



MINUTES **REGULAR MEETING**

CITY COUNCIL
CITY OF SOUTH SAN FRANCISCO

WEDNESDAY, APRIL 8, 2020
7:00 p.m.

Teleconference via GoToMeeting

City Council conducted this meeting in accordance with California Governor Newsom's Executive Orders N-25-20 and N-29-20 and COVID-19 pandemic protocols.

CALL TO ORDER

Mayor Garbarino called the meeting to order at 7:07 p.m.

ROLL CALL

City Clerk Govea Acosta called the roll and explained the Executive Order by Governor Newsom that resulted in the meeting being held by teleconference only. Everyone listed in roll call participated virtually. The meeting was broadcast live on Astound, Channel 26 and Comcast, Channel 27 and streamed online.

Participating Remotely: Councilmembers Matsumoto, Nagales, and Nicolas, Vice Mayor Addiego (*online at 7:16 p.m.*) and Mayor Garbarino.

AGENDA REVIEW

No changes.

ANNOUNCEMENTS FROM STAFF

City Manager Futrell provided an update on the city's efforts to maintain the health and safety during the COVID-19 pandemic and indicated that the community continues to be in a shelter-in-place order through May 3, 2020. Residents were encouraged to wear a mask and visit the city's website for additional resources. City Manager Futrell encouraged residents to participate in the Census 2020 by visiting the website at 2020census.com

PUBLIC COMMENTS

Members of the public wishing to participate were encouraged to submit public comments in writing in advance of the meeting to all-cc@ssf.net 6:00 p.m. on Wednesday, April 8, 2020.

The City Clerk read into the record the following public comments received via email from the following members of the public:

- Maude Iggstrom requested information on AARP tax returns. Assistant City Manager Ranals provided the information.



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- Maude Iggstrom requested information on AARP tax returns. Assistant City Manager Ranals provided the information.

- Liza Normandy, South San Francisco Chamber of Commerce, thanked Council and expressed her support of a temporary moratorium on small business evictions due loss revenue related to COVID-19.
- Tom Luciani, resident of SSF, requested information on the city's urban planning.
- Kristina Anderson, resident of SSF, expressed her concern with debris and trash pickup in her neighborhood.
- Jessica Warman, member of Unite By Light, requested the city's assistance in hosting an event on April 10, 2020.
- Anonymous caller expressed her concern with the city's cleanliness and enforcement with physical distancing in the downtown area.

COUNCIL COMMENTS/REQUESTS

Councilmember Matsumoto shared with Council and the community that Hisense Real Estate of South San Francisco donated 10,000 surgical masks to the City of South San Francisco. She suggested forming a Small Business Emergency Relief Fund to provide assistance to the city's businesses. City Manager Futrell confirmed that the item would be brought back to Council for discussion at an upcoming Council meeting. Councilmember Matsumoto requested that the city provide literature in various languages to reach residents of the city's diverse population. She requested to adjourn the meeting in memory of Egisto Fanti.

Councilmember Nagales shared with Council that the South San Francisco Unified School District donated 4 thermometers and 295 masks to the South San Francisco Police Department. He requested a presentation from the SSFUSD Superintendent on their efforts to assist students and families during the COVID-19 pandemic.

Councilmember Nicolas thanked staff, healthcare workers, and essential employees for their work during these difficult times.

Vice Mayor Addiego thanked essential workers and Santa Clara County Public Health Officer, Dr. Sara Cody for her early intervention in leading the Bay Area's first shelter-in-place order to control the COVID-19 pandemic.

Mayor Garbarino requested to adjourn the meeting in memory of Wilson Maa, resident of South San Francisco and passenger onboard the Coral Princess cruise ship and Bob Galligani, resident of South San Francisco. He acknowledged and thanked two South San Francisco businesses for their contributions to the community: See's Candies for their donation of candy to the Meals on Wheels program, the YMCA Community Resource Center, staff at the Emergency Operations Center and Sares Regis Group for awarding \$5,000 in grants to the YMCA Community Resource Center, Life Moves, Second Harvest Food Bank and Community Overcome Relationship Abuse (CORA).

CONSENT CALENDAR

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

1. Motion to approve the Minutes for the meeting of February 12, 2020.

2. Report regarding the Housing Successor Agency Annual Report for Fiscal Year 2018-19. (*Deanna Talavera, Management Analyst II*)
3. Report regarding Resolution No. 39-2020 approving a reimbursement agreement with Pinefino LLC, for the completion of undergrounding utilities along Cypress Avenue in excess of obligation for development at 211 Airport Boulevard. (Matthew Ruble, Principal Engineer; Sailesh Mehra, Chief Planner)
4. Report regarding Resolution No. 40-2020 authorizing the acceptance of \$190,143 in grant funding from the California State Library to support the Community Learning Center's Afterschool Project Shared Vision/Bringing the Library to You and approving Budget Amendment 20.040. (*Valerie Sommer, Library Director*)

Motion—Councilmember Nagales/Second—Councilmember Nicolas: to approve Consent Calendar items 1-4, by roll call vote: AYES: Councilmembers Matsumoto, Nagales and Nicolas, Vice Mayor Addiego and Mayor Garbarino; NAYS: None; ABSENT: None; ABSTAIN: None.

PUBLIC HEARING

5. Report regarding conducting a public hearing under the Tax and Equity Fiscal Responsibility Act regarding the proposed issuance of revenue bonds by the California Municipal Finance Authority for the benefit of MidPen Housing Corporation for the rehabilitation of two low and lower income affordable rental housing developments in the City of South San Francisco - Willow Gardens Apartments, a 36-unit rental development located at 982, 986 and 990 Brusco Way, 344, 364, 383 and 395 Susie Way, 976 Sandra Court and 986 Nora Way, and the Greenridge Apartments, a 34-unit rental housing development located at 1565 El Camino Real. (*Deanna Talavera, Management Analyst*)

Public Hearing opened: 7:40 p.m.

Management Analyst Talavera presented the report and introduced Financial Advisor, Travis Cooper with the California Municipal Finance Authority. Mr. Cooper indicated that in order for all or a portion of the Bonds to qualify as tax-exempt bonds, the City of South San Francisco must conduct a public hearing (the "TEFRA Hearing") providing for the members of the community an opportunity to speak in favor of or against the use of tax-exempt bonds for the financing of the Project. Prior to such TEFRA Hearing, reasonable notice must be provided to the members of the community. Following the close of the TEFRA Hearing, an "applicable elected representative" of the governmental unit hosting the Project must provide its approval of the issuance of the Bonds for the financing of the Project. The City Council adopting the proposed resolution satisfies this requirement.

Repayment of the Bonds will be the sole responsibility of the Borrower, and the city would have no financial or legal obligation, liability or responsibility for the Project or the repayment of the Bonds for the financing of the Project. All financing documents with respect to the issuance of the Bonds would contain clear disclaimers that the Bonds are not obligations of the city or the State of California but are to be paid for solely from funds provided by the Borrower.

The Board of Directors of the California Foundation for Stronger Communities, a California non-profit public benefit corporation (the "Foundation"), acts as the Board of Directors for the CMFA. Through its conduit issuance activities, the CMFA shares a portion of the issuance fees it receives

with its member communities and donates a portion of these issuance fees to the Foundation for the support of local charities. With respect to the City of South San Francisco, it is expected that a portion of the issuance fee attributable to the city will be granted by the CMFA to the general fund of the city. Such grant may be used for any lawful purpose of the city.

Public Hearing closed: 7:43 p.m.

Councilmember Matsumoto expressed her concern about blighted properties in the area and requested Code Enforcement work with property owners to address concerns. City Manager Futrell indicated that staff would follow-up on her request and meet to discuss enforcement.

Vice Mayor Addiego inquired about the use of proceeds for rehabilitation of the units and requested clarification on refinancing of existing notes for the properties. Mr. Cooper provided clarification on the refinancing of the project.

Councilmember Matsumoto requested a follow-up budget breakdown summary from Mid-Pen Housing Corporation to Council.

Councilmember Nagales requested an update on the project timeline. Staff indicated the project pushed to early 2021 due to COVID-19.

- 5a. Resolution No. 41-2020 of the City Council of the City of South San Francisco approving the issuance of revenue bonds by the California Municipal Finance Authority in an aggregate principal amount not to exceed \$42,000,000 to finance the acquisition and rehabilitation of two affordable rental housing facilities for the benefit of Midpen Housing Corporation or an affiliate thereof, and certain other matters relating thereto.

Motion – Councilmember Nagales/Second – Vice Mayor Addiego: To approve Resolution No. 41-2020, by roll call vote: AYES: Councilmembers Matsumoto, Nagales and Nicolas, Vice Mayor Addiego and Mayor Garbarino; NAYS: None; ABSENT: None; ABSTAIN: None.

ADMINISTRATIVE BUSINESS

6. Report regarding a motion to accept the construction improvements of the Fire Station 64 Dormitory and Bathroom Remodel Project as complete in accordance with plans and specifications (Total Construction Cost \$1,285,909.87). (*Robert T. Hahn, Project Manager*)

Principal Engineer Mathew Ruble presented the report and provided an overview of the project.

Councilmember Matsumoto expressed her concern about accepting the Fire Station 64 improvements by motion due to the cost associated with the projects and indicated that these types of projects be accepted by resolution. She requested consistency in the process and accept projects by resolution rather than by motion.

Motion – Vice Mayor Addiego/Second – Councilmember Nicolas: To approve, by motion, to accept the construction improvements of the Fire Station 64 Dormitory and Bathroom Remodel Project as complete in accordance with plans and specifications, by roll call vote: AYES: Councilmembers Nagales and Nicolas, Vice Mayor Addiego and Mayor Garbarino; NAYS: Councilmember Matsumoto; ABSENT: None; ABSTAIN: None.

7. Report regarding Resolution No. 42-2020 approving budget amendment 20.039 appropriating \$220,000 in the City of South San Francisco's Low and Moderate Income Housing Fund in Fiscal Year 2019-2020 for Emergency Rental Assistance for South San Francisco residents facing financial hardship due to the COVID-19 pandemic and \$22,000 for associated administration (*Nell Selander, Deputy Director, Economic & Community Development Department*)

Deputy Director Selander presented the report and indicated that on March 12, 2020, due to an escalating increase in the number of cases of COVID-19 in San Mateo County, City Council adopted a resolution proclaiming a local State of Emergency related to COVID-19 under South San Francisco Municipal Code Chapter 2.72. Shortly thereafter, on March 16, 2020, six Bay Area counties, including San Mateo County, took a unified step to slow the spread of COVID-19 and preserve critical health care capacity across the region by issuing a legal order directing their respective residents to shelter at home for three weeks beginning March 17, 2020 ("Shelter in Place Order"). Likewise, school districts across the region have closed to in-person instruction and will remain closed through May 1, 2020. The San Mateo County Health Officer may extend the duration of the Shelter in Place Order.

The Shelter in Place order defines a number of essential services (e.g., medical offices, groceries, and restaurants operating takeout or delivery only) that may continue to operate. However, all businesses not deemed essential including most retail and industrial uses had temporarily closed or significantly reduced operations as a result of the Shelter in Place Order. That led to reduction in worker hours and layoffs on an unprecedented scale. The week ending in March 21, 2020 saw 3.28 million new unemployment claims, the largest number since the Department of Labor started tracking the data in 1967 beating the previous record by almost five times. Previously, the record high was 695,000 new claims in the week ending October 2, 1982.

While Statewide and County moratoria on residential evictions will protect tenants from the immediate threat of homelessness during this crisis, tenants facing a loss of income and inability to pay rent will still have to pay past-due rent when the crisis has passed.

YMCA was designated by San Mateo County as the core service provider for South San Francisco and administers an emergency rental assistance program for South San Francisco tenants facing financial crises. The City committed \$30,000 to augment YMCA's existing emergency rental assistance program, as they frequently exhaust funds at the end of the fiscal and calendar years. Funds appropriated from the City's Low and Moderate Income Housing Fund (Fund 241). She provided an overview of the proposed guidelines for the project.

Deputy Director Selander indicated that housing assets of the city's former Redevelopment Agency were transferred to the city as the Housing Successor Agency following the demise of redevelopment agencies in 2012. These assets held in Fund 241, which are governed by California State Senate Bill ("SB") 341 and subsequent legislation. SB 341 allows the city to spend up to \$250,000 annually from Fund 241 on homeless prevention and rapid rehousing. Emergency rental

assistance is a homeless prevention tool that qualifies for expenditures under this \$250,000 set-aside. By approving budget amendment 20.039, the city would be committing an additional \$220,000 for emergency rental assistance from Fund 241 for a total commitment of \$250,000, the annual maximum currently allowed by State law. Additionally, SB 341 allows cities to spend up to \$200,000 annually on administrative expenses. By approving budget amendment 20.039, the city would be committing \$22,000 for an administrative fee to YMCA from Fund 241.

The average payment made to a South San Francisco household through YMCA's rental assistance program is roughly \$2,500. Assuming this new program covers the first month and a half of rent that would be a per-household assistance payment of approximately \$3,750. At this level of assistance, 58 households could be assisted with this initial appropriation.

Vice Mayor Addiego complimented staff on the proposed program and requested a memo to Council with a breakdown of residents served including fund award and funding source. Deputy Director Selander indicated she would work with the YMCA to obtain the data requested. Vice Mayor Addiego expressed his concern with the number of families that could be served and suggested giving priority to families with minor children. Deputy Director Selander expressed her concern with prioritizing applications but will consider suggestions and work with YMCA to find an appropriate process. Councilmembers Matsumoto and Nicolas suggested prioritization to seniors, families with young children and individuals with special needs.

Councilmember Nicolas indicated that the program would target 60 households and inquired about the maximum number of families that could be served. Deputy Director Selander indicated that staff was reviewing and accessing data to determine an average number and will serve applicants on a first come, first serve basis.

Motion—Councilmember Nicolas/Second—Councilmember Nagales: to approve Resolution No. 42-2020, by roll call vote: AYES: Councilmembers Matsumoto, Nagales and Nicolas, Vice Mayor Addiego and Mayor Garbarino; NAYS: None; ABSENT: None; ABSTAIN: None.

8. Report regarding Urgency Ordinance No. 1598-2020 of the City of South San Francisco enacting a temporary moratorium on small business and nonprofit entity evictions due to nonpayment of rent where the failure to pay rent results from income loss resulting from the Novel Coronavirus (COVID-19) (*Sky Woodruff, City Attorney*)

City Attorney Woodruff presented the report and indicated that the Shelter-In-Place orders have had an immediate economic impact in all commercial sectors of the city simultaneously. Although non-essential businesses had seen the most dramatic impact causing all operations to cease, many essential businesses that remain open have also been dramatically affected. Restaurants and food establishments, for example, are considered essential and many remain open. However, operations have had to be significantly modified by limited sales to only take-out and delivery orders. This, coupled with the drop in public demand of dining out has many restaurants anticipating large revenue losses in the months of March and April, and at least until the health orders expire.

In addition, both large and smaller events across the Bay Area and in South San Francisco have all been cancelled or postponed due to the County and State's Orders. These cancellations and postponements cause loss in revenue for the event, as well as surrounding local businesses that rely on such events to bring in patrons to their businesses. This has adversely affected the City's hotel

industry, conference and meeting spaces, and business-to-business sales that support large gatherings.

He indicated that for these reasons, the uncodified urgency ordinance would enact a temporary moratorium on evictions for nonpayment of rent by small business and nonprofit entities impacted by COVID-19. The proposed urgency ordinance includes provisions to prevent evictions if the small business or nonprofit entity is able to show an inability to pay rent due to circumstances related to COVID-19. If adopted, the ordinance would require the small business or nonprofit entity repay any back due rent no later than six (6) months following the expiration of the ordinance. Additionally, the small business or nonprofit entity could use the ordinance as an affirmative defense in an unlawful detainer action. The ordinance, if adopted, would remain in effect until May 31, 2020 unless extended by City Council.

Motion—Vice Mayor Addiego/Second—Councilmember Nicolas: to approve Urgency Ordinance No. 1598-2020, by roll call vote: AYES: Councilmembers Matsumoto, Nagales and Nicolas, Vice Mayor Addiego and Mayor Garbarino; NAYS: None; ABSENT: None; ABSTAIN: None.

ITEMS FROM COUNCIL – COMMITTEE REPORTS AND ANNOUNCEMENTS

Councilmember Matsumoto provided an overview of SamTrans ridership and indicated that as of April 7, 2020, the counterclockwise route (green route) of the Free South City Shuttle would not be in operation as part of the City's effort against COVID-19. The clockwise route will continue its regular schedule, with the inclusion of the Rotary Plaza stop. She expressed her concern with last minute submittal of Council packet items and requested that staff provide all written materials in a timely manner. City Manager Futrell indicated all materials including presentations would be included with the staff reports moving forward.

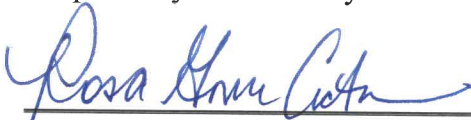
Vice Mayor Addiego thanked staff for maintaining services to the community and their flexibility and resourcefulness.

ADJOURNMENT

Being no further business Mayor Garbarino adjourned the meeting in memory of Fonti Egisto, Wilson Maa and Bob Galligani at 9:08 p.m.

Respectfully submitted by:

Approved by:



Rosa Govea Acosta, CMC, CPMC
City Clerk

Richard Garbarino
Mayor

Approved by the City Council: _____ / _____ / _____