

CITY OF DALY CITY

Regular Meeting - CITY COUNCIL

AGENDA

Monday, December 10, 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 Mayor Buenaventura at 7:09 P.M.

7:09 PM

PLEDGE TO THE FLAG:

ROLL CALL:

PRESENTATIONS:

Commending Daly City Employees for Heroic Actions

Minutes:

City Manager Patricia Martel stated on November 21, 2012, there was a residential fire at 480 Westlake Avenue. It was the quick action by five city employees who were instrumental in notifying the occupants of the fire and assisting them in exiting their home in a safe manner before the Fire Department arrived.

Vice Mayor Canepa presented the Certificate of Commendations for their Heroic Action to the following Daly City employees: Public Works Street Division: Javier Barajas, Mike Potter, and Miguel Villaseñor, Public Works Building Maintenance, Dale Chrisman, and Finance Utility Billing, Greg Maracq.

7:10 PM

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.

Commending the Graduates of Citizens Academy 5

Minutes:

City Manager Patricia Martel introduced the 2012 graduates of the 5th Citizens Academy.

Mayor Buenaventura presented the Certificate of Commendation to the following: Alice Aran, Sarah J. Bradford, Aura Cabrera, Alfonso Cefre, Pamela Di Giovanni, Ian Del Castillo, Celeste De Martini, Carolina Escobar, Perlita C. Esguerra, Jason I-loang, Winnie Kwong, Ruben Lugtu, Eladio Malolot, Cecilia Rodriguez, Lynne Shubunka and Deodor Tronco.

7:15 PM

APPROVAL OF AGENDA:

Motion to approve the agenda.

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

CONSENT AGENDA

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

Minutes:

Mayor Buenaventura stated it was requested that Item No. 1, Commending Judith M. Bush on the Occasion of Her Retirement, Item No. 2, Commending Michele Courtney on the Occasion of Her Retirement, Item No. 3, Commending Gail DeFries on the Occasion of Her Retirement, Item No. 4, Commending Sharon Payne on the Occasion of Her Retirement and Item No. 5, Commending Toni Terranova on the Occasion of Her Retirement, would be taken at the end of the Consent Agenda.

7:22 PM

Resolutions:

1. Commending Judith M. Bush on the Occasion of Her Retirement

Minutes:

Councilmember Klatt wanted to take this opportunity to acknowledge the above employees for their years of service to the Daly City community and extend best wishes on their retirement. Councilmember Torres also acknowledged their years of service to the Daly City community.;

7:23 PM

Motion to adopt Resolution No. 12-182, Commending Judith M. Bush on the Occasion of Her Retirement

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

2. Commending Michele Courtney on the Occasion of Her Retirement

Minutes:

Councilmember Klatt wanted to take this opportunity to acknowledge the above employees for their years of service to the Daly City community and extend best wishes on their retirement. Councilmember Torres also acknowledged their years of service to the Daly City community.

7:23 PM

Motion to adopt Resolution No. 12-189, Authorizing Bid Award for the Purchase of Two Ford F-350 Trucks

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

3. Commending Gail DeFries on the Occasion of Her Retirement

Minutes:

Councilmember Klatt wanted to take this opportunity to acknowledge the above employees for their years of service to the Daly City community and extend best wishes on their retirement. Councilmember Torres also acknowledged their years of service to the Daly City community.

7:23 PM

Motion to adopt Resolution No. 12-184, Commending Gail DeFries on the Occasion of Her Retirement

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

4. Commending Sharon Payne on the Occasion of Her Retirement

Minutes:

Councilmember Klatt wanted to take this opportunity to acknowledge the above employees for their years of service to the Daly City community and extend best wishes on their retirement. Councilmember Torres also acknowledged their years of service to the Daly City community.

7:23 PM

Motion to adopt Resolution No. 12-185, Commending Sharon Payne on the Occasion of Her Retirement

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

5. Commending Toni Terranova on the Occasion of Her Retirement

Minutes:

Councilmember Klatt wanted to take this opportunity to acknowledge the above employees for their years of service to the Daly City community and extend best wishes on their retirement. Councilmember Torres also acknowledged their years of service to the Daly City community.

7:23 PM

Motion to adopt Resolution No. 12-186, Commending Toni Terranova on the Occasion of Her Retirement

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

6. Amending Traffic Regulations as follows:
 1. Removing parking meters and installing one-hour time limited parking (green) zone along the north side of San Pedro Road between Washington Street and Dunks Street. The green zone is to be enforceable between the hours of 8 a.m. to 6 p.m., Mondays through Saturdays. (TSR 13/19)
 2. Installing additional 27-ft. No Parking (Red) zone in front of 390 - 88th Street. (TSR 13/20)
 3. Eliminating preferential residential parking zone on B Street. (TSR 13/23)

Motion to adopt Resolution No. 12-177, Establishing Traffic Regulations

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

7. Authorizing the City Manager to Submit Grant Applications to the City/County Association of Governments (C/CAG)

Motion to adopt Resolution No. 12-178, Authorizing Submittal of Grant Application for the Transportation for Livable Communities (TLC) Grant

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

8. Adopting the Composite Summary Memorandum of Understanding between the City of Daly City and the Teamsters Local 856 Public Safety Dispatchers/Police Assistants Unit

Motion to adopt Resolution No. 12-179, Adopting Composite Summary Memorandum of Understanding with Teamsters Local 856 Public Safety Dispatchers and Police Assistants Unit (October 1, 2012 through September 30, 2013)

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

9. Reporting on Certification of Official Canvass of Votes Cast and Resolution Declaring Results of Votes Cast

Motion to adopt Resolution No. 12-180, Declaring the Results of the General Municipal Election Held in the City of Daly City on November 6, 2012

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

10. Setting Time and Place for a Hearing on Proposed Zone Change ZC-5-12-5591, Minor Subdivision SUB-3-12-5282, Design Review DR-3-12-5283, and CEQA-5-12-5592, West Side of Third Avenue (Between Castle Street and Habitat Way), APN'S (006-253-490 & 006-253-500)

Motion to adopt Resolution No. 12-181, Setting Time and Place of Public Hearing Before the City Council of the City of Daly City Regarding Proposed Zone Change (ZC-5-12-5591), Minor Subdivision (SUB-3-12-5282), and Design Review (DR-3-12-5283), CEQA-5-12-5592, and Environment Assessment (West Side of Third Avenue Between Castle Street and Habitat Way, Daly City, California), Hearing 1/14/13- 7:00 P.M.

Passed For: Raymond A. Buenaventura, David J Canepa, Michael Guingona, Carol Klatt,

Sal Torres; Against: (None); Abstain: (None); Absent: (None)

END OF CONSENT AGENDA

PUBLIC HEARINGS:

11. Public Hearing on Community Development and Housing Needs

Staff:

ZoBell

Recommended Action:

Open/Close Hearing

Adopt Resolution

Roll Call

Minutes:

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

Prior to allocating Community Development Block Grant and HOME funds to specific projects, the City is required to involve its citizens in a public process to determine the most critical community development issues and challenges. To meet that requirement, tonight, the City Council will conduct a public hearing on housing and community development needs. The results of tonight's hearing will inform the upcoming fund allocation process. In addition, this year, the city is required to prepare and submit a five year Consolidated Plan to HUD.

Ms. ZoBell summarized the funding categories and percentage ranges for Fiscal Year 2013-2014 as outlined in the Agenda Report.

Mayor Buenaventura opened the public hearing.

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

**Kimberly Gillette, Director of the Daly City Youth Center
Shirley Gibson, Attorney with the Legal Aid Society of San Mateo County
Clarice Veloso, representing HIP Housing
Holly Ful-yun Nutter, Manager for Project Read**

7:26 PM

Motion to close the public hearing

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

Motion to adopt Resolution No. 12-187, Approving and Adopting Funding Categories with Funding Percent Ranges for the City's Community Development Block Grant Entitlement and the City's HOME Fund for Fiscal Year 2013-2014

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

12. Consideration of a Proposed Ordinance Adding Chapter 8.66 to the Daly City Municipal Code Regarding Reusable Bags

Staff:

Curran

Recommended Action:

Open/Close Hearing

Motion for City Attorney to Read by Title Only

Councilmember Introduce Ordinance

Minutes:

Assistant to the City Manager Joseph Curran reviewed the agenda report on the proposed ordinance to ban the use of plastic carry-out bags at retail businesses. Mr. Curran stated the intent of the ordinance is to reduce the environmental impacts related to the use of single-use carryout bags and to promote a shift toward the use of reusable bags.

The ordinance would prohibit the free distribution of single-use carryout paper and plastic bags, and require retail establishments to charge customers for recycled paper bags and reusable bags at the point of sale. The County-wide effective date of the ordinance is April 22, 2013, Earth Day, allowing retailers ample time to locate and purchase reusable bags.

Mr. Curran introduced Dean Peterson, Director of Environmental Health in San Mateo County and Waylan Wong from San Mateo County.

In response to Councilmember Klatt's question on how this will affect the Farmers Market, Mr. Peterson stated they will still be able to put individual items into plastic bags. However, if they choose to consolidate those bags into a carry out bag, those would be regulated and not allowed. We are working with both independent and statewide Farmers Market Associations.

7:40 PM

Motion to close public hearing.

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

Motion on Ordinance No. 1364 to be read by title only by the City Attorney.

Vice Mayor Canepa introduced the following ordinance:

Ordinance No. 1364, Adding Chapter 8.68 to Title 8 of the Daly City Municipal Code
Re: Reusable Bags

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

COMMUNICATIONS:

13. Presentation of Comprehensive Annual Financial Report

Staff:

McVey

Recommended Action:

Motion to Accept Report

Minutes:

Director of Finance and Administrative Services Donald McVey reviewed and submitted the Comprehensive Annual Financial Report for the year ending June 30, 2012, which includes all funds and account groups for the City of Daly City as well as the Daly City Redevelopment Agency through February 1, 2012, and the North San Mateo County Sanitation District.

The City Council contracts for an independent audit of the financial records and transactions of the City by the firm of Maze and Associates, Certified Public Accountants. The audit is complete and the firm's unqualified report is included in the document.

Mr. McVey provided a brief synopsis of this year's general fund results.

7:52 PM

Motion to accept the report.

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

14. Appropriating \$991,100 from Water Fund Balance to Cover Expenses Associated with the Hillside Park Slide Repair and Update on Local Emergency

Staff:

Sweetland

Martel

Recommended Action:

Adopt Resolution

Roll Call

Minutes:

City Manager Patricia Martel stated the Director of Water and Wastewater Resources will provide an update on the repairs at the Hillside Park. As part of the local emergency, the City is required to report to the Council at each subsequent meeting until the emergency has subsided.

Director of Water and Wastewater Resources Patrick Sweetland requested Council authorization to appropriate at this time the initial expenditure and appropriation of \$991,100 to cover the current and anticipated expenses associated with the Hillside Park Slide Repair Project. Mr. Sweetland reviewed the estimated cost, as outlined in the agenda report. Mr. Sweetland gave a report on the progress of the repairs to date and to what is currently being done above Hillside Park.

7:59 PM

Motion to adopt Resolution No. 12-188, Approving Authorization to Appropriate Funds for the Emergency Associated with the Hillside Park Slide Repair

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

AWARD OF BIDS/CONTRACTS:

15. Approval of Bid Award for the Purchase of Two Ford F350 Trucks

Staff:

Fuller

Recommended Action:

Adopt Resolution

Roll Call

Minutes:

Motor Vehicle Supervisor Thomas Shiosaka recommended that the Council accept all bids and approve the purchase award for two 2013 Ford F350 Trucks to Towne Ford in

Mr. Shiosaka stated bids were requested to replace two aging vehicles, one for the Fire Department and one for the Parks Maintenance Division. Two responsive bids were received with Towne Ford submitting the lowest responsive bid.

8:07 PM

Motion to adopt Resolution No. 12-189, Authorizing Bid Award for the Purchase of Two Ford F-350 Trucks

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

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:

Raymond Keenan made a complaint about all the motorhomes, boats and vehicles that are left parked in his neighborhood and throughout the City. He also complained about businesses in his area.

Marian Mann stated letters have been sent regarding the Holiday Decoration Contest to eighteen participating homeowner associations. She hopes the Mayor will present the awards to the winners at the City Council Meeting on January 14, 2013.

Joseph Otayde thanked Daly City voters for supporting Measure B, which allows voters to elect County Supervisors in district elections rather than countywide at large elections allowing unrepresented communities to participate in county elections.

Rebecca Ayson thanked the 9,624 voters for voting for her. Mrs. Ayson explained that she was an example as a minority and immigrant who can run and be a candidate since she is an American and a resident of Daly City. She has a passion and belief to help others and would like to share her knowledge with others.

8:09 PM

APPOINTMENTS: Board/Commission Membership Committee Appointments

Motion to reappoint Thomas Ledda to the Recreation Commission with term expiring December 12, 2015.

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

Motion to reappoint Teresa Proaño to the Recreation Commission with term expiring May 16, 2015.

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

REPORTS:

16. Council Committee

Minutes:

There were no reports.

8:17 PM

17. City Council

Minutes:

Mayor Buenaventura reported he attended the Airport Roundtable Meeting and invited the public to attend the next meeting to discuss issues of airport noise.

8:17 PM

18. Staff

Minutes:

There were no reports.

8:21 PM

ADJOURNMENT:

Motion to adjourn the meeting at 8:23 P.M. in memory of Anna Tougher.

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