MINUTES
REGULAR MEETING

City Council of the Town of Colma
City Hall, 1198 El Camino Real
Colma, CA 94014

Wednesday, July 12, 2006
7:30 p.m.

PLEDGE OF ALLEGIANCE - CALL TO ORDER

Mayor Helen Fisicaro called the Regular Meeting of the City Council for the Town of Colma to order at 7:36 p.m.

Mayor Fisicaro reported that there was no reportable action at the Closed Session meetings of July 7, 2006 and July 12, 2006.

ROLL CALL

Council Present – Mayor Helen Fisicaro, Vice Mayor Frossanna Vallerga and Council Members C.R. "Larry" Formalejo, Joseph Silva and Philip J. Lum, Jr.
Council Absent – None
Staff Present – City Manager Diane McGrath, City Attorney Roger Peters, Police Chief Robert Lotti, City Planner Andrea Ouse, Recreation Director Brian Dossey, City Engineer Rick Mao and Administrative Technician Kristina Krow.
Also Present – Rae Gonzalez, City Treasurer

PUBLIC COMMENTS

Mayor Fisicaro opened the public comment period at 7:39 p.m.

Appearing:

Fernando Duarte, 1359 Isabelle Circle, requested that the issue of alternative uses for garage space in the Verano complex be placed on a future council agenda. Mr. Duarte was directed to discuss this further with the City Planner.

Greg Cochran, representing the Colma/Daly City Chamber of Commerce spoke about the Leadership Forum held at Skyline College and encouraged the Town's continued participation.

Mayor Fisicaro closed the public comment period at 7:45 p.m.

PRESENTATIONS AND INTRODUCTIONS

Birthday Recognitions

Mayor Fisicaro recognized Dorothy Hillman on the occasion of her 85th Birthday. Ms. Hillman was presented with a bouquet of flowers and a certificate.

Introduction of New Police Department Employees
Chief Lotti introduced the new police department employees: Officer James Vitale and Dispatcher Tiffany Pelletier

CONSENT CALENDAR

Mayor Fisicaro asked if there were any changes to the agenda. There were none.

1. Motion to Accept Minutes of June 14, 2006 Regular City Council Meeting.

2. Motion to Approve Warrants List for June 2006.

3. Motion to Approve the Resolution No. 2006-30 Recommending the San Mateo County Flood Control District to Impose *Basic* Charges for Funding the 2006/2007 Countywide National Pollution Discharge Elimination System (NPDES) General Program and Directing the City Manager to Pay *Additional* Charges Out of the Town's General Fund

4. Motion to Ordinance No. 646 Amending Sections 1.10.200 through 1.10.256 of the Colma Administrative Code, Relating to Processing Fees for Land Use Development Projects (Second Reading).

5. Motion to Accept the Recreation Services Department Quarterly Review for April – June 2006.

6. Motion to Adopt Resolution No. 2006-31 Continuing the Employment Agreement Between the Town of Colma and the Office Assistant.

7. Motion to Adopt Ordinance No. 647 Amending Section 5.03.520 of the Colma Municipal Code Relating To Administrative Use Permits (Second Reading).

8. Motion to Adopt Resolution No. 2006-32 Extending the Cable Franchise Held by Comcast of California IX, Inc.

9. Resolutions for Municipal Election on November 7, 2006.

   a) Motion to Adopt Resolution No. 2006-33 Calling and Giving Notice of General Municipal Election on November 7, 2006 for the Election of Two Council Members and the City Treasurer.

   b) Motion to Adopt Resolution No. 2006-34 Approving Agreement with San Mateo County Chief Elections Officer for Provision of Election Services for the General Municipal Election to be Held on Tuesday, November 7, 2006

Action:

Council Member Lum moved to **approve Consent Calendar Items 1 through 9** seconded by Vice Mayor Vallerga and **carried** by the following vote:

Name	Voting		Present, Not Voting		Absent
	Aye	No	Abstain	Not Participating	
Helen Fisicaro	✓				
Frossanna "Fro" Vallerga	✓				
C.R. "Larry" Formalejo	✓				
Philip J. Lum, Jr.	✓				
Joseph Silva	✓				
Voting Tally	5	0			

PUBLIC HEARING

10. **Consider: Ordinances Amending Colma Municipal Code Section 3.04.170, Setting Sewer Service Fees.**

City Engineer Rick Mao presented staff report.

Mayor Fisicaro opened the public hearing, and with no public comment closed the hearing at 7:52 p.m.

Council noted that the fee increase was in response to fees being raised by the sewer service providers and were not increased by the Town. Also noted was the fact that residents will still only pay $1.00 of this fee.

Mayor Fisicaro asked City Clerk Diane McGrath for a final tabulation of protests. City Clerk McGrath responded that there was one valid protest which did not constitute a majority of property owners, and that the Council could proceed to action.

Action:
Title of Ordinance No. 648

MOTION TO ADOPT URGENCY ORDINANCE ESTABLISHING FEES FOR SEWER SERVICES BY AMENDING COLMA MUNICIPAL CODE SECTION 3.315.

Vice Mayor Vallerga moved to **adopt Urgency Ordinance No. 648,** seconded by Council Member Silva and **carried** by the following vote:

Name	Voting		Present, Not Voting		Absent
	Aye	No	Abstain	Not Participating	
Helen Fisicaro	✓				
Frossanna "Fro" Vallerga	✓				
C.R. "Larry" Formalejo	✓				
Philip J. Lum, Jr.	✓				
Joseph Silva	✓				
Voting Tally	5	0			

Action:

MOTION TO APPROVE READING OF URGENCY ORDINANCE BY TITLE ONLY

Vice Mayor Vallerga moved **to approve reading of Urgency Ordinance by title only**, seconded by Council Member Silva and **carried** by the following vote:

Name	Voting		Present, Not Voting		Absent
	Aye	No	Abstain	Not Participating	
Helen Fisicaro	✓				
Frossanna "Fro" Vallerga	✓				
C.R. "Larry" Formalejo	✓				
Philip J. Lum, Jr.	✓				
Joseph Silva	✓				
Voting Tally	5	0			

Action:
Title of Ordinance No. 650

MOTION TO INTRODUCE ORDINANCE ESTABLISHING FEES FOR SEWER SERVICES BY AMENDING COLMA MUNICIPAL CODE SECTION 3.315.

Vice Mayor Vallerga moved **to introduce Ordinance No. 650**, seconded by Council Member Lum and **carried** by the following vote:

Name	Voting		Present, Not Voting		Absent
	Aye	No	Abstain	Not Participating	
Helen Fisicaro	✓				
Frossanna "Fro" Vallerga	✓				
C.R. "Larry" Formalejo	✓				
Philip J. Lum, Jr.	✓				
Joseph Silva	✓				
Voting Tally	5	0			

Action:
MOTION TO APPROVE READING OF ORDINANCE BY TITLE ONLY

Vice Mayor Vallerga moved **to approve reading of Ordinance No. 650 by title only**, seconded by Council Member Silva and **carried** by the following vote:

Name	Voting		Present, Not Voting		Absent
	Aye	No	Abstain	Not Participating	
Helen Fisicaro	✓				
Frossanna "Fro" Vallerga	✓				
C.R. "Larry" Formalejo	✓				
Philip J. Lum, Jr.	✓				
Joseph Silva	✓				
Voting Tally	5	0			

11. **Consider: Overruling Protests for Sewer Service Charges, Approving the Report on Sewer Service Charges for FY 06/07 and Authorizing Payment of Certain Sewer Service Charges from the General Fund.**

City Engineer Rick Mao presented the staff report.

Mayor Mayor Fisicaro opened the public hearing, and with no public comment closed the hearing at 7:57 p.m.

Action:
Title of Resolution No. 2006-35

MOTION TO ADOPT RESOLUTION OVERRULING PROTESTS FOR SEWER SERVICE CHARGES, APPROVING THE REPORT ON SEWER SERVICE CHARGES FOR FY 06/07 AND AUTHORIZING PAYMENT OF CERTAIN SEWER SERVICE CHARGES FROM THE GENERAL FUND.

Vice Mayor Vallerga moved to **adopt of Resolution No. 2006-35**, seconded by Council Member Silva and **carried** by the following vote:

Name	Voting		Present, Not Voting		Absent
	Aye	No	Abstain	Not Participating	
Helen Fisicaro	✓				
Frossanna "Fro" Vallerga	✓				
C.R. "Larry" Formalejo	✓				
Philip J. Lum, Jr.	✓				
Joseph Silva	✓				
Voting Tally	5	0			

12. **Consider: Granting a Conditional Use Permit to Use the Property at 1725 Old Mission Road for Warehousing and Storage of Building Materials (APN: 010-142-100).**

Andrea Ouse, City Planner, presented the staff report. This item was continued from the June 14, 2006 Council Meeting. City Planner Ouse noted that changes were made to the conditions of approval from that meeting.

Mayor Fisicaro opened the public hearing at 8:10 p.m.

Appearing:

Mr. Tuan Tran, applicant and business owner
Pat Lagomarsino, representing the Lagomarsino Trust
Quythi Kim Le, translator for Mr. Tran

Mayor Fisicaro closed the public hearing at 8:14 p.m.

Action:
Title of Resolution No. 2006-36

RESOLUTION GRANTING A CONDITIONAL USE PERMIT TO USE THE PROPERTY AT 1725 OLD MISSION ROAD FOR WAREHOUSING AND STORAGE OF BUILDING MATERIALS (APN: 010-142-100).

Mayor Fisicaro moved **to adopt Resolution No. 2006-36**, seconded by Council Member Silva and **carried** by the following vote:

Name	Voting		Present, Not Voting		Absent
	Aye	No	Abstain	Not Participating	
Helen Fisicaro	✓				
Frossanna "Fro" Vallerga	✓				
C.R. "Larry" Formalejo	✓				
Philip J. Lum, Jr.	✓				
Joseph Silva	✓				
Voting Tally	5	0			

13. Consider: Ordinances Amending Colma Municipal Code Subchapter 4.07 to Regulate Temporary Noncommercial Signs.

Andrea Ouse, City Planner, presented the staff report.

Mayor Fisicaro opened the public hearing and with no public comment closed at 8:30 p.m.

Action:
Title of Ordinance No. 649

URGENCY ORDINANCE AMENDING COLMA MUNICIPAL CODE SUBCHAPTER 4.07 TO REGULATE TEMPORARY NONCOMMERCIAL SIGNS.

Vice Mayor Vallerga moved to **adopt Urgency Ordinance No. 649 ,** seconded by Council Member Silva and **carried** by the following vote:

Name	Voting		Present, Not Voting		Absent
	Aye	No	Abstain	Not Participating	
Helen Fisicaro	✓				
Frossanna "Fro" Vallerga	✓				
C.R. "Larry" Formalejo	✓				
Philip J. Lum, Jr.	✓				
Joseph Silva	✓				
Voting Tally	5	0			

Action:
MOTION TO APPROVE READING OF URGENCY ORDINANCE BY TITLE ONLY

Vice Mayor Vallerga moved to **approve reading of Urgency Ordinance No. 649 by title only**, seconded by Council Member Silva, and **carried**, by the following vote:

Name	Voting		Present, Not Voting		Absent
	Aye	No	Abstain	Not Participating	
Helen Fisicaro	✓				
Frossanna "Fro" Vallerga	✓				
C.R. "Larry" Formalejo	✓				
Philip J. Lum, Jr.	✓				
Joseph Silva	✓				
Voting Tally	5	0			

Action:
Title of Ordinance No. 651

ORDINANCE AMENDING COLMA MUNICIPAL CODE SUBCHAPTER 4.07 TO REGULATE TEMPORARY NONCOMMERCIAL SIGNS.

Vice Mayor Vallerga moved to introduce **Ordinance No. 651,** seconded by Council Member Formalejo and **carried** by the following vote:

Name	Voting		Present, Not Voting		Absent
	Aye	No	Abstain	Not Participating	
Helen Fisicaro	✓				
Frossanna "Fro" Vallerga	✓				
C.R. "Larry" Formalejo	✓				
Philip J. Lum, Jr.	✓				
Joseph Silva	✓				
Voting Tally	5	0			

Action:
MOTION TO APPROVE READING OF ORDINANCE BY TITLE ONLY

Vice Mayor Vallerga moved to **approve reading of Ordinance No. 651 by title only**, seconded by Council Member Formalejo, and **carried**, by the following vote:

Name	Voting		Present, Not Voting		Absent
	Aye	No	Abstain	Not Participating	
Helen Fisicaro	✓				
Frossanna "Fro" Vallerga	✓				
C.R. "Larry" Formalejo	✓				
Philip J. Lum, Jr.	✓				
Joseph Silva	✓				
Voting Tally	5	0			

14. Consider: Amending Resolution 2003-03 By Extending The Date To Receive Underground Service And To Remove Overhead Poles, Wires And Structures.

Mayor Fisicaro noted that she would not be participating in the discussion or voting for items No.14 and 15 as she is an employee of PG&E. Mayor Fisicaro stepped down from the dais and left the Council Chamber. Vice Mayor Vallerga presided over Agenda Items No. 14 and 15.

City Engineer Rick Mao, presented the staff report.

Vice Mayor Vallerga opened the public hearing, and with no public comment closed the hearing at 8:35 p.m. During the council discussion it was noted that there is mixed use property at 1450 Hillside Boulevard, which consists of 4 residential apartment units and a ground floor commercial space which is currently occupied by the Olivet Flower shop. For this property, only the cost of undergrounding the residential apartments units will be paid by the Town. The property owner will be responsible for the undergrounding costs associated with the commercial space.

Action:
Title of Resolution No. 2006-37

RESOLUTION AMENDING RESOLUTION 2003-03 BY EXTENDING THE DATE TO RECEIVE UNDERGROUND SERVICE AND TO REMOVE OVERHEAD POLES, WIRES AND STRUCTURES

Council Member Lum moved to **approve Resolution 2006-37**, seconded by Council Member Formalejo, and **carried**, by the following vote:

Name	Voting		Present, Not Voting		Absent
	Aye	No	Abstain	Not Participating	
Helen Fisicaro				✓	
Frossanna "Fro" Vallerga	✓				
C.R. "Larry" Formalejo	✓				
Philip J. Lum, Jr.	✓				
Joseph Silva	✓				
Voting Tally	4	0		1	

15. Consider: Awarding a Construction Contract to ARB Inc., in the Amount Not-To-Exceed $466,568 for the Construction of the Hillside Boulevard Utility Undergrounding Project – Phase II, CIP No. 901.

City Engineer Rick Mao, presented the staff report.

Vice Mayor Vallerga opened the public hearing, and with no public comment closed the hearing at 8:40 p.m.

Action:
Title of Resolution No. 2006-38

RESOLUTION AWARDING A CONSTRUCTION CONTRACT TO ARB INC., IN THE AMOUNT NOT-TO-EXCEED $466,568 FOR THE CONSTRUCTION OF THE HILLSIDE BOULEVARD UTILITY UNDERGROUNDING PROJECT – PHASE II, CIP NO. 901

Council Member Lum moved to **approve Resolution 2006-38**, seconded by Council Member Silva, and **carried**, by the following vote:

Name	Voting		Present, Not Voting		Absent
	Aye	No	Abstain	Not Participating	
Helen Fisicaro				✓	
Frossanna "Fro" Vallerga	✓				
C.R. "Larry" Formalejo	✓				
Philip J. Lum, Jr.	✓				
Joseph Silva	✓				
Voting Tally	4	0		1	

Mayor Fisicaro returned to the Council Chamber and took her seat on the dais at 8:41 p.m.

16. Consider: Resolution Authorizing the Town of Colma to Become a Member of a Countywide Sub-Region, an Entity that Would Locally Administer ABAG's Regional Housing Needs Allocation Process (RHNA).

Andrea Ouse, City Planner, presented the staff report.

Mr. Richard Napier, representing C/CAG, discussed the RHNA process and C/CAG's involvement in the facilitation of the countywide sub-region. Mr. Napier also answered questions from the City Council.

Council's discussion included the following topics: Colma's voice on the sub-region; an equal "say' is needed; awareness on the part of ABAG and C/CAG that Colma receives very little property taxes; question of who will represent Colma – staff member, Council Member or resident; discussion of opting-out of the countywide sub-region; the methodology for the allocation; other towns who are considering membership in the sub-region; the desire to get housing credit for the affordable senior housing built by the Town; the dissatisfaction with the last allocation.

Action:
Title of Resolution No. 2006-39

RESOLUTION AUTHORIZING THE TOWN OF COLMA TO BECOME A MEMBER OF A COUNTYWIDE SUB-REGION, AN ENTITY THAT WOULD LOCALLY ADMINISTER ABAG'S REGIONAL HOUSING NEEDS ALLOCATION PROCESS (RHNA).

Vice Mayor Vallerga moved to **approve Resolution 2006-39**, seconded by Council Member Lum, and **carried**, by the following vote:

Name	Voting		Present, Not Voting		Absent
	Aye	No	Abstain	Not Participating	
Helen Fisicaro	✓				
Frossanna "Fro" Vallerga	✓				
C.R. "Larry" Formalejo	✓				
Philip J. Lum, Jr.	✓				
Joseph Silva	✓				
Voting Tally	5	0			0

17. **Study: Discussion of an Art in Public Places Program.**

Andrea Ouse, City Planner, presented the staff report.

Council's discussion included the following topics: Art programs in neighboring cities such as San Bruno and South San Francisco; the desire to not have fees placed on residents; the need for staff to bring examples of public art to the next discussion; banner program; and discussion of who would choose the artwork and what criteria would be set for selection. Council asked that this item be put on a future agenda and that the City Planner bring additional information and examples for Council to consider.

COUNCIL CALENDARING

Mayor Fisicaro reported that the August City Council meeting would possibly be cancelled.

REPORTS

City Manager McGrath stated that Council has a policy of reporting out on events and meetings that they have attended, and asked if any Council members had a report.

Mayor Fisicaro reported that the North Peninsula Food Pantry and Dining Center of Daly City is sponsoring a mobile van that provides health services to residents. She asked that this information be put into the next edition of the Live Wire.

ADJOURNMENT

There being no further business, Mayor Fisicaro adjourned the Regular Meeting at 9:30 p.m.

Respectfully submitted,

Kristina Krow

Kristina Krow
Administrative Technician II