

CITY OF DALY CITY
MINUTES – REGULAR MEETING - CITY COUNCIL
MAY 9, 2016

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

ROLL CALL: Councilmembers Present:

Sal Torres, Mayor
David J. Canepa, Vice Mayor
Raymond A. Buenaventura
Judith A. Christensen
Michael P. Guingona

Staff Present:

Patricia E. Martel, City Manager
Julie T. Underwood, Assistant City Manager
Rose L. Zimmerman, City Attorney
K. Annette Hipona, City Clerk

PRESENTATIONS:

Presentation by Westmoor Future Business Leaders of America (Benjamin Pham, FBLA Advisor)

Benjamin Pham, Westmoor FBLA Advisor, introduced the FBLA's primary goal of bringing education and business together. Their goal is achieved by three principles: community service, conferences, and competitions both locally and nationally. According to Mr. Pham, the group is currently 150 members strong. At the state level, FBLA has had 19 people qualify for the national competitions. The Council commended Mr. Pham for his work with the City's youth.

Proclaiming May 15-21, 2016 as National Public Works Week (John Fuller, Director of Public Works)

Councilmember Guingona presented Director of Public Works John Fuller with a proclamation celebrating the men and women who make up Public Works, a department responsible for the City's infrastructure including maintenance of sewers, streets, public buildings and parks.

Mr. Fuller reported that despite a reduction in budget and staffing, the team-building effort within the department, spearheaded by Assistant City Manager Julie Underwood, has re-energized the departments in its endeavors.

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APPROVAL OF MINUTES:

Regular Meetings of April 25, 2016

It was moved by Vice Mayor Canepa, seconded by Councilmember Christensen and carried to approve the minutes of April 25, 2016.

APPROVAL OF AGENDA:

It was moved by Vice Mayor Canepa, seconded by Councilmember Guingona and carried to approve the Agenda.

CONSENT AGENDA:

Councilmember Christensen requested to pull item #4 from the Consent Agenda for further discussion.

Resolutions:

Accepting of Daly City Police Athletic League Donation for Kops & Kids

Resolution 16-61, Accepting a Donation from the Daly City Police Athletic League

Requesting Use of Federal Asset Forfeiture Funds (DEA) for Advanced Tactical Training for the Daly City Police Department

Resolution 16-62, Authorizing Use of Federal Asset Forfeiture (DEA) Funds for Advanced Tactical Training for Daly City SWAT

Amending Traffic Regulations: (1) Remove 75-ft. No Parking (red) zone on the east side of Schwerin Street, south of Geneva Avenue (TSR 16/61); (2) Install a 37-ft. red zone along the west side of Cordova Street, in front of the driveway of 704 Cordova Street (TSR 16/62); and (3) Install 13 ft. red zone along the south side of Habitat Way, across from 311 Habitat Way, and 14 ft. red zone along the east end of Habitat Way (TSR 16/68)

Resolution 16-63, Establishing Traffic Regulations

Eliminating Daily Overdue Fines on Children's and Teen Library Cards

City Manager Patricia Martel reported on staff's recommendation to join the Peninsula Library System in implementing a new youth library card type, which would eliminate overdue fines on those accounts. The fines were not meant to be punitive, but were put in place to encourage young people to be responsible for library materials.

Library Services Manager Chela Anderson reported that an ad-hoc committee was formed to discuss the issue of fines for youth. The vast majority of the group was in favor of

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eliminating the fines. According to Ms. Anderson, it is a matter of balancing access with availability of materials. With the new card type for youth, children and teens will still be responsible for returning materials undamaged.

Discussion ensued with Ms. Anderson answering Council's questions regarding the availability of a phone app to remind patrons of due dates for library materials. Ms. Anderson also mentioned that the public can check on due dates via their online library account. She reminded the public of the Library's upcoming Summer Learning Program.

It was moved by Vice Mayor Canepa, seconded by Councilmember Christensen and carried to adopt the following resolution:

Resolution 16-64, Eliminating Daily Overdue Fines on Children's and Teen Library Cards

Authorizing Submittal of Application for CalRecycle Payment Programs and Related Authorizations

Resolution 16-65, Authorizing Submittal of Application for Payment Programs and Related Authorizations

Accepting San Mateo County Narcotics Task Force DARE Funds for the Purchase of Promotional Items for Children

Resolution 16-66, Accepting San Mateo County Narcotics Task Force DARE Funds for Purchase of Promotional Items for Children

Setting Time and Place of the Public Hearing for Daly City's National Pollutant Discharge Elimination System Program Regulatory Fee Set Hearing 6/13/16

Resolution 16-67, Setting Time and Place of Public Hearing Re: Maintaining Adopted Regulatory Fees Necessary to Fund Local Specific Program Activities Mandated Under the Stormwater Management Plan, and Requesting San Mateo County to Collect Such Fees

Check Registers:

Check Registers for the Month of April 2016

END OF CONSENT AGENDA

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

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PUBLIC HEARINGS:

Approval of Benefit Assessments for Linda Vista Area for Fiscal Year 2016-17

Director of Public Works John Fuller gave a brief background of the two drainage basins, which were formed in 1990 to maintain drainage facilities in the areas of Bay Ridge, Bay Vista and Linda Vista. Staff is recommending no changes from last year's assessments with Linda Vista at \$151.13 and Bay Ridge at \$100.46. The City has not received complaints from the public on this matter.

Mayor Torres opened the public hearing. There were no speakers.

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

It was moved by Councilmember Christensen, seconded by Councilmember Guingona and carried by unanimous roll call vote to adopt the following resolution:

Resolution 16-68, Approving Engineer's Report and Imposing A Benefit Assessment for Fiscal Year 2016-2017

AWARD OF BIDS/CONTRACTS:

Appropriate Unallocated General Funds and Award a Construction Contract for the Serramonte Library Restroom and Accessibility Upgrades

Director of Public Works John Fuller reported that this project received \$100,000 in Measure A grant funds. Staff believes that remodeling bathrooms at the Serramonte Library would be the most advantageous upgrade, since they are not currently accessible to people with disabilities.

According to Mr. Fuller, the City received six bids. Garic Construction, the apparent lowest bidder, was considered a nonresponsive bid due to the insufficient listing of a sub-contractor. The facilities were also tested for lead paint and asbestos, resulting in an abatement estimated to cost approximately \$40,000. Staff's final recommendation is to award the contract to Sigura Construction in the amount of \$178,209.

Discussion ensued with Ms. Martel reporting that she is currently in discussions with a potential funder, who may assist in the completion of this project, and in upgrading Serramonte Library in general.

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

Resolution 16-69, Authorizing Execution of Contract Re: Serramonte Library Restroom and Accessibility Upgrades Project

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RESOLUTIONS:

Proposed Internet Safe Exchange Zone

Captain Gamez reported on the proposed resolution by Vice Mayor Canepa to assess the proposed implementation of a Safe Exchange Zone in front of City Hall. Staff used the Clovis Police Department as the model in its assessment. The proposed zone, two designated parking stalls in the parking lot, would provide the public with a safe place to do online commerce. Cameras would also be installed to capture that area of the parking lot. According to Captain Gamez, the department believes the Safe Exchange Zone has merit and provides a public safety nexus.

Discussion ensued with Captain Gamez addressing Council's questions regarding potential liabilities for the City. He explained that the Police Department would provide a designated location in the parking lot for internet commerce. There will be signage in the Exchange Zone stating that the City will not be liable for any negative activity or violence occurring in that zone.

Ms. Martel explained that the Exchange Zone will provide a deterrent but will not guarantee that a robbery would not take place. It would simply capture activity in the parking lot via HD cameras. The City is also not warranting the products that people are purchasing through the internet. The installed signage in the area will make these conditions clear.

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

Resolution 16-70, Implementing an internet Safe Exchange Zone

Adoption of Salary and Other Health and Welfare and Fringe Benefits for Executive Management Employees, City Clerk and City Treasurer

Director of Human Resources Shawna Maltbie presented staff's recommendation to adopt a resolution implementing salary adjustments, stipend adjustments, health and welfare fringe benefits for Executive Management Employees, City Treasurer, and City Clerk.

According to Ms. Maltbie, the City was able to reach agreements with all 11 bargaining units in the past year through the collective bargaining process. Tonight's request is fully consistent with previous adjustments granted to all recognized bargaining units and the miscellaneous/unrepresented group.

Annette Hipona, City Clerk, opposed the salary raises due to concerns of reduced City services including unkempt parks, unsafe sidewalks, and other safety issues. Furthermore, the City has given the reason of having "no money" for not addressing the bigger projects. Since there is currently a budget crisis, every department has been asked to cut their budget. It is not right to ask the public to do more with less, and then raise City employees' salaries.

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Dana Smith, resident, opposed the salary raises due to the dire news given about the City's finances during the last Council meeting. Ms. Smith believes the employees being discussed today are already amply compensated with the exception of the City Clerk.

Glenn Sylvester, resident, expressed concern on whether a study has been done to look at City employees' salaries compared to other cities. Mr. Sylvester suggested better management of staff to cut overtime pay.

Pamela Giovanni, resident, expressed opposition to the salary raises due to the following reasons: service cuts from the City, the current Police dispatch issue, increased rents, and the cutting of Engine #95. According to Ms. Giovanni, giving raises during this time would send a terrible message to the community.

It was moved by Mayor Torres, seconded by Councilmember Guingona and carried to approve the resolution. The motion passed by the following roll call vote:

Ayes: Canepa, Guingona, Torres

Noes: Buenaventura, Christensen

Resolution 16-71, Adopting Salary Schedule/Benefits for Executive Management Employees, City Treasurer and City Clerk Effective October 2015 (Includes Department Heads, Assistant Department Heads, City Manager, City Attorney)

ORDINANCES:

Second Reading, Ordinance No. 1408, Amending Zoning Ordinance and Establishing Planned Development Standards PD-71

It was moved by Councilmember Guingona, seconded by Vice Mayor Canepa and carried by unanimous roll call vote to adopt the following ordinance:

Ordinance 1408, Amending the Daly City Zoning Map – Rezoning One Parcel to Planned Development Zone (PD-71) and Establishing Planned Development Standards (1 Martin Street)

PUBLIC APPEARANCES/ORAL COMMUNICATIONS:

Ronnie Miller, representing the American Cancer Society, reminded Council of their upcoming Relay-for-Life-Event on June 4 and 5. Ms. Miller reported that all Councilmembers will be present and encouraged the public to come out and support their cause.

Jonah Miller, resident, expressed support for keeping the Fire Department's Engine #95 open. He commended Station #5 on successfully handling 14,000 calls, while averaging 11 minutes for arrival time.

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Marian Mann, resident, informed Council that about 50 seniors reported to her on the closing of Engine #95 due to budget constraints, and requested to be updated on the matter. Mayor Torres informed Ms. Mann that the Fire Department will be discussing their budget cut proposals with Council next week. He invited Ms. Mann and the public to attend or view this meeting for further information.

Dana Smith, resident, questioned the fairness on the salary increases and found it incredible that Annette Hipona is the only one to voice opposition to raising executive salaries. Ms. Smith pointed out that Ms. Hipona's salary was the only one cut in half in 2008 due to "budget constraints."

Vice Mayor Canepa left the chambers at 7:47 P.M. and came back at 7:56 P.M.

APPOINTMENTS:

It was moved by Councilmember Guingona, and carried to appoint Beeyong Sison to the Recreation Commission.

REPORTS:

Council Committee

There were no reports.

City Council

Councilmember Guingona reported on attending a "Student of the Year" celebration for a student of the Jefferson Elementary School District. He also participated in an expo at the Doelger Center for the purpose of connecting seniors with available senior services.

Councilmember Christensen reported on a misleading recorded phone message sent out to the public by the Teamsters Union which she thought was politically motivated. People are frightened by the message, which made it seem like a Councilmember is putting the public's safety at risk by "seeking to eliminate our local Daly City Police 9-1-1 Emergency Services." Councilmember Christensen made it clear that the only issue for discussion is to move 11 of our dispatch employees to San Mateo County.

Staff

There were no reports.

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ADJOURNMENT:

It was moved by Mayor Torres, seconded by Councilmember Christensen and carried to adjourn the meeting at 8:05 PM in the memory of Marla Zamora, Lea Petroni, Larry Minnex, Vera Caldwell Simmons, and Harland D. Ritchie. Councilmember Christensen also recognized Eleanor Charleston on her 100th birthday.

K. Annette Hipona
City Clerk

Approved as submitted, this 23rd
day of May, 2016.

Sal Torres
Mayor