

# MINUTES

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

**Wednesday, March 12, 2008**  
**7:30 p.m.**

## CALL TO ORDER

Mayor Helen Fisicaro called the Regular Meeting of the City Council for the Town of Colma to order at 7:30 p.m.

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

Staff Present – City Manager Diane McGrath, Assistant City Manager Laura Allen, City Attorney Roger Peters, Police Commander Greg Hart, City Planner Andrea Ouse, Recreation Director Brian Dossey, City Engineer Rick Mao, Project Manager Brad Donohue, and Administrative Technician Christina Acosta.

Also Present: Rae Gonzalez, City Treasurer

## PUBLIC COMMENTS

Mayor Fisicaro opened the public comment period at 7:31 p.m.

Appearing: Charito Casanas, 318 Hoffman, asked if the bond allocation proposed in agenda item number 5 would include additional lighting and beautification of Hoffman Street. Mayor Fisicaro referred Ms. Casanas to the City Engineer for further information.

Mayor Fisicaro closed the period at 7:34 p.m.

## REORGANIZATION

### 1. NOMINATION AND APPOINTMENT OF VICE MAYOR

Action: On motion of Councilmember Frossanna Vallerga and seconded by Councilmember Joe Silva, the Council appointed Joanne F. del Rosario as the Incoming Vice Mayor by the following vote:

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

Mayor Fiscaro called City Manager Diane McGrath up to the podium to administer the Oath of Office to Incoming Vice Mayor Joanne del Rosario.

**CONSENT CALENDAR**

Mayor Fiscaro removed Item 10 from the Consent Calendar, to be heard out of order at the beginning of the Public Hearing portion of the meeting.

2. Motion to Accept the Minutes from the February 13, 2008 Regular Meeting.
3. Motion to Approve the Warrants List for February 2008.
4. Motion to Adopt an Ordinance Amending Colma Municipal Code Section 1.02.020, Relating to Term of Office of Mayor and Vice-Mayor (second reading).
5. Motion to Adopt a Resolution Approving Hillside Boulevard Beautification Project for Funding With Proposition 1B Bond Allocation, Authorizing the City Engineer to Apply to the State Department of Finance for Proposition 1B Bond Funds, and Amending the FY 07-08 Budget and the Town's Capital Improvement Plan.
6. Motion to Adopt a Resolution Amending Section 2.01.120 of the Colma Administrative Code Relating to Children's Camps.
7. Motion to Adopt a Resolution Endorsing Specific Guiding Principals of the Grand Boulevard Initiative and Directing Staff to Incorporate Said Principals into Future Plans of the Town of Colma (heard on 2/13/08).
8. Motion to Adopt a Resolution Amending Budget for Fiscal Year 2007-2008 and Accepting Mid-Year Budget Review Report.
9. Motion to Adopt a Resolution Establishing Salaries, Benefits and Hours for Certain Unrepresented Employees.

**Action:** Councilmember Frossanna Vallerga moved to approve Items # 2 through 9, seconded by Councilmember Joe Silva and 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				

**OLD BUSINESS**

**11. REPORT OF INVESTIGATION OF INCIDENTS INVOLVING COUNCILMEMBER FORMALEJO**

Councilmember Formalejo stepped down from the dais, but remained in the audience. City Attorney Roger Peters gave a summary of the actions taken since the February Council meeting and informed the Council that they had the option of referring the matter to the Fair Political Practices Commission, adopt a resolution of censure or to take no further action

Action: Councilmember Joe Silva moved to accept the investigation report and to take no further action, seconded by Vice Mayor Joanne del Rosario, the motioned carried with 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	

Mayor Fiscaro requested a ten minute break and adjourned the meeting at 7:47 p.m. The meeting was reconvened at 7:57 p.m.

**PUBLIC HEARING**

**10. MOTION TO ADOPT A RESOLUTION REFERRING A NON-CONFORMING ISSUE TO AN ADMINISTRATIVE LAW JUDGE FOR HEARING.**

City Manager, Diane McGrath summarized the correspondence between the City and Mr. George Arrospe since the agenda was published.

City Attorney Roger Peters explained the process of the Administrative Law Judge hearing and recommended this course of action in the interest of giving Mr. Arrospe a fair hearing. Mr. Peters advised that if it is decided to have the hearing in house, a special meeting of the Colma City Council should be held.

Mayor Fiscaro opened the floor to comments.

Appearing: George Arrospe stated that he would prefer to have the matter heard by the City Council.

**Action:** Mayor Fiscaro moved to have the City Manager schedule a hearing by the City Council, seconded by Councilmember Frossanna Vallerga, 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				

12. **HILLSIDE DISPOSAL SITE FINAL GRADING PLAN AND CLOSURE**

*Consider:* Motion to Continue to April 9, 2008 City Council Meeting:

- (a) Mitigated Negative Declaration and de Minimis Findings for Amendments to the 1994 Disposal Site Operations Agreement and Approval of the Disposal Site Parcel 2 Closure Plan and the Disposal Site Parcel 2 Post-Closure Maintenance Plan at 1 Sand Hill Road.
- (b) Amendments to the "Amended and Restated Agreement Regarding Operation of a Disposal Site in the Town of Colma" dated February 9, 1994.

City Planner Andrea Ouse stated that staff recommends continuing the item until the April meeting of the City Council because all issues with the site have not been resolved.

**Action:** Councilmember Joe Silva moved to continue this item to the April 9, 2008 Meeting, seconded by Councilmember Larry Formalejo, 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				

13. **EXPANSION OF AUTOMOBILE SERVICE AND REPAIR**

*Consider:* Motion to Adopt a Resolution Approving Conditional Use Permit to Use Property at 1465 and 1475 Mission Road for Automobile Service and Repairs and Repealing Resolution 94-10.

City Planner Andrea Ouse presented the staff report.

Mayor Fiscaro opened the public hearing.

Appearing: Jose Ajam, Auto Exotics Service and Repair informed the Council that he wants to acquire the additional space so that he doesn't have to leave his customers' vehicles parked on the street.

Mayor Fiscaro closed the period at 8:19 p.m.

**Action:** Councilmember Joe Silva moved to Adopt a Resolution Approving Conditional Use Permit to

Use Property at 1465 and 1475 Mission Road to Automobile Service and Repairs and Repealing Resolution 94-10, seconded by Councilmember Frossanna Vallerga, 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				

14. **ADDITIONAL GAME TABLES AT LUCKY CHANCES CASINO**

*Consider:* Motion to Adopt a Resolution Authorizing 47 Gaming Tables at Lucky Chances Casino, 1700 Hillside Boulevard (APN 011-341-400).

Mayor Fiscaro recused herself from participation, due to a possible conflict of interest as her husband has done landscaping work for Lucky Chances, and left the Council Chamber.

City Planner Andrea Ouse presented the staff report.

Vice Mayor del Rosario opened the public comment period at 8:35 p.m.

Appearing:

Dave and Pat Hatfield of 475 D St  
 Georgette Sarles, Colma-Daly City Chamber of Commerce  
 Rod Blonien, Legal Counsel for Lucky Chances Casino  
 Charito Casanas, 318 Hoffman Court

Vice Mayor del Rosario closed the public hearing at 8:52 p.m.

**Action:** Councilmember Larry Formalejo moved to Adopt a Resolution Authorizing 50 Gaming Tables at Lucky Chances Casino, 1700 Hillside Boulevard, seconded by Councilmember Frossanna Vallerga, 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		

Mayor Fiscaro returned to her seat on the dias.

## STUDY SESSION

### 15. 700 SERRAMONTE BOULEVARD (LEXUS) DEVELOPMENT

*Study session only. No action will be taken.*

City Planner Andrea Ouse presented the staff report. She introduced the proposal and CEQA documents and provided Council with elevations of the new auto dealership building and parking structure.

Mayor Fiscaro opened the floor for comments.

Appearing: The applicant, Robert Sanders, Vice President of Facility Development for Sonic Automotive

Mayor Fiscaro continued the item to the March 27, 2008 meeting at 4:00 p.m.

## COUNCIL CALENDARING

Councilmember Vallerga stated that she would not be attending the April 9, 2008 meeting of the City Council. Mayor Fiscaro added that Councilmember Silva will now be attending the C/CAG legislative committee meetings in place of Councilmember Formalejo.

## ADJOURNMENT

There being no further business Mayor Fiscaro adjourned the Regular Meeting at 9:20 p.m.

The meeting was adjourned in memory of:

- Lillian Bernadini
- Kathryn Callan Gerrans

Respectfully Submitted,

Christina Acosta  
Administrative Technician II