

COUNCIL MEMBERS
Lisa Diaz Nash, Mayor
Rob Newsom Jr., Deputy Mayor
Rich Hedges
Amourance Lee
Adam Loraine

CITY OF SAN MATEO

Regular Meeting Minutes

City Council Meeting

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

July 15, 2024
City Hall Council Chambers 7:00 PM
Regular Meeting

CALL TO ORDER at 7:32 p.m.

Pledge of Allegiance

Roll Call

Present: Mayor Diaz Nash, Deputy Mayor Newsom, Council Members: Hedges, Lee, and Loraine

AB 2449 Requests and Considerations for Meeting Participation by Teleconference due to Just Cause or Emergency Circumstances – there were no requests.

CEREMONIAL

1. Park and Recreation Month – Proclamation - Joanne Magrini, Director of Parks and Recreation, and Parks and Recreation staff received the proclamation.
2. Wildland Fire Prevention – Informational Update - Melinda Martin, Deputy Fire Marshal, gave the presentation.
3. Disability Pride Month – Proclamation – Ligia Zuniga, President, Center for Independence of Individuals with Disabilities, received the proclamation.

CONSENT CALENDAR

The following items, 4 through 28, were considered to be routine by the City Council. After the titles of the items were read by the City Clerk, the public was invited to comment and there were two speakers. Michael Reagan spoke to item 23 and Dave Cohen of Ethics San Mateo spoke to item 28. Motion passed 5-0.

Moved: Hedges, Seconded: Newsom

Ayes: Diaz Nash, Newsom, Hedges, Lee, and Loraine

Noes: None

4. City Council Meeting Minutes – Approval
Approve the following minutes: the special and regular meetings of May 6, 2024, May 20, 2024, and June 3, 2024; and the special meeting minutes of May 22, 2024, and May 30, 2024.
5. Columbia/Crystal Springs Storm Drain Improvements – Agreement
Approve an agreement with W. R. Forde Associates, Inc. for the Columbia/Crystal Springs Storm Drain Improvements in the amount of \$728,654; establish a contingency reserve in the amount of \$146,000; and authorize the Public Works Director to execute the agreement in substantially the form presented and issue change orders as allowed by the contract documents and within the contingency amount.

6. Construction Special Inspection Services for the Clean Water Program – Amendment
Approve Amendment No. 3 to the professional services agreement with Smith Emery San Francisco to provide as-needed construction special inspection services for various Clean Water Program projects; increase the compensation for the agreement by \$500,000, for a revised total agreement amount of \$3,100,000; and authorize the Public Works Director to execute the amendment in substantially the form presented and issue project-specific task orders under the agreement.
7. Citywide Street Rehabilitation Package 5-B - Agreement
Approve an agreement with G. Bortolotto & Company, Inc. for Citywide Street Rehabilitation Package 5-B Project in the amount of \$4,314,516.30; establish a contingency reserve in the amount of \$648,000.00; and authorize the Public Works Director to execute the agreement in substantially the form presented and issue change orders as allowed by the contract documents and within the contingency amount.
8. Citywide Street Reconstruction Phase 4 – Contingency Increase
Approve a contingency reserve increase in the amount of \$2,500,000 for the construction agreement with McGuire and Hester for the Citywide Street Reconstruction Phase 4 Project, for a total revised contingency reserve of \$3,130,000; and authorize the Public Works Director to issue change orders within the contingency amount.
9. Lakeshore Park Restroom Remodel – Budget Transfer and Construction Contract
Adopt a Resolution authorizing a budget transfer in the Capital Projects Fund from the Phase IV Park Restroom Remodel Project to the Phase V Park Restroom Remodel Project in an amount of \$105,000; approve an alternative purchasing procedure to award a construction contract to Angeles Contractor, Inc. for the Lakeshore Park Restroom Remodel in the amount of \$495,331.23; establish a contingency reserve in the amount of \$75,000; and authorize the Public Works Director to execute the contract in substantially the form presented and issue change orders within the contingency amount.

Enactment: Resolution No. 55 (2024)

10. Public Works Facilities Program Manager - Professional Services Agreement
Approve an agreement to ArcPath Project Delivery, Inc. to provide professional program management services to the Public Works Facilities Division for Fiscal Year 2024-25 in the amount of \$150,000; and authorize the Public Works Director to execute the contract in substantially the form presented.
11. King Recreation Center - New Fire Alarm System – Change Order
Approve Contract Change Order No. 2 to the construction contract with Newton Construction & Management, Inc. in the amount of \$173,353.48, to install a new roof top unit at the King Recreation Center, increasing the total contract amount to \$405,762.74; and authorize the Public Works Director to execute the change order in substantially the form presented.
12. Beresford Recreation Center Accessible Entrance – Construction Contract
Adopt a Resolution approving an alternative purchasing procedure to award a construction contract to Angeles Contractor, Inc. in the amount of \$796,199.73 to construct the Beresford Recreation Center ADA Entry Project; establish a contingency reserve in the amount of \$50,000; and authorize the Public Works Director to execute the contract in substantially the form presented and issue change orders within the contingency amount.

Enactment: Resolution No. 56 (2024)

13. 2nd and El Camino Garage Improvements Phase 1 – Change Order
Approve Contract Change Order No. 1 to the construction contract with Angeles Contractor, Inc. in the amount of \$754,783.85, for a revised not-to-exceed contract amount of \$1,446,693.80; increase the contingency reserve

amount by \$75,000, for a revised total contingency reserve of \$180,000; and authorize the Public Works Director execute Change Order No. 1 in substantially the form presented and issue additional change orders within the contingency amount.

14. Transportation Development Act Article 3 - Grant Acceptance and Budget Appropriation

Adopt a Resolution to accept a Transportation Development Act Article 3 grant award from the Metropolitan Transportation Commission in the amount of \$253,800 and to appropriate the grant funding and \$28,200 in Measure A funds as local match to the San Mateo Caltrain Station North Access Improvement Project; and authorize the City Manager to execute all required grant documents in substantially the form presented.

Enactment: Resolution No. 57 (2024)

15. Wastewater Treatment Plant Upgrade Construction Services – Contingency Increase

Approve an increase in the amount of \$14,650,000 to the City's contingency budget for its contract with Sundt Construction, Inc. for construction of the Wastewater Treatment Plant Upgrade and Expansion Project, for a revised total contingency of \$40,920,000; and authorize the Public Works Director to issue change orders within the contingency amount.

16. Integrated Supervisory Control and Data Acquisition System Maintenance and Improvement – Change Order

Approve Contract Change Order No. 3 with Enterprise Automation, LLC for upgrading and maintaining the City's Supervisory Control and Data Acquisition system in an amount not to exceed \$151,523, for a revised total contract amount not to exceed \$350,679; extend the term of the contract through July 31, 2025; and authorize the Public Works Director to execute the change order in substantially the form presented and additional change orders within the existing contingency reserve including no-cost time extensions.

17 Young Tree Watering Services – Agreement

Approve a two-year agreement for Young Tree Watering with West Coast Arborist, Inc. in an amount not to exceed \$260,000, and authorize three, one-year extensions of up to \$130,000 per year, for a total amount not to exceed \$650,000; and authorize the Parks and Recreation Director to execute the agreement in substantially the form presented.

18. Wastewater Treatment Plant Supervisory Control and Data Acquisition Monitoring and Upgrade Project – Change Order

Approve Contract Change Order No. 2 with Technology Management Professionals dba TMPros, LLC in the amount of \$154,404 to monitor and maintain the Supervisory Control and Data Acquisition Network at the Wastewater Treatment Plant for Fiscal Year 2024-2025, for a total revised contract amount of \$328,544; extend the term of the contract to July 31, 2025; and authorize the Public Works Director to execute the change order in substantially the form presented.

19. Bay Meadows Community Facilities District – Special Tax Levy for Fiscal Year 2024-25

Adopt a Resolution to authorize the levy of special taxes for Fiscal Year 2024-25 for the Community Facilities District No. 2008-1 (Bay Meadows).

Enactment: Resolution No. 58 (2024)

20. Below Market Rental Rates, Sales Prices and Unit Community Priorities – 2024 Revisions

Adopt a Resolution to establish 2024 maximum rental rates and sales prices for affordable housing as required by the City of San Mateo's Below Market Rate (BMR) housing program; and establish Community Priority for units containing three or more bedrooms, which may allow a developer to provide fewer BMR units in exchange for units with more bedrooms as long as all other BMR program provisions are followed.

Enactment: Resolution No. 59 (2024)

21. Kroger Opioid Settlement – Agreement

Approve the City’s participation in a no-cost opioid settlement agreement with Kroger, and authorize the City Attorney to execute documents confirming the City’s participation, directing the City’s share of settlement funds be provided to the City of San Mateo, and redirecting previously approved settlement funds back to the City of San Mateo.

22. City Manager’s Office and Police Department – Classification Updates

Adopt a Resolution to 1) reallocate the vacant Communications and Public Relations Analyst to create a new classification Communications and Engagement Coordinator I-II in the City Manager's Office; 2) approve the job specification for the classification of Communications and Engagement Coordinator I-II; 3) set the salary range for Communications and Engagement Coordinator I to match the salary range of Management Analyst I, and the salary range for Communications and Engagement Coordinator II to match the salary range of Management Analyst II; 4) consolidate the existing Dispatcher I-II flexibly-staff classification to create a new classification Dispatcher in the Police Department; 5) approve the job specification for the classification of Dispatcher; and 6) set the salary range for the classification of Dispatcher to match the Dispatcher II.

Enactment: Resolution No. 60 (2024)

23. By-Right Housing Opportunity Overlay District – Zoning Code and Map Amendments – Ordinance Adoption

Adopt an Ordinance amending San Mateo Municipal Code Title 27 Zoning, to add Chapter 27.94, Housing Opportunities Overlay District (H), which would allow certain types of housing projects by-right on specified parcels, and amending the San Mateo Zoning Map to establish the “H” overlay on 39 parcels; and Adopt a separate Ordinance reclassifying the zoning for 200 S. Fremont Street from R4-D to R4-D/H; and find that the ordinances are exempt from further environmental review pursuant to California Environmental Quality Act (CEQA) Section 15183 (Projects Consistent With A Community Plan, General Plan, or Zoning).

Enactment: Ordinance Nos. 2024-04 and 2024-05

24. 1528 S. El Camino Real - Zoning Map Amendment – Ordinance Adoption

Adopt an Ordinance to approve a Zoning Map Amendment to rezone a portion of the site at 1528 El Camino Real from R3 to C2-1/R4.

Enactment: Ordinance No. 2024-06

25. Transportation Fund for Clean Air – Grant Application

Adopt a Resolution to approve an application to the City/County Association of Governments of San Mateo County’s Transportation Fund for Clean Air Grant funding to replace a diesel street sweeper with a battery electric street sweeper for an estimated total cost of \$900,000, inclusive of a 60% (or \$540,000) grant amount and a 40% (or \$360,000) City local match; and, if awarded, appropriate the grant funds to the Solid Waste Fund; and authorize the City Manager to execute all required grant documents.

Enactment: Resolution No. 61 (2024)

26. San Mateo City Employees’ Association - Memorandum of Understanding Changes

Adopt a Resolution to amend the Memorandum of Understanding with the San Mateo City Employees’ Association for a term through June 19, 2027 and to appropriate funds in the amount of \$500,000 for the Fiscal Year 2024-25 Budget.

Enactment: Resolution No. 62 (2024)

- 27. Park and Recreation Commission Appointment Subcommittee – Appointment Recommendation**
Appoint Sabrina Ocampo to the Park and Recreation Commission for a partial term through June 10, 2025 and place John Medina on an eligibility list for six months, should another vacancy on the commission occur.
- 28. City Council and Boards and Commission Rules and Procedures – Update**
Approve the amendments to the City Council Rules and Procedures and the Boards and Commissions Rules and Procedures to reflect the direction provided by City Council on the revised “Council Member Conduct” chapter.

Newly appointed Park and Recreation Commissioner Sabrina Ocampo was sworn into office by the City Clerk.

PUBLIC COMMENT

The following speakers spoke on the topic of small cell, wireless ordinance: Kelly Ryerson, Lindsay Raike, Yiwei Tang, Hunter Ryerson, Bill Wardwell, Maria Mavridis, Cristal Garcia, Irena Mavridis, John Connelly, Diana Rios-Dominguez, Judy Wong, Martin Elliott, Michelle M, Tom Lease, and Bernard Brand

The following speakers spoke on labor negotiations: Eric Morkie, Leon Bowles, Mareva Godfrey, Nicole Fernandez, Mark Cooper, Raul Perez, Jesse Dolan, Jonathan Ayala-Zirate

The following speakers spoke to the Historic Resources Frank Elliott, Tim Elliott, Rick Bonilla, Jay Kuhre, Gerald Morena

Gerald Morena spoke on leaf blowers, Trina Pierce thanked the City Manager for speaking with seniors at the King Center and requested the Council put an item on the agenda for their concerns.

PUBLIC HEARING

- 29. Potential Ballot Measure – Consideration of Placing a Land Use Measure on the November 2024 Ballot**
Christina Horrisberger, Assistant City Manager, gave the presentation.

Council recessed from 9:01 p.m. to 9:10 p.m.

Public Comment:

Patricia Porras, Maricela Ruiz, Miveya Rojos Axuzo, Adriana Vazquez, Maria Vazquez, and Tom Taber expressed concerns on lack of affordable housing; Charles Hansen, Dennis Martin, Robert Whitehair spoke in support of the proposed ballot measure; Laurie Wisherd, Tom Lease, Michael Ragan, Lisa Vande Voorde, Michael Weinbauer, Ann Margaret, and Gary Germano spoke against ballot measure, Kelly Newman express concerns about equitable housing. Jordan Grimes, John Ebnetter, Ted McKinnen, Karol Eldridge, Rick Bonilla, Kiana Simmons requested Council reinstate High II housing.

Council asked questions of staff and gave comments.

Motion to Adopt a resolution placing a measure on the November 2024 ballot to seek voter approval of: (1) the General Plan Land Use Element that focuses growth primarily in the downtown and near transit, and that maintains existing height, density, and intensity limits in other neighborhoods consistent with Measure Y; (2) continued requirements for voter approval of changes to height, density, and intensity, or floor area ratio (“FAR”) limits, through 2030 consistent with Measure Y; and (3) maintain Measure Y limits in the majority of the City while repealing the text of Measure Y to allow for full implementation of General Plan 2040; introduce the ordinance

containing the measure; and authorize an ad hoc subcommittee of the City Council to prepare an argument in favor of the measure, and a rebuttal argument, to be submitted to the City Clerk. Motion passed 5-0.

Moved: Newsom, Seconded: Hedges
Ayes: Diaz Nash, Newsom, Hedges, Lee, and Loraine
Noes: None

Enactment: Resolution No. 63 (2024)

Council recessed from 10:14 p.m. to 10:21 p.m.

30. 619 W. 39th Avenue - Appeal of a Third Story Addition to an Existing Two-story Single-Family Residence (PA-2023-017)

Rendell Bustos, Senior Planner, and Ralph Robinson, Contract Planner, gave the presentation.

Rick Deutsch read Appellant Katherine Doughty's presentation.

Applicant Steve Lesley gave a presentation.

Public Comment: There were no speakers.

Appellant Katherine Doughty gave her rebuttals.

Applicant Steve Lesley gave his rebuttals.

Council asked questions of staff.

Motion to extend the meeting beyond 11:00 p.m. Motion passed 5-0.

Moved: Hedges, Seconded: Loraine
Ayes: Diaz Nash, Newsom, Hedges, Lee, and Loraine
Noes: None

Motion to Adopt a Resolution to deny the appeal of the Zoning Administrator and Planning Commission decisions to approve a Single-Family Dwelling Design Review (SFDDR) for a 438 square-foot third story addition to an existing two-story single-family residence at 619 W. 39th Avenue, based on the Findings for Approval and subject to the Conditions of Approval. Motion passed 5-0.

Moved: Newsom, Seconded: Hedges
Ayes: Diaz Nash, Newsom, Hedges, Lee, and Loraine
Noes: None

Enactment: Resolution No. 64 (2024)

NEW BUSINESS

31. Update Preliminary Application Review and Design Review Requirements for New Development Projects
Elaine Ling, AICP, Principal Planner, gave the presentation.

Public Comment: There were no speakers.

Council asked questions and made comments.

Motion to extend the meeting beyond 11:30 p.m. Motion passed 5-0.

Moved: Loraine, Seconded: Hedges
Ayes: Diaz Nash, Newsom, Hedges, Lee, and Loraine
Noes: None

Council discussion continued.

Motion to Adopt Resolutions to (1) repeal Resolution No. 69 (2020) and adopt an Early Community Engagement Process for Development Projects, including changes to a mandatory Planning Commission study session requirement and simplification of the noticing and neighborhood meeting procedures for all planning applications, and (2) repeal Resolution No. 67 (1996) Design Review Process for Certain Development Projects; and find that the policy updates are exempt from the California Environmental Quality Act pursuant to Guidelines Section 15378(b)(2). Motion passed 5-0.

Moved: Lee, Seconded: Newsom
Ayes: Diaz Nash, Newsom, Hedges, Lee, and Loraine
Noes: None

Enactment: Resolution Nos. 65 and 66 (2024)

REPORTS AND ANNOUNCEMENTS

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

ADJOURNMENT –The meeting adjourned in the memory of Mike Levinson at 11:44 p.m.

APPROVED BY:

SUBMITTED BY:

Lisa Diaz Nash, Mayor

Martin McTaggart, City Clerk