

MINUTES

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

Wednesday, February 13, 2008
7:30 p.m.

CALL TO ORDER

Mayor Larry Formalejo called the Regular Meeting of the City Council for the Town of Colma to order at 7:32 p.m.

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

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 Kris Krow.

Also Present: Rae Gonzalez, City Treasurer

PUBLIC COMMENTS

Mayor Formalejo read a statement and resigned from his office as Mayor. The statement is attached to these minutes. Per Section 1.02.020 of the Colma Administrative Code, upon vacancy of the Mayor's position, the Vice Mayor becomes Mayor. New Mayor Helen Fisicaro presided over the remainder of the meeting.

Mayor Fisicaro opened the public comment period, and with no public comment, she closed the period at 7:34 p.m.

CONSENT CALENDAR

As to item 4, Mayor Fisicaro requested that the sections entitled "oral reprimand" and "written reprimand" be reversed and that the resolution be approved with that change. Mayor Fisicaro also recused herself from participation on Item # 9, due to a possible conflict of interest as her husband has done landscaping work for Lucky Chances, Inc.

1. Motion to Accept the Minutes from the January 9, 2008 Regular Meeting.
2. Motion to Accept the Minutes from the January 31, 2008 Special Meeting.
3. Motion to Approve the Warrants List for January 2008.
4. Motion to Adopt a Resolution Adding Subchapters 3.01 to 3.06 to the Colma Administrative Code, Relating to Personnel Policies, and Repealing Certain Resolutions.

5. Motion to Accept an Informational Report on Recreation Programs, Activities, Events, Rentals, and Trips for 2007.
6. Motion to Adopt a Resolution Naming the Town of Colma Senior Complex.
7. Motion to Adopt a Resolution Adding Subchapter 1.11 to the Colma Administrative Code, Relating to City Council Protocols.
8. Motion to Adopt an Ordinance Amending Colma Municipal Code Subchapter 1.13, Relating to Budget Procedures, and Other Code Sections Relating to City Departments (second reading).
9. Motion to Adopt a Resolution Approving Use of an Electronic Gaming System from PokerTek, Inc. for the Play of "Texas Hold 'em" Poker and Similar Games at Lucky Chances Casino.
10. Motion to Adopt a Resolution Amending the Colma Master Fee Schedule, Relating to Department of Fish and Game Fees.

Action: Councilmember Vallerga moved to approve Items # 1 through 8, and Item # 10, with changes made to Item #4 on the Consent Calendar, seconded by Councilmember Silva, the motion carried by the following vote:

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

Action: Councilmember Vallerga moved to approve Item # 9 on the Consent Calendar, seconded by Councilmember Silva, the motion carried by the following vote:

Name	Voting		Present, Not Voting		Absent
	Aye	No	Abstain	Not Participating	
Mayor Helen Fiscaro			✓		
Joanne F. del Rosario	✓				
Frossanna "Fro" Vallerga	✓				
Joseph Silva	✓				
Claro "Larry" R. Formalejo	✓				
Voting Tally	4			0	

PUBLIC HEARING

Mayor Fiscaro moved up Items # 14 and # 15 to be heard at this time.

14. TERM OF OFFICE OF MAYOR

City Attorney Roger Peters presented the staff report.

Mayor Fiscaro opened the public comment period, and with no public comment, she closed the period at 7:38 p.m.

Action: Councilmember Silva moved to Introduce An Ordinance Amending Colma Municipal Code Section 1.02.020, Relating to Term of Office of Mayor and Vice-Mayor, seconded by Councilmember del Rosario, the motion carried by the following vote:

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

15. INVESTIGATION OF ALLEGED INAPPROPRIATE BEHAVIOR

Councilmember Formalejo recused himself and stepped out of the council chamber.

City Attorney Roger Peters presented the staff report. It was noted that an investigation into alleged inappropriate ethical behavior of Council member Larry Formalejo would begin as an internal investigation and that a report would be delivered to Council at the next regular Council meeting on March 12, 2008.

Mayor Fiscaro opened the public comment period, and with no public comment, she closed the period at 7:43 p.m.

Action: Councilmember Vallerga Moved to Authorize an Investigation of Alleged Inappropriate Behavior by Councilmember Formalejo, seconded by Councilmember del Rosario, the motion carried by the following vote:

Name	Voting		Present, Not Voting		Absent
	Aye	No	Abstain	Not Participating	
Mayor Helen Fiscaro	✓				
Joanne F. del Rosario	✓				
Frossanna "Fro" Vallerga	✓				
Joseph Silva	✓				
Claro "Larry" R. Formalejo				✓	
Voting Tally	4			1	

Councilmember Formalejo returned to the Council Chamber and took his seat on the dais.

11. HILLSIDE LANDFILL CLOSURE

City Planner Andrea Ouse presented the staff report and asked for this item to be continued until the March 12, 2008 City Council meeting.

Mayor Fiscaro opened the floor for comments.

Appearing:

Ken McIntire, of San Bruno Mountain Watch let the City Council know that issues between Mountain Watch and the Landfill owners were proceeding constructively.

Action: Councilmember Vallerga moved to Continue the Hillside Landfill Closure item to the March 12, 2008 City Council Meeting, seconded by Councilmember Formalejo the motion carried by the following vote:

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

NEW BUSINESS

12. TOWN OF COLMA GRAND BOULEVARD INITIATIVE GUIDING PRINCIPLES

City Planner Andrea Ouse presented staff report. Council discussion followed.

Mayor Fiscaro opened the public comment period, and with no public comment, she closed the period at 7:56 p.m.

This item will be continued, so the resolution can be revised to reflect the council discussion.

Mayor Fiscaro adjourned the meeting at 7:59 p.m. for a break of 20 minutes. The Mayor and Councilmembers left the dais.

The meeting was reconvened at 8:19 p.m.

13. 2007 HOLIDAY EVENTS REVIEW

Brian Dossey, Director of Recreation Services, presented the staff report. Council discussion followed. The selected venue for the 2008 Adult Holiday Party will be the South San Francisco Conference

Center and comments received from residents for improving the event would be considered and implemented where appropriate.

Mayor Fiscaro opened the public hearing at 8: 30p.m.

Appearing: Ruby Paniaqua, 519 D Street, suggested that a photo area be set up at the holiday party, as in previous years, with a tree or sleigh, and a photographer. Mayor Fiscaro closed the public hearing at 8:31 p.m.

Action: Councilmember Vallergera moved to Accept the Holiday Events Report, Select a Venue for Adult Holiday Event and Direct the City Manager to Proceed with Selected Venue for the Adult Holiday Event and Other Changes to the Holiday Event for Youth and Adults as Described in the Background Section of the Report, and Begin Planning the 2008 Holiday Events, seconded by Councilmember del Rosario, the motion carried by the following vote:

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

ADJOURNMENT

There being no further business Mayor Fiscaro adjourned the Regular Meeting at 8:32 p.m. The meeting was adjourned in memory of:

- Congressman Ton Lantos
- James "Mario" Reyes
- Johnny Martinez, Jr.

Respectfully Submitted,

Kris Krow
 Administrative Technician III