

CITY OF DALY CITY

Regular Meeting - CITY COUNCIL

AGENDA

Monday, September 24, 2012 - 7:00 PM

For those wishing to address the City Council on any Item on the Agenda or under Public Appearances/Oral Communications, please complete a Speaker Card located at the entrance to the Council Chambers and submit to a Staff Member as early in the meeting as possible.

Persons with disabilities who require auxiliary aids or services in attending or participating in this meeting should call the office of the City Clerk at 991-8078 as soon as possible.

CALL TO ORDER:

Minutes:

The meeting was called to order by Vice Mayor Buenaventura at 7:00 P.M.

6:59 PM

PLEDGE TO THE FLAG:

ROLL CALL:

PRESENTATIONS:

Proclaiming Fire Prevention Month (Clyde Preston, Fire Inspector)

Minutes:

Councilmember Guingona presented a proclamation proclaiming October 2012 as Fire Prevention Month to Clyde Preston, Fire Inspector.

7:01 PM

Proclaiming October Filipino American Heritage Month (Pilipino Bayanihan Resource Center)

Minutes:

Councilmember Canepa presented a proclamation proclaiming October 2012 as

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.

Filipino American Heritage Month to Perla Ibarrientos, Erlinda Galeon and Dorie Paniza on behalf of the Pilipino Bayanihan Resource Center.

7:06 PM

APPROVAL OF AGENDA:

Motion to approve the agenda.

**Passed For: Raymond A. Buenaventura, David J Canepa, Michael Guingona, Carol Klatt;
Against: (None); Abstain: (None); Absent: Sal Torres**

CONSENT AGENDA

All items listed on the Consent Agenda are considered to be routine and may be approved by one roll call vote of the City Council. There shall be no separate discussion of the matters on the Consent Agenda unless requested by a member of the City Council. If discussion is required, that item will be removed from the Consent Agenda and will be considered separately at the end of the Agenda.

Resolutions:

1. Accepting Notice of Completion for Sidewalk, Driveway, and Curb and Gutter Improvements 2010-2011 and 2011-2012

Motion to Adopt

Resolution No. 12-137, Accepting Completion of Certain Projects in the Department of Public Works (Sidewalk, Driveway & Curb & Gutter Improvements 2010-2011 and 2011-2012)

**Passed For: Raymond A. Buenaventura, David J Canepa, Michael Guingona, Carol Klatt;
Against: (None); Abstain: (None); Absent: Sal Torres**

2. Amending Resolution Re: Designated Employees

Motion to Adopt

Resolution No. 12-138, Amending Daly City's Conflict of Interest Code as to Positions

**Passed For: Raymond A. Buenaventura, David J Canepa, Michael Guingona, Carol Klatt;
Against: (None); Abstain: (None); Absent: Sal Torres**

3. Adopting Fiscal Year 2011-12 Consolidated Annual Performance Evaluation Report for the Community Development Block Grant and HOME Programs

Motion to Adopt

Resolution No. 12-139, Approving Submission to the Federal Department of Housing and Urban Development (HUD) for Fiscal Year 2011-2012 Consolidated Annual Performance Evaluation Report for the Community Development Block Grant Program

Passed For: Raymond A. Buenaventura, David J Canepa, Michael Guingona, Carol Klatt;
Against: (None); Abstain: (None); Absent: Sal Torres

4. Authorizing the Solicitation of Bids for the Distribution System Valve Replacement Project

Motion on Adopt

Resolution No. 12-140, Approving Bid Documents and Re-Authorizing Bid Invitations
Re: Distribution System Valve Replacement Project

Passed For: Raymond A. Buenaventura, David J Canepa, Michael Guingona, Carol Klatt;
Against: (None); Abstain: (None); Absent: Sal Torres

5. Commending Sheila Uriarte on the Occasion of Her Retirement

Motion on Adopt

Resolution No. 12-141, Commending Sheila Uriarte on the Occasion of Her Retirement

Passed For: Raymond A. Buenaventura, David J Canepa, Michael Guingona, Carol Klatt;
Against: (None); Abstain: (None); Absent: Sal Torres

6. Approving and Adopting Revisions to the Master Fee Schedule to Incorporate Current Animal Control Fees

Motion on Adopt

Resolution No. 12-142, Approving and Adopting Revisions to the Master Fee Schedule to Incorporate Current Animal Control Fees

Passed For: Raymond A. Buenaventura, David J Canepa, Michael Guingona, Carol Klatt;
Against: (None); Abstain: (None); Absent: Sal Torres

7. Approving the Amended and Re-Stated Agreement for the North County Fire Authority

Motion on Adopt

Resolution No. 12-143, Approving Amended and Re-Stated Joint Powers Agreement for the North County Fire Authority

**Passed For: Raymond A. Buenaventura, David J Canepa, Michael Guingona, Carol Klatt;
Against: (None); Abstain: (None); Absent: Sal Torres**

Check Registers:

8. Check Registers for the Month of August 2012

Motion on Approve

Check Registers for the month of August 2012

**Passed For: Raymond A. Buenaventura, David J Canepa, Michael Guingona, Carol Klatt;
Against: (None); Abstain: (None); Absent: Sal Torres**

END OF CONSENT AGENDA

COMMUNICATIONS:

9. Use Permit UPR-6-12-5691 to allow a 24-hour Emergency Veterinary Clinic Use at 2201 Junipero Serra Boulevard
 - A. EA (Categorical Exemption)
 - B. Findings
 - C. UPR-6-12-5691

Staff:

Engfer

Recommended Action:

Motion on A

Adopt Resolutions B & C

Roll Call

Minutes:

Assistant Planner Steve Engfer gave a PowerPoint presentation on the project site and reviewed the applicant's, Sean Wells, request to establish a full service 24-hour emergency veterinary clinic in an existing 3,959 square foot tenant space in the "Dunn-Edwards" building located at 2201 Junipero Serra Boulevard.

Sean Wells, representing Norcal Veterinary Emergency Clinic, answered Council's questions regarding the locations of other emergency clinics in San Mateo County, whether boarding care would be provided, and whether there would be on-call services or someone working in the clinic.

7:11 PM

Concur with the Categorical Exemption under CEQA requirements.

Passed For: Raymond A. Buenaventura, David J Canepa, Michael Guingona, Carol Klatt;
Against: (None); Abstain: (None); Absent: Sal Torres

Motion on Affirm

The findings of the Planning Commission as contained in their communication on file in the Office of the City Clerk.

Passed For: Raymond A. Buenaventura, David J Canepa, Michael Guingona, Carol Klatt;
Against: (None); Abstain: (None); Absent: Sal Torres

Motion on Adopt

Resolution No. 12-144, Adopting Findings of Fact and Imposing Conditions of Approval on Use Permit UPR-6-12-5691 to Allow a 24-Hour Veterinary Clinic (2201 Junipero Serra Boulevard, Daly City, California)

Passed For: Raymond A. Buenaventura, David J Canepa, Michael Guingona, Carol Klatt;
Against: (None); Abstain: (None); Absent: Sal Torres

Motion on Approve

Use Permit UPR-6-12-5691, subject to Conditions of Approval.

Passed For: Raymond A. Buenaventura, David J Canepa, Michael Guingona, Carol Klatt;
Against: (None); Abstain: (None); Absent: Sal Torres

10. Use Permit UPR-5-12-5582, Design Review DR-5-12-5583, and CEQA-5-12-5584 for Master Sign Program Amendment and New Anchor Tenant Building at Serramonte Shopping Center

- A. EA (Mitigated Negative Declaration)
- B. Findings
- C. UPR-5-12-5582, DR-5-12-5583, CEQA-5-12-5584

Staff:

Naughton

Recommended Action:

Motion on A

Adopt Resolutions B & C

Roll Call

Minutes:

Associate Planner Jeanne Naughton gave a PowerPoint presentation on the project site and reviewed the applicant's, Daly City Serramonte Center, LLC, request to amend the Master Sign Program at the Serramonte Shopping Center, by replacing the existing messaging center with a pylon sign, a second pylon sign, and adding new directional signage to the site. The applicant is also requesting approval of the replacement of an existing tenant building with a new anchor tenant building.

Councilmember Klatt was concerned about the tenant panels underneath the directional signs, the lack of a sign at the Southgate Avenue entrance and the monument at the Southgate Avenue entrance not maintained; as well as adding some landscaping. Councilmember Canepa inquired to the number of jobs, which will be created by Dick's Sporting Goods and what is the mall's vacancy rate.

Jeff Mooallen, Daly City Serramonte Center, LLC, agreed with Councilmember Klatt's concerns regarding the signs, maintenance and landscaping. He suggested adding a condition that they return to staff or the Council with alternative sign plans and include landscaping. In response to Councilmember Canepa's inquiry, Mr. Mooallen stated roughly 200 construction jobs will be created and Dick's Sporting Goods will create approximately 100 jobs. The mall's current occupancy rate is 98%.

Councilmember Guingona spoke in favor of the project. He also agreed with Mr. Mooallen's suggestion of adding a condition to return with an alternative sign plan.

Vice Mayor Buenaventura and Councilmember Guingona recommended striking Condition No. 11, and reviewing Condition No. 12.

7:21 PM

Motion on Approve

This project will not have a significant effect on the environment and instructed that a Mitigated Negative Declaration be filed.

**Passed For: Raymond A. Buenaventura, David J Canepa, Michael Guingona, Carol Klatt;
Against: (None); Abstain: (None); Absent: Sal Torres**

Motion on Affirm

The findings of the Planning Commission as contained in their communication on file in the Office of the City Clerk.

**Passed For: Raymond A. Buenaventura, David J Canepa, Michael Guingona, Carol Klatt;
Against: (None); Abstain: (None); Absent: Sal Torres**

Resolution No. 12-145, Adopting Findings of Fact Following Public Hearing on Use Permit (UPR-5-12-5582), Design Review (DR-5-12-5583) and Environmental Assessment (CEQA-5-12-5584) for Master Sign Program Amendment and New Anchor Tenant Building at Serramonte Shopping Center

Passed For: Raymond A. Buenaventura, David J Canepa, Michael Guingona, Carol Klatt;
Against: (None); Abstain: (None); Absent: Sal Torres

Motion on Approve

Use Permit UPR-5-12-5582, Design Review DR-5-12-5583, subject to Conditions of Approval, as amended.

Passed For: Raymond A. Buenaventura, David J Canepa, Michael Guingona, Carol Klatt;
Against: (None); Abstain: (None); Absent: Sal Torres

ORDINANCES:

11. Second Reading, Ordinance No. 1363, Amending Chapter 8.36 of the Daly City Municipal Code Re: Regulation of Smoking

Staff:

Zimmerman

Recommended Action:

Adopt Ordinance

Roll Call

Minutes:

Councilmember Guingona asked to continue this ordinance so that staff and the San Mateo County Association of Realtors can look into additional language that will address certain issues of mutual interest.

7:52 PM

Motion on Continue

The second reading of Ordinance No. 1363 to the meeting of October 22, 2012.

Passed For: Raymond A. Buenaventura, David J Canepa, Michael Guingona, Carol Klatt;
Against: (None); Abstain: (None); Absent: Sal Torres

PUBLIC APPEARANCES/ORAL COMMUNICATIONS:

NOTE: Speakers are limited to two minutes, unless modified by the Mayor. The Council cannot take action on any matter raised under this item

Minutes:

Tina Sobay spoke in support of “Yes on Proposition 37”, the California Initiative to label genetically engineered foods and urged the Council to support “Yes on Proposition 37”.

7:54 PM

APPOINTMENTS: Board/Commission Membership Committee Appointments

Minutes:

There were no appointments.

7:56 PM

REPORTS:

12. Council Committee

Minutes:

There were no reports.

7:56 PM

13. City Council

Minutes:

Councilmember Klatt and Councilmember Canepa reported on the Hispanic Heritage Month celebration held on Thursday, September 20th at the War Memorial Community Center.

Vice Mayor Buenaventura reported he attended the Office of Emergency Services meeting. He stated the Red Cross has a section on their website that allows you to log in when a natural disaster occurs to let families know you are okay and where you are.

7:56 PM

14. Staff

Minutes:

City Manager Patricia Martel reminded everyone that the City's Citizen Academy kick off is on Thursday, September 27, 2012. The Filipino American Heritage month will begin with a reception celebrating Filipino Heritage on October 1, 2012 at 5:30 P. M. at City Hall. On October 26 – 27, 2012, Daly City will host the Filipino Film Festival at the War Memorial.

8:01 PM

ADJOURNMENT:

Motion to Adjourn

The meeting at 8:06 P.M. in memory of Nita Calagui.

**Passed For: Raymond A. Buenaventura, David J Canepa, Michael Guingona, Carol Klatt;
Against: (None); Abstain: (None); Absent: Sal Torres**