



MINUTES
CITY COUNCIL
CITY OF SOUTH SAN FRANCISCO

REGULAR MEETING
MUNICIPAL SERVICES BUILDING
COUNCIL CHAMBERS
33 ARROYO DRIVE
SOUTH SAN FRANCISCO, CA

WEDNESDAY, JULY 24, 2019
7:00 p.m.

CALL TO ORDER

7:08 p.m.

ROLL CALL

Present: Councilmembers Addiego, Nagales and Nicolas, Vice Mayor Garbarino, and Mayor Matsumoto.

PLEDGE OF ALLEGIANCE

City Attorney Rosenberg led the Pledge of Allegiance.

AGENDA REVIEW

City Manager Futrell requested Item 4 be continued to the August 14, 2019 Regular Meeting.

ANNOUNCEMENTS FROM STAFF

None.

PRESENTATIONS

1. Presentation of a proclamation to Jason Rosenberg for his valued and expert guidance as the City Attorney for South San Francisco (Karyl Matsumoto, Mayor)

Mayor Matsumoto presented Jason Rosenberg, City Attorney and Marian Lee, Assistant City Manager with the Key to the City plaque.

City Attorney Rosenberg thanked the Council for the opportunity to serve the City.

Assistant City Manager Lee discussed her experience and expressed gratitude for allowing her to serve.

Vice Mayor Garbarino thanked the City Attorney and Assistant City Manager for their hard work.

Councilmember Nagales expressed his gratitude to Ms. Lee and Mr. Rosenberg.

Councilmember Nicolas wished them well and success in their future endeavors.

Councilmember Addiego discussed the competence and expertise of City Attorney Rosenberg and Assistant City Manager Lee and thanked them for their service.

Mayor Matsumoto expressed gratitude and appreciation for their service.

PUBLIC COMMENTS

Wynn Grcich addressed the Council regarding AB967 and 5G and urged the public to write letters to their legislators.

COUNCIL COMMENTS/REQUESTS

Councilmember Nagales discussed the recent swearing in of Police Officers. He expressed optimism about the removal of fencing at Safeway. Economic and Community Development Director Greenwood stated the applicant indicated they would come in to apply and the fencing removal was in response to City Code Enforcement activities. He stated staff would continue to explore options for a vacant storefront ordinance.

Councilmember Addiego inquired when Safeway would begin work. Economic and Community Development Director Greenwood stated the applicant had been responsive to Code Enforcement.

Vice Mayor Garbarino asked when construction would begin. Economic and Community Development Director Greenwood stated the application to be filed would be for internal work. Vice Mayor Garbarino expressed frustration with the blighted property. He stated he was unconvinced that anything would be done and urged expeditiously adopting an ordinance. City Manager Futrell advised staff would present a proposal to Council.

Mayor Matsumoto requested the Bedroom Express signs be removed. Economic and Community Development Director Greenwood stated he would make that request to the owner.

Councilmember Nicolas thanked staff for their work on KTVU Zip Trips. She extended kudos to the Historical Society on the Victorian Tea and to the South San Francisco Public Library on the Walking Tour. She congratulated the new Police Officers and encouraged participation in National Night Out. She requested adjourning in memory of Larry Malley.

Mayor Matsumoto announced that National Night Out would be on the first Tuesday in August and encouraged neighborhoods to sign up to participate. She discussed her and City Manager Futrell's efforts on the Caltrain Electrification Business Plan. City Manager Futrell stated there were currently two trains per hour which could potentially increase to eight trains per hour. Mayor Matsumoto stated the new trains would align with the express, increasing the opportunity for use of the train. She stated bike lockers would also be included. She discussed removal of the old Ben Tre restaurant on Grand Avenue and the development of affordable housing. City Manager Futrell discussed demolition of the vacant building at Cypress and Grand and temporary loss of parking as a concern for the development of affordable housing. Mayor Matsumoto stated the U.S. Bank on Grand Avenue would be closing October 2019. She stated she would be circulating a petition to the San Mateo County Harbor District objecting to its proposed budget.

CONSENT CALENDAR

The City Clerk duly read the Consent Calendar, after which Council voted and engaged in discussion of specific items as follows:

Councilmember Addiego abstained from Item No. 6.

6. Report regarding adoption of Ordinance No. 1581-2019 amending Title 20 of the South San Francisco Municipal Code relating to reducing the minimum lot size in the Downtown Residential Districts (Adena Friedman, Senior Planner)

Motion - Vice Mayor Garbarino / Second - Councilmember Nagales: that this Ordinance No. 1581-2019, amending Title 20 of the South San Francisco Municipal Code relating to reducing the minimum lot size in the Downtown Residential Districts be adopted. Approved by roll call vote:

Yes: 4 - Mayor Karyl Matsumoto, Vice Mayor Richard Garbarino, Councilmember Mark Nagales, and Councilmember Buenaflor Nicolas

Abstained: 1 - Councilmember Mark Addiego

Mayor Matsumoto pulled Items No. 2, 3, 5, 7, 9, 10 and 11 for additional questions.

8. Report regarding adoption of Ordinance 1583-2019 amending Title 4, Chapter 4.04 of the South San Francisco Municipal Code pertaining to purchasing procedures and informal bidding. (Jason Rosenberg, City Attorney)
12. Report regarding Resolution No. 98-2019 awarding a construction contract to Agbayani Construction Corporation of Daly City, California for the Fire Station 64 Dormitory and Bathroom Remodel Project (Project No. pf1805) in an amount not to exceed \$992,000 and authorizing a total construction budget of \$1,340,000. (Matthew Ruble, Principal Engineer)
13. Staff report regarding Resolution No. 99-2019 approving the filing of a grant application in a total amount not to exceed \$4,000,000 for State of California Statewide Park Development and Community Revitalization Program grant funds for park construction at the Community Civic Campus in Fiscal Year 2021-2022. (Jacob Gilchrist, Capital Project Director)

Motion - Vice Mayor Garbarino / Second - Councilmember Nagales: to approve Consent Calendar Items Nos. 8, 12 and 13. Unanimously approved by roll call vote.

PUBLIC HEARING

14. Report regarding Resolution No. 100-2019 approving a request for a Use Permit, Design Review, Transportation Demand Management Plan, and Vesting Tentative Parcel Map to construct a seven-story mixed-use building at 200 Airport Boulevard; make a determination that the Project is exempt from CEQA; and approve the Environmental Consistency Analysis. (Tony Rozzi, Principal Planner)

Mayor Matsumoto opened the public hearing at 7:45 p.m.

Principal Planner Rozzi presented the staff report and introduced Ed McCoy.

Ed McCoy, Fairfield, introduced the project at 200 Airport.

Connor Brown, Carey Johnson Architecture, presented the proposed project including location, site plan, elevations, renderings, materials, implementation of Design Review Board (DRB) recommendations, and unique feature façade.

Mr. McCoy thanked staff for their assistance. He discussed the public benefits offered for increased density including nine (9) moderate income units, participation in Community Facilities District (CFD), ground floor retail, funding and ongoing maintenance for the outdoor plaza and DNA public art project. He requested the City Council approve the project.

Mayor Matsumoto closed the public hearing at 8:02 p.m.

Mayor Matsumoto stated she had met with the applicant and her questions had been addressed. She queried whether teacher housing would be provided. Mr. McCoy stated preferential treatment could be given to teachers and safety officials.

Councilmember Addiego stated the annual rent was still \$36,000 and questioned whether that was within a teacher's budget.

Councilmember Nagales referenced the Housing Subcommittee's discussion of expanding the Area Median Income (AMI) to include teachers.

Vice Mayor Garbarino stated teachers beginning salaries might not qualify.

Councilmember Addiego suggested expanding the program for Police, Fire and teachers.

Mayor Matsumoto inquired whether South San Francisco residents were given preference. Councilmember Nagales advised he did not see that provision in the project. Deputy Director of Economic and Community Development Selander explained the Affordable Housing Agreement (AHA) which could include a live/work preference. Mr. McCoy stated they would be amenable to such an agreement. Deputy Director Selander suggested the School District market the project to its teachers.

Councilmember Addiego queried whether live/work would be a class of employment. Deputy Director Selander discussed Foster City's ranking. City Attorney Rosenberg suggested taking the direction and development agreement that remained within Fair Housing Rights.

Mayor Matsumoto asked whether the project included green infrastructure. Principal Engineer Ruble stated green infrastructure would be evaluated and included in the project.

Vice Mayor Garbarino disclosed that he met with the developer. He commended the DNA wall design. He stated he was not enamored of the overhang. Mr. Brown explained the shading for the roof and differentiation of the top line. Vice Mayor Garbarino discussed ingress and egress on Airport Boulevard and resolution with the adjacent property. He indicated support for the project.

Councilmember Nagales commended the walkability and connectivity to the Downtown. He queried whether the issue with Action Sign had been resolved. Mr. McCoy stated they would continue to work with Action Sign on the private matter. Councilmember Nagales asked about urban grocery stores. Mr. McCoy stated an urban grocery typically had a smaller footprint and

included take out foods. Councilmember Nagales stated he met with Fairfield Residential and asked whether one additional BMR unit could be added. Mr. McCoy explained the third-party review of the benefit package. He stated an additional unit could not be accommodated. Councilmember Nagales inquired whether there would be 50% unbundled parking. Mr. McCoy explained that it was difficult to unbundle parking with lifts.

Councilmember Nicolas indicated support for the project.

Councilmember Addiego queried how many Below Market Rate (BMR) units were in the first phase. Mr. McCoy stated there were two units. Councilmember Addiego asked about economy of scale. Brandon Hayes, Fairfield, stated he did not have the exact subsidy number. Councilmember Addiego inquired about funding for the Caltrain plaza. Mr. Hayes stated the annual contribution to the CFD was \$36,000. Councilmember Addiego suggested the developer adopt the entire plaza rather than contribute funds to the City. He discussed potential use of Park in Lieu fees to enhance the Caltrain Plaza.

Mayor Matsumoto stated she liked the overhang. Councilmember Addiego inquired about the material used for the overhang. Mr. Brown advised a wood product would be used.

Principal Planner Rozzi explained that the CFD would support improvements to the station and maintenance.

City Attorney Rosenberg stated the current resolution provided the requirement for an AHA and staff would work with the applicant on the agreement.

Motion - Councilmember Nicolas / Second - Councilmember Nagales: To approve Resolution No. 100-2019, approving a request for a Use Permit, Design Review, Transportation Demand Management Plan, and Vesting Tentative Parcel Map to construct a seven-story mixed-use building at 200 Airport Boulevard; make a determination that the Project is exempt from CEQA; and approve the Environmental Consistency Analysis. Approved unanimously by roll call vote.

RECESS

Mayor Matsumoto called a recess at 8:29 p.m. The meeting reconvened at 8:34 p.m. with all Councilmembers present.

LEGISLATIVE BUSINESS

15. Report regarding introduction of an Ordinance adding Chapter 8.70, Property Owner Obligations with Respect to Tenants Displaced from Unsafe or Substandard Units, to the South San Francisco Municipal Code. (Kris Romasanta, Community Development Coordinator)
- 15b. Resolution No. 101-2019 approving budget amendment number 20.011 appropriating \$35,000 from the City's Affordable Housing Trust Fund (Fund 205) to advance relocation payments, recover relocation costs, and any related administrative expenses pursuant to Chapter 8.70 Property Owner Obligations with Respect to Tenants Displaced from Unsafe or Substandard Units and authorizing the City Manager to execute documents related to relocation assistance payments.

Community Development Coordinator Romasanta presented the staff report outlining the study sessions to discuss renter protections, including relocation assistance ordinances adopted in other agencies.

Public Speakers

Roderick Bovee indicated support for the proposed renter protection.

Robylynn Antonio, California Apartment Association, agreed that renters should be protected from unsafe, substandard living environments. She indicated support for the proposed ordinance.

Councilmember Nagales discussed the California law of implied warranty of habitability. He confirmed that illegal in-law units were included in relocation assistance. He requested information on payments to tenants. Coordinator Romasanta explained the process from notice to payment to tenants for relocation. Councilmember Nagales asked about temporary displacement and offset of rent. Coordinator Romasanta stated the ordinance required payment of hotel stay or temporary accommodations and confirmed that rent would be offset. She explained housing accommodation costs. She discussed the appeal process modeled after the County of San Mateo. Deputy Director Selander stated the appeal board could not be a body of one and the Council could determine the appropriate body. Mayor Matsumoto suggested the Planning Commission as the appeal body. Councilmember Nagales discussed discrimination retaliation. Coordinator Romasanta explained that it was also codified in the City's ordinance.

Vice Mayor Garbarino stated he would prefer the City Council act as the appeals board. Mayor Matsumoto suggested it not be the Council to remove any political aspect.

Councilmember Addiego inquired about the tenants' responsibility to alert the landlord regarding infestation. Vice Mayor Garbarino stated tenants were obligated to maintain order. Councilmember Nagales discussed the tenants' obligation. Mayor Matsumoto discussed concerns about reporting substandard units.

Councilmember Addiego discussed an issue with black mold creating a homeless situation. Deputy Director Selander referenced proposed Section 8.70.030 regarding when a landlord does not have to provide relocation assistance. Councilmember Nagales agreed that there were needed protections for landlords.

Motion - Councilmember Nagales / Second - Vice Mayor Garbarino: that this Ordinance be introduced on first reading and amended to have the hearing procedure reference a three-member subcommittee of the Planning Commission. Approved unanimously by roll call vote.

Motion - Councilmember Nagales / Second - Vice Mayor Garbarino: that Resolution No. 101-2019, approving budget amendment number 20.011 appropriating \$35,000 from the City's Affordable Housing Trust Fund (Fund 205) to advance relocation payments, recover relocation costs, and any related administrative expenses pursuant to Chapter 8.70 Property Owner Obligations with Respect to Tenants Displaced from Unsafe or Substandard Units and authorizing the City Manager to execute documents related to relocation assistance payments, be approved. Approved unanimously by roll call vote.

ADMINISTRATIVE BUSINESS

16. Report regarding the Community Civic Campus quarterly update for Quarter 4 Fiscal Year 2018/2019. (Marian Lee, Assistant City Manager)

Assistant City Manager Lee provided the quarterly update including phases of construction, grant receipt, discussions with third party energy partner and next steps.

Mayor Matsumoto inquired about the construction. Assistant City Manager Lee explained the two-phase approach. Mayor Matsumoto asked who showed up to the non-mandatory briefing conference. Assistant City Manager Lee stated two of the four contractors attended, Skanska and Swinerton. She explained the separate RFQ and RFP process. Mayor Matsumoto discussed pros and cons of separating the processes. She asked about the status of fundraising efforts. Assistant City Manager Lee stated the consultant had completed the fundraising plan. She stated the list of donors was provided within the original scope. Mayor Matsumoto asked whether a script was provided to ask for donations. Assistant City Manager Lee stated the Partnership Resources Group (PRG) had completed its tasks and the next step was implementation of the plan.

17. Report regarding Resolution No. 102-2019 to award a construction contract to Golden Bay Construction, Inc. of Hayward, California for the Sunshine Gardens Safety and Connectivity Improvement Project (Project No. tr1701) in an amount not to exceed \$895,659 and authorize a total construction budget of \$1,030,008, and to approve Budget Amendment Number 20.006. (Bianca Liu, Associate Engineer)

Associate Engineer Liu presented the staff report.

Mayor Matsumoto inquired about the staff report indicating the four firms that were unavailable. Associate Engineer Liu clarified that the firms indicated that the construction environment was busy.

Councilmember Nicolas pointed out the lower cost than the engineer's estimate.

Mayor Matsumoto discussed comments received during the historical library walk expressing concern with signals on Grand Avenue.

Motion - Vice Mayor Garbarino / Second - Councilmember Nicolas: that this Resolution No.102-2019, to award a construction contract to Golden Bay Construction, Inc. of Hayward, California for the Sunshine Gardens Safety and Connectivity Improvement Project (Project No. tr1701) in an amount not to exceed \$895,659 and authorize a total construction budget of \$1,030,008, and to approve Budget Amendment Number 20.006 be approved. Approved unanimously by roll call vote.

18. Report regarding Resolution No. 103-2019 approving on-call consulting services agreements with CSG Consultants, Inc., DKS Associates, Mark Thomas, and Swinerton Management & Consulting for on-call municipal engineering services for the City of South San Francisco's Capital Improvement Program and land development engineering in an amount not to exceed \$4,500,000 for each firm, for a total amount of \$18,000,000 for a three year term. (Matthew Ruble, Principal Engineer)

Principal Engineer Ruble presented the staff report.

Vice Mayor Garbarino commented on the number of projects each engineer was overseeing.

Councilmember Nicolas asked who provided the scope of work. Principal Engineer Ruble explained that engineering staff would provide the scope of work and process for receipt and review of proposals.

Councilmember Addiego discussed the rating of the four responses. He queried whether there was a disqualification number. Principle Engineer Ruble discussed the rating process and deliberations for award. He stated all four firms could be utilized in some capacity.

Mayor Matsumoto questioned low ratings of one of the firms for project management and delivery services. Principle Engineer Ruble explained evaluation for on call services. He stated the same firm rated well in other areas. Mayor Matsumoto expressed concern about a conflict of interest with the firm working on Genentech's 10-year General Plan. Principle Engineer Ruble stated staff was aware of the matter.

Councilmember Nicolas stated there was a provision for confidentiality. Principle Engineer Ruble confirmed that staff would appropriately manage the contracts.

Motion - Councilmember Nicolas / Second - Councilmember Nagales: that this Resolution No. 103-2019, approving on-call consulting services agreements with CSG Consultants, Inc., DKS Associates, Mark Thomas, and Swinerton Management & Consulting for on-call municipal engineering services for the City of South San Francisco's Capital Improvement Program and land development engineering in an amount not to exceed \$4,500,000 for each firm, for a total amount of \$18,000,000 for a three year term. Approved unanimously by roll call vote.

CONSENT CALENDAR - Resumed

2. Motion to approve the Minutes for the meetings of October 18, 2017, April 29, 2019 and June 12, 2019.

Item No. 2: Mayor Matsumoto questioned why Council was being asked to approve minutes from 2017. Deputy City Clerk Rodriguez explained that an internal audit was conducted and it was determined that the October 18, 2017 had not been approved by the City Council. Mayor Matsumoto requested a copy of the existing conditions report for the General Plan as referenced in the April 29, 2019 minutes. City Manager Futrell stated he would share the reports as soon as possible. He discussed the staff work on the General Plan and work with the Citizens Advisory Committee. Mayor Matsumoto requested the timeline referenced on Page 3 in the April 29, 2019 minutes. She asked about the process for shopping cart retrieval. City Manager Futrell explained the City's Clean Team meetings regarding rewriting the City's ordinance regarding abandoned shopping carts. Mayor Matsumoto suggested carts lock at the perimeter of the parking lot. City Manager Futrell discussed the need to coordinate with the City's sister cities.

3. Motion confirming payment registers for July 24, 2019. (Janet Salisbury, Director of Finance)

Item 3: Mayor Matsumoto inquired about SGH Quality Linen and questioned why two airline fees and two membership renewals were listed as non-departmental. Christina Crosby explained that the

purpose pertained to the entire City. Mayor Matsumoto asked about the \$1700 for Aqua Hand Wash and Gas on Page 19 of 28. Financial Services Manager Crosby stated she would look into the matter. Mayor Matsumoto asked about the warrant for Palm Mountain Resort and Spa and Nugget Casino Resort. Financial Services Manager Crosby explained that the charge was for Water Association training. Mayor Matsumoto questioned the lunch for the retiree celebration on Page 27 of 28. Financial Services Manager Crosby stated it was from the designated fund balances.

5. Report regarding Resolution No. 94-2019 approving the proposed public access easement for sidewalk and roadway purposes for the Genentech Bus Routing Project to be granted to the City of South San Francisco and authorizing the City Manager to execute and easement agreement. (Bianca Liu, Associate Engineer).

Item No. 5: Mayor Matsumoto inquired why tractor trailers were wreaking havoc on traffic flow. Associate Engineer Liu explained that the General Plan designated certain routes as truck routes and the entire East of 101 was designated as truck routes.

7. Report regarding adoption of Ordinance No. 1582-2019 amending Title 6, Chapters 6.04, 6.16 and 6.90 of the South San Francisco Municipal Code pertaining to street vendor, sidewalk, peddler and solicitors regulations (Mike Rudis, Master Sergeant)

Item No. 7: Mayor Matsumoto queried whether the street vendors on the corners had been notified. City Attorney Rosenberg stated there would be education and outreach and the ordinance would be effective 30 days later. He explained that vendors could not block the right of way.

9. Report regarding a Resolution No. 95-2019 approving the grant of two easements for public utility purposes for the Electric Vehicle Charge Network Program at the Corporation Yard and Miller Avenue Parking Garage to be granted by the City of South San Francisco to Pacific Gas & Electric Company and authorizing the City Manager to execute an easement deed to grant the easements. (Matthew Ruble, Principal Engineer)

Item No. 9: Mayor Matsumoto queried what the City was doing. City Manager Futrell explained that SB1 raised the gas price and placed a tax on electric vehicles.

10. Report regarding a Resolution No. 96-2019 authorizing the City Manager to execute a consulting services agreement with NCE of Richmond, California for the Pavement Management Program (Project No. st1903) in an amount not to exceed \$571,300 and authorizing a total budget of \$628,430. (Matthew Ruble, Principal Engineer)

Item No. 10: Mayor Matsumoto stated residents were asking when their streets would get paved. She asked if permeable pavement helped anything. Principle Engineer Ruble stated staff was evaluating that option.

11. Report regarding a Resolution No. 97-2019 approving on-call consulting services agreements with William R. Gray and Company, Inc. DBA Gray-Bowen-Scott, and TRC, for on-call Project Management and Delivery Services for the City of South San Francisco's Capital Improvement Program in an amount not to exceed \$300,000 per fiscal year (Matthew Ruble, Principal Engineer)

Item No. 11: Mayor Matsumoto discussed loss of employees due to cost of living and asked why consultants were being used for on-call services. She stated former Public Works employees told her they were willing to provide historical information on the City's systems.

Motion– Councilmember Addiego/Second–Councilmember Nicolas: to approve Consent Calendar Items Nos. 2, 3, 5, 7, 9, 10 and 11. Unanimously approved by roll call vote.

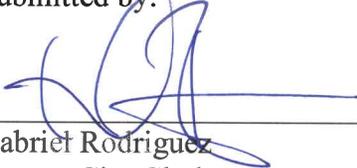
ITEMS FROM COUNCIL – COMMITTEE REPORTS AND ANNOUNCEMENTS

City Manager Futrell announced a power failure in Downtown. Councilmember Nagales asked about the anticipated down time. City Manager Futrell confirmed that Police and Fire were working the issue.

ADJOURNMENT

Being no further business, Mayor Matsumoto adjourned the meeting at 10:10 p.m.

Submitted by:



Gabriel Rodriguez
Deputy City Clerk

Approved by:

Karyl Matsumoto
Mayor

Approved by the City Council: _____ / _____ / _____