

CITY OF DALY CITY
MINUTES – REGULAR MEETING - CITY COUNCIL
November 26, 2018

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

ROLL CALL: Councilmembers Present:

Juslyn C. Manalo, Mayor
Raymond A. Buenaventura, Vice Mayor
Judith A. Christensen
Michael P. Guingona
Glenn R. Sylvester

Staff Present:

Rose L. Zimmerman, City Attorney
Shawna Maltbie, Interim City Manager
K. Annette Hipona, City Clerk

APPROVAL OF MINUTES:

Special Meeting of November 13, 2018

It was moved by Councilmember Sylvester, seconded by Vice Mayor Buenaventura and carried to approve the minutes of November 13, 2018.

APPROVAL OF AGENDA:

Mayor Manalo moved up the public comment/oral appearance portion of the meeting to follow the approval of the consent agenda. It was moved by Vice Mayor Buenaventura, seconded by Councilmember Christensen and carried to approve the agenda with the public comment to follow the consent agenda.

CONSENT AGENDA:

Mayor Manalo asked to remove item 7 and Councilmember Sylvester removed item 9 from the consent agenda for further discussion. It was moved by Vice Mayor Buenaventura, seconded by Councilmember Guingona and carried to approve the amended consent agenda.

Requesting the Use of Federal Asset Forfeiture Funds (DEA) to Contract with CDX Wireless For a Digital Radio System Needs Assessment Study

Resolution 18-165, Authorizing Use of Federal Asset Forfeiture (DEA) Funds to Contract With CDX Wireless For a Digital Radio System Needs Assessment Study

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Use of Federal Asset Forfeiture Funds (DEA) to Purchase Rapid Deployment Kits for Daly City Police Officers

Resolution 18-166, Authorizing Use of Asset Forfeiture Funds (DEA) to Purchase Rapid Deployment Kits

Proposed Equity Adjustments For Various AFSCME Job Classifications

Resolution 18-167, Approving the Proposed Equity Adjustments For Various AFSCME Job Classifications

Authorizing the City Manager to Execute A License Agreement Between the City of Daly City and Second Harvest Food Bank of Santa Clara And San Mateo Counties For the Use of A Portion of the Parking Lot at Westlake Park For A Food Distribution Program

Resolution 18-168, Authorizing License Agreement Between the City of Daly City and Second Harvest Food Bank of Santa Clara and San Mateo Counties

Proposed Office of the City Clerk Staffing Change

Resolution 18-169, Approving the Proposed Staffing Change In the Office of The City Clerk

Annual Delegation of Authority to City Treasurer to Invest City Funds

Resolution 18-170, Renewing Delegation of Investment Authority to the City Treasurer

Kome - Resolution Supporting Rights of Kome Seafood Buffet Workers

Mayor Manalo opened the floor for speakers.

Mario deMira with Chinese Progressive Association stated that the Labor Commission cited Kome with \$5.16 million in stolen wages last year and thanked Council for their support of the resolution.

Johanes Wijaya, shared his story as a wage theft victim. Mr. Wijaya urged Council to support the resolution and set labor laws that enforces fare wages to stop worker exploitation.

City Attorney Zimmerman noted Council's request to change some of the draft resolution language.

It was moved by Mayor Manalo, seconded by Councilmember Christensen and carried by unanimous roll call vote to approve the following resolution with the amendments requested by Council:

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Resolution 18-171, Supporting the Rights of Kome Seafood Buffet Workers In Their Pursuit of Stolen Wages by the Employer, as Well as an End to Mistreatment And Intimidation

Commending Judith A. Christensen on the Occasion of Her Retirement

Resolution 18-172, Commending Judith A. Christensen On the Occasion of Her Retirement

Commending Michael P. Guingona on the Occasion of His Retirement

Councilmember Sylvester thanked Councilmember Guingona for his years of service and for paving the way for Council as the first Filipino-American elected twenty-five years ago. It was moved by Councilmember Sylvester, seconded by Councilmember Christensen and carried by voice vote to adopt the following resolution:

Resolution 18-173, Commending Michael P. Guingona on the Occasion of His Retirement

END OF CONSENT AGENDA

PUBLIC APPEARANCES/ORAL COMMUNICATIONS:

Mario Panoringan congratulated Councilmember Guingona and thanked him for his years of service and representation.

HIP Housing Executive Director Kate Comfort Harr presented the yearly calendar and thanked Council for their support in providing affordable housing in the Bay Area.

PUBLIC HEARINGS:

Repeal of the City's Affordable Housing Ordinance and Adoption of an Inclusionary Housing Ordinance

Housing and Community Development Supervisor Betsy Zobell provided background and described key elements of the new inclusionary housing ordinance - in lieu fees to be calculated on all livable square footage and removal of government agency exemptions.

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

The following speakers urged Council to add the exemption for government agencies to the ordinance, in order to remove the challenges of monitoring compliance and hence make it easier to provide faculty housing resulting in increased teacher recruitment and retention (no displacement):

Clayton Koo, Vice President Jefferson Elementary School District
Maybelle Manio, Jefferson Elementary School District Board of Trustee

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Bernie Vidales, Superintendent , JESD
Terry Deloria, Superintendent, JUHSD
Pamela DiGiovanni, Resident

Evelyn Stivers, Housing Leadership Council of San Mateo County, suggested a flexible exemption policy in order to provide more homes at a deeper level of affordability so that more partnerships can be formed at a wider range of affordable housing types.

Shirley Gibson, Legal Aid Society, would like Council to include the extremely low income category for the housing development because this group is not being reached in the current affordable housing plan.

Kate Comfort Harr, HIP Housing, expressed that inclusionary housing needs a compliance factor built in to keep the units affordable and prevent displacement.

It was moved by Vice Mayor Buenaventura, seconded by Councilmember Sylvester and carried to close the public hearing.

It was moved by Councilmember Guingona, seconded by Councilmember Sylvester and carried for the City Attorney to read the ordinance by title only.

Mayor Manalo introduced the Ordinance.

Ordinance 1423, Repealing and Replacing Chapter 17.47 Re: Inclusionary Housing

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

Resolution 18-174, Accepting Keyser Marston Associates Financial Feasibility Analysis and Establishing an Affordable Housing In Lieu Fee

Minimum Wage Ordinance

Assistant to the City Manager Stephen Stolte presented the details for increasing the minimum wage at a faster rate than the California minimum wage legislation.

It was moved by Councilmember Christensen, seconded by Councilmember Sylvester to open the public hearing.

The following speakers are in support of the increased minimum wage:

Julie Lind Rupp, San Mateo Labor Council
Melinda Dart, San Mateo Labor Council
Jack Avery, United Way Bay Area
Pamela DiGiovanni, Resident

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AnnaLisa Luong, Chinese Progressive Association
Evelyn Stivers, Housing Leadership Council of San Mateo County

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

It was moved by Vice Mayor Buenaventura, seconded by Councilmember Christensen and carried for the City Attorney to read the ordinance by title only.

Mayor Manalo added an amendment for the ordinance to include that the minimum wage rate change be calculated using the Consumer Price Index (CPI) starting in 2021.

It was moved by Mayor Manalo, seconded by Vice Mayor Buenaventura to add the amendment for the second reading at the next Council meeting of December 10, 2018 by the following roll call vote:

Ayes: Buenaventura, Sylvester, Manalo
Noes: Christensen, Guingona

**Serramonte Views Residential Condominiums and Hotel –
General Plan Amendment GPA-9-14-9640, Planned Development PD-9-14-9637
(amendment to existing PD-57), Major Subdivision SUB-9-14-9643, Use Permit UPR-1-18-
13248, and Design Review DR-9-14-9644**

Planning Manager Michael VanLonkhuysen provided an overview of the site plan and project summary.

Applicant Henry Lam and his team from Costa Brown (Attorney Mark Loper, Architect Albert Costa, parking carousel designer, traffic consultant Mike Erikson) expressed the benefits of the project to the City and answered Council's questions.

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

The following residents opposed the project citing poor quality of life, safety, traffic, parking and environmental issues:

Richard Klapp	Sharon Keenan
Lisa Turnbow	Carolina Salame
Eva Skoukis	Nadine Salame
Marian Seiki	Cathy Pantazy
Donna Bernie	Brian Eakle
Brad Jones	Gabriella Makstman
Kenny Chau	

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The following speakers support the project because it will meet the demand for housing in the Bay Area, thus creating better quality of life for everyone:

Oliver Mar
Celia Leao
Shirley Feng

Tracy Ong
Stan Ma
Serena Pang

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

It was moved by Vice Mayor Buenaventura, seconded by Councilmember Guingona and carried to adopt the following resolution with the shuttle service as a condition of approval by the following roll call vote:

Ayes: Buenaventura, Guingona, Sylvester, Manalo
Noes: Christensen

Resolution 18-175, Adopting Findings of Fact and Approving General Plan Amendment (GPA-9-14-9640), Major Subdivision (SUB-9-14-9643), Use Permit (UPR-1-1813248), Design Review (DR-9-14-9644), and Granting a Density Bonus For Serramonte Views Residential Condominiums and Hotel

It was moved by Vice Mayor Buenaventura, seconded by Councilmember Guingona and carried to adopt the findings under CEQA and a statement of overriding consideration by the following roll call vote:

Ayes: Buenaventura, Guingona, Sylvester, Manalo
Noes: Christensen

Resolution 18-176, Making Certain Findings Concerning Mitigation Measures, Adopting a Mitigation Monitoring and Reporting Program, Making Findings Concerning Alternatives, and Adopting a Statement of Overriding Considerations in Accordance with the California Environmental Quality Act for the Serramonte Views Condominiums and Hotels Project (SCH# 2016062063) for Which an Environmental Impact Report Has Been Prepared

It was moved by Vice Mayor Buenaventura, seconded by Councilmember Guingona and carried by voice vote for the City Attorney to read the ordinance by title only.

Councilmember Guingona introduced the Ordinance.

Ordinance 1424, Amending the Daly City Zoning Map by Amending Ordinance No. 1310 Planned Development Zone (PD57-A) And Establishing Planned Development Standards (525-595 Serramonte Boulevard, Daly City, APN 091-247-080)

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AWARD OF BIDS/CONTRACTS:

Award a Construction Contract for the Lincoln Community Center Main Hall and Storage Room Floor Replacement Project

Assistant to Public Works Director Jeff Fornesi provided an overview of the project which will be fully funded by Measure K funds.

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

Ayes: Buenaventura, Christensen, Guingona, Sylvester
Noes: None
Recuse: Manalo

Resolution 18-177, Authorizing Execution of Construction Contract With Century Carpet, Inc. For the Lincoln Community Center Main Hall and Storage Room Floor Replacement Project

APPOINTMENTS: Board/Commission Membership Appointments:

It was moved by Councilmember Guingona, seconded by Councilmember Christensen to appoint Gabriella Makstman to the Arts & Culture Commission. The motion failed by the following roll call vote:

Ayes: Christensen, Guingona
Noes: Buenaventura, Sylvester, Manalo

It was moved by Councilmember Sylvester, seconded by Vice Mayor Buenaventura and carried to reappoint Christina Luna to the Recreation Commission by the following roll call vote:

Ayes: Buenaventura, Sylvester, Manalo
Noes: None
Abstain: Christensen, Guingona

It was moved by Mayor Manalo, seconded by Vice Mayor Buenaventura and carried to reappoint Angella Logarta to the Library Board of Trustees by the following roll call vote:

Ayes: Buenaventura, Sylvester, Manalo
Noes: None
Abstain: Christensen, Guingona

It was moved by Mayor Manalo, seconded by Vice Mayor Buenaventura, and carried to reappoint Arlene Daus-Magbual to the Arts and Culture Commission by the following roll call vote:

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Ayes: Buenaventura, Sylvester, Manalo
Noes: None
Abstain: Christensen, Guingona

REPORTS:

Council Committee

Commute.org (Sylvester)
Council of Cities (Manalo, Sylvester)

City Council

Mayor Manalo thanked Council for signing the commendation for a Peninsula del Rey resident who turned 100 years old.

Councilmember Sylvester requested for the Colma Chamber of Commerce to be put on the agenda to protect the City from legal ramifications because the Chamber has not complied with audit requests to maintain contract with the City for an extensive time.

Mayor Manalo adjourned the meeting at 11:05 PM

City Clerk

Approved as submitted, this 10th
day of December, 2018.

Mayor