

COUNCIL MEMBERS
Rick Bonilla, Mayor
Diane Papan, Deputy Mayor
Maureen Freschet
Joe Goethals
Eric Rodriguez

CITY OF SAN MATEO

Regular Meeting Minutes

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

City Council

Monday, June 18, 2018
City Hall Council Chambers 7:00 PM
Regular Meeting

OPENING

Pledge of Allegiance: San Mateo Fire Department Color Guard

Roll Call

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

CONSENT CALENDAR – CITY COUNCIL

The following items 1 through 11, and 13 through 23, and 25 through 27 were considered to be routine by the City Council. Items 12, 24, and 28 were pulled off of consent and considered separately. After the titles of the items were read by the City Clerk, the public was invited to comment and there were no speakers. Motion by Freschet, second by Rodriguez, to approve the CONSENT CALENDAR - CITY COUNCIL. The motion carried by the following vote:

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

1. [Climate Action Plan Implementation - Annual Update](#)

Receive an update on the Climate Action Plan implementation to date.

2. [Employee Applicant Tracking System Services - Agreement](#)

Approve an agreement with the City of Foster City for shared hosting services for an applicant tracking system for recruitment through CalOpps, at a cost of \$3,500 per year and authorize Human Resources Director to execute the agreement.

3. [Contract Planning Services - Agreement](#)

Approve an agreement with Lorraine Weiss Design and Development Review for on call planning services for an amount not to exceed \$250,000 for a two-year term; and authorize the Community Development Director to execute the agreement in substantially the form presented.

4. [Vision Service Plan - Extension](#)

Approve the amendment to the agreement with Vision Service Plan for employee vision insurance for an extension of two years, from July 1, 2018 to June 30, 2020, and authorize the Human Resources Director to sign the amendment.

5. [Workers' Compensation Program Third Party Administration - Contract](#)

Approve a contract with LWP Claims Solutions, Inc., for third party administration of the City's self-insured workers' compensation program for a three year term, with an option to extend for up

to two additional years, and authorize the City Manager to execute the contract.

6. [Senior Meal Service Provider - Agreement](#)

Approve an agreement with Corporate Cuisine (doing business as Creekside Grill) to prepare and deliver senior lunch meals for an anticipated value of \$100,000 for the period of July 1, 2018 through June 30, 2019; and authorize the Director of Parks and Recreation to execute the agreement and approve change orders up to \$10,000.

7. [Youth Music Classes - Agreement](#)

Approve an agreement with Peninsula Music Together to provide youth music classes in an amount not to exceed \$130,000 for the period of June 10, 2018 through June 11, 2019; and authorize the Director of Parks and Recreation to execute the agreement and approve change orders up to \$25,000.

8. [Summer Theatre Program - Agreement](#)

Approve an agreement with Bay Area Educational Theatre Company to provide Summer Children's and Youth Theatre programs in an amount not to exceed \$140,000 for the period of June 12, 2018 through June 11, 2019; and authorize the Director of Parks and Recreation to execute the agreement and approve change orders up to \$25,000.

9. [Arborist Consulting Services - Agreement](#)

Approve a professional services agreement with Fujiitrees Consulting LLC for on-call arborist services in an amount not to exceed \$182,000 for a two-year term; and authorize the Community Development Director to execute the agreement in substantially the form presented.

10. [Classification Updates - Department of Information Technology and Public Works](#)

Adopt a Resolution to approve the job specification and salary for the new classifications of Technical Support Supervisor, Laborer, and Central Services Worker; and authorize these updates to the Salary Schedule.

Enactment No: RES No. 69 (2018)

11. [Predevelopment Expenses - Cost Reimbursement Agreement](#)

Approve a Cost Reimbursement Agreement with MidPen Housing for predevelopment expenses for the former Redevelopment Agency Properties in Downtown San Mateo in an amount not to exceed \$500,000 and authorize the City Manager to execute the agreement.

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

Approve Change Order No. 2 with Central County Fire Department for apparatus maintenance services for fiscal year 2017-18 in the amount of \$25,000 and authorize the Fire Chief to execute the change order.

14. [Fire Protection Services - Agreement](#)

Approve an Agreement with Belmont Fire Protection District to provide Fire Prevention Services for a term ending June 2019 in an estimated amount of \$108,000 and authorize the City Manager to execute the agreement.

15. [Stormwater Pollution Prevention Construction Permit Fee - Revision](#)

Adopt a Resolution to amend the Stormwater Pollution Prevention Construction Permit Fee in the Adopted Comprehensive Fee Schedule for fiscal year 2018-2019.

Enactment No: RES No. 70 (2018)

16. [Downtown Twinkle Light Project - Budget Appropriation](#)

Adopt a Resolution to transfer \$50,000 from the North B Street Improvement Initiative to the Downtown Twinkle Light Project.

Enactment No: RES No. 71 (2018)

17. [Downtown Business Improvement Area - Resolution of Intent for Annual Renewal](#)

Accept the Fiscal Year 2017-18 Downtown San Mateo Annual Report; adopt a Resolution of Intent to levy the annual assessment for the Downtown Business Improvement Area; and set a public hearing for the July 16, 2018 City Council meeting to consider levying the annual assessment.

Enactment No: RES No. 72 (2018)

18. [Rail Shuttle Bus Service Administration Agreement - Amendments](#)

Approve amendments to the Rail Shuttle Bus Service Administration Agreements with the Peninsula Corridor Joint Powers Board for an extension of shuttle operations for a total amount of \$53,800 and authorize the Public Works Director to execute the amendments.

19. [PG&E Gas Main Replacement Construction Management and Inspection Services - Agreement](#)

Approve an agreement with Ghirardelli Associates to provide construction coordination and inspection services in the amount not to exceed \$156,784; establish a contingency of \$16,000; and authorize the Public Works Director to execute the agreement in substantially the form presented and approve amendments within the contingency reserve.

20. [Fleet Vehicle Services Agreement - Change Order](#)

Approve Change Order No. 1 to the agreement with First Vehicle Services, Inc. for Fleet Management and Maintenance Services, in an amount not to exceed \$150,000, increasing the total contract amount, which includes the original \$100,000 contingency amount and this \$150,000 change order, to \$975,512.58, and authorize the Public Works Director to execute the change order in substantially the form presented.

21. [US-101/Peninsula Avenue Interchange Project Memorandum of Understanding - Amendment](#)

Approve an amendment to the Memorandum of Understanding with the San Mateo County Transportation Authority for the US-101/Peninsula Avenue Interchange Project and authorize the Public Works Director to execute the amendment.

22. [2017-18 Sanitary Sewer Root Foaming - Agreement](#)

Approve an agreement with Duke's Root Control, Inc. for 2017-18 Sanitary Sewer Root Foaming (North Basin) in the amount of \$187,098.30; establish a contingency reserve of \$18,700; and authorize the Public Works Director to execute the agreement in substantially the form presented and approve contract change orders within that contingency reserve.

23. [2018 Sanitary Sewer Rehabilitation Project Construction Services - Agreement](#)

Approve an agreement with EPS Inc. to perform construction services for the 2018 Sanitary Sewer Rehabilitation Project - Various Locations in an amount not to exceed \$743,860; establish a contingency fund in an amount not to exceed \$74,386; authorize the Public Works Director to execute the agreement in substantially the form presented and issue change orders within the contingency amount.

25. [Compressed Natural Gas Utility Truck Bodies - Agreement](#)

Approve an agreement with Western Truck Fabrication, Inc. for the purchase and installation of eleven utility truck bodies to be installed on City-owned compressed natural gas truck chassis for a total cost of \$312,194.65 and authorize the Public Works Director to execute the agreement in substantially the form presented.

26. [Urgent Street Repair - Agreement](#)

Adopt a Resolution to use an alternative purchasing method and approve an agreement with G. Bortolotto & Company, Inc. for emergency street repairs in the amount of \$199,967.64; approve a contingency reserve of \$20,000; and authorize the Public Works Director to execute the agreement in substantially the form presented and approve change orders within the reserve contingency amount.

Enactment No: RES No. 73 (2018)

27. [Fiscal Year 2018-2019 General Liability and Property Insurance - 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 \$407,200; and purchase property insurance through the Alliant Property Insurance Program for an amount to be determined and provided at the council meeting; and authorize the City Attorney to execute all necessary agreements.

End of Consent Calendar

Removed from Consent Calendar

12. [2018-22 Consolidated Plan and 2018-19 Annual Action Plan for Community Development Block Grant Funds](#)

John Fyfe, One San Mateo, pulled the item to thank the City for the hard work on the agreement and focus on affordable housing. Karyl Eldridge, One San Mateo, commented on removing the obstacles of parking for Accessory Dwelling Units.

Motion by Goethals, second by Rodriguez, to approve the 2018-22 Consolidated and 2018-19 Annual Action Plans for the Community Development Block Grant Program, as recommended by the Community Relations Commission. The motion carried by the following vote:

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

24. [2 North B Street - Lease Assignment and Amendment](#)

Council Member Rodriguez pulled this item to ask questions about market rate with regard to this

lease. Deputy City Manager Kathy Kleinbaum responded to questions. Rodriguez encouraged different, more active commuter driven uses for that site. Council discussion ensued with the direction to amend the lease to waive the second five year option.

Motion by Papan, second by Freschet, to Approve the Lease Assignment and Third Amendment of the lease for 2 North B Street to MPF of San Mateo, LLC, the new franchise owner of the Melting Pot; agree to waive rent payments under the lease from March through July 2018; and authorize the City Manager to execute the Assignment and Amendment of the Lease in substantially the form presented.. The motion carried by the following vote:

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

28. [Park & Recreation and Planning Commission Appointments - Subcommittee Recommendation](#)

This item was pulled to administer the oaths of office to the new commissioners.

Approve the recommendation from the City Council acting as the Park and Recreation and Planning Commission Appointment Subcommittees to appoint Amourence Lee to the Park & Recreation Commission for an unexpired partial term ending June 10, 2019; and to appoint Ellen Mallory Ulrich to the Planning Commission for an unexpired partial term ending June 10, 2021 and Ramiro Maldonado to the Planning Commission for an unexpired partial term ending June 10, 2020.

PUBLIC COMMENT

Paul Krupka commented on the interchange improvements at El Camino Real and Highway 91. James Ruigomez, San Mateo Building and Construction Trades union, encouraged doing an Election Code 9212 report on the initiative. Tim Tosta, Bohannon Development, stated there are big issues and concerns with the initiative and encouraged Council to fully consider the consequences. Lisa Taner, spoke in favor of the initiative and stated the importance to give voters a chance to vote and stated there is no need for competing ballot measure.

PUBLIC HEARING

29. [Fiscal Year 2018-19 Operating and Capital Budgets and Gann Appropriations Limit and Fiscal Years 2018-23 Capital Improvement Program](#)

Grace Castenada, Budget Manager, provided a presentation of the 2018-19 budget, noting there were three actions required to adopt the business plan. Council asked questions of staff. Public Comment was opened, there were no speakers, the Mayor closed the Public Hearing.

Motion by Papan, second by Rodriguez, to Adopt Resolutions to approve the fiscal year 2018-19 operating and capital budgets and Gann appropriations limit and the fiscal years 2018-23 Capital Improvement Program. The motion carried by the following vote:

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

Enactment No: RES No. 74 (2018) - 2018-19 City Operations Budget

Enactment No. RES No. 75 (2018) - 2018-23 Capital Improvement Program

Enactment No. RES No. 76 (2018) - Appropriations Limit for Fiscal Year 2018-19

30. [Ordinance Introduction - Wireless Telecommunications Facilities in the Public Right of Way](#)

Gabrielle Whelan, Assistant City Attorney, and Tracy Scramaglia, Senior Engineer, provided an update on the process used and information garnered to update the municipal code with regard to wireless communication facilities in the public right-of-way (popularly known as cell antennae), noting it included a review of the proposed Design and Engineering Standards as well as the application requirements. Council asked questions of staff. The Mayor opened the public hearing.

Public Comment: Danielle Moskowitz, San Mateo Citizens for a Safe Environment, group spokesperson, requested strengthening the design guidelines, outlined concern that the ordinance is not strong in addressing health concerns, noting that 4G towers should only be allowed to close a significant gap in coverage, and requested that backyards and public/private property, neighborhood aesthetics, all need strict legal protections.

Individual speakers: Neil Waldo spoke in support of the draft ordinance. Greg Seiden noted the amount of misinformation out in the community about what is really happening. Patricia Hraba requested that impartial providers do the emissions test and analyze the gap in service. Virginia McIsaac stated concern with policy choices and stopping the shot clock. Roslyn Ramsey recommended the book "non-tin foil guide to EMF" and commented on health concerns. Dave Pearson agrees the ordinance should be as strict as possible and still provide cell coverage. John Adgeu stated the ordinance should consider home based daycare sites and schools when doing the review of where they should be located.

Frank Markowitz lives across the street from proposed installation and concerned with potential aesthetic and economic impacts. Laura Winfrey supports this ordinance or a stronger one and encouraged passage as quickly as possible. Susan Rowinski cited concerns with certain sections of the ordinance. Danna Diamond, Verizon, urged Council to continue the item and work with providers on concerns with community meetings noting they believe there is a significant difference in ordinance as presented tonight compared to previously proposed ordinance. Madeline Bernard in favor of ordinance in front Council, she fully supports more towers stating there has been no health effect proven from cell towers.

Jordan Grimes is in support of proposed ordinance. Barbara Niss stated it doesn't hurt to include gaps in service in ordinance but she is concerned with telecoms abusing it. Christine Stiles concerned with unsightly boxes in the neighborhood. Ned Diamon stated the ordinance should be as strict as possible and he is confused about permit requirements. Susan Lewis stated what is not in the ordinance and design guidelines is disturbing. There being no further speakers the Mayor closed the Public Hearing.

Council asked additional questions of staff. Discussion ensued on the process, need for mock-ups in lieu of a picture, notifications via first-class mail, distance from schools, consider a black-out in the holiday period, the need to implement the strictest ordinance possible with the most local control while being consistent with state and federal laws, timing of conditions, expiration period and renewals, renew should be similar to original application and include information on new technologies and include a fee, the need for telecoms to be self-regulating and comply with regulations, testing process, issues when found not in compliance, need for an independent

testing, and issues with amending the zoning code on private property. Whelan and City Attorney Shawn Mason responded to some of the discussion with regard to shot clock, blackout periods and application timing.

Direction was given to adopt the Public Works Commission recommendations as amended through discussion, and include those amendments in the proposed ordinance's second reading. Staff was directed to begin the zoning amendments process with Planning Commission as soon as possible.

Motion by Papan, second by Freschet, to introduce an Ordinance to add Chapter 17.10, "Wireless Communication Facilities in the Public Right-of-Way", to the San Mateo Municipal Code Title 17 "Streets and Sidewalks" and review the proposed Design and Engineering Standards and Application Requirements. The motion carried by the following vote:

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

OLD BUSINESS

31. [General Plan - Public Participation Plan](#)

City Manager Larry Patterson provided a presentation on the General Plan update process and staff's recommendation to use commissioners on the committee. Council asked questions.

Public Comment - Ken Abreu stated the meetings need to be open to the public, all information publicly available and give community groups sufficient time early in the process to put forward their ideas, concerns, and thoughts. Justin Alley stated he is disappointed with the proposed seven-person committee noting it fails to provide broad representation from the public or meet the State of California recommendations for advisory committees. Council provided comments by consensus to agree with the recommendation and agreed to take steps to ensure the process would be transparent and open to all, with multiple opportunities for community engagement.

Motion by Goethals, second by Papan, to Approve the General Plan Committee composition as: two City Council members, two Planning Commissioners, two Sustainability and Infrastructure Commissioners and one Park and Recreation Commissioner. The motion carried by the following vote:

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

32. [Council Sponsored Ballot Measure to Amend City's General Plan](#)

Council by consensus, decided to continue the meeting at 11:10 pm.

City Attorney Shawn Mason provided an update on the consideration of placing a Council sponsored measure on the November 2018 ballot. He asked for direction on 1) What alternative means should be included in measure? 2) Should the measure increase the Below Market Rate floor? 3) Should the measure include a sunset date?

Council asked questions of staff.

Public Comment - David Bohannon, General Plan update process is the needed place to have a community conversation, the measure to extend measure P will prevent community planning conversations from ever happening. Paul Krupka supports the proposed Council ballot measure under consideration noting flexibility is critical, no sunset, and 15% of BMR is reasonable.

Madeline Bernard commented on the critical need for housing and recommended using science to get to the number 15% or 20%. Michael Weinbauer, San Mateans for a Responsive Government (SMRG), stated 7,000 residents signed the petition to put the extension of Measure P on the ballot and pled to give the residents a chance to make this decision. Karen Herrel (SMRG), stated the competing measure concept and language is confusing. Jordan Grimes stated the city needs more housing and in-lieu fees are very important to get that housing, he supports a sunset provision. Tim Tosta stated the initiative was very poorly drafted and an alternative method to address AB1505 is needed now and a height allowance at certain limited locations, Hillsdale, Downtown and by transit is reasonable.

Council asked additional questions of staff and provided comments. Mayor Bonilla, Deputy Mayor Papan and Council Member Goethals were in support of an alternative measure at this point as it gives an option for voters, more input and discussion is needed, information from the Election Code 9212 report at the 7/16/18 meeting will be helpful, and interested in the concept of a "carve out" by transit in certain parts of the city.

Council Members Rodriguez and Freschet were not in favor of an alternative measure at this point, noting the importance to stay the course from the study session where the AB1505 fix in the initiative without in-lieu fees was sufficient; two measures are confusing to voters and we need to respect the process and citizen's right to do this.

Mason summarized that the majority of Council support in-lieu fees in the measure; with no sunset date, a 15% floor for BMR, explore "carve-out" language.

REPORTS AND ANNOUNCEMENTS

The City Manager, City Attorney and Council Members reported on their various assignments and liaison roles and Council requests for scheduling future items.

ADJOURNMENT

The meeting adjourned at 12:22 am.

APPROVED BY:

SUBMITTED BY:

Rick Bonilla, Mayor

Patrice M. Olds, City Clerk