

CITY OF DALY CITY  
MINUTES – REGULAR MEETING - CITY COUNCIL  
NOVEMBER 23, 2009

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

ROLL CALL: Councilmembers Present:

Sal Torres, Mayor  
David J. Canepa  
Maggie Gomez  
Michael P. Guingona  
Carol L. Klatt

Staff Present:

Patricia E. Martel, City Manager  
Kerry E. Burns, Assistant City Manager  
Rose L. Zimmerman, City Attorney  
K. Annette Hipona, City Clerk

PRESENTATIONS:

**Introduction of City Commissioners**

Mayor Torres stated prior to the Council meeting we celebrated the work of the City's Commissioners from various commissions. The following City Commissioners were present: Segundo Bautista, Planning Commission, Richard Crump, Planning Commission, Denise Kelly, Planning Commission, Teresa Proaño, Parks and Recreation Commission, Perla Ibarrientos, Personnel Board, and Howard Edelman, Planning Commission.

**Introduction of Chief of Police Manuel Martinez Jr.**

City Manager Patricia Martel introduced the City's new installed Chief of Police Manuel Martinez Jr. Ms. Martel gave a brief background on Chief Martinez 27 years of service with the San Jose Police Department and education.

Chief of Police Manuel Martinez, Jr. expressed appreciation for being appointed Daly City's Chief of Police. Chief Martinez stated it is his passion to work together with the community to have a safe environment for our Community.

**STAR Awardees Recognition**

City Manager Patricia Martel announced the two Star Awards recipients: Alain Pereur, Building Maintenance Worker I, and Ryan Fernandez, Building Maintenance Worker II, in the Department of Public Works.

Director of Public Works John Fuller recognized them for their work.

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APPROVAL OF MINUTES:

**Special Meeting of November 9, 2009**

It was moved by Councilmember Gomez, seconded by Councilmember Guingona and carried to approve the minutes of November 9, 2009.

APPROVAL OF AGENDA:

It was moved by Councilmember Klatt, seconded by Councilmember Guingona and carried to approve the agenda.

CONSENT AGENDA

Mayor Torres stated it was requested that Item No. 2, Authorizing Execution of Amendments to the Employment Agreement of City Manager and Item No. 3, Authorizing Execution of Amendments to the Employment Agreement of City Attorney would be taken at the end of the Consent Agenda.

RESOLUTIONS:

**Setting Time and Place for a Public Hearing on Community Development and Housing Needs and Authorizing the Solicitation of Request for Proposals of CDBG Funds Set Hearing 12/14/09**

Resolution No. 09-168, Setting Time and Place of Public Hearing Re: Assessment of Community Development and Housing Needs and Authorizing the Solicitation of Request for Proposals of CDBG Funds, Hearing 12/14/09 – 7:00 P.M.

**Setting Time and Place for a Public Hearing to Amend Bonding Requirements for Certain Public Officials Set Hearing 01/11/10**

Resolution No. 09-169, Setting Time and Place of Public Hearing Re: Bonding Requirements for Certain Public Officials Ordinance, Hearing 01/11/10 – 7:00 P.M.

Check Registers:

Check Registers for the Month of October 2009

END OF CONSENT AGENDA

It was moved by Councilmember Klatt, seconded by Councilmember Guingona and carried to approve and adopt the Consent Agenda, as amended.

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RESOLUTIONS:

**Authorizing Execution of Amendments to the Employment Agreement of City Manager**

Councilmember Canepa requested a continuance of this item to the first meeting in January in order to have an opportunity to review the original employment agreement for the City Manager.

It was moved by Councilmember Canepa, seconded by Councilmember Guingona and carried with Councilmember Klatt and Mayor Torres voting “No” to continue this item to the meeting of January 11, 2010.

**Authorizing Execution of Amendments to the Employment Agreement of City Attorney**

Councilmember Canepa requested a continuance of this item to the first meeting in January in order to have an opportunity to review the original employment agreement for the City Attorney.

It was moved by Councilmember Canepa, seconded by Councilmember Guingona and carried with Councilmember Klatt and Mayor Torres voting “No” to continue this item to the meeting of January 11, 2010.

PUBLIC HEARINGS:

**First Reading, re: Adding Chapter 15.65 of the Municipal Code Establishing a Green Building Program for New Residential Buildings**

Assistant Director of Economic and Community Development Peter Pirnejad gave a PowerPoint presentation on the proposed New Residential Green Building Ordinance. He outlined the purpose of going green, homeowner benefits, standards for compliance, timelines for implementation and the approximate costs of going green. A copy of the presentation is on file in the Office of the City Clerk.

Mayor Torres opened the public hearing.

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

It was moved by Councilmember Klatt, seconded by Mayor Torres and carried that Ordinance No. 1346 be read by title only by the City Attorney.

Ordinance No. 1346, Adding Chapter 15.65 Establishing a Green Building Program for New Residential Buildings

Councilmember Gomez introduced the ordinance.

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PUBLIC APPEARANCES/ORAL COMMUNICATIONS:

There were no speakers.

APPOINTMENTS:

**Board/Commission Membership Committee Appointments**

**Mobile Home Rent Review Commission**

Mayor Torres appointed the following individuals to the Mobile Home Rent Review Commission:

Members at Large: Jonah Chew, George Mockridge and Mary Ellen Sherer  
Franciscan Mobile Home Park Member: Jean Hayner  
LINC Housing Corporation: Rebecca Clark, Managing Director

City Manager Patricia Martel stated the plan is to have them sworn in as of the next Council meeting and then schedule an orientation and then schedule the first meeting of the Rent Review Commission after the first of the year.

REPORTS:

**Council Committee**

**Council Committee Meetings from October 26 - November 22, 2009**

The Council Committees reported on the following:

Design Review Permit DR07-6 (GPA07-1, SUB07-1, UP07-3) 7555 Mission Street –  
Habitat for Humanity Greater San Francisco 36-Unit Condominium Development  
(Klatt/Guingona)  
Administrative Draft Land Use Element Policies (Gomez/Klatt)

**City Council**

Mayor Torres reported on Saturday's event on the bio-swale the City created in front of the Serramonte Library to help with the treatment of water.

Councilmember Gomez wished Happy Birthday to Birthold Herpe on turning 100 years old.

**Staff**

There were no reports.

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ADJOURNMENT:

It was moved by Councilmember Gomez, seconded by Councilmember Klatt and carried to adjourn the meeting at 7:36 P.M. in memory of Magdeleine Czabaranek, Josephine Murrin and Joseph Thomas Elsbernd.

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City Clerk

Approved as submitted, this \_\_\_\_\_

day of \_\_\_\_\_, 2009.

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Mayor