

CITY OF DALY CITY

Regular Meeting - CITY COUNCIL

AGENDA

Monday, March 12, 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:

Proclaiming March 2012 as American Red Cross Month (Nora Daly, ARC Volunteer)

APPROVAL OF MINUTES:

Regular Meeting of February 13, 2012

Regular Meeting of February 27, 2012

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. Authorizing Execution of Contracts and Agreements for Leases, Permits, and Certifications for Maintenance on Mussel Rock Landfill Site
2. Noticing Completion for Street Resurfacing 2011
3. Noticing Completion for Junipero Serra Boulevard, Hoffman Street, and San Pedro Road Rehabilitation
4. Authorizing Solicitation of Bids for the Distribution System Valve Replacement Project
5. Setting Time and Place for a Public Hearing to Consider One-Year HUD Action Plan for Fiscal Year 2012-2013
6. Revising Existing Library Assistant III Job Specification (Civil Service)
7. Adopting Daly City's Local Hazard Mitigation Plan
8. Reassigning of Library Services Manager and Recreation Services Manager to Range 96 of Miscellaneous Unrepresented Salary Schedule
9. Authorizing the City Manager to Execute the Memorandum of Agreement with the San Mateo County Human Services Agency to Provide the Science, Technology, Engineering and Math Program
10. Supporting Proposition 29 - the California Cancer Research Act of 2012
11. Setting Time and Place of Public Hearing for March 26, 2012 RE: Ordinance Prohibiting Medical Marijuana Dispensaries
12. Authorizing City Manager to Execute Notice of Withdrawal from the Housing Endowment and Regional Trust Joint Powers Agreement

END OF CONSENT AGENDA

PUBLIC HEARINGS:

13. Appeal of the Findings and Order of the Administrative Hearing Board for 1023 Hanover

St. (APN 004-112-150) Rosario Sievers, Property Owner.

Staff:

Campbell

Recommended Action:

Open/Close Hearing

Adopt Resolution

Roll Call

COMMUNICATIONS:

14. Fiscal Year 2011-2012 Mid-Year Budget Update

RESOLUTIONS:

15. Approval of the Expanded Summer Youth Recreation Program

Staff:

Brown

Recommended Action:

Adopt Resolution

Roll Call

16. Authorizing Daly City's Reinstatement as a Member of the San Francisco International Airport/Community Roundtable and Appointment of City Representatives

Staff:

Curran

Recommended Action:

Adopt Resolution

Motion to Appoint

Roll Call

17. Authorizing Mayoral Appointments to the Redevelopment Oversight Board

Staff:

Martel

Recommended Action:

Motion to Appoint

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:

18. Council Committee
19. City Council
20. Staff

ADJOURNMENT:

CITY OF DALY CITY
MINUTES – REGULAR MEETING - CITY COUNCIL
FEBRUARY 13, 2012

The meeting was called to order by Mayor Torres at 7:07 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

APPROVAL OF MINUTES:

Regular Meeting of January 23, 2012

It was moved by Vice Mayor Buenaventura, seconded by Councilmember Guingona and carried to approve the minutes of January 23, 2012.

APPROVAL OF AGENDA:

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

CONSENT AGENDA

Mayor Torres stated it was requested that Item No. 1, Authorize City Manager to Execute Use Agreement with the Daly City Dolphins, would be taken at the end of the Consent Agenda.

COMMUNICATIONS:

Setting Time and Place of Public Hearing on March 26, 2012 to Amend Municipal Code Sections Relating to Public Library and Parks and Recreation Commission, Hearing 03/26/12

Resolution No. 12-13, Setting Time and Place of Public Hearing Re: Proposed Ordinance: Amending Chapters 2.20 and 2.26 of Title 2, Chapter 10.76 of Title 10, Chapter 9.18 and 9.19 of Title 9, and Chapters 12.36 and 12.40 of Title 12 of the Daly City Municipal Code Re: Parks and Recreation Commission and Public Library (Hearing Date: March 26, 2012, Time: 7:00 P.M.)

CITY OF DALY CITY
MINUTES – REGULAR MEETING - CITY COUNCIL
FEBRUARY 13, 2012

Page 2

RESOLUTIONS:

Notice of Completion for Street Slurry Seal and Cape Seal 2011

Resolution No. 12-14, Accepting Completion of Certain Project in the Department of Public Works (Street Slurry Seal and Cape Seal 2011)

Adoption of Composite Summary Memorandum of Understanding and Salary Schedules between the City of Daly City and Specific Employee Organizations

Resolution No. 12-15, Adopting Composite Summary Memorandum of Understanding with the Daly City Police Management Association (March 1, 2012 through June 30, 2014)

Resolution No. 12-16, Adopting Composite Summary Memorandum of Understanding with Daly City Police Officers Association (March 1, 2012 through June 30, 2014)

END OF CONSENT AGENDA

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

COMMUNICATIONS:

Authorize City Manager to Execute Use Agreement with the Daly City Dolphins

Councilmember Klatt was opposed to this agreement because we are subsidizing fifty Daly City residents and thirty non-residents.

The Council voted, with Councilmember Klatt voting “No”, to adopt the following resolution:

Resolution No. 12-17, Approving Use Agreement with the Daly City Dolphins Aquatic Club

PUBLIC HEARINGS:

Public Hearing on Claim to Lien Property at 511 Westmoor Avenue (APN 008-021-020)

Code Enforcement Officer Kathy Campbell stated staff is requesting that the Council place a lien on the property of 511 Westmoor Avenue, Assessor’s Parcel Number 008-021-020 for code fees and penalty fines totaling \$6,474.

Ms. Campbell provided an overview of the Administrative Order that was issued to the owners to correct the cited violations and the code fees and penalty fines.

CITY OF DALY CITY
MINUTES – REGULAR MEETING - CITY COUNCIL
FEBRUARY 13, 2012

Page 3

PUBLIC HEARINGS: Continued

Public Hearing on Claim to Lien Property at 511 Westmoor Avenue (APN 008-021-020) – Cont'd.

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

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

Resolution No. 12-18, Confirming and Adopting the Findings of the Administrative Appeal Board, Declaring Residential Premises to be a Public Nuisance, and Allowing Such Costs, Penalties and Assessments to be, Rendered and Recorded as a Lien or Assessment (511 Westmoor Avenue, Daly City, California)

PUBLIC APPEARANCES/ORAL COMMUNICATIONS:

There were no speakers.

APPOINTMENTS:

Board/Commission Membership Committee Appointments

Planning Commission

It was moved by Vice Mayor Buenaventura, seconded by Councilmember Guingona and carried to appoint Glenn Sylvester to the Planning Commission with term expiring February 13, 2015.

REPORTS:

Council Committee

Council Committee Meetings, January 24 - February 12, 2012

The Council Committees reported on the Security Plan for Building W (parking structure) in relation to the operation of Fitness 19 in the Westlake Shopping Center located at 263 Lake Merced Boulevard. (Buenaventura/Torres)

City Council

Councilmember Guingona asked if Council would be willing to direct the City Manager to study the issue of secondhand smoking and possibly supporting legislation on secondhand smoking at a later date.

CITY OF DALY CITY
MINUTES – REGULAR MEETING - CITY COUNCIL
FEBRUARY 13, 2012

Page 4

REPORTS: Continued

City Council – Cont'd.

Councilmember Canepa reported that he and Planning Manager Tatum Mothershead attended the BART workshop on the Future of the Daly City BART Station. He also reported that the San Francisco Muni is considering having the 14 line go to the Daly City BART Station as well as connecting the 14 line with another line down to Westlake.

Staff

There were no reports.

ADJOURNMENT:

It was moved by Councilmember Guingona, seconded by Mayor Torres and carried to adjourn the meeting at 7:28 P.M. in memory of Robert Kamin and Susan Poff, Maxine Gates, Dario Baciocco, Nanajan Esavi, Anita Johnson, Bertha Peralta, Martha Stipp, Freddie Solomon and Whitney Houston.

City Clerk

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

Mayor

CITY OF DALY CITY
MINUTES – REGULAR MEETING - CITY COUNCIL
FEBRUARY 27, 2012

The meeting was called to order by Mayor Torres at 7:03 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:

Proclaiming National Women's History Month

Mayor Torres presented a proclamation proclaiming March 2012 as National Women's History Month to Parks & Recreation Commissioner Teresa Proaño in recognition of women contributions to our Country and community. Ms. Proaño thanked the Council.

APPROVAL OF MINUTES:

Regular Daly City Redevelopment Agency Meeting of January 23, 2012

It was moved by Vice Mayor Buenaventura, seconded by Councilmember Klatt and carried to approve the minutes of January 23, 2012.

APPROVAL OF AGENDA:

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

CONSENT AGENDA

RESOLUTIONS:

Setting Time and Place for a Hearing on a Proposed Major Subdivision SUB-7-11-4269, Use Permit UPR-7-11-4270, Zone Change ZC-10-11-4681, Design Review DR-7-11-4272 and Environmental Assessment CEQA-7-11-4271—One parcel located at the western terminus of Peoria Street and Wellington Avenue (paper street), the northern terminus of Lausanne Avenue and the southern terminus of Chelsea Court (APN 003-211-310), Hearing 3/26/12

Resolution No. 12-19, Setting Time and Place of Public Hearing Before the City Council of the City of Daly City Regarding Major Subdivision, Use Permit, Zone Change, Design Review and Environmental Assessment, Hearing 3/26/12 – 7:00 P.M.

CITY OF DALY CITY
MINUTES – REGULAR MEETING - CITY COUNCIL
FEBRUARY 27, 2012

Page 2

CONSENT AGENDA

RESOLUTIONS:

Contract Approval for General Plan EIR Consultant

Resolution No. 12-20, Approving and Authorizing Execution of Contract Between the City of Daly City and Dyett and Bhatia, Urban and Regional Planners

Commending Mark Holden on the Occasion of His Retirement

Resolution No. 12-21, Commending Mark Holden on the Occasion of his Retirement

Set Time and Place for Public Hearing for Appeal of the Findings and Order of the Administrative Hearing Board for 1023 Hanover St. (APN 004-112-150) Rosario Sievers, Property Owner, Hearing 3/12/12

Resolution No. 12-22, Setting Time and Place of Public Hearing to Confirm and Adopt the Findings of the Administrative Appeal Board and Allow Such Costs, Penalties or Assessments to be Rendered and Recorded as a Lien or Assessment - 1023 Hanover Street, Daly City, California, Hearing 3/12/12 – 7:00 P.M.

AS SUCCESSOR AGENCY:

Authorize City Manager to Execute a Temporary License Agreement for Duggan's Serra Mortuary to Allow Storage at 2141 Junipero Serra Boulevard

Resolution No. 12-23, Approving and Authorizing Temporary License Agreement with Duggan's Serra Mortuary

Adoption of Draft Recognized Obligation Payment Schedule

Resolution No. 12-24, Adopting the Draft Recognized Obligation Payment Schedule

END OF CONSENT AGENDA

It was moved by Councilmember Klatt, seconded by Councilmember Canepa and carried to approve and adopt the Consent Agenda.

RESOLUTIONS:

Amendment, Assignment and Subordination of School House Station and Vista Grande Family Apartment Financing Documents

Housing and Community Development Supervisor Betsy ZoBell stated this is a request for approval of documents associated with the rehabilitation of School House Station and Vista Grande Family Apartments. Both developments are located on Mission Street and developed by Mercy Housing California in the mid-1990s. Ms. ZoBell gave an overview on the history of the funding for these two developments.

CITY OF DALY CITY
MINUTES – REGULAR MEETING - CITY COUNCIL
FEBRUARY 27, 2012

Page 3

RESOLUTIONS: Continued

Amendment, Assignment and Subordination of School House Station and Vista Grande Family Apartment Financing Documents – Cont'd.

Over the last several years, Mercy Housing has become aware of extensive water damage to these two properties. The cost to complete the needed repairs is estimated over \$5 million. In order to meet the cost of these repairs, Mercy has put together a financial strategy that involves refinancing their tax credits in issuing tax exempt bonds. The bonds for this project will be the sole responsibility of the borrower. The city will have no contractual, financial or legal obligation for repayment.

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

Resolution No. 12-25, Approving the Amendment, Assignment and Subordination of Documents Associated with Development of School House Station and Vista Grande Family Apartments

Authorizing the City Manager to Execute a Cooperative Agreement between the City of Daly City and the City of Brisbane for Construction of Bus Stop Improvements on Bayshore Boulevard

Assistant to the City Manager Joseph Curran stated this is a request to authorize the City Manager to execute a cooperative agreement between the City of Daly City and the City of Brisbane for construction of a bus stop on Bayshore Boulevard.

The City of Daly City received a Lifeline Transportation Program grant to fund the construction of a new bus shelter for the SamTrans bus stop on Bayshore Boulevard. The bus stop serves Daly City residents in the Bayshore area. The bus stop is currently located in an unimproved area along Bayshore Boulevard and is entirely in Brisbane. Brisbane is taking the lead in planning and managing the construction project.

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

Resolution No. 12-26, Approving and Authorizing Execution of Cooperative Agreement Between the City of Daly City, and the City of Brisbane for Construction of Bus Stop Improvements on Bayshore Boulevard

PUBLIC APPEARANCES/ORAL COMMUNICATIONS:

Rick Halverson informed the Council he was starting the process to put a small lab in the back of his garage to continue studying water based plant proteins.

CITY OF DALY CITY
MINUTES – REGULAR MEETING - CITY COUNCIL
FEBRUARY 27, 2012

Page 4

APPOINTMENTS:

Board/Commission Membership Committee Appointments

There were no appointments.

REPORTS:

Council Committee

There were no reports.

City Council

Mayor Torres reported he attended the breakfast hosted by the Daly City-Colma Chamber of Commerce, at which time the topic of a shuttle to Daly City was mentioned, and it was decided to discuss the subject again. Mayor Torres stated he met with Mexico's Counsel General and the Counsel General suggested providing an information exchange event with Counsel Generals from different Countries with our Community Service Center.

Councilmember Canepa reported he and his colleagues attended the crab feed event put on by the Supporters of Doelger this past weekend.

Vice Mayor Buenaventura reported he attended the Airport Land Use Committee meeting. At the meeting, he proposed they meet in various sites but was turned down. He also reported he attended the Sustainable Community Meeting at City/County Association of Governments. He stated the Airport Roundtable will soon start up again.

Councilmember Klatt reported she attended the Cow Palace Board meeting and advised them they need to advertise in Daly City more to encourage Daly City residents to check out the family oriented events at the Cow Palace. Councilmember Klatt expressed appreciation to the students of Thornton High School for the excellent job they did at the Supporters of Doelger crab feed on Saturday.

Mayor Torres announced the San Francisco Bulls will be hosting a reception to reveal their jerseys at the Cow Palace on March 7, 2012, at 5:30 P.M.

Staff

There were no reports.

CITY OF DALY CITY
MINUTES – REGULAR MEETING - CITY COUNCIL
FEBRUARY 27, 2012

Page 5

ADJOURNMENT:

It was moved by Councilmember Canepa, seconded by Councilmember Guingona and carried to adjourn the meeting at 7:30 P.M. in memory of Dorothy Izzo and Tom Martinez.

City Clerk

Approved as submitted, this _____

day of _____, 2012.

Mayor



City Council Agenda Report

Item # _____

Meeting Date: March 12, 2012

Subject: Authorization to Execute Contracts and Agreements for Leases, Permits, and Certifications for Maintenance on Mussel Rock Landfill Site

Recommended Action

Staff recommends the City Council authorize the City Manager or her designee to execute all contracts and agreements for leases, permits, and certifications from various regulatory agencies required for maintenance work at the Mussel Rock Landfill Site.

Background

The Mussel Rock Landfill Site requires routine repair and maintenance activities, which include but are not limited to the maintenance of the seawall, access roads, gabion walls, sedimentation ponds, surface and subsurface drainage systems, and fences and gates. Various regulatory agencies including the California State Lands Commission, Regional Water Quality Control Board, California Coastal Commission, and U.S. Army Corps of Engineers require leases, permits, and/or other certifications prior to performing maintenance work within their respective regulatory jurisdictions. These leases, permits, and certifications periodically expire and must be renewed.

Discussion

The planned seawall maintenance work extends into the surf and requires modification and extension of the existing lease with the State Lands Commission, as well as additional permits and certifications from the Regional Water Quality Control Board, California Coastal Commission, and U.S. Army Corps of Engineers.

Staff is in the process of applying for and securing new or renewed leases, permits, and certifications for the maintenance work on the Mussel Rock Landfill Site. Staff requests authorization from the City Council for the City Manager or her designee to execute all contracts and agreements as they become available for signature by the regulatory agencies.

Fiscal Impact

Sufficient funding for the lease, permit and certification applications is available under Budget Account 31-310-550.

Summary/Conclusion

Recommend that the City Council authorize the City Manager or her designee to execute all contracts and agreements for permits, leases, and certifications from regulatory agencies authorizing maintenance work on the Mussel Rock Landfill Site.

**Authorization to Execute Contracts and Agreements for Leases, Permits,
and Certifications for Maintenance on the Mussel Rock Landfill Site**
Meeting Date: March 12, 2012
Page 2 of 2

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

Respectfully submitted,

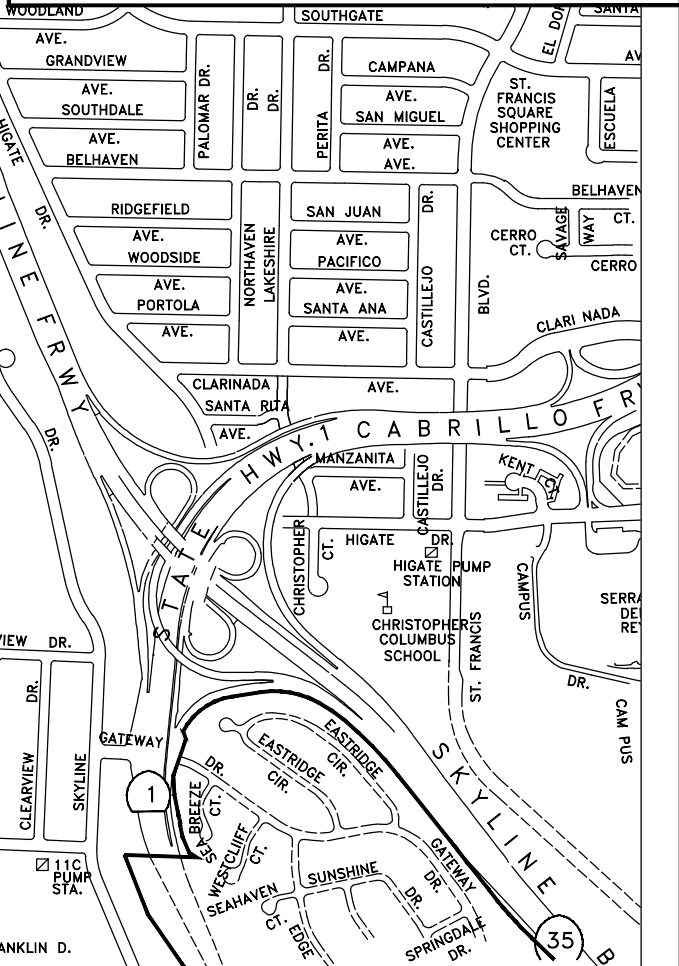
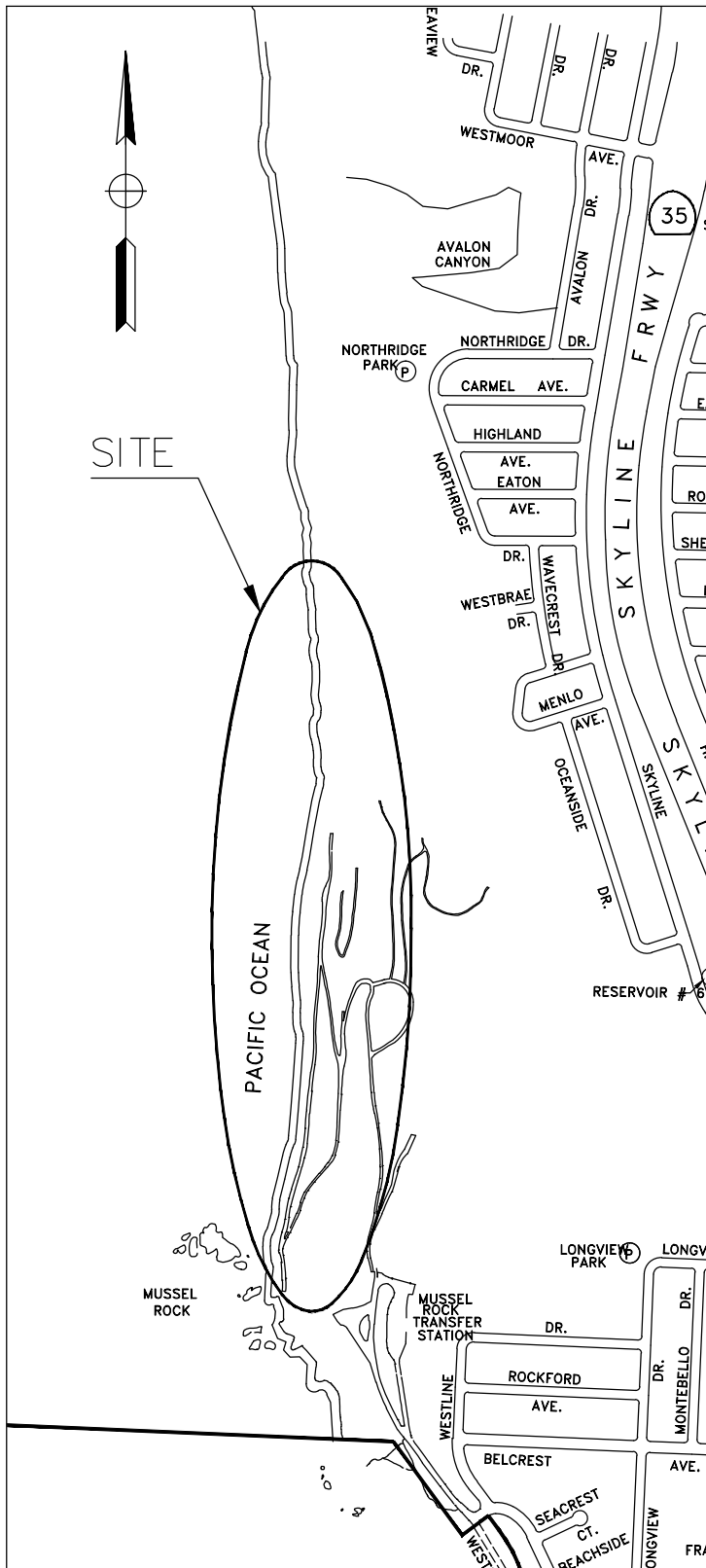
Hae Won Ritchie

Hae Won Ritchie
Civil Engineering Associate

John L. Fuller

John L. Fuller
Public Works Director

Attachments: Site Vicinity Map



THE CITY OF DALY CITY CALIFORNIA DEPARTMENT OF PUBLIC WORKS			
SITE VICINITY MAP MUSSEL ROCK SITE DALY CITY, CALIFORNIA			
DRAWN JA	DATE 12/11	APPROVED _____ CITY ENGINEER	
CHECKED HWR	SCALE 1:1000		
DESIGNED	SURVEY NO.	SHEET NO. ____ OF ____	DRAWING NUMBER



City Council Agenda Report

Item # _____

Meeting Date: March 12, 2012

Subject: Notice of Completion for Street Resurfacing 2011

Recommended Action

Staff recommends that the City Council accept the improvements completed in compliance with the construction contract for the Street Resurfacing 2011 project.

Background

This project was funded by California Proposition 1B and Community Development Block Grant (CDBG-R) funding from the Department of Housing and Urban Development (HUD). The City was allocated \$1,578,210.87 for its share of Proposition 1B funding from the State of California from the 2009-10 appropriations based on population. A portion of the allocated amount funded the Street Resurfacing 2011 project. The remainder will be used to fund the Street Resurfacing 2012 project. The CDBG-R funds were appropriated through the American Recovery and Reinvestment Act of 2009. The Street Resurfacing 2011 project was allocated approximately \$120,000 of CDBG-R funding to update the curb ramps for handicap access within the project limits in compliance with the Americans with Disabilities Act (ADA).

The project included the base failure repair and asphalt concrete (AC) overlay of various residential City streets as shown on the attached location map. At the time of award, approximately 1.45 miles of city streets were estimated for the planned resurfacing. Staff requested and received authorization to add Hill Street and Washington Street to the project after award as a result of favorable bids being received and the CDBG-R funding becoming available for use on the project. The addition of these two streets added approximately 0.20 miles for a new total street mileage of approximately 1.65 miles.

The street segments to receive an AC overlay were selected by an evaluation utilizing the City's Pavement Management Program, recommendations from the Streets Division, funding availability, and coordination with other planned projects of the City and utility companies to avoid immediate excavation in the newly rehabilitated street pavement.

Discussion

Ghilotti Bros. Contractors, Inc. of San Rafael, California, has completed all improvements required by the construction contract documents for a total amount of \$686,295.32. The original contract award was for \$608,120.90. The additional amount of \$78,174.42 (approximately 12.9%) was the cost of rehabilitating Hill Street and Washington Street, which included updating ADA ramps, grinding, paving, and applying pavement striping and markings.

Notice of Completion for Street Resurfacing 2011

Meeting Date: March 12, 2012

Page 2 of 2

Fiscal Impact

The contract was completed in the total amount of \$686,295.32 with funds available in the Capital Improvement Project Account 17-312-608, Water Fund Account 41-385-617, Sanitation Fund Account 87-920-617 and Grants Account 28-305-675.

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,

Hae Won Ritchie

Hae Won Ritchie
Civil Engineering Associate

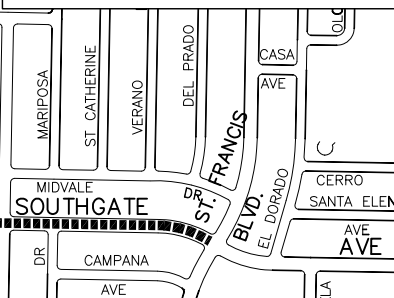
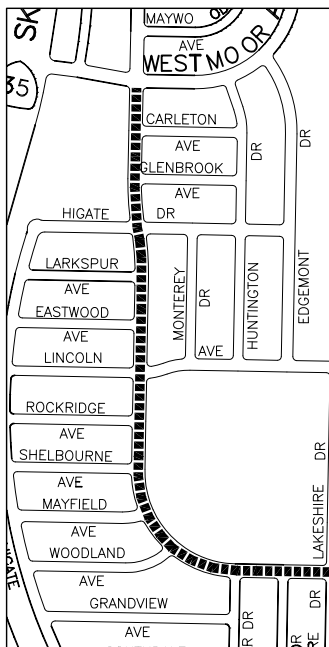
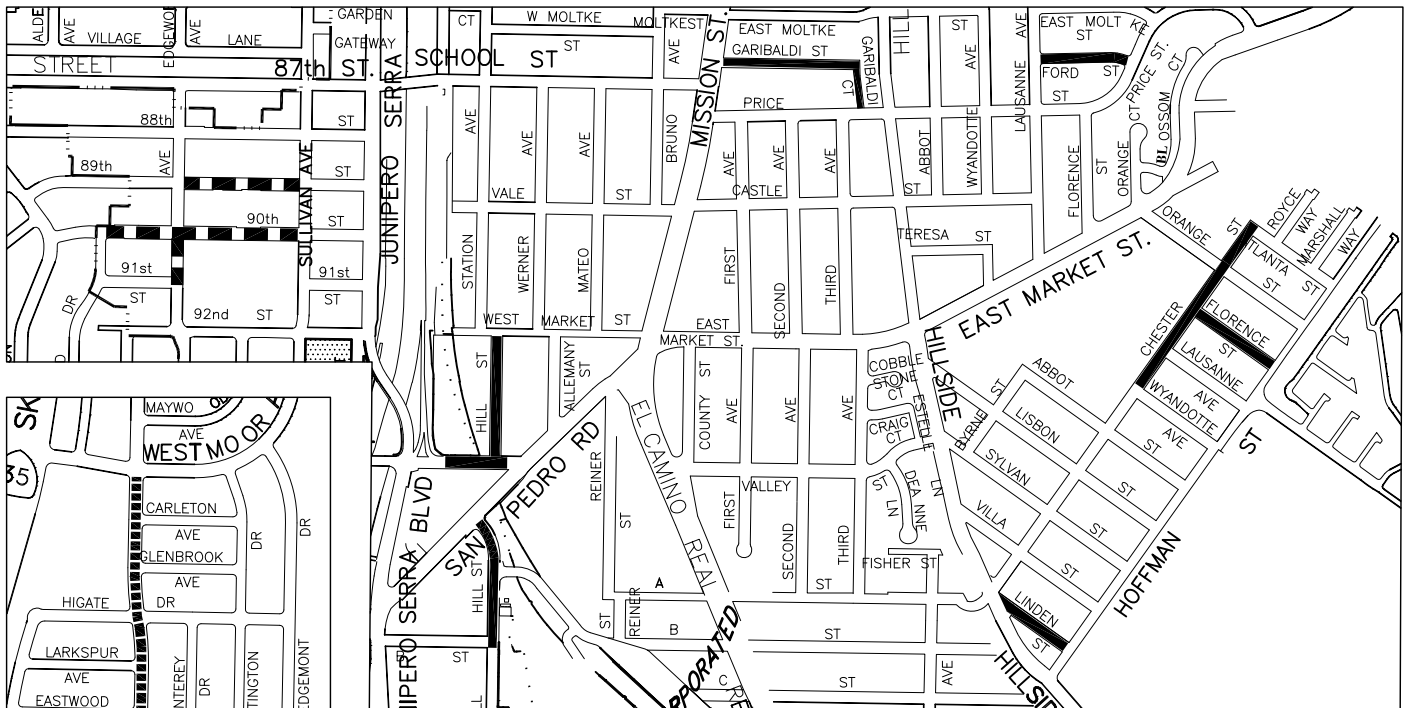
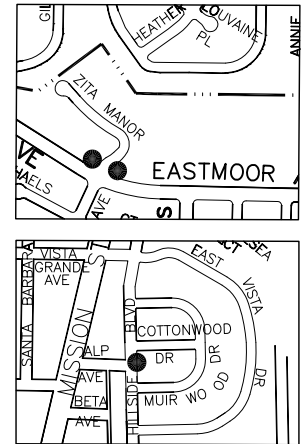
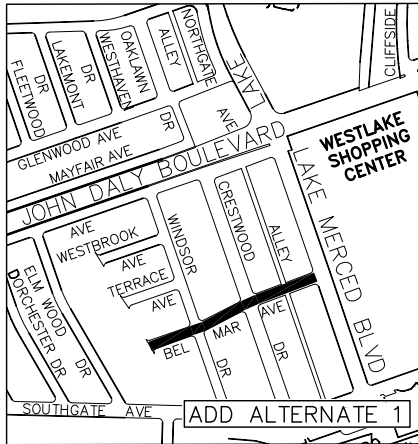
John L. Fuller

John L. Fuller
Public Works Director

Attachment: Location Map
Notice of Completion and Resolution

CITY OF DALY CITY
SAN MATEO COUNTY, CALIFORNIA

PROJECT LOCATION MAP
STREET RESURFACING 2011



-  RESURFACING
-  RESURFACING OF PARKING LANES ONLY
-  RAISING AND REPLACING OF MANHOLE FRAMES, COVERS AND VALVE BOX ONLY
-  CURB RAMP ONLY

0 500 1000



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: March 12, 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:

STREET RESURFACING 2011

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

Ghilotti Bros, Inc.
525 Jacoby St.
San Rafael, CA 94901

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

(STREET RESURFACING 2011)

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, GHILOTTI BROS., INC., 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:

STREET RESURFACING 2011

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: March 12, 2012

Subject: Notice of Completion for Junipero Serra Boulevard, Hoffman Street, and San Pedro Road Rehabilitation

Recommended Action

Staff recommends that the City Council accept the improvements completed in compliance with the construction contract for the Junipero Serra Boulevard, Hoffman Street, and San Pedro Road Rehabilitation project.

Background

This project was funded primarily by the Federal Surface Transportation Program (STP)/Congestion Mitigation and Air Quality Improvement (CMAQ), Cycle 1, funding. The City was allocated \$1,058,000.00 in Federal STP/CMAQ, Cycle 1, funding. The Metropolitan Transportation Commission (MTC), the regional agency administering the funds, requires jurisdictions to provide a local match of 11.47%.

The project included the rehabilitation of pavement on Junipero Serra Boulevard from Washington Street to the City limit near D Street (Base Bid), Hoffman Street from Hillside Boulevard to Lausanne Avenue (Add Alternate 1), and San Pedro Road from Mission Street to Junipero Serra Boulevard (Add Alternate 2) as shown on the attached plan.

The street segments selected for rehabilitation were eligible to receive Federal STP/CMAQ funds and were selected by an evaluation utilizing the City's Pavement Management Program, recommendations from the Street Division personnel, fund availability, and coordination with other planned projects of the City and utility companies to avoid immediate excavation in the newly overlaid streets.

Discussion

Ghilotti Bros. Contractors, Inc. of San Rafael, California, has completed all improvements required by the construction contract documents for a total amount of \$1,074,968.75. The original contract award was for \$1,057,125.00. The additional amount of \$17,863.75 (approximately 1.7%) was the cost of the difference between estimated and actual bid quantities.

Fiscal Impact

The contract was completed in the total amount of \$1,074,968.75 with funds available in the Capital Improvement Project Account 17-312-689, Water Fund Account 41-385-617, and Sanitation Fund Account 87-920-617. The total construction and contract administration costs of up to \$1,057,000.00 will be reimbursed by the Federal STP/CMAQ, Cycle 1, funding. The

**Notice of Completion for Junipero Serra Boulevard, Hoffman Street, and
San Pedro Road Rehabilitation**
Meeting Date: March 12, 2012
Page 2 of 2

difference between total construction and contract administration costs and the Federal fund reimbursement amount, including the required minimum local match of 11.47%, will be funded with local Gas Tax funds available in the Capital Improvement Project Account 17-312-689.

Summary/Conclusion

The contractor's work is now completed 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,

Hae Won Ritchie

Hae Won Ritchie
Civil Engineering Associate

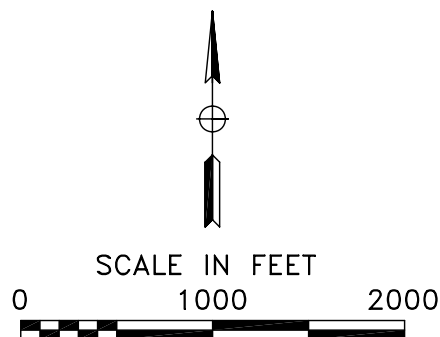
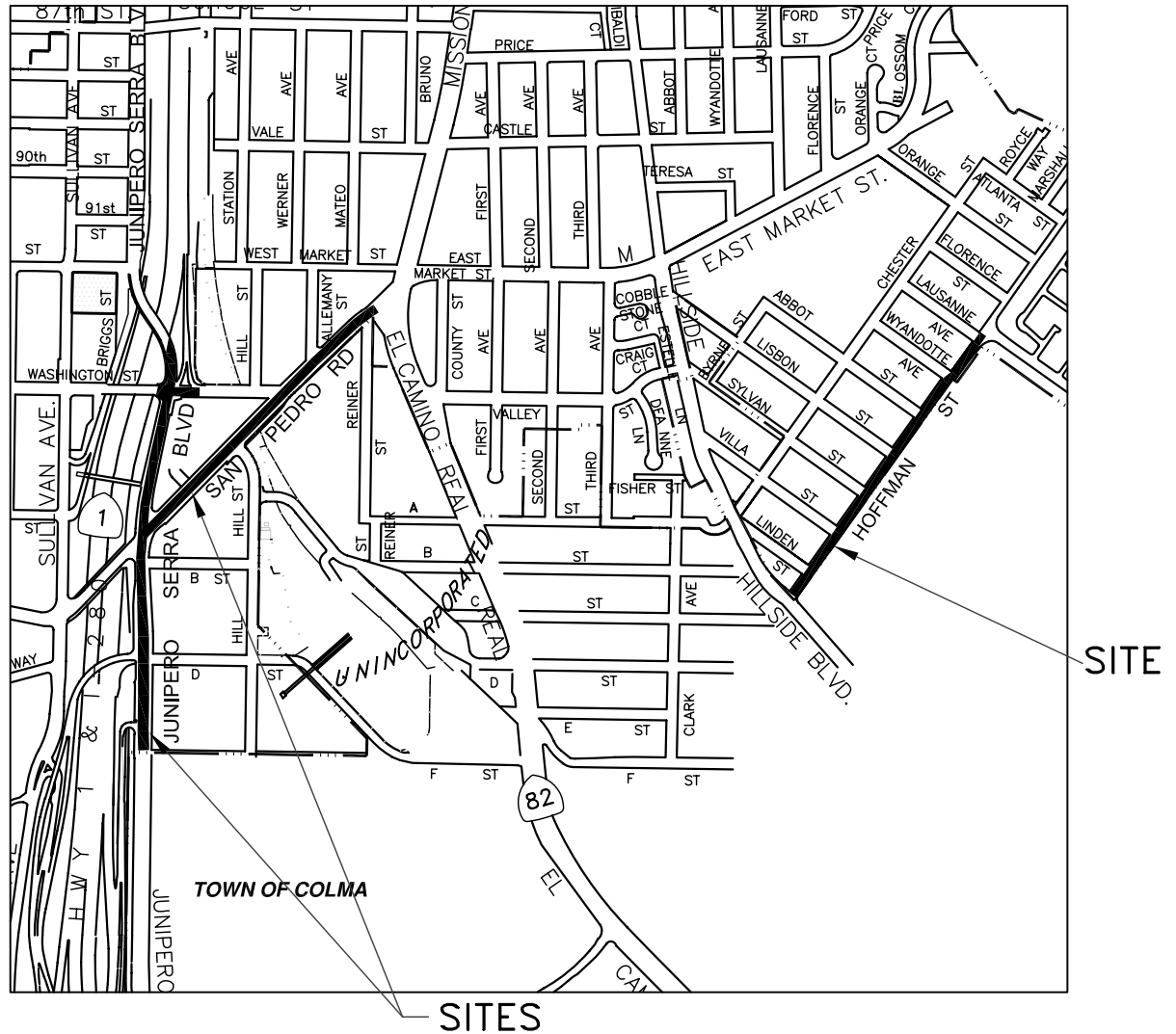
John L. Fuller

John L. Fuller
Public Works Director

Attachments: Location Map
Notice of Completion and Resolution

CITY OF DALY CITY
SAN MATEO COUNTY, CALIFORNIA

PROJECT LOCATION FOR CONSTRUCTION OF
**JUNIPERO SERRA BOULEVARD,
HOFFMAN STREET AND
SAN PEDRO ROAD REHABILITATION**
FEDERAL PROJECT NO. STPL - 5196 (035)



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: March 12, 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:

**JUNIPERO SERRA BOULEVARD, HOFFMAN STREET,
AND SAN PEDRO ROAD REHABILITATION**

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

Ghilotti Bros, Inc.
525 Jacoby St.
San Rafael, CA 94901

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

(JUNIPERO SERRA BOULEVARD, HOFFMAN STREET, AND SAN PEDRO ROAD REHABILITATION)

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 GHILOTTI BROS., INC., 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:

**JUNIPERO SERRA BOULEVARD, HOFFMAN STREET,
AND SAN PEDRO ROAD REHABILITATION**

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: March 12, 2012

Subject: Authorize Solicitation of Bids for the Distribution System Valve Replacement Project

Recommended Action

Authorize the solicitation of bids to replace 24 valves in various locations in the distribution system. The successful bidder may be retained to perform additional valve replacements, as necessary, for a period of one (1) year with an additional one year option based upon quality of work performed.

Background

Twenty four (24) valves in the water distribution system were found to be inoperable as part of last year's water quality flushing program. In many cases, the identified valves cannot be repaired because replacement parts are no longer manufactured.

Discussion

Replacement of the valves will help secure the water system to proper operating condition and will improve water flow and water quality in the areas affected from valves broken in partially closed position. During routine and emergency shut downs for repairs, it has been found that inoperable valves cause many more residents to be impacted by the work than would be expected under normal operating conditions. The inoperable valve puts limitations on staff's ability to effectively operate the distribution system and provide a desired level of water quality.

Fiscal Impact

Estimated project cost, including equipment, labor and engineering, is \$97,000. Funding is available in the Fund 41 Capital Account 41-385-752-4507 Mains and Improvements.

Summary/Conclusion

The valve replacements will improve adequate water flow and quality within the service zones and thereby improve overall water system reliability.

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

Respectfully submitted,

Tom Piccolotti
Collection and Distribution Systems Manager

Patrick Sweetland
Director of Water and Wastewater Resources



City Council Meeting Agenda Report

Item # _____

Meeting Date: March 12, 2012

Subject: Set Time and Place for a Public Hearing to Consider One-Year HUD Action Plan for Fiscal Year 2012-2013

Recommended Action

Set a Public Hearing for April 23, 2012 for the purpose of citizen review and comment on Daly City's One-Year Action Plan under the Community Development Block Grant (CDBG) and HOME programs for FY 2012-2013.

Background

The One-Year Action Plan identifies how CDBG and HOME monies will be allocated. Prior to Council allocating these funds for FY 2012-2013, the Department of Housing and Urban Development (HUD) requires the City to hold a public hearing to allow for citizen comment on Daly City's proposed One-Year Action Plan for Fiscal Year 2012-2013.

Discussion

CDBG and CDBG-R funds can be used for various activities including Administration, Economic Development, Capital Projects, Housing and Public Services. HOME funds may be used for activities that expand the supply of decent, affordable housing for lower income families.

Pursuant to the City's Citizen Participation Plan, the draft FY 2012-2013 Action Plan will be available at City Hall and all City libraries for a 30-day review and comment period beginning March 24, 2012 through April 23, 2012. Notice of the availability of this document and a summary of the draft FY 2012-13 Action Plan will be published in *The Examiner* and made available on the City's web site.

Summary/Conclusion

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

Respectfully submitted,

Betsy ZoBell
Housing and Community Development Supervisor

Brian Millar
Director, Economic & Community Development



City Council Meeting Agenda Report

Item # _____

Meeting Date: March 12, 2012

Subject: Proposed Revisions to Library Assistant III Job Specification (Civil Service)

Recommended Action

That the City Council approve the proposed revisions to the Library Assistant III job specification.

Background

Human Resources and the Department of Library and Recreation Services reviewed the existing Library Assistant III job specification to ensure it accurately describes the duties and responsibilities of this classification. As a result of this review, staff is recommending that the job specification include responsibility for Programming, Outreach and Marketing, or Technology, Support and Training in addition to Circulation.

A public hearing was held after due notice was properly given and all interested parties were given an opportunity to be heard. The Personnel Board approved the above revisions on March 7, 2012.

Discussion

None

Fiscal Impact

None

Summary/Conclusion

That the City Council approve the proposed revisions to the Library Assistant III job specification. Staff is available to provide any additional information desired by the Mayor or Councilmembers.

Respectfully submitted,

Shawna Maltbie
Director of Human Resources



City Council Meeting Agenda Report

Item # _____

Meeting Date: March 12, 2012

Subject: Adoption of Daly City's Local Hazard Mitigation Plan

Recommended Action

It is requested that the City Council approve a resolution adopting the Association of Bay Area Government's (ABAG) report "Taming Natural Disasters" as the City of Daly City's Local Hazard Mitigation Plan. This plan includes a Daly City specific annex.

Background

To assist local governments in meeting a Federal requirement, the Association of Bay Area Governments (ABAG) has and continues to be the lead agency on the development and maintenance of the multi-jurisdictional Local Hazard Mitigation Plan (MJ-LHMP) for the San Francisco Bay Area. Cities and counties can adopt and use all or part of this multi-jurisdictional plan in lieu of preparing all or part of a Local Hazard Mitigation Plan.

Hazard mitigation is any sustained action taken to reduce or eliminate the long-term risk to human life and property from hazards. A hazard mitigation plan identifies the hazards a community or region faces, assesses their vulnerability to the hazards and identifies specific actions that can be taken to reduce the risk from the hazards. The Federal Disaster Mitigation Act of 2000 (DMA 2000) outlines a process which cities, counties, and special districts can follow to develop a local hazard mitigation plan. Development of this plan is a requirement for certain benefits from the California Emergency Management Agency (CalEMA) and the Federal Emergency Management Agency (FEMA).

Discussion

Daly City has participated in the development of a local hazard mitigation plan annex in partnership with ABAG. After receiving feedback from ABAG on the draft plan annex, the document was forwarded to FEMA on July 8, 2011 for review/approval. Although FEMA has not provided comment on Daly City's plan annex to date, FEMA has requested that all local jurisdictions have their plans adopted, regardless of status, by the local elected governing body by March 23, 2012.

Fiscal Impact

There is no immediate fiscal impact. However, if the plan is not adopted by resolution, the City may risk qualifying for future funding opportunities from FEMA and CalEMA.

Summary/Conclusion

Since 2009, Daly City has and will continue to participate with ABAG's regional planning process by attending and participating in various workshops, conferences and meetings. This will include

City Council Agenda Report

Subject: Adoption of Daly City's Local Hazard Mitigation Plan

Meeting Date: March 12, 2012

Page 2 of 2

Summary/Conclusion (continued)

reviewing the regional plan and local annex and revising as needed. The plan will also be incorporated into the safety element of the City's General Plan.

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

Respectfully submitted,

A handwritten signature in blue ink that reads "Matt Lucett".

Matt Lucett

Community Emergency Preparedness
and Planning Chief

A handwritten signature in blue ink that reads "Ron Myers".

Ron Myers

Fire Chief

Attachments: Resolution



City Council Meeting Agenda Report

Item # _____

Meeting Date: March 12, 2012

Subject: Proposed Reassignment of Library Services Manager and Recreation Services Manager to Range 96 of Miscellaneous Unrepresented Salary Schedule

Recommended Action

That the City Council approve the reassignment of the Library Services Manager and the Recreation Services Manager from Range 64 to Range 96 of the Miscellaneous Unrepresented salary schedule

Background

The Department of Library Services and the Department of Recreation consolidated in 2011. Since that time, it has been determined that the scope of responsibilities of the Library Services Manager and the Recreation Services Managers have expanded beyond what was initially envisioned. In an effort to address market trend and compaction issues, staff is requesting to modify the salary schedule of these Unrepresented/Miscellaneous classifications from U64 to U96

Discussion

None

Fiscal Impact

This will result in \$31,239 annual increase per classification.

Summary/Conclusion

That the City Council approves the reassignment of the Library and Recreation Services Manager classifications to Range 96 of the Miscellaneous Unrepresented salary schedule.

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

Respectfully submitted,

Shawwna Maltbie
Director of Human Resources



City Council Meeting Agenda Report

Item # _____

Meeting Date: March 12, 2012

Subject: Authorize the City Manager to Execute the Memorandum of Agreement with the San Mateo County Human Services Agency to Provide the Science, Technology, Engineering and Math Program

Recommended Action

It is recommended that the City Council authorize the City Manager to execute the Memorandum of Agreement with the San Mateo County Human Services Agency-Workforce Development to provide the Science, Technology, Engineering and Math (STEM) program and receive reimbursement from the County for the City's costs associated with providing the program.

Background

This agreement would begin on the date of its execution and would extend through the 2011-12 school year. This program is intended to provide STEM after school programs to elementary and middle school students, as delineated in the County of San Mateo Human Services Agency Workforce Development agreement. STEM events would include field trips, activities and guest speakers that relate real world applications and introduction to STEM careers. The program would include mentoring of the students and include Family Science Nights that encourage parent and community participation to support and sustain STEM programming. The City of Daly City Department of Library and Recreation Services STEM staff would attend the "Train-the-Trainer" sessions scheduled during the term of the Agreement.

Fiscal Impact

The County of San Mateo Human Services Agency would serve as the grant's fiscal agent and the City of Daly City would receive a reimbursement of \$20,000 for expenses. These grant funds would be appropriated into account number 01-131-162-3840.

Summary/Conclusion

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

Respectfully submitted,

Denise Brown
Recreation Services Manager

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



City Council Meeting Agenda Report

Item # _____

Meeting Date: March 12, 2012

Subject: A Resolution of the City Council in Support of Proposition 29 - the California Cancer Research Act of 2012

Recommended Action

It is recommended that the City Council adopt a resolution in support of the California Cancer Research Act of 2012 (Proposition 29).

Background

At its regular meeting of January 23, 2012, the City Council received a request from the American Cancer Society to adopt a resolution in support of Proposition 29 – the California Cancer Research Act (CCRA) of 2012. The CCRA is a ballot initiative that will be decided by California voters on June 5, 2012. Through a \$1 per-pack tax on cigarettes – the first time California's tobacco tax has been adjusted in 14 years – the CCRA will deliver over \$855 million per year to pursue potential cures for cancers, heart disease, and other tobacco-related illnesses, drive down smoking rates, and assist law enforcement.

Fiscal Impact

The Legislative Analyst's Office anticipates a net increase in state cigarette excise tax revenues of about \$735 million annually by 2013-14. The local fiscal impact is unknown.

Summary/Conclusion

According to a summary prepared by the Office of the Attorney General, the CCRA would impose an additional five cent tax on each cigarette distributed (\$1.00 per pack), and an equivalent tax increase on other tobacco products, to fund cancer research and other specified purposes. The initiative requires tax revenues be deposited into a special fund to finance research and research facilities focused on detecting, preventing, treating, and curing cancer, heart disease, emphysema, and other tobacco-related diseases, and to finance prevention programs. A nine-member committee will be charged with administering the fund.

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

Respectfully submitted,

Joseph F. Curran
Assistant to the City Manager

Patricia E. Martel
City Manager

Attachment: Resolution in Support of Proposition 29

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DALY CITY IN SUPPORT OF
PROPOSITION 29 - THE CALIFORNIA CANCER RESEARCH ACT OF 2012

WHEREAS, the California Cancer Research Act is a state ballot measure which if passed by voters in June 2012 would save lives by preventing 104,000 premature smoking-caused deaths; and

WHEREAS, more than 332,000 California high school students are current smokers, more than 34,000 California youth start smoking every year and 3,383,000 California adults are current smokers; and

WHEREAS, the California Cancer Research Act would increase the state's tobacco tax by \$1 per pack and according to the Campaign for Tobacco-Free Kids, the \$1 tax increase alone would prevent 228,000 children from becoming smokers in adulthood and more than 118,000 adult smokers in California would quit smoking; and

WHEREAS, the tobacco industry will spend millions to stop the California Cancer Research Act because they know it will stop hundreds of thousands from smoking; and

WHEREAS, the California Cancer Research Act would provide nearly \$600 million annually to fund research and make advances in the prevention, detection, treatment, causes and cures for cancer, lung disease, heart disease and stroke, and other tobacco-related illnesses; and

WHEREAS, the California Cancer Research Act would provide more than \$156 million annually to the state's existing tobacco control programs to prevent and reduce the use of tobacco, including school based programs to reduce youth smoking; and

WHEREAS, the Legislative Analyst's Office analysis of the California Cancer Research Act determined that local governments would likely experience an annual increase in sales tax revenues of approximately \$10 million; and

WHEREAS, by providing the funding we need to keep California's anti-smoking programs strong, we can keep our kids from smoking and give smokers the help they need to quit; and

WHEREAS, the California Cancer Research Act would provide \$23 million annually for law enforcement efforts to reduce illegal sales of tobacco products to minors, and other anti-tobacco law enforcement; and

WHEREAS, the California Cancer Research Act will result in \$5.1 billion in long-term health savings from reduced smoking; and

WHEREAS, cigarette smoking and other uses of tobacco remain the leading causes of cancer, heart disease and stroke, and lung disease in California; and

WHEREAS, 36,687 adults die annually from smoking in California.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Daly City does hereby support the California Cancer Research Act of 2012, which will reduce smoking, especially among children and fund critical research to prevent and treat cancer, heart disease and stroke, lung disease and other tobacco-related illnesses.



City Council Meeting Agenda Report

Item # _____

Meeting Date: March 12, 2012

Subject: Setting Time and Place of Public Hearing for March 26, 2012
Re: Ordinance Prohibiting Medical Marijuana Dispensaries

Recommended Action

Staff recommends that the City Council set March 26, 2012, 7:00 p.m. as the date and time for a public hearing - Ordinance prohibiting medical marijuana dispensaries.

Background/Analysis

In November of 1996, California voters enacted Proposition 215, "The Compassionate Use Act of 1996" (now codified at Health and Safety Code section 11362.5 *et. seq.*) ("Act"). The proposition was designed to allow "seriously ill" individuals to have access to medical marijuana for medical purposes. The Act does not legalize marijuana per se; it is intended to allow an individual with serious or terminal illnesses to possess and cultivate marijuana for his/her own medical needs upon a doctor's recommendation.

On March 22, 2010, the City Council adopted a temporary moratorium on the establishment of medical marijuana dispensaries. Subsequently, the City Council extended the temporary moratorium for the maximum period of two years. The City Council found that the extensions were necessary to allow time to evaluate the uncertain legal and regulatory environment. As part of the moratorium, the City Council appointed a Sub-Committee to evaluate the issues. The Sub-Committee met with several stakeholders during the past two years, including with law enforcement representatives and medical marijuana dispensary owners and advocates. The temporary moratorium is set to expire on March 22, 2012.

On March 5, 2012, the City Council held a study session to discuss this issue. During the study session, Council directed staff to prepare an ordinance prohibiting the establishment of medical marijuana dispensaries within the city.

Conclusion

Staff recommends that the City Council set time and place of hearing to consider adoption of an Ordinance prohibiting medical marijuana dispensaries within the city. Staff is available to provide any additional information desired by the Mayor or City Council Members.

Respectfully submitted,

Kelly Schott
Assistant City Attorney

Rose Zimmerman
City Attorney



City Council Meeting Agenda Report

Item # _____

Meeting Date: March 12, 2012

Subject: Authorize City Manager to Execute Notice of Withdrawal from the Housing Endowment and Regional Trust Joint Powers Agreement

Recommended Action

Authorize City Manager to execute a notice of withdrawal from the Housing Endowment and Regional Trust Joint Powers Agreement.

Background

The Housing Endowment and Regional Trust (HEART) was established in 2003 as a Joint Powers Authority to fund affordable housing in San Mateo County. HEART has 20 JPA member agencies – the County of San Mateo and 19 Peninsula cities, including Daly City.

Discussion

Given the City's ongoing fiscal constraints and the variety of community priorities, including local affordable housing efforts undertaken by Daly City staff, the City Council has given serious consideration to discontinuing membership in HEART at the present time. Under the Joint Powers Agreement, any member agency may withdraw from the Agreement effective at the end of the fiscal year, provided ninety (90) days written notice is provided to the other Member Agencies. (Section 11 First Amendment of the JPA Agreement 5/13/2003).

City Council and Staff understand that HEART is important to San Mateo County for many reasons. However, with limited funds to meet the broad needs of the largest city in the county, the Council must establish local priorities consistent with community values. Affordable housing will remain at the forefront of the City's agenda albeit in a different forum than HEART. With the continuing work on the Habitat for Humanity condominium project in Daly City, the City will maintain support for that effort and other affordable housing activities, as the City has always done, even in the absence of funding support from HEART.

The City Council will always be able to reconsider the City's withdrawal at some future date when city funds are available, without negatively effecting local programs and services.

Fiscal Impact

Member Agencies make annual contributions for the Administrative Budget of HEART. This fiscal year Daly City contributed \$36,959. Although the City has been advised that the annual member fee may be reduced by approximately 10%, the fee for the coming fiscal year would still be in excess of \$33,000.

City Council Agenda Report

**Subject: Authorize City Manager to Execute Notice of Withdrawal from the Housing
Endowment and Regional Trust Joint Powers Agreement**

Meeting Date: March 12, 2012

Page 2 of 2

Summary/Conclusion

Staff is recommending the City Council authorize the City Manager to provide notice of the City's intent to withdraw from the HEART Joint Powers Agreement.

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

Respectfully submitted,

A handwritten signature in black ink, reading "Patricia E. Martel". The signature is written in a cursive, flowing style.

Patricia E. Martel
City Manager



City Council Meeting Agenda Report

Item # _____

Meeting Date: March 12, 2012

Subject: Appeal of the Findings and Order of the Administrative Hearing Board for 1023 Hanover St. (APN 004-112-150) Rosario Sievers, Property Owner.

Recommended Action

Affirm the Administrative Hearing Board Order issued to Rosario Sievers (property owner) to abate violations relative to property at 1023 Hanover Street.

Background

This matter involves a Code Enforcement action related to construction activities without benefit of a building permit within a residence at 1023 Hanover Street, and a determination of violation and order to abate by the Administrative Hearing Board on January 26, 2012 (Exhibit A). On February 7, 2012, the owner filed an Appeal to the City Council of the Findings and Order of the Administrative Hearing Board (Attachment B). On February 27, 2012, City Council set March 12, 2012, as the hearing date for the appeal.

Illegal construction activity consists of rooms constructed in the garage level that eliminates required parking, and an accessory building in the rear yard with electrical components constructed without a permit. The property owner, Ms. Rosario Sievers, purchased the property in December 2005 and states that the rooms down were constructed by a previous owner. A review of building records revealed that there was no record of permits issued for the cited construction. The property's initial building permit states that the building is a five-room single family dwelling, which in general consists of two bedrooms, a kitchen, living room and dining room. The owner was advised that the violations must be abated either by securing a permit for the removal of the illegal construction, or by legalization of the construction.

The owner submitted plans in January 2009 to address the Code violations and obtained a building permit in April 2009 to remove unpermitted construction, and to legalize one bedroom, one bathroom and one utility room, but no inspections were scheduled and the permit expired. A Notice of Violation was forwarded to the City Attorney's Office to be recorded with San Mateo County Recorder's Office, as the owner had indicated that the property may go to foreclosure. The owner was provided several months by Code Enforcement to comply, though compliance was never achieved. However, staff scheduled a follow-up inspection and verified that the owner had rented all of the unpermitted rooms and divided an accessory building into two additional units and had rented both units.

Discussion

The property is a single family residence located in an R-1 zone. The owner acknowledged that she had erected walls on the second level and constructed the accessory building in the rear yard, but contends that the rooms on the lower level of the main residence were present when she purchased

City Council Agenda Report

Subject: Appeal of the Findings and Order of the Administrative Hearing Board for 1023

Hanover St. (APN 004-112-150) Rosario Sievers, Property Owner

Meeting Date: March 12, 2012

Page 2 of 2

the property and she should not be held responsible for those rooms. Staff has advised the property owner that the City's action is against the property and that cited Code violations are the responsibility of current property owners regardless of when a violation may have been constructed.

The Board found the property to have potentially serious life safety violations due to the unpermitted construction combined with occupancy of these rooms. In addition, the house does not have a furnace, increasing the potential for the tenants using plug-in heaters, which may be increasing the load on the electrical panel, which in turn may pose a potential fire hazard. The Board ordered the owner to: 1) Have the unpermitted rooms vacated within 30 days, 2) within 30 days submit a permit application to demolish and remove the cited violations, and 3) within 60 days from the permit issuance date complete all work and have the City inspect and final the building permit.

The Board, at their January 26, 2012 hearing addressed the owner's financial hardship and included in the Order that all enforcement fees (totaling \$1,380) and administrative fees (totaling \$1,994) are suspended at this time, pending the cooperative efforts and demonstrated good faith by the owner in completing items #1 through #3 of the Order within the stated time limits.

Summary/Conclusion

The Board Order issued to the property owner is based on violations of the Daly City Municipal Code 15.00.01 and the California Building Code 105.1 (App A) Construction Without Permit and DCMC 15.00.064 / CBC 105.5 (App A) Expired Permit. Staff asks that the City Council affirm the Administrative Hearing Board Order issued to Rosario Sievers for 1023 Hanover Street. Staff is available to provide any additional information desired by the Mayor or City Council Members.

Respectfully submitted,



Kathy Campbell
Code Enforcement Officer



Brian Millar
Director of Economic & Community
Development

Attachment: Exhibit A – Findings and Order of the Administrative Hearing Board issued January 26, 2012

Exhibit B – Appeal to the City Council filed February 7, 2012

**FINDINGS AND ORDER OF THE
DALY CITY ADMINISTRATIVE HEARING BOARD**

SUBJECT PROPERTY: 1023 HANOVER STREET, CA 941014

PROPERTY OWNER(s): ROSARIO SIEVERS

HEARING HELD ON JANUARY 26, 2012

FINDINGS

WHEREAS, Code Enforcement referred this matter to the Administrative Hearing Board pursuant to section 8.16.070, et seq., of the Daly City Municipal Code; **and,**

WHEREAS, the Board determined that the property owner(s) received proper notice documentation by staff of the violations and required abatement action and appeared at the hearing; **and,**

WHEREAS, the Board reviewed evidence, testimony of staff and the staff report pertaining to property current violations: **and,**

WHEREAS, one or more Municipal Code violations defined as a public nuisance, pursuant to section 8.16.030 *et seq.*, are now present and remain unabated after the timeline established for abatement in the staff notice of violation; **and,**

WHEREAS, the property is a public nuisance pursuant to Municipal Code Section 8.16.030 due to violations of the uniform codes, as adopted by Daly City, and Chapter 15 of the Daly City Municipal Code, including construction without permits; **and,**

WHEREAS, pursuant to Daly City Municipal Code section 8.16.150, if this Board determines that a violation occurred which was not corrected within the time period specified in the staff notification of nuisance, the Board shall issue an administrative order which imposes any or all of the following:

- A. An order to correct, including a schedule for correction when appropriate;
- B. Administrative Penalties as provided in section 8.16.160 of the Daly City Municipal Code.
- C. Administrative costs as provided in section 8.16.160 of the Daly City Municipal Code.

ORDER

NOW THEREFORE, HAVING DETERMINED THE PRESENCE OF A PUBLIC NUISANCE AT 1023 HANOVER STREET, THE BOARD HEREBY ORDERS ABATEMENT OF THE VIOLATIONS, AND ASSESSMENT OF ADMINISTRATIVE COSTS AND PENALTIES AS FOLLOWS:

- 1) The owner shall immediately instruct the occupants of the unpermitted rooms located in any unpermitted room on the first floor and second floor and inside the accessory building which are being used as living quarters to vacate within 30 days so that abatement work may begin and provide to the City proof of eviction notices to renters, **and**
- 2) Within 30 calendar days of the date of the Board Order the owner shall submit a permit application to

demolish and remove the cited violations which includes removing the rooms down including a bathroom, removing two unpermitted walls that divides the living room area, replacing the furnace, and reducing the accessory building to under 120 sq. ft. including the removal of the electrical components or completely removing the accessory building from the subject property, **and**

- 3) Within 60 calendar days from the permit application date the owner shall obtain a building permit, **and**
- 4) Within 60 calendar days from the permit issuance date all remedial work as shown on any approved plans and stated in the scope of work for the permit must be completed and inspected and finalized to the satisfaction of the Building Division.
- 5) All enforcement fees and administrative fees are suspended at this time, pending the cooperative efforts and demonstrated good faith by the owner by completing items #1 through #3 of this Order within the stated time limits. Any failure by the owner to cooperate at any stage in the enforcement process shall result in the reinstatement of the suspended fees of \$1,380.00 in enforcement fees and a \$1,994.00 administrative fee (to cover costs associated with presenting this case to the Board).
- 6) Upon failure to adhere to any stated timeline in the Order of the Administrative Hearing Board the owner shall be assessed \$500.00 a day for each day a violation continues to be present, up to the maximum amount of \$10,000.00.
- 7) The Notice of Violation shall remain on the title of the subject property to prevent sale or transfer of ownership without addressing the violations. To remove the NOV all fees and penalties shall be paid and all work to correct the violation(s) shall be completed and finalized.
- 8) In the event that the property owner does not comply with this order and pay all associated fees and fines all costs due to the City shall be secured through a lien recorded on the subject property with the County Recorder which may carry additional charges as set forth by resolution of the City Council.

APPEAL RIGHTS

Pursuant to Daly City Municipal Code section 8.16.300, the owner(s) of the subject property or a business owner receiving an administrative order from this Board may only appeal such order only if they attended the hearing. To exercise this appeal right the owner must file a written appeal request with the City Clerk within ten (10) days of the date of service of the administrative order, with a non-refundable filing fee of \$100 included with the request. The City Clerk will normally set the hearing date within 10-30 days. You should contact the City Clerk for specific information about this process and the required information you must supply in the request.

AFFIRMED BY: _____

Donald McVey
Donald McVey, Director of Finance/Adm. Chair

HEARING BOARD CHAIR ON: February 2, 2012

FOR OFFICE USE

DATE OF SERVICE 2-3-2012 METHOD OF SERVICE: ☒ 1st class mail ☒ Cert. Mail ☐ Pers. Svc.

BY *[Signature]* TITLE Office Assistant for Code Enforcement

COMMENTS: Administrative Hearing Board – 1/26/2012 – 1023 Hanover St – Case# 3-11-1576

CITY CLERK'S OFFICE

CITY OF DALY CITY
CITY CLERK

2012 FEB - 7 A 8:26

RECEIVED

APPEAL TO THE CITY COUNCIL

FROM THE FINDINGS AND ORDER OF THE
ADMINISTRATIVE HEARING BOARD

Directions: To correctly file an appeal from the Order of the Administrative Hearing Board, Please complete this form and include a \$100.00 non-refundable filing fee. Forms returned without the fee are considered incomplete and may not be processed. It is the responsibility of the appellant to return the completed appeal and filing fee to the City Clerk within 10 days from the date of Service of the Order, to assure the appeal is processed in a timely manner.

APPELLANT'S NAME: Rosario Sievers

RESIDENCE: 1023 Hanover St.

PHONE NUMBER (S): (H) (415) 469-5946 (W) (415) 424-8639

E-MAIL ADDRESS: Peter_Batio@DOT-CA.gov

PROPERTY IN QUESTION: 1023 Hanover St.

DATE OF ADMINISTRATIVE HEARING: 1-26-12

SUMMARIZE YOUR REASONS FOR THE APPEAL:

- 1- The Board order is illegal since not based on exist. laws or codes.
- 2- The laws or codes cited in Board order do not apply entirely to all code violations. City alleged without proof violation, I did not do.
- 3- City staff and Board members acted negligently and/or maliciously against me, with prejudice in judgement.
- 4- Other issues relating to staff conduct during investigation. [Signature] 2-7-12
Dated: _____ (Appellant's signature)
- 5- OTHER LEGAL ISSUES.

CITY CLERK'S OFFICE:

Received by: Gail Saterndueni
(Signature)

2/7/12
(Date)

8:27 AM
(Time)

NOTE: AN APPEAL HEARING BEFORE THE CITY COUNCIL WILL BE SCHEDULED AS SOON AS PRACTICABLE. YOU WILL BE NOTIFIED.

code enforcement - email Sweetland, McVey, Miller



City Council Meeting Agenda Report

Item# _____

Meeting Date: March 12, 2012

Subject: Approval of the Expanded Summer Youth Recreation Program

Recommended Action

Staff recommends the City Council approve the expanded Summer Youth Recreation Program (SYRP) and adopt the fees associated with the expanded program.

Background/Discussion

Historically, the SYRP was free, operating from 11:00 a.m. to 4:00 p.m., five days a week for eight weeks. The program serves youth 6-12 years of age with a 1:20 staff to participant ratio. The locations, in most recent years, have been at Gellert Complex, JF Kennedy and Panorama schools, Westmoor Clubhouse and Westlake Park Complex. As a result of the economic downturn and in an effort to reduce the General Fund subsidy for the program, in 2010 a program fee was adopted. This fee is currently \$25 per week for Daly City residents and \$50 per week for non-residents. A primary challenge affecting the rate of participation has been the operating times of the program. For some time, parents who enroll, or wish to enroll their child(ren) in the program have expressed the need for longer program hours. Others, who have a child(ren) enrolled in a morning summer school program seek only an afternoon program.

The proposed program expansion would allow for participants to register for either an all-day program from 9:00 a.m. to 5:00 p.m. or a half-day program from 1:00 p.m. to 5:00 p.m. The proposed cost for an all-day program is \$60 for Daly City residents and \$75 for non-residents. The proposed cost of a half-day program reflects a weekly increase of \$5 from \$25 to \$30 for Daly City residents and \$37 for non-residents. The benefits to the new times and fees are:

- Serving families who need an “all day” program, as well as serving families who only wish to participate half-day;
- Providing families with a significantly less expensive alternative to summer camps;
- Programming which allows for more time to participate in recreational opportunities and a diversity of experiences; and,
- Decreasing the General Fund subsidy for the program by nominally increasing participant fees while continuing to offer an excellent program at an excellent value.

Staff proposes the new and expanded program focus on incorporating the Six Pillars of Character as the foundation of the program. The Six Pillars of Character are basic values that define ethical behavior, whether at school, at home or at play. The standards of conduct that arise out of those values constitute the ground rules of ethics, and therefore of ethical decision-making. The Six Pillars of Character include:

Adoption of the Expansion of the Summer Youth Recreation Program
Meeting Date: March 12, 2012

1. Trustworthiness – Trust is the basis of all good relationships and a cornerstone of good character (integrity, honesty, reliability and loyalty);
2. Respect – Treating people with respect helps us get along with each other, avoid and resolve conflicts, and create a positive social climate (golden rule, tolerance and acceptance, non-violence and courtesy);
3. Responsibility – Responsible people do what needs to be done, fulfill their obligations, are accountable for their actions, use good judgment and do not let people down (duty, accountability, pursuit of excellence and self-control);
4. Fairness – Fairness means living by the golden rule, doing what it takes to be a fair and just person and realizing how much our personal actions do matter (justice and openness);
5. Caring – Caring people respond selflessly to the needs of others and treat others with kindness, concern, and generosity (concern for others and charity); and,
6. Citizenship – It is doing your part for the common good, serving your community, and helping make our democracy work (do your share and respect authority and the law).

Staff also proposes implementing the essence of both the Kids Kamp and Great Play camps, former Daly City traditional summer camps, into the SYRP and infusing the core values of inclusivity, diversity of experience, lifelong learning, service to community, environmental stewardship, personal development, healthy lifestyles, professional growth, and fun and celebration within the activities throughout the weekly program.

A typical “all-day” SYRP would consist of:

- **Rules/Expectations:** Site rules would be created and reviewed with input from program participants based on the Six Pillars of Character. These rules would be reviewed daily to remind the participants that they are responsible for following through, especially since they created the rules;
- **Jumpstart (Morning/Afternoon):** A game or activity would be delivered to program participants intended to energize and wake up the senses and body for a new day and new experiences;
- **Group Activity-Leader Choice:** Program participants would be broken into evenly distributed groups of children. Groups could be divided by age, skill, or mixed depending on the sites. The leader would lead his/her group of participants in an appropriate activity for their group. These activities would vary daily;

Adoption of the Expansion of the Summer Youth Recreation Program
Meeting Date: March 12, 2012

- **Group Challenge** - Group challenges would be daily activities earning group points. The intention of these games would be to build self-respect, trustworthiness, fairness and caring. Points would be earned in numerous ways for each group. Each group or participant at the end of the week would receive an award or special recognition. Points could be earned for showing trustworthiness, respect, responsibility, fairness, caring and citizenship. Points could also be deducted from a group for participants not following the rules or demonstrating behavior inconsistent with the Six Pillars of Character;
- **Positive Play-Free Play:** Positive Play-Free Play would allow participants to explore a range of activities on their own. Staff would supervise all areas to which the participants are allowed access. This would allow participants to make positive choices and follow the rules created and reviewed each day;
- **Kids Choice:** The leaders would supervise areas of play. Staff would structure an activity or be involved in some aspect of the programming. The participants would choose one of the options provided by the leaders, reflecting the Pillar of Citizenship. Participant choice would not be free play. Staff would ensure all participants engaged in the activities;
- **Cool Down:** A low energy, low impact activity, including review of the day with the participants, with the goal of bringing the group back together and calming everyone down;
- **Snack Program:** Group leaders would provide an afternoon snack as part of the regular program and incorporate nutritional guidelines consistent with the schools “After School Education and Safety Program.” Additionally, the program would maintain its partnership with the “Soda Free Summer” mission of reducing or eliminating products full of sugar/high fructose corn syrup – beginning with soda;
- **Award Ceremony:** Leaders would create special or themed awards to present to program participants; and,
- **Thank You Cards:** Pre-printed thank you/friendship cards would be made available to the program participants to provide them with the opportunity to thank someone during the week.

Other special collaborative program components include:

- **Daly City Public Library Summer Reading Program:** With the consolidation of the Department of Library and Recreation Services, the opportunity now exists to deliver collaborative programming including special guests and reading programs as part of the weekly schedule;

Adoption of the Expansion of the Summer Youth Recreation Program
Meeting Date: March 12, 2012

- **Science Technology Engineering Mathematics (STEM):** In collaboration with the City College of San Francisco, Science Technology Engineering Mathematics Institute will provide hands-on science activities to promote interest in sciences, technology, engineering and math. A STEM leader would lead youth in a variety of design-it and explore-it activities throughout the summer;
- **Junior Giants Baseball Program:** The Junior Giants Baseball Program is a collaborative program between the City of Daly City and the Giants Community Fund. Participants do not have to be enrolled in the SYRP program to be participants in the Junior Giants Baseball Program. The Junior Giants Baseball Program includes a fitness program, nutrition model, reading incentive program, and a “character building” model program related to baseball;

Other potential opportunities requiring an additional fee may include local field trips to area attractions such as the San Francisco Zoo, swimming at Giammona Pool and on-site barbecues.

At its meeting on February 28, 2012, the Parks and Recreation Commission reviewed the proposed expanded program. The Commission unanimously supported staff’s recommended program expansion and fee schedule.

Fiscal Impact

In summer 2011, there were 1,415 SYRP registrations. Over 95% were Daly City residents. The fees were \$25 for Daly City residents and \$50 for non-residents. The program operated from 11:00 a.m. to 4:00 p.m. The newly proposed fees for the full-day program are \$60 for Daly City residents and \$75 for non-residents. Program hours would increase to 9:00 a.m. to 5:00 p.m. As mentioned earlier in this report, half-day program fees would increase by \$5 per week to \$30 for Daly City residents and \$37 for non-residents. The half-day program would run from 1:00 p.m. to 5:00 p.m. These program fees reflect, consistent with prior City Council action, a premium of 25% for non-residents.

The summary below illustrates the anticipated future, full-season direct cost to deliver the program, based on an average of 55 program participants per week:

Part-time Hourly Wages	\$87,665.00
Social Security (7.65%)	\$ 6,706.37
Promotional and Weekly Flyers	\$ 1,000.00
Program Supplies	\$10,000.00
Entrance Fees for Off-site Trips	<u>\$ 5,000.00</u>
Total Estimated Program Cost	\$110,371.37

Based on the proposed rates discussed above, it is anticipated the program would generate \$118,080. The additional program revenue above the direct program delivery costs of \$7,700 would be used to off-set the overhead cost of the full-time staff overseeing the program.

Adoption of the Expansion of the Summer Youth Recreation Program
Meeting Date: March 12, 2012

Conclusion

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

Respectfully submitted,



Denise Brown
Recreation Services Manager

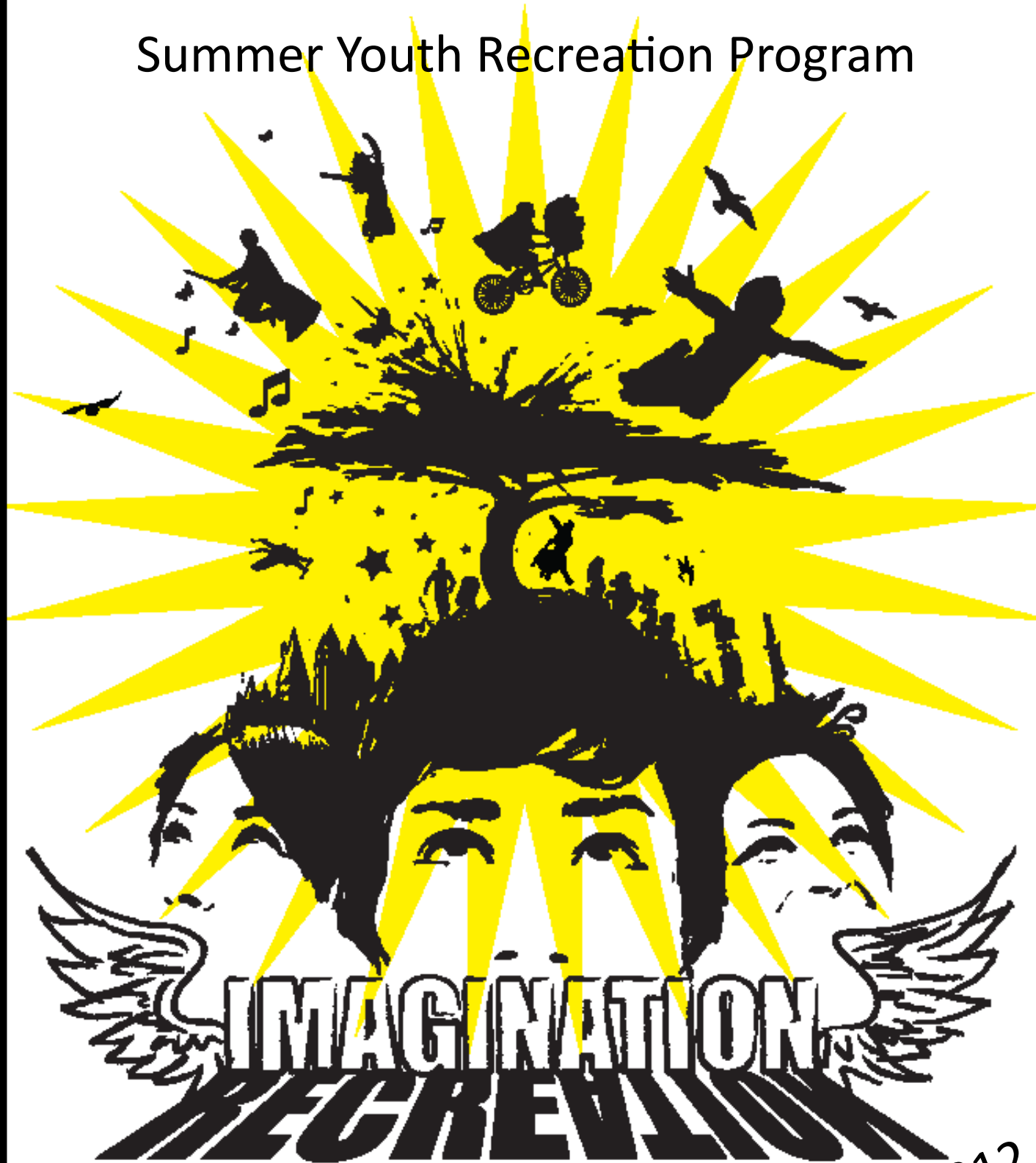


Kerry E. Burns
Assistant City Manager and
Interim Director of the Department of
Library and Recreation Services

Attachments: SYRP Weekly Schedule

Daly City Department of Library and Recreation Services

Summer Youth Recreation Program



Westlake Park

111 Lake Merced Boulevard, Daly City

650.991.8001

Summer 2012

Summer Youth Recreation Program

Westlake Park

Your Leaders:

Group 1

Roxy P.

Group 2

Donna D.

Group 3

David Z.

Welcome
to Westlake Park

Session 1~ June 11 thru June 15
#10001 (Full Day)/ #10045 (Half Day)

Things to bring! Each day please pack your child a brown bag lunch. Be aware that the weather in Daly City constantly changes. Please dress your child(ren) appropriately; closed toe shoes, layered shirts or sweatshirts and be earth friendly, refillable water bottle to stay hydrated!

JUNIOR GIANTS– Separate registration required

Practice Mondays: 2:00– 3:30pm

Practice Thursdays: 1:30– 3:00pm

Junior Giants Play Day, Fridays:

Leave 11:00am – Return 4:00pm (van transportation)

LEADER CHOICE

Group 1	Group 2	Group 3
Parachute Play	Lanyards	Capture the Flag

KIDS CHOICE

Playground	Board Games/ Coloring Pages	Basketball
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MONDAY

9:00 AM	Sign In
	Rules/ Expectations
9:30 AM	AM Jumpstart- Create Groups
	"Name Game"
10:00 AM	Group Activity
	Leader Choice
10:30 AM	
11:00 AM	All Activity
	"Four Corners"
11:30 AM	
	Cool Down/ Lunch Prep
12:00 PM	Lunch
12:30 PM	Lunch Clean-Up
	Positive Play– Free Time
1:00 PM	Sign In Afternoon Group
	Afternoon Jumpstart
1:30 PM	Group Activity
	Arts and Crafts
2:00 PM	Name Tags
	Arts and Crafts
2:30 PM	Group Banner
	Clean Up
3:00 PM	Kids Choice
3:30 PM	
4:00 PM	Cool Down
	Snack Program– Healthy Choices
4:30 PM	Clean Up
	Next Day Review

Summer Youth Recreation Program
Westlake Park

Your Leaders:

Group 1– Lions **Group 2– Tigers** **Group 3– Bears**
Rox P. Donna D. David Z.

9:00 AM	Sign In~ Rules/ Expectations
	AM JUMPSTART
9:30 AM	ALL GROUP CHALLENGE
10:00 AM	Group Activity
	Leader Choice
10:30 AM	
11:00 AM	All Activity
	“Where the Wind Blows”
11:30 AM	
	Cool Down/ Lunch Prep
12:00 PM	Lunch
12:30 PM	Lunch Clean-Up
	Positive Play– Free Time
1:00 PM	Sign In Afternoon Group
	Afternoon Jumpstart
1:30 PM	Group Activity
	STEM “Science Enrichment”
2:00 PM	“COOL SUMMER”
2:30 PM	
3:00 PM	Kids Choice
3:30 PM	
4:00 PM	Cool Down
	Snack Program– Healthy Choices
4:30 PM	Clean Up
	Next Day Review

Westake Park

Session 1~ June 11 thru June 15
#10001 (Full Day)/ #10045 (Half Day)

Swimming field trip- \$5.00
\$3.00 admission/ \$2.00 transportation
Additional permission slip required
See site staff for details
What to bring: swim suit, towel, shampoo, etc...

LEADER CHOICE

Group 1	Group 2	Group 3
Exploring Nature	Escape– Escape	3– 2– 1
Adventure Walk	Sports Game	Relay Game

KIDS CHOICE

Playground	Board Games/ Coloring Pages	
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TUESDAY

Summer Youth Recreation Program
Westlake Park

Your Leaders:

Group 1– Lions **Group 2– Tigers** **Group 3– Bears**
Rox P. Donna D. David Z.

9:00 AM	Sign In~ Rules/ Expectations
	AM JUMPSTART
9:30 AM	ALL GROUP CHALLENGE
10:00 AM	Group Activity
	Leader Choice
10:30 AM	
11:00 AM	All Activity
	“Oooooobleck”
11:30 AM	
	Cool Down/ Lunch Prep
12:00 PM	Lunch
12:30 PM	Lunch Clean-Up
	Positive Play– Free Time
1:00 PM	Sign In Afternoon Group
	Afternoon Jumpstart
1:30 PM	Group Activity
	Daly City Library
2:00 PM	Summer Reading Seminar
2:30 PM	
3:00 PM	Kids Choice
3:30 PM	
4:00 PM	Cool Down
	Snack Program– Healthy Choices
4:30 PM	Clean Up
	Next Day Review

Westake Park

Session 1~ June 11 thru June 15
#10001 (Full Day)/ #10045 (Half Day)

Oobleck is messy! Please dress to make a mess!

Summer Reading Program
1:30pm– 3:00pm

LEADER CHOICE

Group 1	Group 2	Group 3
Baseball Challenge	Exploring Nature Adventure Walk	Lanyards

KIDS CHOICE

Playground	MOVIE: The Wizard Of Oz	Baseball
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WEDNESDAY

Summer Youth Recreation Program
Westlake Park

Your Leaders:

Group 1– Lions
Rox P.

Group 2– Tigers
Donna D.

Group 3– Bears
David Z.

9:00 AM	Sign In~ Rules/ Expectations
	AM JUMPSTART
9:30 AM	ALL GROUP CHALLENGE
10:00 AM	Group Activity
	Leader Choice
10:30 AM	
11:00 AM	All Activity
	“Oooooobleck”
11:30 AM	
	Cool Down/ Lunch Prep
12:00 PM	Lunch
12:30 PM	Lunch Clean-Up
	Positive Play– Free Time
1:00 PM	Sign In Afternoon Group
	Afternoon Jumpstart
1:30 PM	Group Activity
	Daly City Library
2:00 PM	Summer Reading Seminar
2:30 PM	
3:00 PM	Kids Choice
3:30 PM	
4:00 PM	Cool Down
	Snack Program– Healthy Choices
4:30 PM	Clean Up
	Next Day Review

Westake Park

Session 1~ June 11 thru June 15
#10001 (Full Day)/ #10045 (Half Day)

LOCAL FIELD TRIP-
San Francisco Zoo \$20.00
\$11.00 admission/ \$9.00 transportation
Additional permission slip required
See site staff for details
What to bring: bag lunch or cash for purchasing food
Dress appropriately, good walking shoes, sunscreen ,
refillable water bottle, etc...

Leave site @ 10:00am
Return site @ 4:00pm

LEADER CHOICE

Group 1/ 2/ 3	Group 1/ 2/ 3	
Monkey See Monkey Do	Paper Airplanes	

KIDS CHOICE

Playground	Board Games/ Coloring Pages	
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THURSDAY

Summer Youth Recreation Program
Westlake Park

Your Leaders:

Group 1– Lions
Rox P.

Group 2– Tigers
Donna D.

Group 3– Bears
David Z.

9:00 AM	Sign In~ Rules/ Expectations
	AM JUMPSTART
9:30 AM	ALL GROUP CHALLENGE
10:00 AM	Group Activity
	Leader Choice
10:30 AM	
11:00 AM	All Activity
	On– Site “Cook-Out”
11:30 AM	
	Cool Down/ Lunch Prep
12:00 PM	Lunch
12:30 PM	Lunch Clean-Up
	Positive Play– Free Time
1:00 PM	Sign In Afternoon Group
	Afternoon Jumpstart
1:30 PM	Group Activity
	Leader Choice
2:00 PM	Award Ceremony
	"Special Treat"
2:30 PM	
	Clean Up
3:00 PM	Kids Choice
	Board Games/ Coloring
3:30 PM	"
	"
4:00 PM	Thank You Cards
	Snack Program– Healthy Choices
4:30 PM	Clean Up
	Good Byes!

Westake Park

Session 1~ June 11 thru June 15
#10001 (Full Day)/ #10045 (Half Day)

“Cook-Out” Menu
\$5.00
Chicken Skewers
Corn on the Cob
Fresh Fruit– Watermelon
Additional permission slip required
See site staff for details

“Special Treat”
SMORES– marshmallow, chocolate and
graham cracker snack sandwiches

LEADER CHOICE

Group 1	Group 2	Group 3
Popsicle Stick Stacking	Basketball Skills	Paper Airplanes

KIDS CHOICE

Playground	Board Games/ Coloring Pages	Basketball
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FRIDAY



City Council Meeting Agenda Report

Item # _____

Meeting Date: March 12, 2012

Subject: Authorizing Daly City's Reinstatement as a Member of the San Francisco International Airport/Community Roundtable and Appointment of City Representatives

Recommended Action

It is recommended that the City Council adopt a resolution expressing its intent to reinstate Daly City as a full dues paying member of the San Francisco International Airport/Community Roundtable ("Airport Roundtable"). It is further recommend that the City Council designate a Representative and Alternate to represent Daly City at meetings of the Airport Roundtable.

Background

The City of Daly City withdrew from the Airport Roundtable in 2010 due to fiscal considerations. Prior to withdrawing, Daly City had been a member of the Airport Roundtable since the organization was founded in 1981. Other current member agencies include: Atherton, Belmont, Brisbane, Burlingame, Foster City, Half Moon Bay, Hillsborough, Menlo Park, Millbrae, Pacifica, Portola Valley, Redwood City, San Bruno, San Carlos, San Mateo, South San Francisco, Woodside and the City and County of San Francisco.

The Airport Roundtable was formed to address the noise impacts of San Francisco International Airport (SFO). Although the Airport Roundtable does not have jurisdiction over aircraft operations, it has had a successful history of cooperatively working with SFO personnel to mitigate noise issues. The Airport Roundtable monitors a performance-based noise mitigation program implemented by airport staff. It also works closely with SFO management and representatives from the Federal Aviation Administration (FAA).

Daly City has directly benefitted from the Airport Noise Soundproofing Program (ANSP). More than 2,200 homes in Daly City were retrofitted with doubled-paned windows, solid core doors and other noise dampening improvements with funds obtained through the ANSP.

Daly City must formally request to be reinstated as a member of the Airport Roundtable. The bylaws of the organization require that the City Council adopt a resolution indicating its interest in rejoining. The resolution must also designate and authorize two members of the City Council (a Representative and Alternate) to represent Daly City at Airport Roundtable meetings. The resolution must also indicate the City Council's intentions to comply with the Memorandum of Understanding (attached) and all related amendments and bylaws.

Lastly, the resolution of the City Council must indicate the City's willingness to contribute annual funding to the Airport Roundtable in the same amount paid by other member cities. Currently, the annual membership fee is \$1,500.

Fiscal Impact

The annual membership fee is currently \$1,500. The Airport Roundtable has not yet set fees for Fiscal Year 2012-13.

Subject: Authorization to Request Daly City's Reinstatement as a Member of the San Francisco International Airport/Community Roundtable
Date: March 12, 2012
Page 2 of 2

Summary/Conclusion

In its 2011 report, County Officials Need to Make Noise about Aircraft Noise, the San Mateo County Civil Grand Jury recommended that City Council of Daly City, "Rejoin the SFO Roundtable and appoint a member who will actively participate and represent the interests of Daly City residents who are severely impacted by aircraft departure noise."

The Airport Roundtable has a history of advocating for airport noise mitigation on behalf of member communities. Daly City was a member in good standing for more than twenty-five years before withdrawing at the beginning of Fiscal Year 2010-11. Other member agencies, and the agency's director, Steven Alverson, have expressed a willingness to welcome Daly City back to the Roundtable. To facilitate Daly City's involvement in the Airport Roundtable, the Mayor should designate a City Council representative and an alternate.

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

Respectfully submitted,



Joseph F. Curran
Assistant to the City Manager



Patricia E. Martel
City Manager

Attachments: Airport Roundtable MOU



**SAN FRANCISCO
INTERNATIONAL
AIRPORT/COMMUNITY
ROUNDTABLE**

**MEMORANDUM OF
UNDERSTANDING
(MOU)**

**PROVIDING FOR THE CONTINUING OPERATION OF
THE
SAN FRANCISCO INTERNATIONAL
AIRPORT/COMMUNITY ROUNDTABLE**

Working together for quieter skies



Approved by the Roundtable: April 6, 2005
Effective Date: October 5, 2005

MEMORANDUM OF UNDERSTANDING (MOU)

**Approved by the Roundtable on April 6, 2005
Effective Date: October 5, 2005**

CONTENTS

Preamble

Article I Statement of Purpose and Objectives

Article II Agreement

Article III Roundtable Membership

Article IV Roundtable Operations and Support

Article V Amending This Memorandum of Understanding (MOU)

Article VI Status of Prior Memorandums of Understanding (MOUs) and Related
Amendments

Article VII Memorandum of Understanding (MOU) Adoption and Effective Date

Attachment: Signature Page for Memorandum of Understanding (MOU) Signatory
Agency

PROVIDING FOR THE CONTINUING OPERATION OF THE SAN FRANCISCO INTERNATIONAL AIRPORT/COMMUNITY ROUNDTABLE

Preamble

San Francisco International Airport is owned and operated by the City and County of San Francisco but is located entirely within neighboring San Mateo County. Because of the shared impacts that result from airport operations, the two counties entered into a Joint Powers Agreement (JPA) in 1978 to quantify the impacts and to identify possible mitigation actions. The implementation of the mitigations noted by the Joint Powers Board, in its *Joint Action Plan*, called for the formation of a formal structure and process to oversee the implementation of the numerous mitigation actions outlined in the *Plan*.

In May 1981, the County of San Mateo, the County Airport Land Use Committee (ALUC), and the governing bodies of 11 cities/towns located in San Mateo County near the Airport¹ entered into a Memorandum of Understanding (MOU) with the City and County of San Francisco to create a public body known as the San Francisco International Airport/Community Roundtable (Roundtable). Under this agreement, the Roundtable became a committee formed to work cooperatively to oversee the implementation of the recommendations contained in the *Joint Action Plan* adopted by the Joint Powers Board in 1980. Those recommendations addressed various community impacts from the operation of San Francisco International Airport, including aircraft noise, vehicular ground access, and air quality. Since its first meeting on June 3, 1981, the Roundtable has focused its efforts on reducing aircraft noise impacts in affected neighborhoods and communities. Vehicular airport ground access and airport-related air quality issues have been and continue to be addressed by other Bay Area public agencies.

In October 1992, the original MOU was amended for the first time, in response to the Airport Commission's adoption and implementation of a San Francisco International Airport Master Plan. The Master Plan provided for the expansion, consolidation, and remodeling of airport landside facilities, through the year 2006. MOU Amendment No.1 also provided for the development of a Roundtable Joint Work Plan, for which the Airport Commission agreed to provide funding to the Roundtable, in the amount of \$100,000 per year, from 1993 through 2000. Under that amendment, the Airport Commission also agreed to spend up to \$120 million to fund aircraft noise insulation projects in eligible cities.

¹ The original 1981 Roundtable MOU signatory cities/towns within San Mateo County included the following: City of Brisbane, City of Burlingame, Town of Colma, City of Daly City, City of Foster City, Town of Hillsborough, City of Millbrae, City of Pacifica, City of San Bruno, City of San Mateo, and the City of South San Francisco. The Town of Colma and the City of San Mateo withdrew their membership shortly after the Roundtable began meeting in 1981. Nine cities in San Mateo County remained members until additional cities joined in 1997.

MEMORANDUM OF UNDERSTANDING (MOU) PROVIDING FOR THE CONTINUING OPERATION OF THE SAN FRANCISCO INTERNATIONAL AIRPORT/COMMUNITY ROUNDTABLE

Page 2 of 7

Preamble - continued

In June 1997, the 1981 MOU, as amended, was amended a second time, to allow non-member cities and towns in San Mateo County to join the Roundtable. MOU Amendment No. 2 specified the procedures for joining the Roundtable and established an annual financial contribution requirement for new member jurisdictions. As a result of that amendment, the Roundtable membership increased from 13 to 23 members.

In 2004, the Roundtable Chairperson appointed a Roundtable subcommittee to review the 1981 MOU, as amended, and update the document to provide for improved operation and efficiency of the Roundtable as a public body. The following language is a consolidation of the previous MOU and Amendments Nos.1 and 2, in a more organized and comprehensive format. Also included is additional language to reflect the continuing status of the Roundtable and to provide for more efficient operation of the organization, as a whole.

ARTICLE I: Statement of Purpose and Objectives

1. Purpose

As a result of more than twenty-four years of cooperation between the San Francisco Airport Commission, noise-impacted communities, the federal government, and the airlines operating at San Francisco International Airport, the Roundtable has facilitated numerous aircraft noise mitigation achievements to improve the quality of life in communities near the Airport. The overall purpose of the Roundtable is to continue to foster and enhance this cooperative relationship to develop, evaluate, and implement reasonable and feasible policies, procedures, and mitigation actions that will further reduce the impacts of aircraft noise in neighborhoods and communities in San Francisco and San Mateo Counties.

2. Objectives

- Objective 1: Continue to organize, administer, and operate the San Francisco International Airport/Community Roundtable as a public forum for discussion, study, analysis, and evaluation of policies, procedures and mitigation actions that will minimize aircraft noise impacts to help improve the quality of life of residents in San Mateo and San Francisco Counties.
- Objective 2: Provide a framework of understanding as to the history and operation of the San Francisco International Airport/Community Roundtable.
- Objective 3: Maintain the San Francisco International Airport/Community Roundtable as a focal point of information and discussion between local, state, and federal legislators and policy makers, as it applies to noise impacts from airport/aircraft operations in local communities.

MEMORANDUM OF UNDERSTANDING (MOU) PROVIDING FOR THE CONTINUING OPERATION OF THE SAN FRANCISCO INTERNATIONAL AIRPORT/COMMUNITY ROUNDTABLE

Page 3 of 7

Objectives – continued

- Objective 4: Develop and implement an annual Roundtable Work Program to analyze and evaluate the impacts of aircraft noise in affected communities and to make recommendations to appropriate agencies, regarding implementation of effective noise mitigation actions.
- Objective 5: Maintain communication and cooperation between Airport management and local governments, regarding: (1) local agency land use and zoning decisions within noise-sensitive and/or overflight areas, while recognizing local government autonomy to make those decisions and (2) decisions/actions that affect current and future on-airport development, while recognizing the Airport Commission's autonomy to make those decisions.

ARTICLE II: Agreement

Signatory agencies/bodies to this Memorandum of Understanding (MOU) agree as follows:

1. Accept in concept and spirit the continuing operation of the San Francisco International Airport/Community Roundtable as described in the "Statement of Purpose and Objectives," as stated in Article I.
2. Work cooperatively to reduce the impacts of noise, from aircraft operations at San Francisco International Airport, in affected neighborhoods and communities.
3. Provide the necessary means (i.e., funding, staff support, supplies, etc.) to enable the Roundtable to achieve a reduction and mitigation of aircraft noise impacts, as addressed in this agreement.
4. Represent and inform the respective constituencies of the San Francisco International Airport/Community Roundtable members of the Roundtable's activities and actions to reduce aircraft noise impacts.
5. Support and abide by Roundtable Resolution No. 93-01, which states, in part, that the Roundtable members, as a group, will not take any action(s) that would result in the "shifting" of noise from one community to another, related to aircraft operations at San Francisco International Airport.

MEMORANDUM OF UNDERSTANDING (MOU) PROVIDING FOR THE CONTINUING OPERATION OF THE SAN FRANCISCO INTERNATIONAL AIRPORT/COMMUNITY ROUNDTABLE

Page 4 of 7

ARTICLE III: Roundtable Membership

1. Existing voting membership – The existing Roundtable voting membership (March 2005) consists of one designated Representative and one designated Alternate from the following agencies/bodies:

City and County of San Francisco Board of Supervisors
City and County of San Francisco Mayor's Office
City and County of San Francisco Airport Commission
County of San Mateo Board of Supervisors
City/County Association of Governments of San Mateo County (CCAG)
Airport Land Use Committee (ALUC)
Town of Atherton
City of Belmont
City of Brisbane
City of Burlingame
City of Daly City
City of Foster City
City of Half Moon Bay
Town of Hillsborough
City of Menlo Park
City of Millbrae
City of Pacifica
Town of Portola Valley
City of Redwood City
City of San Bruno
City of San Carlos
City of San Mateo
City of South San Francisco
Town of Woodside

2. Elected/Appointed Membership - All Representatives and Alternates who serve on the Roundtable shall be elected officials (i.e., Council Members, Supervisors, etc.) from the agencies/bodies they represent and serve at the pleasure of their appointing agency/body, except Representatives and Alternates from the following, who shall be appointed by and serve at the pleasure of their appointing entity:

City and County of San Francisco Mayor's Office
City and County of San Francisco Airport Commission
C/CAG Airport Land Use Committee (ALUC)

MEMORANDUM OF UNDERSTANDING (MOU) PROVIDING FOR THE CONTINUING OPERATION OF THE SAN FRANCISCO INTERNATIONAL AIRPORT/COMMUNITY ROUNDTABLE

Page 5 of 7

ARTICLE III: Roundtable Membership - continued

3. Non-Voting Membership - Roundtable non-voting membership shall consist of Advisory Members who represent the following:
 - a. Chief Pilots from airlines operating at San Francisco International Airport
 - b. Federal Aviation Administration (FAA) staff
4. Additional Voting Membership - Other incorporated towns and/or cities located within San Mateo County may request voting membership on the San Francisco International Airport/Community Roundtable by adopting a resolution:
 - a. Authorizing two members of the city/town council (a Representative and Alternate) to represent the city/town on the Roundtable.
 - b. Agreeing to comply with this Memorandum of Understanding (MOU) and all related amendments and any bylaws approved in accordance with this MOU.
 - c. Agreeing to contribute annual funding to the Roundtable in the same amount as current city/town members contribute, at the time of the membership request, or such annual funding as approved by the Roundtable for new members.
5. Withdrawal of a Voting Member - Any voting member may withdraw from the Roundtable by filing a written *Notice of Intent to Withdraw from the Roundtable*, with the Roundtable Chairperson, at least thirty (30) days in advance of the effective date of the withdrawal.

ARTICLE IV: Roundtable Operations and Support

1. Roundtable operations shall be guided by a set of comprehensive bylaws that govern the operation, administration, funding, and management of the Roundtable and its activities.
2. Roundtable staff support shall be provided by the San Francisco Airport Commission and the County of San Mateo. Additional technical staff support may be provided by consultant(s), as needed, in accordance with the relevant provisions in the adopted Roundtable Bylaws.

MEMORANDUM OF UNDERSTANDING (MOU) PROVIDING FOR THE CONTINUING OPERATION OF THE SAN FRANCISCO INTERNATIONAL AIRPORT/COMMUNITY ROUNDTABLE

Page 6 of 7

ARTICLE V: Amending This Memorandum of Understanding (MOU)

1. This Memorandum of Understanding (MOU) may be amended as follows:

Step 1: *Roundtable consideration of a proposed MOU amendment*

Any voting member of the Roundtable may propose an amendment to this MOU. The proposal shall be made at a Roundtable Regular Meeting. Once proposed and seconded by another voting member, at least two-thirds of the voting membership must approve the proposed amendment. If the proposed amendment receives at least the necessary two-thirds votes for approval, the amendment shall then be forwarded to the respective councils/boards of the Roundtable membership agencies/bodies for consideration/action.

Step 2: *Roundtable member agency/body consideration of a proposed MOU amendment*

The proposed MOU amendment must be approved by at least two-thirds of the respective councils/boards of the Roundtable member agencies/bodies by a majority vote of each of those bodies. If at least two-thirds of the member agencies/bodies approve the proposed amendment, the amendment becomes effective. If less than two-thirds of the member agencies/bodies approve the proposed MOU amendment, the proposal fails.

2. This MOU may not be amended more than once in a calendar year.

ARTICLE VI: Status of Prior Memorandums of Understanding (MOU) and Related Amendments

Adoption of this Memorandum of Understanding (MOU) shall supercede and replace all prior MOU agreements and related amendments.

ARTICLE VII: Memorandum of Understanding (MOU) Adoption and Effective Date

1. This Memorandum of Understanding (MOU) shall be deemed adopted and effective upon adoption by at least two thirds of the jurisdictions listed in Article III.
2. The effective date of this Memorandum of Understanding (MOU) shall be the date of approval by at least two-thirds of the member agencies/bodies.

MEMORANDUM OF UNDERSTANDING (MOU) PROVIDING FOR THE CONTINUING OPERATION OF THE SAN FRANCISCO INTERNATIONAL AIRPORT/COMMUNITY ROUNDTABLE

Page 7 of 7

ARTICLE VII: Memorandum of Understanding (MOU) Adoption and Effective Date - continued

3. This MOU shall remain in effect so long as all of the voting following membership conditions are met: (1) at least five of the following cities – Brisbane, Burlingame, Daly City, Foster City, Hillsborough, Millbrae, Pacifica, San Bruno, and South San Francisco – remain members of the Roundtable, (2) the City and County of San Francisco remains a member of the Roundtable, and (3) the County of San Mateo remains a member of the Roundtable.
 4. This Memorandum of Understanding (MOU) and any subsequent amendments to this document shall remain in effect indefinitely, (1) as long as the membership conditions of Item No. 3 of this Article are met, (2) until it is replaced or superceded by another Memorandum of Understanding (MOU), or (3) until the Roundtable is disbanded.
-



City Council Meeting Agenda Report

Item # _____

Meeting Date: March 12, 2012

Subject: Appointments to Redevelopment Successor Agency Oversight Board

Recommended Action

Approve appointments to the Oversight Board for the Successor Agency of the dissolved Daly City Redevelopment Agency in accordance with ABx1 26.

Background

Pursuant to ABx1 26 and the California Supreme Court's *Matosantos* decision, the Daly City Redevelopment Agency (RDA) was dissolved effective February 1, 2012. As of that date, the RDA was succeeded by the City of Daly City as the "Successor Agency" for the purpose of winding down the former RDA's affairs.

In San Mateo County, Oversight Boards must be formed to oversee all of the Successor Agencies winding down the affairs of the former RDA's including Daly City, as well Belmont, Brisbane, East Palo Alto, Foster City, Menlo Park, Millbrae, Pacifica, Redwood City, San Bruno, San Carlos, San Mateo and South San Francisco. ABx1 26 provides that Daly City's Mayor may appoint two members.

Discussion

In accordance with ABx1 26, each Successor Agency will be overseen by a seven member "Oversight Board". Each seven member Board will consist of individuals appointed by the County Board of Supervisors (2 members); the Mayor of the RDA's sponsoring city (1 member); the County Board of Education (1 member); the Chancellor of the California Community Colleges (1 member); the largest special district taxing entity (1 member); and a member appointed by the Mayor to represent employees of the former RDA (1 member).

The Oversight Board members serve at the pleasure of the appointing entity or until July 1, 2016, when each of the thirteen Oversight Boards within San Mateo County shall be dissolved and replaced by a single countywide Oversight Board. A list of the appointments made to the Daly City Oversight Board to date is attached.

Fiscal Impact

The appointment of Daly City's representatives to the Oversight Board and any associated administrative costs will be absorbed within the existing and future budgets of the Successor Agency.

City Council Agenda Report

Subject: Appointments to Redevelopment Successor Agency Oversight Board

Meeting Date: March 12, 2012

Page 2 of 2

Summary/Conclusion

It is recommended that the Mayor appoint, with Council approval, two members to the Oversight Board for the Successor Agency of the Daly City RDA.

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

Respectfully submitted,

A handwritten signature in black ink, reading "Patricia E. Martel". The signature is fluid and cursive, with the first name "Patricia" and last name "Martel" clearly distinguishable.

Patricia E. Martel
City Manager

Attachment: Daly City Successor Agency Oversight Board Appointments List

**DALY CITY SUCCESSOR AGENCY
OVERSIGHT BOARD APPOINTMENTS**
(as of 3/12/2012)

County of San Mateo

Peggy Jensen, Deputy County Manager – County Member
Michael Crilly – Public Member

County Board of Education

Steven Fuentes, Associate Superintendent, Business Services,
Jefferson Union High School District

Chancellor of California Community Colleges

Kathy Blackwood, San Mateo Community College District

Bayshore Sanitation District

To Be Determined

Daly City

1. TBD
2. TBD