

CITY OF DALY CITY
MINUTES – REGULAR MEETING - CITY COUNCIL
November 28, 2016

The meeting was called to order by Councilmember Guingona at 7:00 P.M.

ROLL CALL: Councilmembers Present:

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

Absent:

Sal Torres, Mayor
David J. Canepa, Vice Mayor

APPROVAL OF MINUTES:

Regular Meetings of November 14, 2016

It was moved by Councilmember Christensen, seconded by Councilmember Buenaventura and carried to approve the minutes of November 14, 2016.

APPROVAL OF AGENDA:

It was moved by Councilmember Christensen, seconded by Councilmember Buenaventura and carried to approve the agenda.

CONSENT AGENDA:

Councilmember Guingona requested to pull item #1 from the Consent Agenda for further discussion. It was moved by Councilmember Christensen, seconded by Councilmember Buenaventura and carried to approve the consent agenda, as amended.

Resolutions:

Commending Chris Wilson on the Occasion of His Retirement

City Manager Patricia Martel commended Mr. Wilson on his dedicated years of service with the Economic and Community Development Department. Ms. Martel recognized Mr. Wilson for his great contributions as a building inspector and for his work with code

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enforcement. According to Ms. Martel, the City is honoring Mr. Wilson tonight with a resolution, and thanked him on behalf of a grateful community.

Council thanked Mr. Wilson for his work on behalf of Daly City and recognized his family who were in attendance at the meeting. They congratulated him on his retirement.

Mr. Wilson thanked the Council and conveyed his pleasure in working for Daly City the past ten years. According to Mr. Wilson, his goal with code enforcement was always to make the community safe by fixing the violations and obtaining the compliance voluntarily. He also thanked the community for their compassion during a difficult time in his life, and declared he would gladly assist the City should they need it in the future.

Resolution 16-171, Commending Christopher Wilson on the Occasion of His Retirement

Authorizing Time Extension for Zone Change ZC-7-15-11163, Use Permit UPR-7-15-11164, and Design Review DR-7-15-11165 — Mixed-Use Building at 1590 Bryant Street

Resolution 16-172, Approving Extension of Zone Change ZC-7-15-11163, Use Permit UPR-7-15-11164 and Design Review DR-7-15-11165 – Mixed-Use Building at 1590 Bryant Street

Authorizing Time Extension for Use Permit UPR-7-14-9291 and Design Review DR-7-14-9293 — Mixed-Use Apartment Building at 4619 Brunswick Street

Resolution 16-173, Approving Extension of Use Permit UPR-7-14-9291 and Design Review DR-7-14-9293 Mixed-Use Apartment Building at 4619 Brunswick Street

Noticing of Completion for Rice Street and Wilson Street Water Main Improvements

Resolution 16-174, Accepting Completion of Certain Project in the Department of Public Works (Rice Street and Wilson Street Water Main Improvements)

Approving Three-Year Agreement Between the Human Services Agency of San Mateo County and the City of Daly City to Provide Funding for the Community Service Center

Resolution 16-175, Authorizing Execution of Three-Year Agreement between the Human Services Agency of San Mateo County and the City of Daly City

Noticing of Completion for 2016-17 Westlake Slurry Seal Project

Resolution 16-176, Accepting Completion of Certain Project in the Department of Public Works (2016-17 Westlake Slurry Seal)

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Approving Professional Services Agreement for Design Services for Junipero Serra Boulevard, Geneva Avenue, and San Pedro Road Pavement Rehabilitation

Resolution 16-177, Approving and Authorizing Execution of Professional Services Agreement with NCE

END OF CONSENT AGENDA

COMMUNICATIONS:

Major Subdivision SUB-10-12-12396, Use Permit UPR-1-16-11898, and Design Review DR-1-16-11899 — Mixed-Use Building at 493 Eastmoor Avenue

Associate Planner Corey Alvin gave a presentation of the 34-unit condominium project, and recommended approval of the major subdivision, use permit and design review subject to the findings and conditions. Mr. Alvin provided some background information on the site, which was a former Shell Gas Station. The project proposes a subgrade parking garage for residents and commercial parking located on the ground floor. Sponsors are proposing a lift system called a Klaus stacked parking system on the basement floor.

Mr. Alvin continued by highlighting other aspects of the project including the rooftop patio plan on the second floor and the building's design and architecture. He reported that the building satisfies the inclusionary housing requirements, and that soil remediation work has been completed according to the county's Environmental Health Division. He noted that one of the Conditions of Approval on the staff report has been corrected as follows:

"#39. All sidewalks, walkways, driveways, parking lot facilities, and easements within and adjacent to the property shall be maintained by the HOA in perpetuity."

Interim Planning Manager Michael Van Lonkhuysen addressed Council's question regarding possible reasons why some Planning Commissioners voted "No" on this project. The Council discussed their thoughts on the building's modern design, architecture, color palette, and its utilization of galvanized metals. Councilmember Christensen was concerned about rust due to Daly City weather. The Council is willing to work with the applicant to come to a compromise on a more palatable design and color scheme.

It was moved by Councilmember Christensen to tone down the color contrast for a warmer visual presentation that would complement the neighborhood better. Mr. Van Lonkhuysen stated staff would work with the applicant to address this concern.

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

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Resolution 16-178, Adopting Findings of Fact and Imposing Conditions of Approval of Major Subdivision SUB-10-12-12396, Use Permit UPR-1-16-11898 and Design Review DR-1-16-11899 for a Mixed-Use Building at 493 Eastmoor Avenue

AWARD OF BIDS/CONTRACTS:

Award of Construction Contract for Mussel Rock Public Access and Amenities Improvements

Senior Civil Engineer Hae Won Ritchie recommended the Council award a construction contract to Southwest Construction & Property Management in the amount of \$181,070 for the subject project. She gave a brief background on the project including the coastal development permit which was conditionally approved. Ms. Ritchie made a correction on the engineer's estimate, which should have been closer to \$152,560. The total project cost is approximately \$220,000.

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

Resolution 16-179, Authorizing Execution of Contract with Southwest Construction & Property Management (Mussel Rock Public Access and Amenities Improvements)

Award of Construction Contract for 2016-17 Mussel Rock Landfill Site Maintenance and Seawall Repair

Ms. Ritchie recommended the Council award a construction contract to Stoloski & Gonzalez, Inc. in the amount of \$1,196,805 for the subject project. The project addresses routine site maintenance activities such as cleaning, realigning and replacing drain pipes. A major component is the seawall repairs due to erosion and wave action. Currently, the project exceeds the funding that is available, and thus, funds will need to be borrowed from the general fund capital account. For the future, staff intends to propose the Council approve the creation of a Solid Waste Enterprise Fund, so that any loans taken from the general fund can be paid through increased garbage rates. The total project cost is approximately \$1.436 million; an additional \$533,000 is needed from the general fund capital account to fund the project.

Discussion ensued with City Manager Patricia Martel addressing Council's questions. Ms. Martel reported that the City is in the process of commencing a rate application request from Republic Waste Services. Staff will meet with them and conduct analysis on the current franchise and there will be rate adjustments purely based on refuse collection. In addition to that, rates will be adjusted to collect a certain amount of funding necessary to do this preliminary work. Thus far, the analysis indicates that the cost will be spread over a period of several years, and therefore, residents would not see one huge rate increase on the garbage bill.

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

Resolution 16-180, Authorizing Execution of Contract with Stoloski & Gonzalez, Inc. (Mussel Rock Landfill Site Maintenance and Seawall Repair)

ORDINANCES:

Second Reading, Ordinance No. 1410, Amending Chapter 15 Re: Building Code Regulations

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

Ordinance 1410, Amending Title 15 of the Daly City Municipal Code by Repealing and Replacing Chapters 15.00, 15.08, 15.10, 15.14, 15.16, 15.20, 15.22, 15.24, 15.60; Adding Chapter 15.64

Second Reading, Ordinance No. 1411, Amending Chapter 15.32 of the Daly City Municipal Code Re: Fire Code

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

Ordinance 1411, Repealing and Replacing Chapter 15.32 of the Municipal Code Re: Adoption of the 2016 California Fire Code Based on the 2015 Edition of the International Fire Code with Changes, Additions, Amendments and Deletions

PUBLIC APPEARANCES/ORAL COMMUNICATIONS:

Bill Lex, resident, thanked those who serve in or have run for an elected position in the City and the County. However, he voiced his and Councilmember Christensen's concern with how the City selects its Mayor and Vice Mayor, claiming the current system lent itself to favoritism and locked Councilmembers out of leadership positions. Mr. Lex feels the system needs to be changed to a formal rotation, wherein each Councilmember has the opportunity to serve at least once as Mayor during his or her term, making the system fair.

Sylvia Alvarez-Lynch, resident, felt that the new Council should work together to make serious decisions that will affect the City's future. According to Ms. Alvarez-Lynch, Councilmembers Guingona and Christensen should be appointed Mayor and Vice-Mayor

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respectively. She called on the newly elected Councilmembers to step up and do the right thing by honoring the service of their colleagues and the people who voted for them.

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APPOINTMENTS:

There were no appointments.

REPORTS:

Council Committee Meetings

There were no reports.

City Council

Councilmember Buenaventura commended the Arts and Culture Commission for an outstanding job this past December 19th by producing one of the best gatherings inside City Hall he has witnessed. He reported that the event was really well organized, wonderfully executed, and praised all who participated in the creation of that event. Councilmember Buenaventura thanked everyone on the commission, as well as staff, for their marvelous job on this project.

Councilmember Christensen reported that the “Light Up Our World” Event was a marvelous program which had great music, dancing, artwork, crafts and food. The event really gave the City and its residents a sense of community. Councilmember Christensen hoped there would be similar events like this in the future, and wished for everyone to come out and support future events.

Staff

City Manager Patricia Martel reminded everyone that on Monday, December 12th at 6:00 P.M., the City will hold its reorganization meeting. There will be a short adjournment for celebrations, which will be directly followed by the regular City Council meeting at 7:00 P.M, the last Council meeting of the year. Ms. Martel invited all members of the public to come help celebrate the newly-elected and re-elected officials of the City.

ADJOURNMENT:

It was moved by Councilmember Christensen, seconded by Councilmember Buenaventura and carried to adjourn the meeting at 8:00 P.M. in memory of Charlotte Love, Lloyd Sanchez, and San Francisco icon Sebastian.

Approved as submitted, this 12th

K. Annette Hipona
City Clerk

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day of _____ December _____, 2016.

GLENN R. SYLVESTER

Mayor