommunication from the former leadership of the Daly City Dolphins that implied that Daly City was attempting to get rid of the Daly City Dolphins. Ms. Martel said it has never been the City's intent to get rid of the Dolphins. It has been our intent to find a solution compatible with the City's and Dolphins' needs at the pool.

; 7:00 PM

ADJOURNMENT:

Motion on Adjourn

Motion to adjourn the meeting at 8:37 P.M. in memory of Brent Rasso, Mary Jane Hipe, Katherine Ann Malone, Gerald "Jerry" S. Perotti, Gerard Gmeiner, and Richard Tallerico.

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