

CITY OF DALY CITY

Regular Meeting - CITY COUNCIL

AGENDA

Monday, November 28, 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:

Bi-County Transportation Study presented by Chester Fung, San Francisco County Transportation Authority (SFCTA)

Minutes:

Chester Fung, San Francisco County Transportation Authority gave a PowerPoint presentation on the Bi-County Transportation Study. He gave an overview on the proposed development, costs and the cost-sharing calculations as well as joint efforts in collecting funds. Private Development Contributions - Bi-County and other demands.

Mr. Fung answered Councilmember Canepa's questions regarding the public cost, the area wide traffic calming program, and the number of public infrastructures in Daly City.

; 7:00 PM

APPROVAL OF MINUTES:

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.

Regular Meeting of October 24, 2011

Motion on Approve

Motion to approve the minutes of October 24, 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.

Minutes: Mayor Klatt stated it has been requested that Item No. 5, Commending Nancy Dutton on her Retirement, Item No. 6, Commending Richard N. Berger on his Retirement and Item No. 7, Commending Pat Kelly on his Retirement would be taken at the end of the Consent Agenda.; 7:27 PM

Resolutions :

1. Execution of Professional Services Agreement with Brown and Caldwell to Conduct Near and Long Term Water Resources Planning

Motion on Adopt

Motion to adopt Resolution No. 11-166, Approving and Authorizing Execution of Professional Services Agreement with Brown and Caldwell

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

2. Acceptance of Office of Traffic Safety Grant for Continuing the "Avoid the 23" DUI Traffic Enforcement Program

Motion on Adopt

Motion to adopt Resolution No. 11-167, Approving Receipt of Grant Funds from the California State Office of Traffic Safety for the Daly City Police Department

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

3. Notice of Completion for the Civic Center South Heating, Ventilation, and Air Conditioning Replacement Project

Motion on Approve

Motion to adopt Resolution No. 11-168, Accepting Completion of Certain Project in the Department of Public Works (Civic Center South Heating, Ventilation, and Air Conditioning Replacement Project)

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

4. Contract with Renaissance Entrepreneurship Center to Provide Microenterprise Technical Assistance Services

Motion on Approve

Motion to adopt Resolution No. 11-169, Approving Professional Services Contract with Renaissance Entrepreneurship Center to Provide Microenterprise

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

5. Commending Nancy Dutton on her Retirement

Minutes: Councilmember Guingona read the resolution and commended Nancy Dutton for her many years of commitment to the Daly City Community.; 7:27 PM

Motion on Adopt

Motion to adopt Resolution No. 11-174, Commending Nancy Dutton on the Occasion of her Retirement

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

6. Commending Richard N. Berger on his Retirement

Minutes: Vice Mayor Torres highlighted the accomplishments of Richard Berger outlined in the resolution and commended Mr. Berger for his many years of leadership and commitment to the Daly City Community.

The Council expressed appreciation to Richard Berger for everything he has done for Daly City.

; 7:30 PM

Motion on Adopt

Motion to adopt Resolution No. 11-175, Commending Richard Berger on the Occasion of his

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

7. Commending Pat Kelly on his Retirement

Minutes:

Mayor Klatt read the resolution and commended Patrick Kelly for his many years of hard work, dedication and commitment to the Daly City Community.

; 7:41 PM

Motion on Adopt

Motion to adopt Resolution No. 11-176, Commending Patrick J. (Pat) Kelly on the Occasion of his Retirement

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

8. Lease Agreement with ADT Security Services, Inc. at Civic Center North

Motion on Adopt

Motion to adopt Resolution No. 11-170, Authorizing Execution of Lease Agreement with ADT Security Services, Inc. and the City of Daly City (350 90th Street, Daly City, California)

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

9. Setting Time and Place for a Public Hearing Re: Supplemental Law Enforcement Services (SLES) Expenditure Plan **Set Hearing 12/12/11**

Motion on Adopt

Motion to adopt Resolution No. 11-171, Setting Time and Place for a Public Hearing on Expenditure Plan for Use of Allocated Funds under the State of California Citizens' Option for Public Safety Program (COPS) Supplemental Law Enforcement Services Fund (SLES) Grant, Hearing 12/12/11 – 7:00 P.M.

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

10. Property Tax Exchange with County of San Mateo Regarding LAFCO Consideration of Proposed Annexation

Motion on Adopt

Motion to adopt Resolution No. 11-172, Authorizing a Property Tax Transfer Between the City of Daly City and the County of San Mateo Proposed Annexation of Properties on Second and Third Avenues between Valley and A Streets

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

Check Registers :

11. Check Registers for the Month of October 2011

Motion on Approve

Motion to Approve Check Registers for the Month of October 2011

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

Authorizing Budgetary Adjustments:

12. To Appropriate \$15,329.14 from Fund Balance for DUI Trailer Upgrade

Motion on Adopt

Motion to adopt Resolution No. 11-173, Authorizing Budgetary Adjustments and Appropriations for Fiscal Year 2011-2012

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

END OF CONSENT AGENDA

COMMUNICATIONS:

13. Use Permit UPR-9-11-4489—License Expansion for an Existing Adult Residential Facility at 262/262A Station Avenue

- A. EA (Categorical Exemption)
- B. Findings
- C. UPR 9-11-4489

Staff:

Naughton

Recommended Action:

Motion on A

Adopt Resolutions B & C

Roll Call

Minutes: Associate Planner Jeannie Naughton gave a PowerPoint presentation on the project site and reviewed the applicant's request for approval of a use permit application for license expansion of an adult residential facility at 262/262A Station Avenue. This facility is located on the west side of Station Avenue between Vale Street and West Market Street. Ms. Naughton reviewed the Conditions of Approval added by the Planning Commission.

The existing Adult Residential Facility has been licensed for 6 residents since 1991. The legal non-conforming duplex structure was annexed into Daly City in 1972. The surrounding developments are mostly single and multi-family residential.

Adult residential facilities provide 24-hour non-medical care for adults ages 18 through 59, who are unable to provide for their own daily needs. Clients may be physically handicapped, developmentally disabled, and/or mentally disabled. These facilities are licensed and regulated by the Community Care Licensing Division of the California Department of Social Services.

The applicant was present to answer Council’s questions and was concerned about adding a one year time limit to the conditions.

Councilmember Guingona motioned to concur with the Categorical Exemption under CEQA requirements and adopt a resolution approving the use permit as recommended. Councilmember Canepa made an amendment that the City Council review the use permit after five years. Due to the lack of a second, the friendly amendment failed.

; 7:44 PM

Motion on Concur

Motion to concur with the Categorical Exemption under CEQA requirements.

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

Motion on Adopt

Motion to adopt Resolution No. 11-177, Adopting Findings of Fact and Imposing Conditions of Approval on Use Permit UPR-9-11-4489 for License Expansion for Existing Adult Residential Facility Located at 262/262A Station Avenue

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

14. Approval of Proposed Giammona Swimming Pool Aquatics Program

Staff:

Burns

Recommended Action:

Adopt Resolution

Roll Call

Minutes: City Manager Patricia Martel provided an update to the City Council on the status of our negotiations with the Daly City Dolphins concerning the use of the Giammona Pool for the Daly City Dolphins Swim Club.

Recreation Supervisors Jennifer Der and Romeo Benson gave a PowerPoint presentation outlining the new and expanded Giammona Swimming Pool Aquatics Program and fiscal impact.

Ms. Der stated the proposed new aquatics will better serve the City residents through an

expanded program at the new pool and there will be additional cost recovery opportunities. Historically, much of the time allocated to the City has been used by Daly City Dolphins Aquatic Club. Staff anticipates returning to Council in coming weeks with a proposed use agreement between the City and the Daly City Dolphins.

Mr. Benson stated four significant considerations were assessed and evaluated as the proposed new aquatics program were developed: what specific programming could be offered in a safe and enjoyable manner; staff resources are currently available, or could be cultivated over time given existing limitations, what programs would be of interest to Daly City residents, and striking a reasonable balance between the needs of the Daly City Dolphins and the City.

Recreation Commissioner Jack Pastor and Commissioner Tom Ledda spoke in support of the program.

Conrad Yip, representing Daly City Dolphins, was concerned about not coming to an agreement in the negotiation.

Ronald Marzke, representing Daly City Dolphins was in support of the aquatic program and is looking forward to finishing the negotiations. He stated the Daly City Dolphins are excited about swimming in Daly City.

Phoebe Lim, representing Daly City Dolphins expressed appreciation on the work that has been put into this program. She looks forward for both parties to come to an agreement. As a parent, she was concerned about the monitoring of the quality of the programs.

; 8:06 PM

Motion on Adopt

Motion to adopt Resolution No. 11-178, Approving New and Expanded Aquatics Program at Giammona Swimming Pool

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.

; 8:59 PM

APPOINTMENTS: Board/Commission Membership Committee Appointments

Motion on Reappoint

Motion to reappoint Denise Kelly to the Planning Commission with term expiring November 28, 2014.

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

REPORTS:

15. Council Committee

Minutes: There were no reports.; 7:00 PM

16. City Council

Minutes: Mayor Klatt reported she was invited to attend the Cow Palace Board of Director's meeting to discuss several items of interest to Daly City. They are trying to change their agendas from concerts to family and sports events at the Cow Palace. She announced the Dickens Fair is at the Cow Palace this weekend and December 10th, 11th, 17th and 18th.

Councilmember Guingona stated JM Medical Uniforms on 6789 Mission Streets had its grand re-opening.

Councilmember Canepa announced this weekend Kimco is having Disney on Ice and Radio Disney at the Westlake Shopping Center from 10:00 a.m. to 1:00 p.m. There will be a parade down the main boulevard at 12:00 p.m.

Denise Brown announced we are having our Yuletide Celebration at the Pacelli Center on December 3 from 4:00 p.m. to 6:30 p.m.

; 7:00 PM

17. Staff

Minutes: There were no reports.; 9:04 PM

ADJOURNMENT:

Motion on Adjourn

Motion to adjourn the meeting at 9:05 P.M. in memory of Jay D. Modglin and Zachary Pineda.

Agenda – City Council
Monday, November 28, 2011
Page 9

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