

COUNCIL MEMBERS  
Rick Bonilla, Mayor  
Diane Papan, Deputy Mayor  
Amourance Lee  
Joe Goethals  
Eric Rodriguez

# CITY OF SAN MATEO

## Regular Meeting Minutes

### City Council

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

**October 17, 2022**  
**City Hall Council Chambers 7:00 PM**  
**Regular Meeting**

#### **CALL TO ORDER –**

Pledge of Allegiance  
Roll Call

Present: Mayor Bonilla, Deputy Mayor Papan, Council Members: Lee, Goethals and Rodriguez

#### **CEREMONIAL**

1. 100<sup>th</sup> Anniversary of Central Park – Proclamation - Joanne Magrini, Parks and Recreation Director, received the proclamation
2. Breast Cancer Awareness Month – Proclamation - Matt Lethin, San Mateo Police Captain, received the proclamation
3. Fire Prevention Month – Proclamation - Melinda Martin, Deputy Fire Marshal, received the proclamation

#### **CONSENT CALENDAR**

The following items, 4 through 19, were considered to be routine by the City Council. Item 20 was removed to be considered separately. After the titles of the items were read by the Deputy City Clerk, the public was invited to comment and there were no speakers. Motion passed 5-0.

Moved: Goethals, Seconded: Rodriguez  
Ayes: Bonilla, Papan, Lee, Goethals, and Rodriguez  
Noes: None

4. City Council Meeting Minutes – Approval  
Approve the minutes of the City Council Special and Regular meetings of October 3, 2022.
5. City Council Guidelines – Amendment  
Adopt a Resolution to approve revised City Council Guidelines to amend the process governing the succession of the Mayor and Deputy Mayor to reflect the City's transition to district-based elections.  
  
Enactment: Resolution No. 115 (2022)
6. Grand Jury Report: "A Delicate Balance between Knowledge and Power: Government Transparency and the Public's Right to Know" – Response Letter  
Approve the letter responding to the August 9, 2022 report by the San Mateo County Civil Grand Jury entitled, "A Delicate Balance between Knowledge and Power: Government Transparency and the

Public's Right to Know" and authorize the Mayor to send the response letter on behalf of the City Council.

**7. Citywide Small Trash Capture Project – Agreement**

Approve an agreement with Schaaf & Wheeler Consulting Civil Engineers for design services for the Citywide Small Trash Capture Project in the amount of \$112,300; establish a contingency reserve in the amount of \$17,000 and authorize the Public Works Director to execute the agreement in substantially the form presented; and issue change orders within the contingency amount.

**8. Use of Public Right-of-Way – Agreement**

Approve a Utility Equipment Agreement (UEA) with Crown Castle Fiber, LLC for the construction, installation, maintenance, and operation of fiber optic network facilities within the public right-of-way and authorize the Public Works Director to execute the agreement in substantially the form presented.

**9. Purchase and Installation of Public Safety Equipment – Agreement**

Adopt a Resolution to approve an alternative bidding process and approve an agreement with Priority 1 Public Safety Equipment Installation, Inc. for the purchase and installation of public safety equipment in the amount of \$192,162.91; establish a contingency reserve in the amount of \$39,000; and authorize the Public Works Director to execute the agreement in substantially the form presented and issue change orders within the contingency amount.

Enactment: Resolution No. 116 (2022)

**10. Clean Water Program – Amendment**

Approve Amendment No. 8 to the agreement with CH2M Hill Engineers, Inc. to authorize scope and funding for the ninth year of program management services for the Clean Water Program in an amount not to exceed \$9,400,769 for Year 9 scope of services; establish a contingency reserve of \$1,410,000; and authorize the Public Works Director to execute this amendment in substantially the form presented and issue change orders within the contingency amount.

**11. San Mateo County Transportation Authority Senate Bill 1 Solutions for Congestion Corridors and Local Partnership Program Grant Application – Letter of Support**

Authorize the Mayor to send a letter of support on behalf of the City regarding San Mateo County Transportation Authority's application for Senate Bill 1 (SB 1) funding for the United States 101 and State Route 92 Area Improvements and Multimodal Project.

**12. San Mateo County Gun Relinquishment Task Force Program – Memoranda of Understanding**

Approve two Memoranda of Understanding with the County of San Mateo to define the purpose, goals and mission of the Gun Relinquishment Task Force, and to assign a Police Officer for a two-year term; adopt a Resolution to amend the 2022-23 budget to approve the addition of one Full Time Equivalent Police Officer for a two-year term and to; and authorize the Chief of Police to execute the agreements in substantially the form presented.

Enactment: Resolution No. 117 (2022)

**13. Citywide Parking Enforcement Services – Amendment**

Approve Amendment No. 1 to the agreement with LAZ Parking California LLC for citywide parking enforcement services in the amount of \$2,773,216 for a new agreement total of an amount not to exceed \$4,807,220; adopt a Resolution to appropriate \$50,000 to the Police Department's 2022-23

Operating Budget; and authorize the Chief of Police to execute the amendment in substantially the form presented.

Enactment: Resolution No. 118 (2022)

**14. Police Officer Lateral Hiring Recruitment Incentive Program – Extension**

Adopt a Resolution to authorize the extension of the Police Officer Lateral Hiring Recruitment Incentive Program to offer a \$30,000 recruitment incentive to up to five (5) highly qualified and experienced lateral police officers, in a cumulative amount not to exceed \$150,000.

Enactment: Resolution No. 119 (2022)

**15. Permanent Local Housing Allocation – Grant Application**

Adopt a Resolution to re-apply to the State of California for Permanent Local Housing Allocation grant program and amend the 5-year funding plan.

Enactment: Resolution No. 120 (2022)

**16. Mapping Software – Enterprise License Agreement**

Adopt a Resolution to approve an alternative purchasing method and an agreement with Environmental Systems Research Institute, Inc (ESRI) for purchase of software, cloud services, and support in the amount of \$208,000, and authorize the Director of Information Technology to execute the agreement in substantially the form presented.

Enactment: Resolution No. 121 (2022)

**17. Outdoor Dining Guidelines – Amendments**

Adopt a Resolution to approve amendments to the Parklet Permit Program Guidelines and the Sidewalk and Pedestrian Mall Outdoor Dining Permit Program and authorize the City Manager to make further minor administrative amendments to these program guidelines.

Enactment: Resolution No. 122 (2022)

**18. Uncollectible Accounts Receivable Write Off – Approval**

Adopt a Resolution to authorize writing off \$91,395.68 of uncollectible accounts receivable invoices as bad debt.

Enactment: Resolution No. 123 (2022)

**19. November 8, 2022 Statewide Propositions – Recommendations**

Approve the Legislative Committee's recommendations to take the following positions on the propositions on the ballot for the November 8, 2022 Statewide General Election: Proposition 28 (Funding Arts and Music Education) – Support; and Proposition 31 (Prohibiting Retail Sale of Certain Flavored Tobacco Products) – Support.

**END OF CONSENT CALENDAR**

**REMOVED FROM CONSENT CALENDAR**

**20. Fixin' San Mateo County – Resolution of Support**

Council Member Rodriguez pulled this item to comment that he has concerns with the oversight board, unsure of the appointment process and concerns with activist influence that could compromise the ability of the Sheriff's Office to keep the County safe. Not ready to sign on at this time.

Public Comment – Michael Levinson, North Peninsula Chapter of ACLU, the Sheriff herself supports this and the commission would be selected by the Board of Supervisors. Nancy Goodban thanked the Council for the endorsement and noted she supports an oversight board.

Motion to Adopt a Resolution to affirm the City of San Mateo City Council's support for Fixin' San Mateo County's (FxSMC) efforts to establish civilian oversight of the San Mateo County Sheriff's Office. Motion passed 4-1.

Moved: Goethals, Seconded: Bonilla  
Ayes: Bonilla, Papan, Lee, and Goethals  
Noes: Rodriguez

Enactment: Resolution No. 124 (2022)

**PUBLIC COMMENT**

Public Comment – Michael Berube thanked Council Member Papan for her commitment and involvement with the Chamber of Commerce.

**NEW BUSINESS**

**21. Downtown Business Improvement Area – Resolution of Intent**

Jennifer Chen, Economic Development Manager provided an overview of the business improvement area. Lew Cohen, President, Downtown San Mateo Association (DSMA), and Sara Mares, Director NBS and DSMA consultant, presented information on the history of the DSMA assessment fees, the difficulty of the last few years with DSMA being run by all volunteer leadership; and outlined the program to hire a consultant to formally evaluate the assessment fees. Council asked questions of staff and the consultant.

Public Comment – Seamus Whitley, Treasurer, DSMA, spoke in support and agreed to check in with Council. Robert Anderson, DSMA board member, spoke to how much more they were able to accomplish with a paid Director. Jonathan Stone, Prometheus Real Estate Group, strongly believes it is important for the DSMA to provide services for downtown and approves the fee structure.

Council provided comments and acknowledged the great work of all the businesses and the DSMA.

Motion to Adopt a Resolution of Intent to modify the basis and method of levy for the Downtown Business Improvement Area and set a public hearing for November 7, 2022, to consider proposed modification of assessments. Motion passed 5-0.

Moved: Papan, Seconded: Rodriguez  
Ayes: Bonilla, Papan, Lee, Goethals, and Rodriguez  
Noes: None

Enactment: Resolution No. 125 (2022)

Council recessed from 8:25 pm to 8:30 pm.

## **PUBLIC HEARING**

- 22.** 2022 Triennial Building Code Update and Adoption of Dangerous Building Code – Ordinance Introduction  
Michael Titsworth, Community Development Building Official, provided a presentation on the required adoption of the Triennial Building Codes. Council had no questions for staff. Public Comment – There were no speakers.

Motion to Introduce an Ordinance to adopt the 2022 Building Standards Code by reference with local amendments; amend various sections of San Mateo Municipal Code Title 23 “Buildings and Construction” to reflect the 2022 Building Standards Code; update procedural language and revise miscellaneous sections; adopt by reference the 1997 Uniform Code for the Abatement of Dangerous Buildings; and adopt a Resolution to set forth express findings that amendments to the 2022 Building Standards Codes are reasonably necessary based on local climatic, topographical, or geological conditions. Motion passed 5-0.

Moved: Papan, Seconded: Lee

Ayes: Bonilla, Papan, Lee, Goethals, and Rodriguez

Noes: None

Enactment: Resolution No. 126 (2022)

- 23.** “Appeal of Administrative Citation” Amendments – Ordinance Introduction  
Christina Horrisberger, Community Development Department Director, provided the history of Council’s review of appeals of administrative citations. Council had no questions for staff. Public Comment - There were no speakers.

Motion to Introduce an Ordinance to amend San Mateo Municipal Code Chapter 1.10, Section 1.10.060 "Appeal of Administrative Citation" and Chapter 2.21 “Community Relations Commission” to create an administrative citation appeal procedure before an impartial hearing officer related to violations of technical building and health and safety codes. Motion passed 5-0.

Moved: Lee, Seconded: Papan

Ayes: Bonilla, Papan, Lee, Goethals, and Rodriguez

Noes: None

- 24.** Sustainability-Related Amendments to the 2022 California Building Standards Code – Ordinance Introduction – as Amended

Andrea Chow, Sustainability Analyst, provided a presentation of the Reach Codes and the review and direction provided by Council to date. Council asked questions of staff. Blake Herrschaft, Building Electrification Programs Manager, Peninsula Clean Energy (PCE), explained the incentive offered by PCE to electrify homes.

Public Comment

Expressing Concern (4): Shawn Fahrenbruch, Thomas Weissmiller; Brian Thurston; and Taso Zografos

Expressing Support (25): Harry Moody, Climate Action San Mateo; Belinda Chlomber; Sue Blockstein; Michelle Hudson; Robert Whitehair, San Mateo Climate Action Team; Rafael Reyes, PCE; Pam Rittelmeyer; Ellyn Jacobs Dooley; Marty Jordan; Mike Martin; Anjuli Mishra; Gary T.; John McKenna; Raayan Montashemi; Ines Pajot; Ricki McGlashan; Sharon, 305 Silicon Valley; Michelle Mandel; Diane Bailey; Bruce Naegel; Claire Shintani; Dashiell Leeds; Tom Kabat; Rob Newsom; Nancy Schneider; and Lauren Weston.

Council consensus was in support of electrification and requested that there will be robust public outreach in the future regarding implementation. Also concurred with amended Ordinance option to strike through wording regarding space heating appliance upgrades.

Motion to Introduce an Ordinance, as amended, to amend the San Mateo Municipal Code Chapter 23.40 "Energy Code" to adopt the 2022 California Energy Code by reference; amend the San Mateo Municipal Code Chapter 23.70 "Green Building Code" to adopt the 2022 California Green Building Standards Code with local amendments to require enhanced electric vehicle charging infrastructure beyond state requirements, require all-electric new construction, and require electric-readiness and electric appliances during residential building remodels; and Adopt a Resolution adopting express findings required for local amendments to the 2022 Green Building Code. Motion passed 4-1.

Moved: Goethals, Seconded: Lee  
Ayes: Bonilla, Papan, Lee, and Goethals  
Noes: Rodriguez

Enactment: Resolution No. 127 (2022)

### **REPORTS AND ANNOUNCEMENTS**

City Manager, City Attorney and Council Members reported on their various assignments and liaison roles. Mayor Bonilla asked about housing element and City Manager Drew Corbett responded.

**ADJOURNMENT** –The meeting adjourned at 10:03 p.m.

APPROVED BY:

SUBMITTED BY:

Rick Bonilla, Mayor

Patrice Olds, City Clerk