

COUNCIL MEMBERS
David Lim, Mayor
Rick Bonilla, Deputy Mayor
Maureen Freschet
Joe Goethals
Diane Papan

CITY OF SAN MATEO

Regular Meeting Minutes

City Hall
330 W. 20th Avenue
San Mateo, CA 94403
www.cityofsanmateo.org

City Council

Monday, June 19, 2017
City Hall Council Chambers 7:00 PM
Regular Meeting

OPENING

Pledge of Allegiance: National Night Out

Roll Call

Present: 5 - Council Member Freschet, Council Member Goethals, Mayor Lim, Council Member Papan, and Deputy Mayor Bonilla

CEREMONIAL

1. [San Mateo Artistic Iron Works, Inc. - Proclamation](#)
2. [Commendatory Resolution - Tony Zumba, Parks and Recreation Department](#)

Motion by Freschet, second by Papan, to adopt Commendatory Resolution C-5 for Tony Zumba, Parks and Recreation Department. The motion carried by the following vote:

Yes: 5 - Council Member Freschet, Council Member Goethals, Mayor Lim, Council Member Papan, and Deputy Mayor Bonilla

3. [Boards and Commissions Service Recognition](#)

As there were no retiring commissioners present, this item was not heard.

CONSENT CALENDAR – CITY COUNCIL

The following items 4, 5, 7, and 9 through 28, were considered to be routine by the City Council. After the titles of the item were read by the City Clerk, the public was invited to comment; there were no speakers. Motion by Goethals, second by Bonilla, to approve CONSENT CALENDAR - CITY COUNCIL. The motion carried by the following vote:

Yes: 5 - Council Member Freschet, Council Member Goethals, Mayor Lim, Council Member Papan, and Deputy Mayor Bonilla

4. [City Council Meeting Minutes Approval](#)

Approve the minutes of the City Council Special, as amended, and Regular meetings of June 5, 2017.

5. [Revisions to Staff Policies](#)

Adopt a Resolution to rescind the City of San Mateo's obsolete staff policies.

Enactment No: RES No. 47 (2017)

7. [San Mateo Safety Management Association Memorandum of Understanding - Amendments](#)

Adopt a Resolution to amend the Memorandum of Understanding with the San Mateo Safety Management Association.

Enactment No: RES No. 48 (2017)

9. [Mapping Services - Interagency Agreement](#)

Approve an interagency agreement with the County of San Mateo, Public Safety Communications Office to provide Geographic Information System services; receive revenue in the amount of \$10,000; and authorize the Director of Information Technology to execute the agreement.

10. [General Liability and Property Insurance for Fiscal Year 2017-2018 - Agreements](#)

Approve agreements with Argonaut Insurance Company and Berkley National Insurance Company for the purchase of general liability insurance for an amount not to exceed \$395,000; and purchase property insurance through the Public Entity Property Insurance Program for an amount not to exceed \$245,000; and authorize the City Attorney to execute all necessary agreements.

11. [Workers' Compensation Third Party Administration - Amendment](#)

Approve Amendment No. 2 with CorVel Enterprise Comp., Inc. for third party administration of the City's workers' compensation program in the amount of \$187,465 and authorize the City Manager to execute the amendment.

12. [Wastewater Treatment Plant Liquid Emulsion Polymer Supply - Contract](#)

Award a contract to SNF Polydyne for supply of liquid emulsion polymer in the amount of \$514,643.50, including sales; and authorize the Public Works Director to execute the contract.

13. [Wastewater Treatment Plant Ferric Chloride Supply - Contract](#)

Award a contract to Thatcher Company of California for supply of ferric chloride chemical in the amount of \$204,375.00, including sales tax; and authorize the Public Works Director to execute the contract.

14. [Wastewater Treatment Plant Sodium Hypochlorite Supply - Contract](#)

Award a contract to Univar USA Inc. for the supply of sodium hypochlorite in the amount of \$225,940.02, including sales tax; and authorize the Public Works Director to execute the contract.

15. [Wastewater Treatment Plant Sodium Bisulfite Supply - Contract](#)

Award a contract to Univar USA Inc. for the supply of sodium bisulfite in the amount of \$289,885.50, including sales tax; and authorize the Public Works Director to execute the contract.

16. [Wastewater Treatment Plant Digester Gas to CNG - Maintenance Service Agreement](#)

This item was pulled from the agenda to be considered at a later date. No action was taken on the item.

17. [Compressed Natural Gas Modified Work Truck Chassis - Purchase](#)

Approve the purchase contract with Towne Ford for fourteen Ford F-350 and three Ford F-550 Truck Chassis with Compressed Natural Gas Conversion kits for a total price of \$772,310.75 and authorize the Public Works Director to execute the purchase contract.

18. [Beresford Tennis Court Resurface Project - Bid Rejection](#)

Reject all bids received for the Beresford Tennis Court Resurface project.

19. [Senior Center Chiller Replacement Project - Agreement](#)

Adopt a Resolution to approve the use of alternative purchasing methods and approve an agreement with Bayside Heating & Air, Inc., to provide and install chiller equipment at the Senior Center in the amount of \$99,541; establish a contingency reserve of \$10,000; and authorize the Public Works Director to execute the agreement and issue change orders within the contingency amount.

Enactment No: RES No. 49 (2017)

20. [Recreation Facilities Strategic Plan Consultant Services - Agreement](#)

Approve an agreement with Group 4 Architecture Research + Planning, Inc. for programming and building site planning services related to the Recreation Facilities Strategic Plan in the amount of \$234,200; authorize the Director of Parks and Recreation to execute the agreement and approve change orders up to \$23,420; and adopt a Resolution to transfer \$260,000 in park funding to this project from the Bay Meadows Master Plan project.

Enactment No: RES No. 50 (2017)

21. [Basin 2 and 3 Collection System Improvements Design Services Agreement - Amendment](#)

Approve Amendment No. 3 to the professional design services agreement with Stantec Consulting Services, Inc. (formerly MWH Americas, Inc.) to provide Phase 2 engineering design services for the Basin 2 and 3 Collection System Improvements project in an amount not to exceed \$6,982,100; and authorize the Public Works Director to execute the amendment.

22. [1150 19th Avenue - Public Utility Easement Vacation](#)

Adopt a Resolution to vacate an existing Public Utility Easement at 1150 19th Avenue.

Enactment No: RES No. 51 (2017)

23. [25th Avenue Grade Separation - Construction and Maintenance Agreement](#)

Approve an agreement with the Peninsula Corridor Joint Powers Board for construction and maintenance of the 25th Avenue Grade Separation project and authorize the City Manager to execute the agreement.

24. [25th Avenue Grade Separation - California High Speed Rail Authority Funding Agreement](#)

Approve an agreement with California High Speed Rail Authority and Peninsula Corridor Joint Powers Board to receive \$84M in capital funding for the 25th Avenue Grade Separation Project; and authorize the City Manager to execute the agreement in substantially the form presented.

25. [Fire Apparatus Maintenance Contract - Change Order](#)

Approve Change Order No. 1 with Central County Fire Department for apparatus maintenance services for Fiscal Year 2016-2017 in the amount of \$115,000 and authorize the Fire Chief to execute the change order.

26. [Ordinance Introduction - Authorization to Purchase Units in the First Time Homebuyer and Below Market Rate Programs](#)

Introduce an Ordinance to allow staff to purchase units in the First Time Homebuyer and Below Market Rate programs in accordance with the provisions of the associated unit resale documents and the previously adopted Resolution 80 (1990).

27. [Samaritan House Worker Resource Center Operations - Agreement](#)

Approve an agreement with Samaritan House to operate the Worker Resource Center for fiscal years 2017-2018 and 2018-2019 in an amount not to exceed \$183,750 annually, unless the agreement is terminated; and authorize the City Manager or designee to execute the agreement and any future amendments.

28. [Special Event Support Services - Interagency Agreement](#)

Approve an interagency agreement with the City of Redwood City to provide Special Event Support Services in the amount of \$15,300; authorize the Director of Parks and Recreation to execute the agreement and approve change orders up to \$3,000.

END OF CONSENT CALENDAR**REMOVED FROM CONSENT CALENDAR****6. [Boards & Commissions Appointment Subcommittee - Recommendations](#)**

This item was pulled to administer the oath of office to Elizabeth Texeira.

Motion by Lim, second by Bonilla, to Approve the recommendation from the Library Board Appointment Subcommittee to appoint Elizabeth Texeira to a term ending June 10, 2021; and from the Personnel Board Subcommittee to appoint Katherine Naff to a term ending June 10, 2021. The motion carried by the following vote:

Yes: 5 - Council Member Freschet, Council Member Goethals, Mayor Lim, Council Member Papan, and Deputy Mayor Bonilla

8. [School District "School Resource Officers" - Agreement](#)

This item was pulled to allow for public comment. Molly Barton, Assistant Superintendent of Student Services San Mateo-Foster City School District and Kindy Mackamul, Associate Superintendent, San Mateo Union High School District expressed appreciation for the bridge funding of the school resource officer and cited the differences the role of the resource officer has made on the school campuses.

Motion by Lim, second by Freschet, to Approve an agreement with San Mateo-Foster City School District and San Mateo Union High School District to provide School Resource Officer services to public high schools and middle schools; authorize the City's General Fund to fund 1.00 Full Time Equivalent employee previously funded by the districts for the 2017-2018 fiscal year as a one year "bridge" while parties work to identify the availability of alternate funding sources; and authorize the Police Chief to execute the agreement. The motion carried by the following vote:

Yes: 5 - Council Member Freschet, Council Member Goethals, Mayor Lim, Council Member Papan, and Deputy Mayor Bonilla

29. ["Paris Climate Agreement" Support](#)

Council Member Bonilla pulled this item to comment on the importance of this action. Council members concurred.

Motion by Goethals, second by Bonilla, to Adopt a Resolution in support of the "Paris Climate Agreement" and join the Climate Mayors network. The motion carried by the following vote:

Yes: 5 - Council Member Freschet, Council Member Goethals, Mayor Lim, Council Member Papan, and Deputy Mayor Bonilla

Enactment No: RES No. 52 (2017)

PUBLIC COMMENT

There were no speakers.

OLD BUSINESS**34. [Police Body Worn Camera Program Implementation - Agreement](#)**

Police Chief Susan Manheimer provided a report on the benefits and implementation of body worn cameras in the Police Department.

Public Comment - Vladimir Brandwajn asked about batteries.

The Chief responded to questions and Council expressed support for the program and requested an update on the usage after roll-out.

Motion by Freschet, second by Papan, to Adopt a Resolution to approve the use of alternative purchasing methods and approve an agreement with Axon Enterprise, Inc. for body worn camera products and related digital storage management systems and services in an amount not to exceed \$131,118.12 for the first year and \$135,723.12 in each of the subsequent four years for a total of \$674,010.60 over a five year period; and authorize the Chief of Police to execute the contract. The motion carried by the following vote:

Yes: 5 - Council Member Freschet, Council Member Goethals, Mayor Lim, Council Member Papan, and Deputy Mayor Bonilla

Enactment No: RES No. 53 (2017)

PUBLIC HEARING

30. [Traffic Improvement Fee and Traffic Mitigation Report - Update](#)

Gary Heap provided a report on the history of the traffic mitigation report adopted in 2008 and detailed the plans to do a comprehensive update. The Mayor opened the public hearing for public comment, there were no speakers. The Mayor closed the public hearing. Council expressed appreciation for the study being undertaken now as traffic is a real concern for the community.

Motion by Freschet, second by Goethals, to Adopt a Resolution to update the 2008 Traffic Mitigation Report project descriptions, project cost estimates, and the Transportation Improvement Fee. The motion carried by the following vote:

Yes: 5 - Council Member Freschet, Council Member Goethals, Mayor Lim, Council Member Papan, and Deputy Mayor Bonilla

Enactment No: RES No. 54 (2017)

31. [Proposition 218 Hearing and Ordinance Adoption - Sewer Service Charge Increase Fiscal Year 2017 - 2018](#)

Deryk Daquigan, Deputy Program Manager Clean Water Program, provided the staff report on the sewer rates increase. Council asked questions of staff. The Mayor opened the public hearing for public comment. Drew commented on the difference between a fixed rate and a usage rate. Vladimir Brandwajn commented on the pricing methodology and nexus to water rates. The Mayor announced this was the last opportunity to deliver a written protest to the City Clerk. No further protests were delivered and the Mayor closed the public hearing.

The City Clerk stated that all of the written protests to the proposed increase in the sewer service rates for fiscal year 2017-2018 have been tallied. There were 26,706 notices mailed to Property Owners on the tax roll and a majority would require one more than half of that number or 13,354 to qualify as a majority protest. The number of protests received is 13. Based on that, it is clear that a majority of owners have not protested the fee increase and the Council is free to take action to increase or otherwise modify the fee.

Council commended staff for the public outreach they undertook for this effort.

Motion by Freschet, second by Bonilla, to adopt an Ordinance to approve an increase to the base sewer service rate and approve \$12.31 per 100 cubic feet as the City's annual sewer charge base rate in Fiscal Year 2017-18. The motion carried by the following vote:

Yes: 5 - Council Member Freschet, Council Member Goethals, Mayor Lim, Council Member Papan, and Deputy Mayor Bonilla

Enactment No: ORD No. 2017 -7

32. [Ordinance Introduction - "Affordable Housing Commercial Linkage Fee" Amendment](#)

Sandy Council, Neighborhood Improvement & Housing Manager, provided an update on the affordable housing fee noting that developments already in the pipeline had not been considered at the time of the ordinance's passage. Staff is recommending a 50% discount for the five projects. Council asked questions of staff. The Mayor opened the public hearing for public comment, there were no speakers. The Mayor closed the public hearing.

Council discussion ensued. Mayor Lim commented he is opposed to this action citing the five Developers were given an opportunity to state concerns when the ordinance was introduced, developers are being treated differently than homeowners, this amounts to spot legislation and that this action sets a bad precedent. Questions about the loss of revenue at \$2.9 to \$3.9 million from this action. Council Member Goethals stated this is good thing that will benefit residents. Deputy Mayor Bonilla stated it is a compromise and not a loss and is fair considering the circumstances; that we did not consider in the ordinance passed, the impact on projects already in the pipeline and this is correcting that oversight. Council Member Papan stated this is a fairness issue and significant dollars have been invested into the City to this point.

Motion by Goethals, second by Bonilla, to Introduce an Ordinance to amend application of Municipal Code Chapter 23.61 "Affordable Housing Commercial Linkage Fee" to commercial development projects that completed the City's pre-application process and submitted formal planning applications prior to November 6, 2016. The motion carried by the following vote:

Yes: 4 - Council Member Freschet, Council Member Goethals, Council Member Papan, and Deputy Mayor Bonilla

No: 1 - Mayor Lim

33. [Fiscal Year 2017-2018 Operating and Capital Budgets, Gann Appropriations Limit and Fiscal Year 2017-2022 Capital Improvement Program - Approval](#)

Drew Corbett, Assistant City Manager/Finance Director, presented the report on the budget, capital improvement program and appropriations and he outlined the budget process to date. The Mayor opened the public hearing for public comment, there were no speakers. The Mayor closed the public hearing.

Motion by Papan, second by Freschet, to Adopt Resolutions to approve the fiscal year 2017-2018 operating and capital budgets and Gann appropriations limit and the fiscal years 2017-2022 Capital Improvement Program. The motion carried by the following vote:

Yes: 5 - Council Member Freschet, Council Member Goethals, Mayor Lim, Council Member Papan, and Deputy Mayor Bonilla

Enactment No: RES No. 55 (2017), RES No. 56 (2017), RES No. 57 (2017)

The meeting recessed from 8:40 pm to 8:47 p.m.

NEW BUSINESS**35. [Countywide Assessment of Fair Housing Plan Policy Briefing - Representative Appointment](#)**

Sandy Council, Neighborhood Improvement & Housing Manager, reported that every five to seven years there is a county-wide analysis of fair housing report. The County has taken the lead and is

asking for two council members from each jurisdiction to attend a policy briefing. The briefing is on July 18, 2017 from 10 am to noon.

Public Comment - John Fyfe stated we should follow the City Manager's direction.

Discussion ensued about including Community Relations Commissioner. Council Members Rick Bonilla and Diane Papan will take the lead. Commissioner Nicole Fernandez could be an alternate.

36. [Ordinance Introduction - Regulation of Smoking of Medical Marijuana in Multi-Unit Residences](#)

Tricia Toomey, Business Manager, San Mateo Police Department, provided a report on the proposed ordinance amendment that would eliminate the current exception that allows smoking medical marijuana within the walls of multi-unit residences. Council asked questions of staff.

Public Comment - Louise Bekins stated second hand smoke from marijuana is a danger to our residents.

Motion by Freschet, second by Lim, to Introduce an Ordinance to amend San Mateo Municipal Code Chapter 7.40 "Smoking Control" to prohibit smoking medical marijuana inside multi-unit residences. The motion carried by the following vote:

Yes: 5 - Council Member Freschet, Council Member Goethals, Mayor Lim, Council Member Papan, and Deputy Mayor Bonilla

REPORTS AND ANNOUNCEMENTS

City Manager, City Attorney and Council Members reported on their various assignments and liaison roles.

ADJOURNMENT

The meeting adjourned at 9:15 pm.

APPROVED BY:

SUBMITTED BY:

David Lim, Mayor

Patrice M. Olds, City Clerk