

CITY OF DALY CITY

Regular Meeting - CITY COUNCIL

AGENDA

Monday, December 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 Buenaventura at 7:00 P.M.

7:03 PM

PLEDGE TO THE FLAG:

ROLL CALL:

APPROVAL OF MINUTES:

Regular Meeting of October 13, 2014

It was moved by Councilmember Canepa, seconded by Vice Mayor Torres to approve the minutes of October 13, 2014.

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

APPROVAL OF AGENDA:

It was moved by Vice Mayor Torres, seconded by Councilmember Canepa to approve the agenda.

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

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.

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 requested Item No. 3, Commending Susan Von Hagel on the Occasion of Her Retirement, be taken at the end of the Consent Agenda.

Councilmember Guingona requested Item No. 2, Commending Michael G. Wilson on the Occasion of His Retirement, be taken at the end of the Consent Agenda.

7:01 PM

Communications:

1. Annual Report on Collection and Use of Developer Public Facility Fees

It was moved by Vice Mayor Torres, seconded by Councilmember Canepa to approve the annual report on collection and use of developer public facility fees.

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

Resolutions:

2. Commending Michael G. Wilson on the Occasion of His Retirement

Minutes:

The Council commended Mike Wilson for his years of dedicated service in the community and extended best wishes on all future endeavors.

7:05 PM

It was moved by Councilmember Christensen, seconded by Vice Mayor Torres to adopt Resolution No. 14-205, Commending Michael G. Wilson on the Occasion of His Retirement

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

3. Commending Susan Von Hagel on the Occasion of Her Retirement

Minutes:

The Council expressed appreciation to Susan Von Hagel for her work at the Children's Library and extended best wishes on her retirement.

7:06 PM

It was moved by Councilmember Christensen, seconded by Vice Mayor Torres to adopt Resolution No. 14-206, Commending Susan Von Hagel on the Occasion of Her Retirement

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

4. Amending Traffic Regulations: (1) Install 14-ft. of No Parking (Red) zone along the north curb of 87th Street, west of Junipero Serra Boulevard (TSR 15/33); and (2) Install 22-ft. of Passenger Loading/Unloading (White) zone in front of 474 N. Parkview Avenue (TSR 15/36).

It was moved by Vice Mayor Torres, seconded by Councilmember Canepa to adopt Resolution No. 14-198, Establishing Traffic Regulations

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

5. Notice of Completion for 2014-15 Serramonte Slurry Seal Project

It was moved by Vice Mayor Torres, seconded by Councilmember Canepa to adopt Resolution No. 14-199, Accepting Completion of Certain Project in the Department of Public Works (Serramonte Slurry Seal)

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

6. Appointing of Daly City Bicycle-Pedestrian Advisory Committee Members

It was moved by Vice Mayor Torres, seconded by Councilmember Canepa to adopt Resolution No. 14-200, Appointing Daly City Bicycle-Pedestrian Advisory Committee Members made by Sal Torres and seconded by David J Canepa

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

7. Allocating Additional Funds to Rebuilding Together Peninsula and Center for

Independence of Individuals with Disabilities Under the 2014-15 Community Development Block Grant Program

It was moved by Vice Mayor Torres, seconded by Councilmember Canepa to adopt Resolution No. 14-201, Amending Daly City's HUD Action Plan for Fiscal Year 2014-2015

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

8. Authorizing Time Extension for Use Permit UPR-8-13-7695 and Design Review DR-9-13-7801 - "Monopine" Wireless Facility at 888 E. Market Street

It was moved by Vice Mayor Torres, seconded by Councilmember Canepa to adopt Resolution No. 14-202, Approving Extension of Use Permit UPR-8-13-7695 and Design Review DR-9-13-7801 to Install a Monopine Wireless Facility at 888 E. Market Street

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

9. Authorizing the City Manager to Amend the Contract for Professional Services to Complete the Process for Award of the Solid Waste Franchise

It was moved by Vice Mayor Torres, seconded by Councilmember Canepa to adopt Resolution No. 14-203, Authorizing Amendment to a Professional Services Agreement with HF&H Consultants LLC

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

10. Approval of Revised and Restated Joint Powers Agreement for the San Mateo County Operational Area Emergency Services Organization Authority

It was moved by Vice Mayor Torres, seconded by Councilmember Canepa to adopt Resolution No. 14-204, Authorizing a Revised and Restated Joint Powers Agreement for the San Mateo County Operational Area Emergency Services Organization Authority

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

Check Registers:

11. Check Registers for the Month of October 2014.

It was moved by Vice Mayor Torres, seconded by Councilmember Canepa to approve Check Registers for the Month of October 2014 made by Sal Torres and seconded by David J Canepa

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

END OF CONSENT AGENDA

PUBLIC HEARINGS:

12. Amending Parking Meter Rates and Establishing Preferential Residential Parking Permit Fees

Staff:

Chiu

Recommended Action:

Open/Close Hearing

Adopt Resolution

Roll Call

Minutes:

Director of Finance and Administrative Services Lawrence Chiu gave a PowerPoint presentation on the parking meter rates amendment and the preferential residential parking permit fees proposal.

Daly City has 553 parking meters of various lengths of duration. They are located in heavy commercial districts where parking is necessary for the success of businesses. Parking meter locations are set to assure that there is convenient parking available for all visitors. There are four parking meter collection routes: Routes 1 and 2 are located at the Top of the Hill area, Route 3 is located at Mission/San Pedro/School Street Corridor and Route 4 is located at Junipero Serra Boulevard and Sullivan Avenue.

In order for parking meters to be effective, parking rates must be set at a level that encourages turnover of parking spaces. Parking spaces turnover will increase business for merchants and also serves the public and business customers. In addition, an increase in parking rates may help the City to upgrade to newer parking meters that accept credit card payments. The proposed parking meter rate increase of \$1.00 per hour project revenue for FY 2014-15 would be around \$230,000 and the project revenue FY 2015-16 is around \$330,000.

The Council inquired whether parking meters are attached to pay by phone; whether there are any commercial areas that need parking meters installed, and if there are variations of parking rates depending on demand and location.

Mr. Chiu showed in the presentation a parking meter that is paid by credit card and the other meter is a parking station. He believes there are still opportunities where there is heavy demand for parking meters to be installed. However, we are still evaluating the

option whether there is any other area that parking meters can be installed.

City Manager Patricia Martel stated there is an additional fee associated with pay by phone charged by the vendor providing the service with pay by phone parking station. Furthermore, this encourages turnover. However, we have not been recovering our cost for maintaining the meters in an effective way. If we had to raise the rate in the future, we will be monitoring it on an annual basis to see not only how we compare to other jurisdictions but to capture our costs for the service.

Mr. Chiu stated the Preferential Residential Parking Permit program was implemented in 1977 to offer residents a place to park in the areas that were impacted by BART station. Parking permits are required between 7-10 a.m., Monday through Friday.

Currently, there are four preferential parking zones. Zone A, east of Junipero Serra Boulevard next to the Daly City BART Station, Zone B, east of Mission Street; Zone C, west of Junipero Serra Boulevard, both north and south of John Daly Boulevard and Zone D, at the corner of East Market and County Street. Currently, there is no charge for parking permits in Daly City.

Establishing residential parking permit fees encourages driveway and off street parking. It reduces traffic congestion and creates a safer pedestrian environment. In addition, it recovers the cost of managing the parking program.

Staff is recommending the maximum number of parking permits per legal residence be set at four. There will be no charge for the first parking permit and each additional permit would be charged an annual fee of \$40.

The current parking permits are valid until June 30, 2015. Consequently, there will be no impact to the current fiscal year. The projected revenue for FY2015-16 would be around \$55,000.

It is recommended that the Council adopt resolutions establishing a uniform hourly rate for all parking meters of \$1.00 per hour; and establish an annual fee of \$40 per permit, after the first permit, when multiple Preferential Residential Parking Permits are issued to a resident and limit the number of permits to a maximum of four per legal residence.

Mayor Buenaventura opened the public hearing.

Dana Smith stated the preferential residential parking permits proposal unfairly targets certain neighborhoods for fees and limits cars per household. She felt rules have to apply to every household in Daly City. Ms. Smith suggested looking at other ways to raise revenue, such as reducing employee salaries that are over \$150,000 by 10%.

Sylvia Alvarez Lynch found this plan discriminatory both on a social and economic basis due to our proximity to San Francisco, and multiple families living in the same residence in order to pay rental fees. Many residents are low income and do not work a

Marian Mann felt the Council should consider seniors with one car and one garage that have family members who visit. The Council should be fair and address this issue.

The Council discussed the history and purpose of the preferential parking permits and the various implications of the impacts on the neighbors and residents living in the areas affected by them.

Vice Mayor Torres was in favor of continuing this matter so people from neighborhoods heavily impacted can voice their concerns. He was also in favor of a citywide parking permit program.

Councilmember Canepa and Mayor Buenaventura agreed with the continuance.

City Attorney Rose Zimmerman asked if part of the motion was to re-open the public hearing since the public hearing was closed. Mayor Buenaventura and Vice Mayor Torres stated yes.; 7:13 PM

It was moved by Vice Mayor Torres, seconded by Councilmember Christensen to close the public hearing.

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

It was moved by Vice Mayor Torres, seconded by Councilmember Canepa to continue the preferential residential parking permit fees to the meeting of January 26, 2015.

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

It was moved by Vice Mayor Torres, seconded by Councilmember Christensen to adopt Resolution No. 14-207, Amending Parking Meter Rates

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

13. Public Hearing on Community Development and Housing Needs

Staff:

Suliguin

Recommended Action:

Open/Close Hearing

Adopt Resolution

Roll Call

Housing Coordinator Lenelle Suliguin 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.

In April 2013, the City prepared its five year HUD consolidated plan, which describes how the city plans to use the HUD funds over the five year planning period beginning in June 2013 through July 2018. Within each year of the five year planning period, the city is required to prepare a one year action plan.

Tonight's hearing begins the citizen's participation and planning process required for preparing the programming for 2015-16 one year action plan. Public notice of tonight's hearing, on community development and housing needs, was provided through print, electronic media and posting at location throughout the City. Staff has not received any written or verbal comments about the community development needs.

After considering public comments, staff recommends that the Council provide guidelines by establishing the percentage ranges of available funds be directed to the various eligible activities including administration, housing and economic development services. Staff's recommendations are summarized in the staff report. Staff also recommends the Council authorize the solicitation of Request for Proposals for FY 2015-16 Community Development Block Grant funds.

Mayor Buenaventura opened the public hearing.

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

**Gina Papan, representing John's Closet
Shirley Gibson, representing Legal Aid Society
Seana O'Shaughnessy, representing Rebuilding Together Peninsula
Fernando Cordova, representing Project Read
Chito Patricio, representing Daly City Partnership – HART
Pat Bohm, representing Daly City Partnership
Clarice Veloso, representing HIP Housing**

7:47 PM

It was moved by Vice Mayor Torres, seconded by Councilmember Christensen to close the public hearing.

It was moved by Councilmember Canepa, seconded by Councilmember Christensen to adopt Resolution No. 14-208, 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 2015-2016

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

COMMUNICATIONS:

14. Presentation of Fiscal Year 2013-2014 Comprehensive Annual Financial Report

Staff:

Chiu

Recommended Action:

Motion to Accept Report

Minutes:

Director of Finance and Administrative Services Lawrence Chiu gave a PowerPoint presentation on the audit results and overview of the City's Comprehensive Annual Financial Report (CAFR) for the FY ending June 30, 2014 and FY 2013-14 General Fund Results.

The City Council contracted for an independent audit by the firm of Maze and Associates, Certified Public Accountants. The audit includes a comprehensive review of the City's financial records and the internal control procedures. The auditor has issued an unqualified opinion that the City's financial statements are fairly presented in conformity with the General Accepted Accounting Principles (GAAP).

8:16 PM

It was moved by Councilmember Christensen, seconded by Vice Mayor Torres to accept the report.

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

15. Statement of Investment Policy Update

Staff:

Halvorson

Recommended Action:

Adopt Resolution

Roll Call

Minutes:

City Treasurer Daneca Halvorson provided an update on the City's Investment Policy for Council's consideration. PFM Asset Management LLC was hired to review the City's Investment Policy. The objectives of the review were to ensure compliance with California government code and city objectives, and review clarity of the policy, incorporate legislative and legal updates, and best practice standards. PFM analyzed each section of the policy to ensure its contents met the objectives. Ms. Halvorson introduced Lauren Brant, Managing Director and Paulina Woo, Managing Consultant of PFM.

Ms. Woo gave a PowerPoint presentation on the scope of the investment policy and objectives. The investment policy review results and recommendations show the city's investment policy is fairly comprehensive, and supports the City's objectives. PFM's recommendation suggest adding additional language and sections to incorporate most recent Government Finance Officer Association best practices, reformat and clarify the Authorized and Suitable Investments" section, and update legal and statutory references in the Glossary and limits in Appendices.

In conclusion, PFM's recommendations will bring policy up to date with the Government Code and Government Finance Officer Association best practices, accurately reflect City's risk tolerances and investment objectives, increase clarity of the policy and maintain internal consistency.

Vice Mayor Torres motioned to accept the investment policy with PFM's recommendations on Page 8: California Municipal Investments from 100% to 30% and the Time Certificates of Deposit from Not Permitted to 30% and Page 9: the Savings Accounts from \$100,000 limit to No Limit and Local Agency Investment Fund from No Limit to State Treasurer's Limit.

8:28 PM

It was moved by Vice Mayor Torres, seconded by Councilmember Canepa to adopt Resolution No. 14-209, Adopting Statement of Investment Policy for the City of Daly City

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

AWARD OF BIDS/CONTRACTS:

16. Award of Bid for the Design/Build and Construction of the Westlake Pump Station Warehouse Extension Project

Staff:

Royer

Recommended Action:

Adopt Resolution

Roll Call

Minutes:

Director of Water and Wastewater Resources Patrick Sweetland recommended that the Council accept the bid received from the Plummerbuilt, Inc. in the amount of \$209,524 for the design and construction of Westlake Pump Station Warehouse Extension Project. The existing pre-fabricated warehouse structure at the Westlake Pump Station is undersized and long term exposure to Daly City's marine environment corrodes the equipment and degrades useful life. The intended expansion would double the size of the existing warehouse so all vehicles and equipment could be protected from the elements.

8:43 PM

It was moved by Councilmember Guingona, seconded by Vice Mayor Torres to adopt Resolution No. 14-210, Authorizing Execution of Construction Contract with Plummerbuilt, Inc. for the Westlake Pump Station Warehouse Extension Project

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

17. Award of Contract for Cast Iron Pipe Insert Project at Reservoir 1

Staff:

Sweetland

Recommended Action:

Adopt Resolution

Roll Call

Minutes:

Director of Water and Wastewater Resources Patrick Sweetland stated this is a sole source bid because SAK Construction LLC of Sacramento is the only manufacturer and authorized dealer for the Aqua-Pipe that meets the National Sanitation Foundation Standard 61.

Staff recommends the Council accept the sole source bid from SAK Construction LLC for the installation of 1,200 linear feet of Aqua-Pipe insert to line a section of Reservoir No. 1 transmission main and a section of Reservoir 2 transmission main from Peoria Street to Reservoir No. 1 Pump Station in the amount of \$287,500.

8:45 PM

It was moved by Vice Mayor Torres, seconded by Councilmember Christensen to adopt Resolution No. 14-211, Authorizing Execution of Construction Contract for Cast Iron Pipe Insert Project at Reservoir No. 1

Passed For: Judith A. Christensen, Raymond A. Buenaventura, David J Canepa, Michael

Guingona, 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:

Connie Lichauco, Councilmember Guingona's mother, informed the Council of an uncomfortable incident at the City Council Reorganization Ceremony regarding a heckler (Pamela DiGiovanni) who was seated behind her and next to Michael's family, yelling with unfounded insults to her son, interrupting his speech.

Marian Mann announced the annual holiday decoration contest will be held this month and awards will be presented at a Council meeting in January. She thanked Allied Waste for supporting the contest.

8:49 PM

APPOINTMENTS: Board/Commission Membership Committee Appointments

It was moved by Vice Mayor Torres, seconded by Councilmember Canepa to appoint Denise Kelly to the Recreation Commission with term expiring August 28, 2015.

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

REPORTS:

18. Council Committee

Minutes:

There were no reports.

8:51 PM

19. City Council

Minutes:

Councilmember Christensen stated an article in the newspaper reported that Daly City is the most water conserving city in the State of California. Councilmember Christensen reported she is starting a statewide collection of term limit policies and will keep the public updated.

Vice Mayor Torres reminded staff that at the last meeting he requested an update on the old U-Haul or gas station on Skyline and Westmoor.

Councilmember Canepa reported on the Daly City Police Department's Facebook page being a tremendous resource.

8:53 PM

20. Staff

Minutes:

City Manager Patricia Martel reported on potential flooding that might occur in the upcoming storm. She asked if there is a storm drain in your area that looks clogged up, please call the City.

8:56 PM

ADJOURNMENT:

It was moved by Vice Mayor Torres, seconded by Councilmember Christensen to adjourn the meeting at 9:00 P.M. in memory of Concepcion "Connie" Canonizado and Louis Vicino.

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