

CITY OF DALY CITY

Regular Meeting - CITY COUNCIL

AGENDA

Monday, September 08, 2014 - 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 Canepa at 7:00 P.M.

PLEDGE TO THE FLAG:

ROLL CALL:

PRESENTATIONS:

Hispanic Heritage Month (September 15 through October 15, 2014)

Minutes:

Councilmember Torres presented a proclamation proclaiming September 15 –October 15, 2014 as Hispanic Heritage Month in Daly City. This year's theme will be "Building Our Future Together."

Certificate of Commendations for DWWP "Water Sustainability Mural"

Minutes:

Director of Department of Water and Wastewater Patrick Sweetland wanted to give recognition and appreciation to the three artists responsible for the mural painted onto the retaining wall located at the front of the wastewater plant. The three Jefferson High School graduates worked for five weeks on this project, which depicts the flow of water into Daly City from its natural source. Mayor Canepa presented certificates of commendation to

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.

Bianca Gutierrez, Helen Tan, and Samantha Padilla, the three resident artists responsible for the water sustainability mural.

Proclaiming September 2014 as National Disaster Preparedness Month (Safety Inspector Clyde Preston)

Minutes:

Mayor Canepa presented a proclamation for National Disaster Preparedness Month to Safety Inspector Clyde Preston. Mr. Preston thanked the Council and informed the public that the Fire Department will be participating in the Serramonte Shopping Center Consumer Showcase this Saturday to talk to the community about fire safety and earthquake preparedness. He also mentioned that the Fire Department emergency response team training program, CERT, will run from September to October.

APPROVAL OF AGENDA:

Minutes:

Mayor Canepa requested Item No. 9, Amending Traffic Regulations: (1) Designating 30 ft. Red Zone North Side of Olcese Court, South of 96 Olcese Court (TSR 15/10) and (2) Prohibiting Northbound U-Turns at Gellert and Serramonte Boulevards (TSR 15/15), be taken at the end of the Consent Agenda.

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.

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

Resolutions:

1. Accepting and Appropriating an Office of Traffic Safety Grant for continuing the "Avoid the 23" DUI Enforcement Program

It was moved by Councilmember Buenaventura, seconded by Councilmember Guingona and carried to adopt Resolution No. 14-141, Approving Receipt Of Grant Funds from the California State Office of Traffic Safety for the Daly City Police Department

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

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

2. Approving Proposed Revision to Street Maintenance Worker I/II Job Specification (Civil Service), Addition of Street Sweeper Operator Supplemental Assignment Pay to the Supplemental Pay Schedule and Adjustment of Street Sweeper Operator Salary in AFSCME Salary Schedule Range 034

It was moved by Councilmember Buenaventura, seconded by Councilmember Guingona and carried to adopt Resolution No. 14-142, Adopting Revisions to Street Maintenance I/II Job Classification and Salary Adjustment to Street Sweeper Operator (Range 34 of the ASFCME Salary Schedule)

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

3. Adopting Composite Summary Memorandum of Understanding and Salary Schedules between the City of Daly City and Specific Employee Organizations

It was moved by Councilmember Buenaventura, seconded by Councilmember Guingona and carried to adopt the following resolutions:

Resolution No. 14-143, Adopting Composite Summary Memorandum of Understanding with the Economic and Community Development Professional Staff Association October 1, 2014 and Sunset on September 30, 2015)

Resolution No. 14-144, Adopting Composite Summary Memorandum of Understanding with the Daly City Firefighters' Union, Local 1879, International Association of Firefighters, (IAFF) (Firefighters, Fire Engineer Operators, and Fire Captains) (July 1, 2014 and Sunset on June 30, 2015)

Resolution No. 14-145, Adopting Composite Summary Memorandum of Understanding with the Daly City Fire Management Bargaining Unit (October 1, 2014 and Sunset on September 30, 2015)

Resolution No. 14-146, Adopting Composite Summary Memorandum of Understanding with the International Union of Operating Engineers, Stationary Engineers, Local #39 (September 1, 2014 and Sunset on August 31, 2015)

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

4. Adopting Salary Schedule/Benefits for Unrepresented/ Miscellaneous Employees

It was moved by Councilmember Buenaventura, seconded by Councilmember Guingona and carried to adopt Resolution No. 14-147, Adopting Salary Schedule/Benefits for Miscellaneous/Unrepresented Employees Effective October 1, 2014 and Sunset on September

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

5. Accepting Board of State and Community Corrections Grant Funds for County-wide Crime and Realignment Intelligence Program

It was moved by Councilmember Buenaventura, seconded by Councilmember Guingona and carried to adopt Resolution No. 14-148, Approving Receipt of Grant from the State of California Board of State and Community Corrections

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

6. Approving Appropriation of \$2,789.22 from DEA Asset Forfeiture Funds for Restraining Equipment and Critical Incident Readiness Bags

It was moved by Councilmember Buenaventura, seconded by Councilmember Guingona and carried to adopt Resolution No. 14-149, Authorizing Use of Asset Forfeiture Funds to Purchase Restraining Equipment and Critical Incident Readiness Bags

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

7. Approving Appropriation of \$2,820.00 from DEA Asset Forfeiture Funds for Training

It was moved by Councilmember Buenaventura, seconded by Councilmember Guingona and carried to adopt Resolution No. 14-150, Authorizing Use of Asset Forfeiture Funds for Training Police Personnel

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

8. Approving Appropriation of \$33,756.78 from DEA Asset Forfeiture Funds for Mobile Computer Equipment and Computer Upgrades

It was moved by Councilmember Buenaventura, seconded by Councilmember Guingona and carried to adopt Resolution No. 14-151, Authorizing Use of Asset Forfeiture Funds to Purchase Mobile Computer Equipment and Computer Upgrades

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

9. Amending Traffic Regulations: (1) Designating 30 ft. Red Zone North Side of Olcese Court, South of 96 Olcese Court (TSR 15/10) and (2) Prohibiting Northbound U-Turns at

Gellert and Serramonte Boulevards (TSR 15/15)

Minutes:

Jonah Miller, Olcese Court resident, voiced concern about the layout of his street obstructing the view of oncoming traffic when vehicles are parked on either side of his driveway. He asked Council to approve the item on the table, which would allow for a red zone painting.

It was moved by Councilmember Buenaventura, seconded by Councilmember Guingona and carried to approve and adopt Resolution No. 14-152, Establishing Traffic Regulations

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

Check Registers:

10. Check Registers for the Month of July 2014

It was moved by Councilmember Buenaventura, seconded by Councilmember Guingona and carried to approve the Check Registers for the Month of July 2014

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. Introduction to Amend Daly City Ordinance Concerning Parking Permits, Meters and Fees

Staff:

Nelson

Recommended Action:

Open/Close Hearing

Motion for City Attorney to Read by Title Only

Councilmember Introduce Ordinance

Minutes:

Utility Billing Supervisor Jannine Nelson gave a PowerPoint presentation proposing changes to the parking ordinance. Ms. Nelson addressed four items during the meeting including parking meter fees, residential parking permits, the placement of parking permits, and the number of permits per household.

Councilmember Torres questioned why Daly City is not proposing fees for residential parking permits with this amendment. City Manager Patricia Martel informed the Council that after tonight's hearing, staff will come back to the Council with a fee proposal.

Vice Mayor Klatt expressed concern about the larger size of certain households which translates into more vehicles parked on the street. She questioned whether Daly City should limit the number of parking permits per household. Ms. Martel assured Council that staff does have a proposal in mind at such time that is appropriate.

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

Cathy Pantazy, resident, expressed concern with Council amending an ordinance by resolution, since resolutions placed in the consent agenda typically are not discussed or debated compared to an ordinance, which allows more time for discussion and transparency.

Sylvia Lynch, resident, also voiced concern about the possible lack of transparency, the lack of opportunity for people to respond, and the sole authority of the Police Chief in regards to parking permits. Ms. Lynch felt the ordinance should be kept as is without any amendments.

It was moved by Councilmember Torres, seconded Councilmember Guingona and carried to close the public hearing.

Ms. Martel clarified that the only authority it provides the Police Chief is the designation of where the permit will be affixed onto a vehicle. Establishing rate increases lies solely with the City Council in a formal setting following a public hearing.

7:26 PM

It was moved Vice Mayor Klatt, seconded by Councilmember Buenaventura and carried that Ordinance No. 1384 be read by title only by the City Attorney.

Councilmember Guingona introduced the following ordinance:

Ordinance No. 1384, Amending Sections 10.36.060, 10.40.120, 10.40.130 and 10.40.150 of the Municipal Code Re: Parking Meters, Permits and Fees

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

COMMUNICATIONS:

12. Execution of Operating Agreement with San Francisco Public Utilities Commission for Groundwater Storage and Recovery from the South Portion of the Westside Basin and

Adoption of CEQA Findings

Staff:

Sweetland

Recommended Action:

Adopt Resolution

Roll Call

Minutes:

Director of Department of Water and Wastewater Patrick Sweetland came before Council for approval to authorize the City Manager to execute and implement an “Agreement for Groundwater Storage and Recovery from the Southern Portion of the Westside Basin,” and adopt the CEQA findings for the Project as a Responsible Agency.

Daly City, San Bruno and California Water Service Company propose to implement the Project with the ultimate goal of storing up to 61,000 acre-feet of groundwater in the southern portion of the Westside groundwater basin.

The Project is one of the key water supply projects associated with the SFPUC’s \$4.5 billion Water System Improvement Program (WSIP) to conjunctively manage the southern portion of the Westside Basin to increase dry-year and emergency pumping capacity by up to 7.5 million gallons per day over a projected 7-year drought.

The Project includes construction of up to 16 new groundwater supply wells, with three of those wells located in Daly City. The benefit associated with the Project is the diversification of regional water supply. Also important to note is the establishment of an Operating Committee to manage storage and recovery operations of the Project.

7:32 PM

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

Resolution No. 14-153, Authorizing Execution and Implementation of Operating Agreement with San Francisco Public Utilities Commission and Adopting CEQA Findings

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

13. Use Permit UPR-6-14-9253 — Use Permit to Reestablish Automotive Repair at 7198 Mission Street
 - A. EA (Categorical Exemption)
 - B. Findings
 - C UPR-6-14-9253

Staff:

VanLonkhuysen

Recommended Action:

Motion on A

Adopt Resolutions B & C

Roll Call

Minutes:

Senior Planner Michael Van Lonkhuysen requested approval of a use permit for a muffler and auto repair business located at 7198 Mission Street. Because the garage has been non-operational for over six months, it requires a new use permit of the applicant, TBC Corporation, in order to operate a Midas auto repair shop.

Mr. Van Lonkhuysen informed Council that there will be no exterior alterations done to the building. The business, which will have 4 employees in two shifts, proposes to operate 7 A.M.-7 P.M. daily, and estimates serving 10-15 patrons per day. They will provide 13 parking spaces, which adequately meets the parking requirements in the zoning ordinance.

Vice Mayor Klatt confirmed with staff that the business would install signage prohibiting left turns onto School Street.

Mayor Canepa welcomed the owner to the community and wished him success.

7:35 PM

It was moved by Councilmember Buenaventura, seconded by Councilmember Guingona and carried to concur with the Categorical Exemption under CEQA requirements.

It was moved by Councilmember Buenaventura, seconded by Councilmember Guingona and carried to affirm the findings of the Planning Commission as contained in their communication on file in the Office of the City Clerk.

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

Resolution No. 14-154, Adopting Findings of Fact and Imposing Conditions of Approval on Use Permit UPR-6-14-9253 to Re-establish Automotive Repair (7198 Mission Street, Daly City, California)

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:

Marian Mann, resident, expressed concern over re-election signs being put up by one of the candidates running for City Council who is currently not an incumbent. She asked the other candidates running for re-election for assistance in the matter by calling the Elections office and placing a complaint regarding these signs.

Ms. Mann commended the Council for their precautionary efforts in using recycled water in Daly City.

Carol Klatt, resident, wanted to clarify that she is and will be a part of the City Council until December 1st. Ms. Klatt explained that although it was a difficult decision, after 21 years she will be leaving the Council in order to be able to spend more time with family.

After several discussions with people from the community, Ms. Klatt wanted to make clear that there are only two incumbents running for City Council: Ray Buenaventura and Michael Guingona, and there is one open seat. Ms. Klatt stated, in her opinion, it is wrong that there is a third candidate running to be “re-elected,” when that person has not been in the Council for the past 6 years.

7:45 PM

APPOINTMENTS: Board/Commission Membership Committee Appointments

It was moved by Councilmember Buenaventura, seconded by Councilmember Torres and carried to appoint Nancy Rodriguez to the Arts & Culture Commission with term expiring September 8, 2018.

7:46 PM

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

REPORTS:

14. Council Committee

Minutes:

There were no reports.

7:46 PM

15. City Council

Minutes:

Councilmember Torres invited everyone to attend the Hispanic Heritage celebration that will take place on September 18th at 5 P.M. at the War Memorial Community Center.

7:46 PM

16. Staff

Minutes:

There were no reports.

7:47 PM

ADJOURNMENT:

It was moved by Councilmember Torres, seconded by Councilmember Guingona and carried to adjourn the meeting at 7:49 P.M. in memory of the brother-in-law of Councilmember Guingona, Rina Kelly, Jeannie Cartissier, Teresa Navarro de Mendez, John Uccelli, Carmelita A. De Jesus, John Lee, Nancy Mary Maffei, Joan Patrick, Lucille Marie Smith and Lidia Valdez.

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

7:49 PM