

**MINUTES  
ADJOURNED REGULAR MEETING**

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

**Wednesday, August 22, 2007  
7:30 p.m.**

**CALL TO ORDER**

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

Mayor Vallerga reported that no action had taken place in the closed session meeting, which had immediately preceded this meeting.

Council Present – Mayor Frossanna Vallerga, Vice Mayor Larry Formalejo, Councilmembers Joseph Silva, Helen Fiscaro and Joanne F. del Rosario.

Staff Present – City Manager Diane McGrath, Assistant City Manager Laura Allen, City Attorney Roger Peters, Police Chief Robert Lotti, City Planner Andrea Ouse, Recreation Director Brian Dossey, City Engineer Rick Mao, Project Manager Brad Donohue, and Administrative Technician Kristina Krow.

Also Present: Rae Gonzalez, City Treasurer.

**PRESENTATIONS AND INTRODUCTIONS**

- Police Chief Robert Lotti introduced three new Police Department employees, Recruit Jason Wollman, Officer Christopher Grant and Officer Daniel Seevers. Also recognized was Sergeant Michael Pfothhauer who was recently promoted.

**PUBLIC COMMENTS**

Mayor Vallerga opened the public comment period at 7:40 p.m.

Fire Chief Geoff Balton addressed the City Council regarding Measure H, the Colma Fire Protection District special tax for fire protection, which is on the November ballot.

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

**CONSENT CALENDAR**

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

1. Motion to Accept the Minutes from the July 11, 2007 Regular Meeting.
2. Motion to Approve the Warrants List for July 2007.
3. Motion to Adopt a Resolution Amending the Budget for Fiscal Year 2006-2007 to Transfer Funds from General Reserves to the General Fund - Operating Expenditures.

4. Motion to Adopt a Resolution Authorizing the City Engineer to File Notice of Completion with the County Recorder's Office for the Hillside Boulevard Utility Undergrounding Project, Phase II – CIP No. 901.
5. Motion to Adopt a Resolution Awarding the Town Hall Re-Roofing Contract in the Amount not to Exceed \$70,000 , and Authorize the Mayor to Enter into an Agreement with George Roofing Inc.
6. Motion to Adopt a Resolution Terminating the California Public Entity Insurance Authority Joint Powers Agreement.
7. Motion to Adopt a Resolution Implementing Employer Pick-Up of Miscellaneous Employees' Contributions to the Public Employees Retirement System.
8. Motion to Adopt a Resolution Amending the Colma Administrative Code, Relating to Proving Identification and Residency to Obtain a Colma Identification Card.
9. Motion to Adopt a Resolution Recommending that the Colma Highway Lighting District Install and Maintain Street Lights in the Area of 300 Hoffman Boulevard.

**Action:** Councilmember Fiscaro moved to approve the Consent Calendar seconded by Vice Mayor Formalejo, the motion carried by the following vote:

Name	Voting		Present, Not Voting		Absent
	Aye	No	Abstain	Not Participating	
Frossanna "Fro" Vallerga	✓				
C.R. "Larry" Formalejo	✓				
Joseph Silva	✓				
Helen Fiscaro	✓				
Joanne F. del Rosario	✓				
Voting Tally	5				

## PUBLIC HEARING

10. **Consider:** Resolution Approving Conditional Use Permit to Use Property at 1325 Isabelle Circle for a Home Office (APN: 010-460-350).

City Planner Andrea Ouse presented the staff report. The applicant, Mr. Cesar Guererro was present.

Mayor Vallerga opened the public hearing, and with no public comment, closed the hearing at 7:48 p.m.

**Action:** Councilmember Fiscaro moved to Adopt a Resolution Approving Conditional Use Permit to Use Property at 1325 Isabelle Circle for a Home Office (APN: 010-460-350), seconded by Councilmember Silva, and carried by the following vote:

Name	Voting		Present, Not Voting		Absent
	Aye	No	Abstain	Not Participating	
Frossanna "Fro" Vallerga	✓				
C.R. "Larry" Formalejo	✓				
Joseph Silva	✓				
Helen Fiscaro	✓				
Joanne F. del Rosario	✓				
Voting Tally	5				

- 11. Consider:** Resolution Approving Conditional Use Permit to Use Property at 451 B Street for a Home Office (APN: 008-125-220).

City Planner Andrea Ouse presented the staff report, and her recommendation was that the Council make findings for denial of this application. The applicant was not present. City Manager Diane McGrath and City Attorney Roger Peters conferred and asked that the Mayor continue this item to the meeting of September 12, as the wording on the posted agenda and the title of the staff report may have been misleading.

**Action:** Vice Mayor Formalejo moved to continue this item, Conditional Use Permit to Use Property at 451 B Street for a Home Office (APN: 008-125-220), to September 12, 2007, seconded by Councilmember Fiscaro, and carried by the following vote:

Name	Voting		Present, Not Voting		Absent
	Aye	No	Abstain	Not Participating	
Frossanna "Fro" Vallerga	✓				
C.R. "Larry" Formalejo	✓				
Joseph Silva	✓				
Helen Fiscaro	✓				
Joanne F. del Rosario	✓				
Voting Tally	5		0		

- 12. Consider:** An Ordinance Amending Sections 5.01.080 And 5.03.350 of the Colma Municipal Code to Prohibit the Establishment of Medical Marijuana Dispensaries Within the Town of Colma.

Chief Bob Lotti presented the staff report. Commander Greg Hart presented a report on the secondary impacts.

Mayor Vallerga opened the public hearing at 8:07 p.m.

Appearing: David Hatfield, 475 D Street, expressed his opposition to medical marijuana dispensaries in Colma.

Mayor Vallerga closed the hearing at 8:08 p.m.

On motion made, seconded and unanimously adopted, the council approved a reading of this ordinance by title only.

**Action:** Vice Mayor Formalejo moved to Introduce an Ordinance Amending Sections 5.01.080 And 5.03.350 of the Colma Municipal Code to Prohibit the Establishment of Medical Marijuana Dispensaries Within the Town of Colma, seconded by Councilmember del Rosario, and carried by the following vote:

Name	Voting		Present, Not Voting		Absent
	Aye	No	Abstain	Not Participating	
Frossanna "Fro" Vallerga	✓				
C.R. "Larry" Formalejo	✓				
Joseph Silva	✓				
Helen Fiscaro	✓				
Joanne F. del Rosario	✓				
Voting Tally	5		0		

**NEW BUSINESS**

- 13. Consider:** Resolution Amending the FY 2007-2008 Adopted Budget and the Capital Improvement Plan (D Street Stair Improvements).

Three members of the City Council had a conflict of interest due to the proximity of the D Street stairs to property owned by the Councilmembers. The conflicts were noted for the record: Councilmembers del Rosario and Silva both reside within 300 feet of the stairs; and Vice Mayor Vallerga owns property within 300 feet. Numbered cards were randomly drawn under the supervision of the City Attorney Roger Peters and Councilmember Silva was selected to complete the quorum, which included Councilmember Fiscaro and Vice Mayor Formalejo. Councilmember del Rosario and Mayor Vallerga stepped down from the dais and left the Council Chamber.

City Planner Andrea Ouse presented the staff report.

Vice Mayor Formalejo opened the public hearing at 8:24 p.m.

Appearing: David Hatfield, 475 D Street, stated that the existing stairs are dangerous.  
Tina Kuehne, 1345 Mission Road, inquired about probability of receiving grant monies.

Vice Mayor Formalejo closed the public hearing at 8:25 p.m.

**Action:** Councilmember Fiscaro moved to Adopt a Resolution Amending the FY 2007-2008 Adopted Budget and the Capital Improvement Plan (D Street Stair Improvements), seconded by Councilmember Silva, and carried by the following vote:

Name	Voting		Present, Not Voting		Absent
	Aye	No	Abstain	Not Participating	
Frossanna "Fro" Vallerga				✓	
C.R. "Larry" Formalejo	✓				
Joseph Silva	✓				
Helen Fiscaro	✓				
Joanne F. del Rosario				✓	
Voting Tally	3				

Mayor Vallerga and Councilmember del Rosario returned to the Council Chamber at 8:27 p.m., and took their seats on the dais.

## **STUDY SESSION**

14. **Consider:** Amendments to Residential Parking Permit Policies.

Police Chief Bob Lotti presented the staff report. Council discussion followed. Chief Lotti will continue to work on the policies and return to Council in October.

## **COUNCIL CALENDARING**

Council set the workshop date for Friday, October 5, 2007 from 8:30 a.m. to 2:30 p.m.

## **ADJOURNMENT**

There being no further business, Mayor Vallerga adjourned the Adjourned Regular Meeting at 8:45 p.m., in memory of the following people:

- Michael Smookler
- William Burgdorf
- Joe Falore
- Alfred Padreddii
- John Ward Flaherty
- Catherine Leilani Peters

Respectfully submitted,

Kristina Krow  
Administrative Technician III