

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](http://www.cityofsanmateo.org)

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

**CALL TO ORDER** – The meeting was called to order at 7:05 p.m.

Pledge of Allegiance  
Roll Call

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

### CEREMONIAL

1. George Smith (San Mateo County Veteran of the Year 2022) – Recognition – George Smith received the recognition and Thomas Weissmiller provided accolades.
2. San Mateo Age Friendly Action Plan – Update - Bob Palacio, Community Services Manager, Parks and Recreation, and Monika Lee, Senior Citizens Commissioner, provided an update on the initiative.

### CONSENT CALENDAR

The following items, 3 through 5 and 7 through 14, were considered to be routine by the City Council. Item 6 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: Lee  
Ayes: Bonilla, Papan, Lee, Goethals, and Rodriguez  
Noes: None

3. City Council Meeting Minutes - Approval  
Approve the minutes of the City Council special and regular meetings of October 17, 2022.
4. 2022 Triennial Building Code Update and Adoption of Dangerous Building Code – Ordinance Adoption  
Adopt 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; and adopt by reference the 1997 Uniform Code for the Abatement of Dangerous Buildings.

Enactment: Ordinance No. 2022-11

5. “Appeal of Administrative Citation” Amendments – Ordinance Adoption  
Adopt 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.

Enactment: Ordinance No. 2022-12

7. Mosquito Vector Control District - Reappointment  
Reappoint Ed Degliantoni as a member of the Board of Trustees of the San Mateo County Mosquito & Vector Control District for a two-year term beginning January 1, 2023 and ending December 31, 2024.
8. Art in Public Places 2022 Report and Plan, Civic Arts Committee Renewal and Reappointments – Approval  
Approve the Art in Public Places 2022 Report & Plan, renew the Civic Arts Committee for two years, reappoint the current Civic Arts Committee members, and approve the expenditure of \$10,000 from the Art in Public Places Fund for the Equity Art Project artist selection process.
9. Enterprise Resource Planning System Replacement Project – Change Order  
Approve a change order to the agreement with Collaborative Solutions for adding 1099-G and Dunning Letter services in the amount of \$14,700, for a revised contract agreement total of \$1,298,720.
10. Private Development and Right-of-Way Support Services – Agreement  
Approve an agreement with CSG Consultants, Inc. for private development and right-of-way support services in the amount of \$150,000 for a term from December 1st, 2022, through December 1st, 2023, and authorize the Public Works Director to execute the agreement in substantially the form presented.
11. Landscape Services for Marina Lagoon Maintenance Project Habitat Mitigation Monitoring Plan - Agreement  
Approve an agreement with WRA Landscape Restoration, Inc. for the implementation of the Marina Lagoon Maintenance Project Habitat Mitigation Monitoring Plan in an amount not to exceed \$93,080; establish a contingency reserve of \$9,300; and authorize the Public Works Director to execute the agreement in substantially the form presented and issue change orders within the contingency amount.
12. Fashion Island Boulevard/19th Avenue Class IV Bikeway – Application  
Adopt a Resolution to approve the submittal of an application to the San Mateo County Transportation Authority for Measure A and W Pedestrian and Bicycle Program Grant Funding for the Fashion Island Boulevard/19th Avenue Class IV Bikeway project in the amount of \$2,000,000 with a local match requirement of approximately \$200,000; and, if awarded, authorize the City Manager to execute all required documents and appropriate funds to the project.

Enactment: Resolution No. 128 (2022)

13. Wastewater Treatment Plant Immediate Action Project, Package II – Appropriation  
Adopt a Resolution to authorize an appropriation of funds in the amount of \$477,677 from the Sewer Fund Reserves for the Wastewater Treatment Plant Immediate Action Projects, Package II Project, revising the total project budget to a value of \$13,021,372.

Enactment: Resolution No. 129 (2022)

14. Wastewater Treatment Plant Supply of Liquid Polymer – Contract Change Order  
Approve a contract change order to SNF Polydyne for the supply of liquid emulsion polymer in the amount of \$15,000 for a revised total contract amount of \$394,303 and authorize the Public Works Director to execute the change order in substantially the form presented.

## END OF CONSENT CALENDAR

### REMOVED FROM CONSENT CALENDAR

**6. Sustainability-Related Amendments to the 2022 California Building Standards Code – Ordinance Adoption**

Gary Germano expressed his concerns with all electric appliance requirements. Mayor Bonilla provided additional information. Council Member Rodriguez noted for the record that he would be voting no as he did on the introduction of the ordinance.

Motion to Adopt an Ordinance to amend the San Mateo Municipal Code Chapter 23.40 "Energy Code" to adopt the 2022 California Energy Code by reference and 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. Motion passed 4-1.

Moved: Goethals, Seconded: Lee

Ayes: Bonilla, Papan, Lee, and Goethals

Noes: Rodriguez

Enactment: Ordinance No. 2022-13

### PUBLIC COMMENT

Michael Weinbauer outlined the issue with the removal of campaign signs by Planning Commissioner Adam Nugent. Lisa Tanner reiterated Commissioner Nugent had no authority to remove the signs and noted this misdemeanor is a chargeable offense. Dave Cohen, Ethics San Mateo, requested Council establish an independent ethics commission as part of city governance and respectfully demand Council to take immediate action to cause an independent and transparent investigation of Commissioners Patel, Ebner, Nugent, and Council Member Lee's use of social media. Kevin Simpson is very disturbed by what took place and the pattern of the action Nugent has taken. Trina Pierce stated concern that seniors are asking for blue painting on curb to indicate handicap parking and feel they are being retaliated against because of the request. Heather Cleary, Vice Chair, San Mateo Area Chamber of Commerce, thanked the City for their partnership now and in the past partnership working on a vibrant business community. Rick Ballard stated he knows Adam Nugent to be a person of integrity and requested stop making assumptions without evidence. Rich Kranz is concerned with removing multiple signage of candidates and noted the City Council cannot appear to do nothing. Raayan Mohtashemi stated interest in understanding more clearly sidewalk repair program works; public is misinformed.

### PUBLIC HEARING

**15. Downtown Business Improvement Area - Public Hearing**

Jennifer Chen, Economic Development Manager, and Sara Mares, Consultant, provided an update on the proposed Downtown Business Improvement Area (DBIA) and outlined the changes addressed as a result of feedback from the community. Council had no questions.

Public Comment – Louis Paycheck stated that after two years of business struggling due to Covid, it is not the right time to increase fees – he requested it be tabled for five years. Heather Cleary, Vice Chair of Chamber of Commerce and CEO of Peninsula Family Service, is very supportive of raising the rates to improve the Downtown area. Andrew Geositt commented that his wife pays fees for a business license and that business dropped off 30-40% over Covid, instead of raising fees why not help people out; i.e. free parking should be offered especially for business owners. Susan Uzunoglu, had a 37-year business in Downtown area, Covid was very tough; but as a board member, recognizes the need for an executive director to promote the Downtown area. Robert Anderson, DSMA

Board, outlined some accomplishments of the DSMA impacting positively Downtown. Colleen Rafferty expressed support and that Main Street is a key component of a healthy and vibrant community. Heather Anne said she is happy to pay fees, taxes, and is gratified to learn the fee schedule has been shifted but expressed concern why the DSMA is a private 501(c)6. Jonathan Stone remarked that he sent a letter in support of this matter and also is voicing his support because DSMA needs to provide services. Anne Kenney is concerned with the new fee structure from DSMA and concern with cleaning sidewalks and garages. Rafat Haddad, 3 Bees Coffee on 3rd Avenue, supports proposal of DSMA which has helped improve his business. City Manager Corbett clarified that the DSMA is funded by the assessment and not taxpayers' money.

Council Member Rodriguez commented he is very supportive of the changes – long overdue – and desires a heightened commitment to tangible success metrics to track progress and ensure accountability. He requested surveys and polling of the businesses to check in on success. Council asked additional questions of staff. Lew Cohen, DSMA President, responded.

Motion to Introduce an Ordinance to modify the basis and method of levy for the Downtown Business Improvement Area (DBIA); and adopt a Resolution to approve the Proposed Annual Assessment Schedule for the DBIA for Fiscal Year 2023-24. Motion passed 5-0.

Moved: Papan, Seconded: Lee

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

Noes: None

Enactment: Resolution No. 130 (2022)

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

## **NEW BUSINESS**

### **16. Draft Goals, Policies and Actions for the Land Use, Community Design and Historic Preservation, and Safety Elements – General Plan Update**

Zachary Dahl, Community Development Deputy Director, and Joanna Jansen, PlaceWorks Consultant, provided a presentation on the General Plan policies under consideration. Council asked questions of staff.

Public Comment – Lisa Diaz Nash stated she is concerned with projected growth and affiliated transition. Ken Abreau commented on land use policy, jobs housing fit, and used the commercial linkage fee. Shawn Fahrenbruch concerned with rent control. Trina Pierce asked questions about SB1000 and residents' involvement. Jordan Grimes is concerned with the jobs housing imbalance and noted the City is behind on housing the workforce. Sean Reese, Field Representative of the NorCal Carpenters Union at Local 217, would like construction labor standards within the General Plan noting construction workers are systematically abused through wage theft. Laurie would appreciate adding language regarding historic districts. Pamela Rittelmeyer commented on extreme heat events needing to be included in the General Plan.

Council provided comments on the policies and goals including community benefits dashboard, historic preservation, increased outreach, including sea level rise concerns, union labor issues, childcare, objective standards, community health and adding Shoreview and North Shoreview as equity priority community.

## **REPORTS AND ANNOUNCEMENTS**

City Manager, City Attorney and Council Members reported on their various assignments and liaison roles. Council Member Goethals commented that the community very much wants to save Draegers and requested to schedule a special meeting for December 1<sup>st</sup> at 6:00 p.m. regarding this matter. Council unanimously concurred. Council Member

Rodriguez requested the matter of the removal of campaign signs by a commissioner be agendized at the next meeting for fact finding purposes. Papan concurred. However, there was not Council consensus to do so.

**ADJOURNMENT** –The meeting convened at 10:03 p.m. to continue the Study Session.

APPROVED BY:

SUBMITTED BY:

Rick Bonilla, Mayor

Patrice Olds, City Clerk