

CITY OF DALY CITY

Regular Meeting - CITY COUNCIL

AGENDA

Monday, January 09, 2012 - 7:00 PM
City Hall Council Chambers – 2nd Floor
333 – 90th Street, Daly City, CA 94015

Live Telecast: Comcast Channel 27, Astound 26, AT&T U-Verse 99

Webcast: www.dalycity.org/meetings

DRAFT

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:

Commending the Graduates of the 2011 Citizens Academy

Annual Holiday Decoration Contest Awards-Marian Mann

APPROVAL OF MINUTES:

Special Meeting of December 12, 2011

Regular Meeting of December 12, 2011

APPROVAL OF AGENDA:

CONSENT AGENDA

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.

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. Accept a Highway Safety Improvement Program Grant and Appropriate Grant Funds for the Hickey Boulevard/Callan Boulevard Traffic Signal Modification
2. Notice of Completion for Gellert Boulevard Bicycle Lanes Project
3. Approval of Corrected Bid Amounts and Confirm the Award to the Lowest Responsible Bidder, Towne Ford, for the Purchase of Three 2012 Ford F-250 Trucks and One 2012 F-350 Truck
4. Request to Grant Additional Time to Complete a Retaining Wall at 62 Avalon Drive.

END OF CONSENT AGENDA

COMMUNICATIONS:

5. Use Agreement with the Daly City Dolphins

Staff:

Martel

Recommended Action:

Adopt Resolution

Roll Call

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

APPOINTMENTS: Board/Commission Membership Committee Appointments

REPORTS:

6. Council Committee
- A Council Committee Meetings, December 12, 2011
- January 8, 2012

Agenda – City Council
Monday, January 09, 2012
Page 3

7. City Council

8. Staff

ADJOURNMENT:

CITY OF DALY CITY
MINUTES – SPECIAL MEETING - CITY COUNCIL
DECEMBER 12, 2011

The meeting was called to order by Mayor Klatt at 6:04 P.M.

ROLL CALL: Councilmembers Present:

Carol L. Klatt, Mayor
Sal Torres, Vice Mayor
Raymond A. Buenaventura
David J. Canepa
Michael P. Guingona

Staff Present:

Patricia E. Martel, City Manager
Kerry E. Burns, Assistant City Manager
Rose L. Zimmerman, City Attorney
K. Annette Hipona, City Clerk

Mayor Klatt introduced various dignitaries who were present.

GENERAL MUNICIPAL ELECTION:
(Consolidated with General Election)

Report on Certification of Official Canvass of Votes Cast and Resolution Declaring Results of Votes Cast

City Clerk Annette Hipona stated the Chief Elections Officer of the County of San Mateo certified that an election was held within the boundaries of Daly City on Tuesday, November 8, 2011 for the purpose of electing one member to the City Council with term expiring in November 2014. For the record, Raymond A. Buenaventura was elected to the City Council.

It was moved by Vice Mayor Torres, seconded by Councilmember Guingona and carried by unanimous roll call vote to adopt the following resolution:

Resolution No. 11-179, Declaring the Results of the Special Municipal Election Held in the City of Daly City on November 8, 2011

PRESENTATIONS:

Mayor's Citizen of the Year Award

Mayor Klatt presented the Citizen of the Year Award to Ray Satorre for his service to the community.

CITY OF DALY CITY
MINUTES – SPECIAL MEETING - CITY COUNCIL
DECEMBER 12, 2011

Page 2

FINAL ADJOURNMENT OF THE 50TH CITY COUNCIL

It was moved by Councilmember Canepa, seconded by Councilmember Guingona and carried to adjourn the 50th City Council meeting at 6:10 P.M.

CALL TO ORDER OF THE 51ST CITY COUNCIL

Mayor Klatt called to order the 51st City Council meeting at 6:11 P.M.

INSTALLATION AND ADMINISTRATION OF OATH OF OFFICE

Honorable Adrienne Tissier, San Mateo County Board of Supervisors, administered the oath of office to Raymond A. Buenaventura, Councilmember-Elect. Councilmember Buenaventura introduced his family and expressed appreciation to the citizens of Daly City for their support.

REORGANIZATION OF CITY COUNCIL:

Office of Mayor

Mayor Klatt called for nominations for the Office of Mayor. Mayor Klatt nominated Vice Mayor Torres for Mayor.

Mayor Klatt asked if there were any other nominations for the Office of Mayor. Hearing none, Mayor Klatt asked for a motion and second to close the nominations.

It was moved by Councilmember Guingona, seconded by Councilmember Buenaventura and carried to close the nominations.

It was moved by Mayor Klatt, seconded by Councilmember Guingona and carried by unanimous roll call vote to appoint Vice Mayor Torres to serve as Mayor of the City of Daly City for the ensuing year.

Office of Vice Mayor

Mayor Torres called for nominations for the Office of Vice-Mayor. Councilmember Guingona nominated Councilmember Buenaventura for Vice Mayor.

Mayor Torres asked if there were any other nominations for the Office of Vice-Mayor. Hearing none, Mayor Torres asked for a motion and second to close the nominations.

It was moved by Councilmember Guingona, seconded by Councilmember Klatt and carried to close the nominations.

CITY OF DALY CITY
MINUTES – SPECIAL MEETING - CITY COUNCIL
DECEMBER 12, 2011

Page 3

REORGANIZATION OF CITY COUNCIL: Continued

Office of Vice Mayor – Cont'd.

It was moved by Councilmember Guingona, seconded by Councilmember Klatt and carried by unanimous roll call vote to appoint Councilmember Buenaventura to serve as Vice Mayor of the City of Daly City for the ensuing year.

REMARKS:

Mayor Torres thanked everyone for attending and also thanked First National Bank of Northern California for the congratulatory flowers.

Mayor Torres extended an invitation to all present to remain for cake and coffee in the rotunda.

ADJOURNMENT:

It was moved by Councilmember Canepa, seconded by Councilmember Guingona and carried to adjourn the meeting at 6:48 P.M.

City Clerk

Approved as submitted, this _____
day of _____, 2012.

Mayor

CITY OF DALY CITY
MINUTES – REGULAR MEETING - CITY COUNCIL
DECEMBER 12, 2011

The meeting was called to order by Mayor Klatt at 7:18 P.M.

ROLL CALL: Councilmembers Present:

Sal Torres, Mayor
Raymond A. Buenaventura, Vice Mayor
David J. Canepa
Michael P. Guingona
Carol L. Klatt

Staff Present:

Patricia E. Martel, City Manager
Kerry E. Burns, Assistant City Manager
Rose L. Zimmerman, City Attorney
K. Annette Hipona, City Clerk

PRESENTATIONS:

Public Safety Appreciation Award, City of Englewood, WA: Detective Gregg Oglesby, Detective Sean Begley and Police Officer Ed Klier, DCPD

Mayor Torres presented the Public Safety Appreciation Award to Detective Gregg Oglesby, Detective Sean Begley and Police Officer Ed Klier, Daly City Police Department, for their dedication and assistance to the members of the Pierce County Sheriff's Department during the investigation of the suspects in the April 20, 2010 Craigslist Homicide Case in Washington. Mayor Torres read the proclamation from the City of Englewood.

Clinic by the Bay

Janet Reilly, President of the Board of Directors and Eliza Gibson, Executive Director of the Clinic by the Bay, gave a PowerPoint presentation on the health clinic of volunteers that provides compassionate, patient-centered care to the uninsured and underinsured adults that live in San Francisco and Daly City.

APPROVAL OF MINUTES:

Regular Meetings of November 14 and November 28, 2011

It was moved by Councilmember Canepa, seconded by Vice Mayor Buenaventura and carried to approve the minutes of November 14, 2011 and November 28, 2011.

CITY OF DALY CITY
MINUTES – REGULAR MEETING - CITY COUNCIL
DECEMBER 12, 2011

Page 2

APPROVAL OF AGENDA:

It was moved by Councilmember Canepa, seconded by Councilmember Buenaventura and carried to approve the agenda.

CONSENT AGENDA

Mayor Torres stated it was requested that Item No. 5, To Appropriate \$36,959 from General Fund Balance to Community Promotion for Payment to HEART of San Mateo County, would be taken at the end of the Consent Agenda.

RESOLUTIONS:

Amending Traffic Regulations re-designating one (1) existing two-hour parking stall in front of 6731 Mission Street to a 30-minute metered parking stall, and modifying the hours of the existing passenger loading/unloading (white) zones in front of George Washington School on Whittier Street and Hanover Street in the afternoon for the time period between 2:30 p.m. - 3:30 p.m. on school days

Resolution No. 11-180, Establishing Traffic Regulations

Commending Norene J. Thurman on her Retirement

Resolution No. 11-181, Commending Norene J. Thurman on the Occasion of her Retirement

CHECK REGISTERS:

Check Registers for the Month of November 2011

AUTHORIZING BUDGETARY ADJUSTMENTS:

To Appropriate \$2,321.26 from Revenue Generated from the Centennial Dinner to Offset Costs of Other Centennial-Related Events

Resolution No. 11-182, Authorizing Budgetary Adjustments and Appropriations for Fiscal Year 2011-2012

END OF CONSENT AGENDA

It was moved by Councilmember Klatt, seconded by Vice Mayor Buenaventura and carried to approve and adopt the Consent Agenda, as amended.

CITY OF DALY CITY
MINUTES – REGULAR MEETING - CITY COUNCIL
DECEMBER 12, 2011

Page 3

AUTHORIZING BUDGETARY ADJUSTMENTS:

To Appropriate \$36,959 from General Fund Balance to Community Promotion for Payment to HEART of San Mateo County

Mayor Klatt asked if the \$37,000 we took from our General Fund for the payment to HEART was going to be in our budget for next year.

City Manager Patricia Martel stated, these funds are appropriating what Council has directed us to pay for this year since we missed the deadline for giving notice to withdraw from HEART. We will provide written notice within the next couple of months to withdraw.

It was moved by Councilmember Klatt, seconded by Councilmember Canepa and carried by unanimous roll call vote to adopt the following resolution:

Resolution No. 11-183, Authorizing Budgetary Adjustments and Appropriations for Fiscal Year 2011-2012

PUBLIC HEARINGS:

Public Hearing on Community Development and Housing Needs

Housing and Community Development Supervisor, Betsy ZoBell, stated the City receives an allocation of Community Development Block Grant funds from the U.S. Department of Housing and Urban Development that are intended to be used primarily to benefit low and moderate-income residents and used for a variety of activities including affordable housing, public services, infrastructure and economic development. In addition, the City receives federal HOME funds that may be used for affordable housing.

Prior to allocating Community Development Block Grant and HOME funds to specific projects, the City is required to involve its citizens in a public process to determine local Community Development spending priorities. Therefore, tonight, the City Council will conduct a public hearing to obtain citizen input on housing and community development needs. This input is intended to give guidance to staff as we develop a spending plan for the 2012-13 Community Development Block Grant Program.

Ms. ZoBell summarized the funding categories and percentage ranges as outlined in the Agenda Report.

Mayor Torres opened the public hearing.

Councilmember Guingona left the chambers at 7:55 P.M.

CITY OF DALY CITY
MINUTES – REGULAR MEETING - CITY COUNCIL
DECEMBER 12, 2011

Page 4

PUBLIC HEARINGS: Continued

Public Hearing on Community Development and Housing Needs – Cont'd.

The following individuals expressed appreciation to the Council for their support and presented a brief description of services they provide to assist the citizens of Daly City:

Lois Ward, representing HIP Housing
Fernando Cordova, representing Project Read
Kimberly Gillette, representing Daly City Youth Health Center
Chris Canter, representing Shelter Network
Lauren Hauber, Rebuilding Together Peninsula
Yvonne Frazier, representing Service League
Robert Vernon, representing Shelter Network

It was moved by Councilmember Canepa, seconded by Vice Mayor Buenaventura and carried to close the public hearing.

It was moved by Councilmember Klatt, seconded by Councilmember Canepa and carried by unanimous roll call vote to adopt the following resolution:

Resolution No. 11-184, Approving and Adopting Funding Categories with Funding Percent Ranges for the City's Community Development Block Grant Entitlement and the City's Home Fund for Fiscal Year 2012-2013

Public Hearing Re: Supplemental Law Enforcement Services (SLES) Expenditure Plan

Police Captain Eric Wollman recommended that the City Council conduct a public hearing to accept a grant for \$164,697 for the funding of a Crime Analyst position and a partial Public Safety Communications Supervisor and the purchase of police equipment; and appropriate this amount to the State of California "Citizens' Option for Public Safety - Supplemental Law Enforcement Services" budget.

Captain Wollman provided a summary of the police department's proposed expenditure program and expense plan as outlined in the agenda report.

Mayor Torres opened the public hearing.

It was moved by Councilmember Klatt, seconded by Councilmember Buenaventura and carried to close the public hearing.

It was moved by Councilmember Klatt, seconded by Councilmember Canepa and carried by unanimous roll call vote to adopt the following resolution:

CITY OF DALY CITY
MINUTES – REGULAR MEETING - CITY COUNCIL
DECEMBER 12, 2011

Page 5

PUBLIC HEARINGS: Continued

Public Hearing Re: Supplemental Law Enforcement Services (SLES) Expenditure Plan – Cont'd.

Resolution No. 11-185, Approving Expenditure Plan for Use of Allocated Funds Received by the City of Daly City Under the State of California Citizens' Option for Public Safety (COPS) Program and Authorizing Appropriations in the Adopted City Budget to Utilize Such Funds (Supplemental Law Enforcement Service Fund (SLES) Grant)

COMMUNICATIONS:

Presentation of Comprehensive Annual Financial Report

Director of Finance and Administrative Services, Donald McVey, reviewed and submitted the Comprehensive Annual Financial Report for the year ending June 30, 2011, which includes all funds and account groups for the City of Daly City as well as the activities of the Daly City Redevelopment Agency and the North San Mateo County Sanitation District.

The City Council contracted an independent audit of the books of accounts, financial records and transactions of City departments, divisions and functions by the firm Maze and Associates, Certified Public Accountants. The audit is complete and the firm's unqualified opinion has been included in the document.

Mr. McVey provided a brief summary of last year's general fund results.

It was moved by Councilmember Canepa, seconded by Vice Mayor Buenaventura and carried to accept the report.

AWARD OF BIDS/CONTRACTS:

Approval of Bid Award for the Purchase of Three 2012 Ford F-250 Trucks and One 2012 Ford F-350 Truck

Motor Vehicle Supervisor Thomas Shiosaka reviewed the Agenda Report and recommended that the City Council accept all bids and approve the purchase award for three 2012 Ford F-250 trucks and one 2012 Ford F-350 truck to Towne Ford in the amount of \$133,171.68 including sales and tire tax.

It was moved by Vice Mayor Buenaventura, seconded by Councilmember Klatt and carried by unanimous roll call vote to adopt the following resolution:

Resolution No. 11-186, Authorizing Bid Award for the Purchase of Three 2012 Ford F-250 Trucks and One 2012 Ford F-350 Truck

CITY OF DALY CITY
MINUTES – REGULAR MEETING - CITY COUNCIL
DECEMBER 12, 2011

Page 6

PUBLIC APPEARANCES/ORAL COMMUNICATIONS:

There were no speakers.

APPOINTMENTS:

Board/Commission Membership Committee Appointments

Planning Commission

It was moved by Councilmember Canepa, seconded by Vice Mayor Buenaventura and carried to reappoint Richard Crump to the Planning Commission with term expiring December 8, 2014.

Parks and Recreation Commission

It was moved by Councilmember Canepa, seconded by Vice Mayor Buenaventura and carried to appoint Gerardo Murillo to the Parks and Recreation Commission with term expiring December 12, 2014.

Motion for Removal - Library Board of Trustees

Michael Maysenhalder, Library Board of Trustee, was concerned about the removal of William Lex from the Library Board. He asked that if Mr. Lex is to be removed from the Board, it be for just cause.

William Lex, Library Board Trustees, requested that he be allowed to continue to serve on the Library Board of Trustees.

It was moved by Councilmember Klatt, seconded by Vice Mayor Buenaventura and carried with Councilmember Canepa voting “No” to remove William Lex from the Library Board of Trustees.

Mobile Home Rent Review Commission

It was moved by Councilmember Klatt, seconded by Mayor Torres and carried to reappoint Mary Ellen Sherer to the Mobile Home Rent Review Commission as a Member at Large with term expiring December 14, 2014.

CITY OF DALY CITY
MINUTES – REGULAR MEETING - CITY COUNCIL
DECEMBER 12, 2011

Page 7

REPORTS:

Council Committee

Council Committee Meetings, November 28 - December 11, 2011

Council Committee reported on the North County Fire Authority Board of Directors Meeting. (Klatt/Guingona)

City Council

Mayor Torres stated on Friday, December 16, 2011, the San Mateo County City Selection Committee will be making some appointments. He asked for Council direction on the following:

Bay Area Air Quality Management District, representing cities for a two year term beginning January 1, 2012

Councilmember Carol Klatt is seeking reappointment. There was no opposition.

San Mateo County Transportation Authority, representing cities in the South at large for a two year term beginning January 1, 2012

Half Moon Bay Mayor Naomi Patridge, Menlo Park Councilmember Kelly Fergusson and San Mateo Councilmember David Lim are seeking appointment.

Councilmember Klatt supports Half Moon Bay Mayor Naomi Patridge while Councilmember Canepa and Vice Mayor Buenaventura support San Mateo Councilmember David Lim.

San Mateo County Transportation Authority, representing cities in the North at large for a two year term beginning January 1, 2012

Colma Mayor Helen Fisicaro, Brisbane Councilmember Sepi Richardson and Pacifica Councilmember Len Stone are seeking appointments.

Councilmember Canepa recommended Pacifica Councilmember Len Stone, while Vice Mayor Buenaventura and Councilmember Klatt recommended Colma Mayor Helen Fisicaro.

Mayor Torres will take this under advisement.

Mayor Torres reported on the Chamber of Commerce event last Thursday night at the Lake Merced Country Club.

Councilmember Canepa reported he attended two events to Celebrate Our Lady of Guadalupe at Our Lady of Perpetual Help.

CITY OF DALY CITY
MINUTES – REGULAR MEETING - CITY COUNCIL
DECEMBER 12, 2011

Page 8

REPORTS: Continued

Staff

City Manager Patricia Martel announced, in response to the financial crisis, beginning December 23, 2011 through January 2, 2012, all City offices will be closed, except for critical offices and public safety. Libraries will be available for book returns. City departments will re-open on January 3, 2012.

ADJOURNMENT:

It was moved by Councilmember Klatt, seconded by Councilmember Canepa and carried to adjourn the meeting at 8:38 P.M. in memory of Lee Buffington.

City Clerk

Approved as submitted, this _____
day of _____, 2011.

Mayor



City Council Agenda Report

Item # _____

Meeting Date: January 9, 2012

Subject: Accept a Highway Safety Improvement Program Grant and Appropriate Grant Funds for the Hickey Boulevard/Callan Boulevard Traffic Signal Modification

Recommended Action

Staff recommends the City Council accept the Highway Safety Improvement Program (HSIP) grant, appropriate the grant funds, and authorize the City Manager, or her designee, to execute the Funding Agreement for the grant from the California Department of Transportation (Caltrans) for the Hickey Boulevard/Callan Boulevard Traffic Signal Modification Project. Staff also recommends that the City Council appropriate Gas Tax funds to cover the City's required local match.

Background

The HSIP provides funding to implement safety improvements needed to reduce the number and severity of accidents on public roads. Typical projects include: intersection improvements; pavement and shoulder widening; modifications of roadway alignment, signing, pavement markings and delineation; and minor structure replacements or modifications. Projects may qualify for HSIP funding based on a calculated Benefit/Cost (B/C) Ratio. The B/C ratio is calculated based on the project area's accident history, severity of the accidents, accident reduction factor as provided by Caltrans for the type of improvement proposed and the total cost of the proposed project.

In November 2010, the City Council authorized staff to submit an application for HSIP grant funds for the Hickey Boulevard/Callan Boulevard Traffic Signal Modification Project. The City's application requested \$252,000 in grant funds, with a \$28,000 local match, to modify the traffic signal at Hickey Boulevard/Callan Boulevard to include protected northbound and southbound left-turn phases, install new traffic signal poles with mast arms, remove existing median mounted poles and replace sidewalk handicap access ramps.

Discussion

Approximately \$74.5 million was available for projects in the state of California during the Federal Fiscal Year 2010-11. One hundred and seventy-nine (179) projects were selected from a pool of 357 applications. The Hickey Boulevard/Callan Boulevard Traffic Signal Modification project was one of the projects selected to receive funding.

The above grant is subject to timely use of funds per the grant policies. After the project is amended into the Federal Transportation Improvement Program (approved on July 13, 2011), the City is required to:

- Request Construction Authorization to Proceed with Construction within 30 months; and
- Complete construction and close out the project within 4½ years.

**Accept A Highway Safety Improvement (HSIP) Grant
and Appropriate Grant Funds for the Hickey Boulevard/
Callan Boulevard Traffic Signal Modification
Meeting Date: January 9, 2012
Page 2**

Fiscal Impact

The cost for the traffic signal modification at the intersection of Hickey Boulevard and Callan Boulevard is estimated to be \$282,000. The City has been awarded a grant of \$252,000. The City's local match requirement for project implementation is \$28,000. The local matching funds are available in the City's Gas Tax fund balance for FY 2011-12 and will be appropriated to the project account when established following City Council action.

Summary/Conclusion

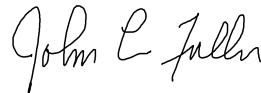
Recommend that the City Council accept the grant, appropriate the grant funds and the Gas Tax funds for the City's required local match, and authorize the City Manager, or her designee, to execute the Funding Agreement for the grant with Caltrans for the Hickey Boulevard/Callan Boulevard Traffic Signal Modification project.

Staff is available to provide any additional information desired by the Mayor or City Council Members.

Respectfully submitted,



Shirley Chan
Traffic Engineer

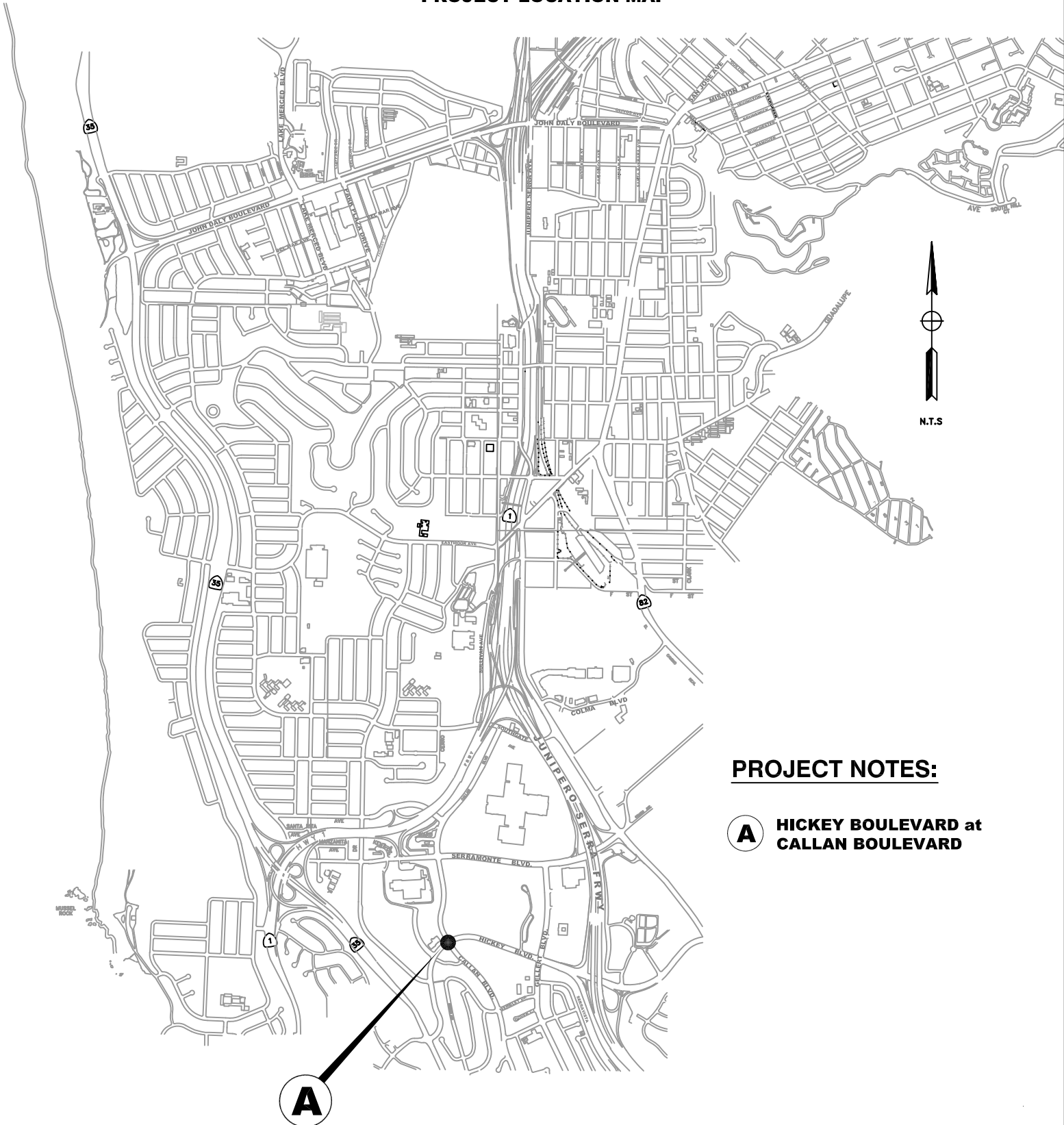


John L. Fuller
Director of Public Works

Attachment: Location Map

HIGHWAY SAFETY IMPROVEMENT PROGRAM

FISCAL YEAR 2010-11
CITY OF DALY CITY
PROJECT LOCATION MAP



PROJECT NOTES:

- A** HICKEY BOULEVARD at
CALLAN BOULEVARD



City Council Agenda Report

Item # _____

Meeting Date: January 9, 2012

Subject: Notice of Completion for Gellert Boulevard Bicycle Lanes Project

Recommended Action

Staff recommends that the City Council accept the improvements completed in compliance with the construction contract for the Gellert Boulevard Bicycle Lanes project.

Background

The construction bid documents include a Base Bid and one Add Alternate. The Base Bid for the subject project included installing signs, striping and pavement markings to designate the bike lanes along Gellert Boulevard between Hickey Boulevard and King Drive, with a pedestrian refuge on the south approach of Gellert Boulevard at Serravista Avenue, in front of Fire Station No. 94. Add Alternate 1 included installing signs and pavement markings along Gellert Boulevard between Serramonte Boulevard and Hickey Boulevard.

The City received \$88,650 in Highway Safety Improvement Program (HSIP) grant funds from the State of California to install approximately 1.25 miles of Class II bike lanes along Gellert Boulevard between Hickey Boulevard and King Drive with a pedestrian refuge at the intersection of Gellert Boulevard/Serravista Avenue. Local funds were used to install a Class III bike route on Gellert Boulevard between Serramonte Boulevard and Hickey Boulevard, thereby completing the bikeway on Gellert Boulevard.

Discussion

Chrisp Company of Fremont, California, has completed all improvements required by the construction contract documents for a total amount of \$69,899.40.

Fiscal Impact

The contract was completed in the total amount of \$69,899.40 with funds available in the Gas Tax Account 17-312-670.

Summary/Conclusion

The contractor's work is now complete and acceptable for City maintenance. Staff recommends that the City Council accept the completed improvements for the City's maintenance and use.

Staff is available to provide any additional information desired by the Mayor or Councilmembers.

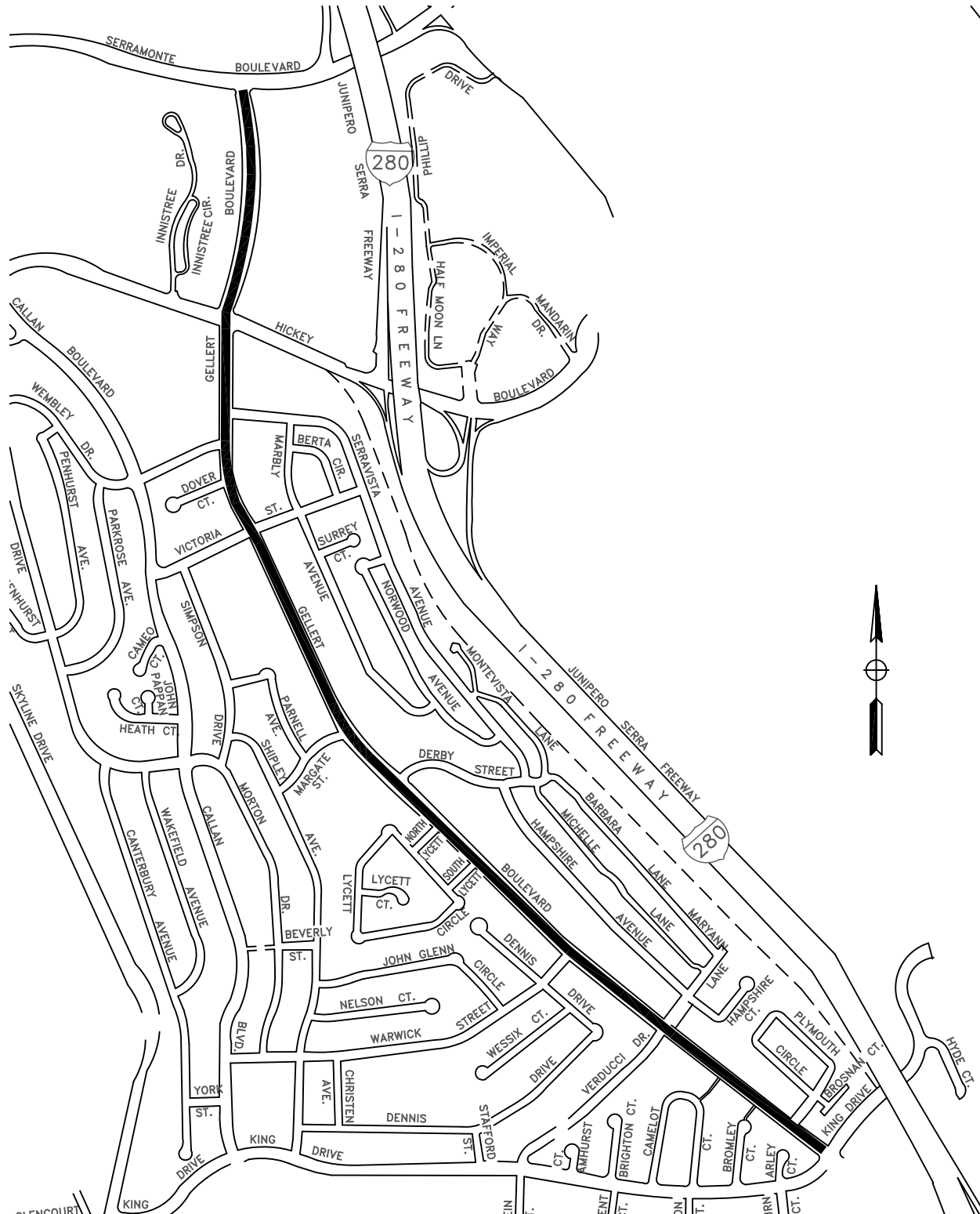
Respectfully submitted,

Shirley Chan
Traffic Engineer

John L. Fuller
Director of Public Works

Attachments: Location Map
Notice of Completion and Resolution

GELLERT BOULEVARD BICYCLE LANES



RECORDING REQUESTED BY

AND WHEN RECORDED MAIL TO

OFFICE OF THE CITY CLERK
CITY OF DALY CITY
333 - 90th Street
Daly City, California 94015

Notice of Completion

NOTICE IS HEREBY GIVEN as follows:

1. The date of completion of the work of improvement is: January 9, 2012
2. The owner of the work of improvements is: City of Daly City, a Municipal Corporation.
3. The address of the owner of the work of improvement is: City Hall
333 - 90th Street
Daly City, California 94015
4. The nature of the owner's interest or estate is: In fee.
5. The work of improvement is located in Daly City, California, and is particularly described as follows:

GELLERT BOULEVARD BICYCLE LANES

6. The name of the original contractor for the work of improvement is:

Chrisp Company
43650 Osgood Road
P.O.Box 1368
Fremont, CA 94538

Dated: _____

The undersigned, being duly sworn, says: That he is the owner of the aforesaid interest or estate in the property described in the foregoing notice; that he has read the same, and knows the contents thereof, and that the facts stated therein are true.

CITY OF DALY CITY, OWNER

Ravi Gehani, Acting City Engineer

STATE OF CALIFORNIA,

COUNTY OF _____ } ss.

Subscribed and sworn to (or affirmed) before me on this _____ day of _____, 20 _____,

by _____, proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.

Signature _____

Name (Typed or Printed)
Notary Public in and for said County and State

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DALY CITY ACCEPTING
COMPLETION OF CERTAIN PROJECT IN THE
DEPARTMENT OF PUBLIC WORKS

(GELLERT BOULEVARD BICYCLE LANES)

A. The Project Manager has advised that the project set forth hereinafter has been completed in accordance with the terms of the contract with the City of Daly City and, CHRISP COMPANY, a California Corporation.

B. The City Council of the City of Daly City desires to acknowledge the completion of such project so that notice of completion may be given.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Daly City that pursuant to the above, the City of Daly City does hereby accept as complete the following described project:

GELLERT BOULEVARD BICYCLE LANES

BE IT FURTHER RESOLVED by the City Council of the City of Daly City that said project be, and it is hereby accepted as complete, and at the expiration of thirty-five (35) days from this date, final payment in connection with this project be, and it is hereby authorized, provided that all statutory liens, claims and withholds are satisfied pursuant to law.

I hereby certify the foregoing to be a true copy of a Resolution adopted by the City Council of Daly City, California, at a regular meeting thereof held on the _____ day of _____, 20____, by the following vote of the members thereof:

AYES, and in favor thereof, Councilmen: _____

NOES, Councilmen: _____

ABSENT, Councilmen: _____

CITY CLERK OF THE CITY OF DALY CITY

APPROVED:

MAYOR OF THE CITY OF DALY CITY



City Council Agenda Report

Item # _____

Meeting Date: January 9, 2012

Subject: Approval of Corrected Bid Amounts and Confirm the Award to the Lowest Responsible Bidder, Towne Ford, for the Purchase of Three 2012 Ford F-250 Trucks and One 2012 F-350 Truck

Recommended Action

Staff recommends that the City Council accept correction to bid amounts submitted, accept bids responsive to the bid solicitation and confirm the award to Towne Ford as the lowest responsible bidder in the amount of \$134,427.38, including sales and tire tax, for the purchase of three 2012 Ford F-250 trucks and one 2012 Ford F-350.

Background

The recommended action to accept Towne Ford as the lowest responsible bidder came before the City Council on December 12, 2011. The background information provided that four vehicles shown in the table below have exceeded their useful life cycle and therefore need replacement.

Department	Vehicle #	Make	Model	Mileage	Condition
Parks	3111	Ford	F-250	98,794	Worn out
Streets	3130	Ford	F-250	175,167	Worn out
Streets	3120	Ford	F-250	185,230	Worn out
Maintenance	3202	Chev.	Van	75,769	Rusted out

Bids were requested to replace the four aging vehicles described above, and three responsive (valid) bids and one non-compliant bid were received. Bids were opened on November 22, 2011. At the December 12, 2011 meeting the City Council awarded the bid to Towne Ford as the lowest, responsible bidder for the noted amount of \$133,171.78.

Discussion

On December 12, 2011 the City Council approved the purchase of three 2012 Ford F-250 trucks and one 2012 Ford F-350 Truck from Towne Ford in Redwood City, California in the amount of \$133,171.68. The subsequent review of the December 12 staff report provided for the City Council action on December 12, 2011 revealed that staff had erroneously placed the wrong bid amounts in the report.

The correct bid amounts included in the December 12 staff report including the bid amount of \$133,171.68 was not the bid submitted by Towne Ford, rather it was the bid submitted by non-compliant bidder Frontier Ford in Santa Clara, California. The record noted Frontier Ford's bid of \$133,171.68 as non-compliant because the bid did not meet the 75-mile radius or proximity to Daly City provision specified in the bid request. The correct bid for Towne Ford is \$134,427.38 and remains the lowest responsible bid. All correct bid amounts received are shown in the table below.

**Approval of Corrected Bid Amounts and Confirm the
Award to the Lowest Responsible Bidder, Towne Ford,
for the Purchase of Three 2012 Ford F-250 Trucks and
One 2012 Ford F-350 Truck
Meeting Date: January 9, 2012
Page 2 of 2**

Bidder Name	Amount
Frontier Ford (Non-Compliant)	\$133,171.68
Towne Ford	\$134,427.38
Serramonte Ford	\$135,757.77
Frontier Ford	\$138,281.80

The correct bid amounts above do not materially affect the City Council's December 12, 2011 award to the lowest responsible bidder, Towne Ford, in the amount of \$134,427.38. Even with the higher corrected bid amount Towne Ford is still the lowest responsive bidder.

Fiscal Impact

Sufficient funding for the purchase of these four vehicles is available in the Motor Vehicle Replacement Fund 51-315-453-4558.

Summary/Conclusion

Staff recommends that the City Council accept all corrected bid amounts and confirm the award to the lowest responsible bidder Towne Ford for the corrected amount of \$134,427.38, including sales and tire tax, for the purchase of three 2012 Ford F-250 trucks and one 2012 Ford F-350 truck.

Staff is available to provide any additional information desired by the Mayor or City Council Members.

Respectfully submitted



Thomas Shiosaka
Motor Vehicles Supervisor



John L Fuller
Director of Public Works



City Council Meeting Agenda Report

Item # _____

Meeting Date: January 9, 2012

Subject: Request to Grant Additional Time to Complete a Retaining Wall at 62 Avalon Drive

Recommended Action

1. Grant Mr. Ng a maximum 90 days extension from December 23, 2011, to submit amended construction documents and structural analysis plans prepared by a registered design professional that addresses all plan review comments; and
2. Order Mr. Ng to obtain the necessary permits and complete the remedial work specified by the approved amended construction documents within 90 calendar days from December 23, 2011.

Background

Pursuant to City Council's Order (Resolution No. 11-92) dated June 27, 2011, Mr. Ng was ordered by the Council to obtain the necessary permits and complete the remedial work specified in the approved construction documents for his retaining wall within 180 days.

A site inspection was scheduled on June 30, 2011, and staff found that the slope behind the retaining wall did not conform to his approved construction documents. On July 7, 2011, a letter was mailed to Mr. Ng informing him to submit amended construction documents for review and approval, and reminding him that he had 180 days from June 27, 2011, public hearing to obtain the necessary permits and complete the remedial work specified by the approved amended construction documents.

On October 12, 2011, construction documents and structural analysis were submitted for review. The plans were reviewed by the Building Division and returned with required corrections on October 21.

Staff received an e-mail from Mr. Joseph Xu of Xu Engineering on November 11, 2011, requesting an extension to address the plan review corrections. Staff responded to Mr. Xu that an extension of the Council Order can only be granted by the City Council. After some discussions with Mr. Ng it became clear that he was requesting a 180 day extension of the Council Order.

Discussion

Based on the progress made to date on the plan review process it is staff's recommendation that an extension to obtain the necessary plan check approval would be reasonable. Furthermore, considering we are in the rainy season of the year, providing Mr. Ng additional time to complete the construction of the remedial work specified by the approved amended construction documents would also be reasonable. It is therefore staff's recommendation that Mr. Ng is provided an

City Council Agenda Report

Subject: Request to Grant Additional Time to Complete a Retaining Wall at 62 Avalon Dr.

Meeting Date: January 9, 2012

Page 2 of 2

additional 90-Day extension from December 23, 2011, to complete the plan check process, obtain the necessary permits, complete the remedial work, and receive final sign off for the completion of all the work identified in the approved set of plans.

Summary/Conclusion

It is staff's recommendation that a maximum of 90 day extension be granted to Mr. Ng to complete all remedial fixes to the retaining wall and grade behind the retaining wall.

Staff is available to provide any additional information desired by the Mayor or Council Members.

Respectfully submitted,



Valentino J. Mandapat,
Chief Building Supervisor / Building Official



Peter Pirnejad
Acting Director of Economic and
Community Development



City Council Meeting Agenda Report

Item # _____

Meeting Date: January 9, 2012

Subject: Swimming Pool Use Agreement with the Daly City Dolphins Aquatics Club

Recommended Action

It is recommended that the City Council approve the proposed business terms for the Daly City Dolphins Aquatics Club (DCD) continued use of the Giammona swimming pool and authorize the City Manager to execute a Use Agreement with the DCD.

Background

Over its nearly 35 year history in Daly City, the DCD has provided competitive swimming for Daly City residents and non-residents at the pool jointly used by the Jefferson Union High School District (JUHSD) and the City of Daly City, the Giammona swimming pool at Westmoor High School. Over the years, the old pool fell into a state of disrepair due to the scarcity of capital resources. Its condition significantly limited the range of programming opportunities that could be provided to the community through the City's recreation program. The DCD continued to use the pool, at a significantly discounted fee of \$200.00 per month, due to the poor condition of the swimming pool facility.

In November 2010, after contributing \$4.2 million toward its construction, the City celebrated the opening of the new Giammona swimming pool. In addition to the capital investment toward the pool's construction, the City shares with the JUHSD the costs associated with the pool's annual operation and maintenance. With the opening of the new swimming pool, exciting new programming opportunities became available for the residents of Daly City.

Historically, the DCD utilized the swimming pool in excess of sixty percent (60%) of the hours available to the City. With the move to the new facility, staff sought to reduce the time allocated to the DCD. Until January 1, 2012, weekday program time during the school year available to the DCD still accounted for approximately fifty-five percent (55%) of the total time allocated to the City through its joint use agreement with the JUHSD.

Currently, Daly City tax payers subsidize recreation programs and DCD participants' enjoyment of these programs is in excess of \$4.3 million annually. Of this \$4.3 million subsidy, over \$100,000 is attributable to the DCD program. As a result of ongoing conversations with the City Council concerning the recreation subsidy provided by Daly City tax payers, the City has been forced to evaluate program subsidy levels across a variety of programs and make very difficult fee increase and/or other program modification decisions.

Early in 2011, when the City Council reviewed recreation program subsidy data, one area identified was the lost programming and revenue opportunities resulting from the DCD use of the new Giammona swimming pool. Staff was directed to explore programming and revenue enhancement opportunities for the new swimming pool. Recently, the City Council approved a new, comprehensive recreational aquatics program. This new program will be implemented in phases and is anticipated to be fully operating by September 2012. When fully implemented, the new

recreational aquatics program is anticipated to generate an additional \$120,000 in General Fund revenue to off-set the current General Fund subsidy for recreation programs.

Simultaneously with the development of the expanded recreational aquatics program, staff commenced discussions with the DCD regarding their future use of the Giammona swimming pool and the fees associated with this use. The first of these discussions commenced in May 2011 and recently concluded, successfully, with the proposed terms for a use agreement presented herein for your consideration.

Discussion

Staff and representatives from the DCD have met on several occasions during the last year in multi-hour meetings to discuss mutual needs. Through these meetings, the City and representatives of the DCD have developed a more comprehensive understanding of each others respective needs and programs. The goal of these meetings has been to reach a compromise that best meets the financial needs of the City, the needs of the Daly City community and DCD participants.

Provided in the following are the final business terms negotiated between the City and the DCD:

Terms of the Swimming Pool Use Agreement Between the City of Daly City and the Daly City Dolphins

Use

- Lane Use for Training – per the attached schedule
 - 3,630 lane hours per year January 1, 2012 through June 30, 2013
 - 3,495 lane hours per year from July 1, 2013 through December 31, 2016
- Specific lane use per schedule contained in the November 28, 2011 Staff Report to the City Council
 - Winter and Spring (Mid-February through Mid-May 2012)
Monday and Wednesday – 12 lane hours per day
Tuesday and Thursday – 9 lane hours per day
Friday – 18 lane hours
In 2013, the schedule changes as follows:
Monday and Wednesday – 10 lane hours per day
Tuesday and Thursday – 10 lane hours per day
Friday – 11 lane hours
- Summer (Mid-June through Mid-August 2012)
Monday and Wednesday – 15.5 lane hours per day
Tuesday and Thursday – 12 lane hours per day
Friday – 15 lane hours per day
- Fall (Mid-August through January 2012) and (Mid-May through Mid-June)
Monday and Wednesday – 15 lane hour

Tuesday and Thursday – 15 lane hours per day
Friday – 15 lane hours per day

- Storage at the Giammona Swimming Pool – One rack in the storage room and one locker in the City office
- Swim Meet Use – entire swimming pool facility two weekends (Saturday and Sunday) twice annually

Agreement Duration

5 Years - January 1, 2012 through December 31, 2016

Cancellation

Either party to the agreement may cancel the Swimming Pool Use Agreement with ninety (90) days written notice

Use Fee

- Monthly use fee for use of the swimming pool to conduct training sessions, Monday through Friday:
 - January 1, 2012 – June 30, 2013: \$2,000 per month
 - July 1, 2013 – June 30, 2014: \$3,000 per month
 - July 1, 2014 – June 30, 2015: \$4,000 per month
 - July 1, 2015 – December 31, 2015: \$4,400 per month
- Per swim meet use fee: \$3,000 (cost to City for lifeguards, custodial support and custodial supplies and partial lost program revenue). Three percent (3%) annual inflator commencing July 1, 2013

Insurance

One Million Dollars (\$1,000,000) for injuries per person and Five Million Dollars (\$5,000,000) per occurrence

Other

- Daly City Dolphins to directly hire and employ coach(es)
- Use of Giammona Swimming Pool Classroom available on a reservation basis and at a fee as established in the City Council adopted fees and charges resolution
- Mail box and service no longer to be provided by the City of Daly City
- Advertisement in the Department of Library and Recreation Services Activity Guide based on availability and at a fee as established in the City Council adopted fees and charges resolution
- Terms of the Draft Swimming Pool Use Agreement provided to the Daly City Dolphins on November 28, 2011 (Damage to Pool, Compliance with all Safety Procedures, Indemnification and Hold Harmless, Assignment, Signs, etc.)

- Daly City Dolphins shall be responsible for ensuring the capacity of the facility during swim meets does not exceed occupancy of 479 people

Fiscal Impact

The proposed use agreement with the DCD would result in annual revenue to the General Fund ranging between \$30,000 in the first year of the agreement and \$58,800 in the last year of the proposed five year agreement. The fee structure used for developing this annual revenue rate is based on the lost opportunity cost associated with making the swimming pool available to the DCD. Simply stated, if the City could program the hours otherwise allocated to the DCD, it could generate \$15.00 or more per hour per lane (depending on the program). This hourly rate was used to calculate the fee structure for the DCD's use of the swimming pool. The rate of \$15.00 per lane hour reflects the average charge of similar public agencies as detailed in the Bay Area Public Pool Operators Association Survey (2011) and is incorporated into the final year of the five year agreement. However, in the first year of the agreement with DCD, the lane hour rate would be \$6.61. This hourly lane rate would stair-step up and increase annually thereafter until it reached, in year four of the five year agreement, the \$15.00 per hour rate.

Were the City to use the cost framework established in the subsidy study presented to the City Council in 2011, the cost to the DCD for use of the swimming pool would be approximately \$10,500 monthly or approximately \$35.00 per hour.

Summary/Conclusion

The City has made a committed effort to reach a fair and mutually agreeable compromise that serves the needs of both Daly City residents and the Daly City Dolphins. Although the terms of use may not perfect in certain respects e.g. actual time available for each respective program, a positive approach has been undertaken to address the City's and Dolphins' respective concerns. Ultimately, the Daly City Dolphins may have to modify their program to work within the new fee structure, but the City remains committed to coexisting with the Daly City Dolphins at the Giammona Pool.

Staff is available to provide any additional information desired by the Mayor or Councilmembers.

Respectfully submitted,



Patricia E. Martel
City Manager



Kerry E. Burns
Assistant City Manager and
Interim Director-Department of
Library and Recreation Services

Attachment

Key:											
Schedule:	30 Minute Increments										
Lanes:	11 Lanes: Lane 11 (shallow) to Lane 1 (deep)										
	11	10	9	8	7	6	5	4	3	2	1
	Available for Programming										
	Current Programs										
	New Programs										
	Available Use for Daly City Dolphins										
	Westmoor High School Swim Team										
	Not Available										



City Council Meeting Agenda Report

Item # _____

Meeting Date: January 9, 2011

To: Honorable City Council
From: Anna Mostella, City Manager's Office
Date: December 22, 2011
Subject: Council Committee Meetings, December 12, 2011 – January 8, 2012

Date of Meeting:

December 15, 2011

Meeting:

Solid Waste Committee: Plastic Bag Ordinance

In Attendance:

Ray Buenaventura
Carol L. Klatt
Patricia E. Martel
Rose Zimmerman
Joseph Curran

/am

Attachment



CITY OF DALY CITY

Solid Waste Committee Meeting

Thursday, December 15, 2011 – 5:00 p.m.

Administrative Conference Room
Third Floor, City Hall
333 90th Street, Daly City, California

AGENDA

- I. Single Use Bag Ban Ordinance – Discussion and Recommendation
- II. Other Solid Waste Issues
- III. Adjournment