

CITY OF DALY CITY

Regular Meeting - CITY COUNCIL

AGENDA

Monday, September 22, 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.

7:01 PM

PLEDGE TO THE FLAG:

ROLL CALL:

Minutes:

David Saunderhill and Helen Nicely reported on the 24th Annual Beach Cleanup Day originally started by the area's paragliders. Approximately two miles of beach front and three miles of coastal trails were cleared of trash. Volunteers continue to clean up the beaches on Earth Day, daily and weekly.

7:02 PM

PRESENTATIONS:

Proclaiming October 2014 as Filipino-American History Month in Daly City
(Perla Ibarrientos)

Minutes:

Mayor Canepa presented a proclamation proclaiming October 2014 as Filipino-

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.

American History Month in Daly City to Perla Ibarrientos and Erlinda Galeon. Ms. Ibarrientos thanked the Council. Ms. Galeon invited everyone to join them on Saturday, October 11, 2014, at the Pacelli Event Center for the Annual Filipino-American History Month Celebration.

7:05 PM

Proclaiming October 2014 as Fire Prevention Month (Safety Inspector Clyde Preston)

Minutes:

Mayor Canepa presented a proclamation proclaiming October 2014 as Fire Prevention Month to Safety Inspector Clyde Preston. Safety Inspector Clyde Preston stated in the month of October the Daly City Firefighters step up their efforts to educate the community on the dangers of fire and the tragedies that happen as a result of them. The firefighters will be visiting each elementary school to talk about this year's theme "Smoke Alarms" and the proper way of installing and maintaining them. We will have our open house on October 18th at the fire stations.

7:07 PM

APPROVAL OF MINUTES:

Regular Meetings of August 11, 2014 and September 8, 2014

It was moved by Councilmember Buenaventura, seconded by Councilmember Guingona to approve the minutes of August 11, 2014 and September 8, 2014.

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

APPROVAL OF AGENDA:

It was moved by Vice Mayor Klatt, seconded by Councilmember Guingona 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. Approving FEMA Assistance to Firefighters Grant Funding for Fire Ground Survival Training Mobile Trailer and Instructor Training

It was moved by Councilmember Buenaventura, seconded by Councilmember Guingona to adopt Resolution No. 14-155, Approving Receipt of a Grant from the Federal Emergency Management Agency Assistance to Firefighters Grant Program

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

2. Accepting the Edward Byrne Memorial Justice Assistance Grant (JAG) Program Grant Funds for Monthly Forensic Lab Fees

It was moved by Councilmember Buenaventura, seconded by Councilmember Guingona to adopt Resolution No. 14-156, Approving Receipt of Grant from the Federal 2014 Edward Byrne Memorial Justice Assistance Grant Program for Monthly Forensic Lab Service Fees

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

3. Setting Time and Place for a Public Hearing on Claim to Lien Property at 4211 Callan Boulevard (APN 091-163-120)

It was moved by Councilmember Buenaventura, seconded by Councilmember Guingona to adopt Resolution No. 14-157, Setting Time and Place of Public Hearing Before the City Council on Claim to Lien Property Located at 4211 Callan Boulevard (Hearing Date: Monday, October 13, 2014 - Time: 7:00 P.M)

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

4. Adopting Resolution for One-Time Adjustment to Salary and Benefits for Executive Management

It was moved by Councilmember Buenaventura, seconded by Councilmember Guingona to adopt Resolution No. 14-158, Adopting Salary Schedule/ Benefits for Executive Management Employees October 1, 2014 and Sunset on September 30, 2015 (Department Heads, Assistant Department Heads, City Manager, City Attorney)

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

5. Accepting Fiscal Year 2013-14 Consolidated Annual Performance Evaluation Report (CAPER) for the Community Development Block Grant and Home Programs

It was moved by Councilmember Buenaventura, seconded by Councilmember Guingona to adopt Resolution No. 14-159, Approving Submission to the Federal Department of Housing and Urban Development (HUD) for Fiscal Year 2013-2014 Consolidated Annual Performance Evaluation Report for the Community Development Block Grant and HOME Programs

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

6. Accepting and Appropriating an Office of Traffic Safety Grant for the Selective Traffic Enforcement Program (STEP) Campaign-2014/2015

It was moved by Councilmember Buenaventura, seconded by Councilmember Guingona to adopt Resolution No. 14-160, 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;
Against: (None); Abstain: (None); Absent: Sal Torres**

7. Amending Resolution No. 12-138 Re: Designated Employees Conflict of Interest

It was moved by Councilmember Buenaventura, seconded by Councilmember Guingona to adopt Resolution No. 14-161, 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**

8. Setting Time and Place for a Public Hearing - Proposed Amendment to Daly City Municipal Code Ordinance Chapter 9.23 Re: Loud or Unruly Gatherings

It was moved by Councilmember Buenaventura, seconded by Councilmember Guingona to adopt Resolution No. 14-162, Setting Time and Place of Public Hearing for Proposed Ordinance to Amend Chapter 9.23 of the Daly City Municipal Code Re: Loud or Unruly Gatherings (Hearing Date: October 13, 2014, Time: 7:00 P.M.)

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

Check Registers:

9. Approving Check Registers for the Month of August 2014

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

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

END OF CONSENT AGENDA

COMMUNICATIONS:

10. Major Subdivision SUB-5-14-9004 and Design Review DR-5-14 9007
Garden Valley Residential Subdivision (50 Townhouse Units)

Staff:

Flint

Recommended Action:

Adopt Resolution

Roll Call

Minutes:

Contract Senior Planner Steve Flint gave a PowerPoint presentation on the project site. Mr. Flint stated this project was approved in 2011. In 2012, the applicant proceeded through the LAFCo process to annex the property into Daly City. This is the next step in the process.

The applicant has proposed 50 residential dwelling units comprised of 26 two-bedroom units and 24 three-bedroom units located south of Valley Street on both sides of 2nd Avenue, and west of 3rd Avenue, north of A Street. The proposed project results in the density of 28.2 units to the acre. There will be one parking space for every bedroom unit.

There will be ten affordable units, five would be dispersed within the project area and the other five will be paid in lieu fee. The Subdivision Map Act is required. The project is in compliance with Chapter 16, Subdivision Regulations and Chapter 17, Zoning. As part of the Precise Plan, the City Council approved the negative declaration so there is no need for another environmental review.

John Giannini, resident, was concerned about the project eliminating street parking, and to the deterioration of the neighborhood as well as the deal to eliminate five of the low cost housing units. He stated it was time to get parking permits for those who live in the neighborhood.

Diana Merlo, resident, stated she and her husband submitted a letter dated January 18, 2012, citing their concerns regarding the project, a copy of which is on file in the Office of the City Clerk. She was not opposed to the project but was concerned about not receiving a response to their concerns in the letter.

Discussion ensued with the applicant, Brian Desler, addressing the Council's and

resident's concerns regarding parking and the possible rodent issue. Mr. Desler stated we will address the problems in Mr. and Mrs. Merlo the letter when the development is scheduled.

7:14 PM

It was moved by Councilmember Buenaventura, seconded by Vice Mayor Klatt that this project will not have a detrimental effect on the environment and instructed that a Negative Declaration be filed.

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

It was moved by Councilmember Buenaventura, seconded by Vice Mayor Klatt to 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**

It was moved by Councilmember Buenaventura, seconded by Vice Mayor Klatt to adopt Resolution No. 14-163, Affirming Categorical Exemption under CEQA, Adopting Findings of Fact and Imposing Conditions of Approval on Major Subdivision SUB-5-14-9004 to Subdivide Nine Parcels into 50 Townhouse Lots and Four Common Lots and Design Review DR-5-14-9007 (Garden Valley Residential Subdivision)

**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. 1384, Amending Sections of Title 10 of the Daly City Municipal Code, Re: Parking Meters, Permits and Fees

Staff:

Zimmerman

Recommended Action:

Adopt Ordinance

Roll Call

It was moved by Councilmember Buenaventura, seconded by Councilmember Guingona to adopt Ordinance No. 1384, Amending Sections of Title 10 of the Daly City Municipal Code, Re: Parking Meters, Permits and Fees

**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:

Carol Klatt, resident, was concerned about the calls she received regarding literature being dropped at people's homes from someone who is not an incumbent using "Re-Elect". She finds it disturbing and misleading to the public.

7:36 PM

APPOINTMENTS: Board/Commission Membership Committee Appointments

Minutes:

There were no appointments.

7:36 PM

REPORTS:

12. Council Committee

A Council Committee Meetings, September 8 - 21, 2014

Minutes:

The Council Committee reported on the Design Review DR-8-14-6388 - 2001 Junipero Serra Boulevard - Pacific Plaza Lobby Expansion Exterior Site Improvements (Canepa/Klatt)

7:36 PM

13. City Council

Minutes:

Councilmember Guingona reported on September 13th the Council attended the 25th Anniversary of the Pilipino Bayanihan Resource Center and the Daly City/Colma Chamber of Commerce, Business to Consumer Affairs at Serramonte.

Mayor Canepa reported on meeting the Italian Prime Minister Matteo Renzi and his wife at the San Francisco United Nation's event today.

Vice Mayor Klatt reported on the Hispanic Heritage Month event last Thursday at the War Memorial Building.

7:43 PM

14. Staff

Minutes:

There were no reports.

7:43 PM

ADJOURNMENT:

It was moved by Councilmember Buenaventura, seconded by Councilmember Guingona to adjourn the meeting at 7:46 P.M. in memory of John Foran, Michael Markovich, Ned Ghnaim and Kathryn Caranlik Simon.

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