



**AGENDA
REGULAR MEETING**

**City Council of the Town of Colma
Colma Community Center
1520 Hillside Boulevard
Colma, CA 94014**

**Wednesday, February 22, 2017
7:00 PM**

PLEDGE OF ALLEGIANCE AND ROLL CALL

ADOPTION OF AGENDA

PUBLIC COMMENTS

Comments on the Consent Calendar and Non-Agenda Items will be heard at this time.
Comments on Agenda Items will be heard when the item is called.

CONSENT CALENDAR

1. Motion to Accept the Minutes from the February 8, 2017 Regular Meeting.

PUBLIC HEARING

2. **CONDITIONAL USE PERMIT – 2300 HILLSIDE BOULEVARD**

Consider: Motion to Adopt a Resolution Approving A Conditional Use Permit to Allow a Modular Office and Landscape Storage Yard at 2300 Hillside Boulevard (APN: 011-370-180) Pursuant to CEQA Guideline 15303(c).

NEW BUSINESS

3. **A-1 RECYCLING & WASTE REDUCTION, INC. RECYCLER'S PERMIT**

Consider: Motion to Adopt a Resolution Approving a Recycler's Permit for the Collection of Cardboard from Commercial Businesses Pursuant to CEQA Guideline 15061(b)(3).

4. **MID-YEAR BUDGET REPORT AND ADJUSTMENTS TO FY 2016/2017 BUDGET**

Consider: Motion to Adopt a Resolution Amending Budget Appropriations for Fiscal Year 2016-2017.

STUDY SESSION

5. **STERLING PARK PARKING ISSUES**

This item is for discussion only; no action will be taken at this meeting.

REPORTS

Mayor/City Council

City Manager

ADJOURNMENT

The City Council Meeting Agenda Packet and supporting documents are available for review at the Colma Town Hall, 1188 El Camino Real, Colma, CA during normal business hours (Mon – Fri 8am-5pm). Persons interested in obtaining an agenda via e-mail should call Caitlin Corley at 650-997-8300 or email a request to ccorley@colma.ca.gov.

Reasonable Accommodation

Upon request, this publication will be made available in appropriate alternative formats to persons with disabilities, as required by the Americans with Disabilities Act of 1990. Any person with a disability, who requires a modification or accommodation to view the agenda, should direct such a request to Brian Dossey, ADA Coordinator, at 650-997-8300 or brian.dossey@colma.ca.gov. Please allow two business days for your request to be processed.

**MINUTES
REGULAR MEETING**

City Council of the Town of Colma
Colma Community Center, 1520 Hillside Boulevard
Colma, CA 94014

Wednesday, February 8, 2017

7:00 p.m.

CALL TO ORDER

Mayor Helen Fisicaro called the Regular Meeting of the City Council to order at 7:08 p.m.

Council Present – Mayor Helen Fisicaro, Vice Mayor Raquel “Rae” Gonzalez, Council Members Joanne F. del Rosario, John Irish Goodwin and Diana Colvin were all present.

Staff Present – City Manager Sean Rabé, City Attorney Christopher Diaz, Chief of Police Kirk Stratton, Director of Public Works Brad Donohue, City Planner Michael Laughlin, Human Resources Manager Lori Burns and City Clerk Caitlin Corley were in attendance.

REPORT FROM CLOSED SESSION

Mayor Fisicaro stated, “No action was taken at tonight’s closed session meeting.”

ADOPTION OF THE AGENDA

Mayor Fisicaro asked if there were any proposed changes to the agenda. None were requested. The Mayor asked for a motion to adopt the agenda.

Action: Council Member del Rosario moved to adopt the agenda; the motion was seconded by Vice Mayor Gonzalez and carried by the following vote:

Name	Voting		Present, Not Voting		Absent
	Aye	No	Abstain	Not Participating	
Helen Fisicaro, Mayor	✓				
Raquel Gonzalez	✓				
Joanne F. del Rosario	✓				
John Irish Goodwin	✓				
Diana Colvin	✓				
	5	0			

PUBLIC COMMENTS

Mayor Fisicaro opened the public comment period at 7:10 p.m. and seeing no one come forward to speak, she closed the public comment period.

CONSENT CALENDAR

3. Motion to Accept the Minutes from the January 25, 2017 Regular Meeting.
4. Motion to Approve Report of Checks Paid for January 2017.

Action: Council Member Colvin moved to approve the Consent Calendar items #3 and 4; the motion was seconded by Council Member del Rosario and carried by the following vote:

Name	Voting		Present, Not Voting		Absent
	Aye	No	Abstain	Not Participating	
Helen Fisicaro, Mayor	✓				
Raquel Gonzalez	✓				
Joanne F. del Rosario	✓				
John Irish Goodwin	✓				
Diana Colvin	✓				
	5	0			

NEW BUSINESS

5. MOSQUITO ABATEMENT DISTRICT BOARD OF TRUSTEE APPOINTMENT

City Attorney Christopher Diaz announced that Council Member John Goodwin had decided to abstain from voting on this item. Though Council Member Goodwin does not have a conflict of interest, he decided, in an abundance of caution, to step out of the room for the discussion and vote. Council Member Goodwin then stepped down from the dais and out of the room.

Administrative Services Director Brian Dossey presented the staff report. Mayor Fisicaro opened the public comment period at 7:15 p.m. and seeing no one come forward to speak, she closed the public comment period. Council discussion followed.

Action: Council Member del Rosario made a motion to adopt a Resolution Appointing Joe Silva to the Sam Mateo County Mosquito and Vector Control District; the motion was seconded by Vice Mayor Gonzalez and carried by the following vote:

Name	Voting		Present, Not Voting		Absent
	Aye	No	Abstain	Not Participating	
Helen Fisicaro, Mayor	✓				
Raquel Gonzalez	✓				
Joanne F. del Rosario	✓				
John Irish Goodwin			✓		
Diana Colvin	✓				
	4	0			

Council Member Goodwin returns to the dais.

6. MODIFICATION TO TOWN'S PEMHCA CONTRIBUTION

Human Resources Manager Lori Burns presented the staff report. Mayor Fisicaro opened the public comment period at 7:20 p.m. and seeing no one come forward to speak, she closed the public comment period. Council discussion followed.

Action: Council Member Colvin made a motion to adopt a Resolution Fixing the Employer Contribution at an Equal Amount for Employees and Annuitants Under the Public Employees' Medical and Hospital Care Act; the motion was seconded by Council Member del Rosario and carried by the following vote:

Name	Voting		Present, Not Voting		Absent
	Aye	No	Abstain	Not Participating	
Helen Fisicaro, Mayor	✓				
Raquel Gonzalez	✓				
Joanne F. del Rosario	✓				
John Irish Goodwin	✓				
Diana Colvin	✓				
	5	0			

Action: Council Member Colvin made a motion to Adopt a Resolution Electing to Rescind Health Benefit Vesting Under Section 22893 of the Public Employees’ Medical and Hospital Care Act with Respect to a Recognized Employee Organization; the motion was seconded by Council Member del Rosario and carried by the following vote:

Name	Voting		Present, Not Voting		Absent
	Aye	No	Abstain	Not Participating	
Helen Fisicaro, Mayor	✓				
Raquel Gonzalez	✓				
Joanne F. del Rosario	✓				
John Irish Goodwin	✓				
Diana Colvin	✓				
	5	0			

7. PERSONNEL POLICY REVISIONS - BENEFITS

Human Resources Manager Lori Burns presented the staff report. Mayor Fisicaro opened the public comment period at 7:23 p.m. and seeing no one come forward to speak, she closed the public comment period. Council discussion followed.

Action: Vice Mayor Gonzalez made a motion to Adopt a Resolution Amending Subchapters 3.05, Relating to Benefits; the motion was seconded by Council Member Goodwin and carried by the following vote:

Name	Voting		Present, Not Voting		Absent
	Aye	No	Abstain	Not Participating	
Helen Fisicaro, Mayor	✓				
Raquel Gonzalez	✓				
Joanne F. del Rosario	✓				
John Irish Goodwin	✓				
Diana Colvin	✓				
	5	0			

COUNCIL CALENDARING

The next Regular City Council Meetings will be on Wednesday, February 22, 2017 at 7:00 p.m. and Wednesday, March 8, 2017 at 7:00 p.m.

REPORTS

Helen Fisicaro

State of Our Cities, 01/26/17

City Manager Sean Rabé gave a report on the following topics:

- Colma Police Department received two commendations from San Francisco Police Department.
- The Town had no major damage or flooding from recent storms. There was a tree down on Hillside but it was taken care of promptly.
- The Town received the CSMFO Budget Award for the sixth year in a row.

ADJOURNMENT AND CLOSE IN MEMORY

The meeting was adjourned by Mayor Fisicaro at 7:33 p.m. and closed in memory of John Bowers, longtime community member and member of the Millbrae Lions Club.

Respectfully submitted,

Caitlin Corley
City Clerk



STAFF REPORT

TO: Mayor and Members of the City Council
 FROM: Michael P. Laughlin, AICP, City Planner
 Jonathan Kwan, Assistant Planner
 VIA: Sean Rabé, City Manager
 MEETING DATE: February 22, 2017
 SUBJECT: Conditional Use Permit – 2300 Hillside Boulevard

RECOMMENDATION

Staff recommends that the City Council adopt:

RESOLUTION APPROVING A CONDITIONAL USE PERMIT TO ALLOW A MODULAR OFFICE AND LANDSCAPE STORAGE YARD AT 2300 HILLSIDE BOULEVARD (APN: 011-370-180) PURSUANT TO CEQA GUIDELINE 15303(c)

EXECUTIVE SUMMARY

The applicant, the Davey Tree Expert Company ("Applicant"), is requesting a Conditional Use Permit to allow a modular building for an office and the storage of landscaping vehicles and equipment on a lot currently zoned "G" for cemetery and agricultural uses. The proposed use will be located on Holy Cross Cemetery ("Subject Property"), however it is limited to an existing paved area located near the rear entrance on Hillside Boulevard ("Project Site"). The location is surrounded by mature vegetation and will not create a visual impact from Hillside Boulevard

FISCAL IMPACT

The Town will likely experience a small fiscal benefit (in the form of sales tax revenue) from the project, as the Conditional Use Permit would allow the Davey Tree Expert Company to relocate to the Town of Colma from the City of Brisbane.

ANALYSIS

Background Regarding the Application

The Subject Property has a General Plan land use designation of Cemetery and is zoned Cemetery ("G"). The current use of the overall site is Holy Cross Cemetery and associated auxiliary buildings. The Project Site is currently an unused space with a vacant caretaker home, water holding ponds, and two storage structures surrounded by mature trees and fencing. As a part of this project, the caretaker home within the Project Site is proposed to be demolished

while the other two structures will remain. The Project Site is surrounded by cemetery land and Hillside Boulevard roadway to the east and will not impact or be visible from neighboring properties. The area is accessible by a driveway from Hillside Boulevard as well as a driveway off of the rear entrance of Holy Cross Cemetery.

Proposal Description

The proposed Conditional Use Permit would specifically authorize the use of the Project Site designated on the attached site plan (Exhibit B) for the proposed modular office and storage area. The permit would allow for a modular office of just under 1,500 square feet and parking for fourteen (14) trucks and other landscaping equipment. Landscape vehicles would be parked within the area indicated on the attached site plan. A minimum of 25 parking spaces will be created to accommodate the parking need for this use.

Required Findings

Section 5.03.230(b) of the Colma Municipal Code requires that certain findings be made for approval of a Conditional Use Permit. The following findings, with supporting evidence, are provided by Staff in support of the recommended actions made in this report:

Findings Relating to CEQA Review

Pursuant to the Section 15303(c) of the State CEQA Guidelines, Class 3, New Construction of Small Structures, the project is exempt. The project is Categorically Exempt from further environmental review because proposed structure is considered a small structure for a use that does not involve the use of significant amounts of hazardous substances and does not exceed 2500 square feet in floor area.

Findings Related to Granting a Conditional Use Permit

a) The proposed Conditional Use Permit will be consistent with the provisions of the Colma General Plan and Zoning Ordinance.

Discussion: The General Plan designation for the property is cemetery and the lot is zoned "G" for cemetery and memorial parks. Section 5.02.142 of the Colma General Plan requires Use Permits for corporation yards and other uses in which could detract from the green belt theme if they are not designed or sited properly. Additionally, the Colma Municipal Code allows landscape contractor's yards with a Use Permit on lots zoned G. Provided that the proposed landscape contractor yard complies with the conditions of the Use Permit, the proposed use will not create a substantial visual disturbance from the public roadway or detract from the Town's green belt theme and is consistent with the goals and objectives of the General Plan and Zoning Ordinance.

b) Granting the Conditional Use Permit will not be detrimental to the public health, safety or public welfare, or materially injurious to the properties or improvements in the vicinity.

Discussion: The Project Site was previously used as an area for a caretaker unit. The area does not appear to be maintained regularly. Allowing the use will likely improve the upkeep of the area. The area is surrounded by mature vegetation and is screened from both the Holy Cross Cemetery (on three sides) and Hillside Boulevard. The proposed use will utilize a currently

unused space that is not readily visible from Hillside Boulevard. Additionally, a condition of approval has been included to ensure that none of the landscape waste materials will be composted or be retained on site. Any debris brought from jobsites at the end of the day will be removed from the site within 48 hours. The use will not have a significant negative impact to the public health, safety or public welfare, or be materially injurious to nearby properties or improvements so long as the use complies with the various conditions imposed on the Use Permit.

c) Existing property uses, large or small, will not be detrimentally affected by the proposed Use Permit.

Discussion: Existing uses will not be detrimentally affected as the proposed use is surrounded by dense vegetation and is conditioned such that no materials will be processed on site. The proposed use will not be readily visible and will not substantially increase the amount of noise generated at the site. Additionally, a condition has been added to restrict the access of the Project Site to the driveway on Hillside Boulevard to ensure that vehicles do not impact the accessibility of the cemetery. Employees will be required to park on site so that street parking is not affected.

d) The granting of the Use Permit will not constitute a grant of special privilege inconsistent with the limitations imposed by the Zoning Ordinance on the existing use of properties, large or small, within the Town of Colma.

Discussion: The granting of the Use Permit will not constitute the grant of a special privilege since the Zoning Ordinance allows for the issuance of Use Permits for landscape contractor yards on lots zoned G based on findings and conditions of approval. Additionally, Use Permits have been granted in the past for nurseries in close proximity to the Project Site, east of Hillside Boulevard which is consistent with the proposed use.

e) The City Council is satisfied that the proposed use conforms to the purpose and intent of the General Plan and Zoning Ordinance.

Discussion: Landscape contractor's yards are allowed in the "G" Zone subject to the issuance of a Use Permit. The proposed use will not be readily visible from the public right of way or neighboring properties and will not generate a significant amount of noise. Further, the Town's existing greenbelt theme will be maintained through existing vegetative screening that will ensure it is not visible from the right of way as required by the General Plan. Therefore, the City Council is satisfied that the proposed use conforms to the purpose and intent of the General Plan and Zoning Ordinance.

f) The use will not constitute a nuisance to neighboring persons or properties.

Discussion: The Project Site is surrounded by the Holy Cross Cemetery with the exception of the side abutting the Hillside Boulevard roadway. The proposed use is limited to storage and an office which is screened by mature vegetation. Any increase in traffic would not be substantial and would likely be unnoticeable to neighboring persons or properties.

Conditions of Approval

Based on a review of the application, a meeting with the applicant, a site inspection, a review by City Departments inclusive of the Colma Fire Protection District, staff is recommending several conditions of approval including:

- Employees associated with this use shall access the Project Site through the driveway from Hillside Boulevard;
- The materials associated with the proposed use shall be removed from the site within 48 hours;
- The applicant shall be responsible for regular refuse disposal and shall not allow landscape debris to accumulate on the lease site. All waste services including waste hauling shall be provided by Republic Services or by a provider who has an approved recycler's permit;
- The Project Site shall include a minimum of twenty-five (25) off-street parking spaces for employees;
- No truck loading or unloading activity, or parking shall be permitted on Hillside Boulevard;
- Consistent with the General Plan, invasive plants such as German Ivy, Cape Ivy, Pampas Grass, Fennel, Scotch Broom, and Gorse shall be eradicated from the Project Site and shall not be grown for sale within Colma;
- A demolition permit will be required for removal of the caretaker unit and a building permit will be required for installation of the modular office.
- The Colma Fire Protection District is requiring that a knox box be installed on both gates, that the address be clearly posted and that fire access be maintained to the modular office. In addition, a fire hydrant or satisfactory fire suppression system is required.

Council Adopted Values

The recommendation is consistent with the Council value of *fairness* because the recommended decision on the Conditional Use Permit is consistent with how similar requests have been handled, and with the Council value of *responsibility* because the proposed use has been carefully reviewed and conditioned so that it will be consistent with adopted development policies and regulations, and compatible within its setting.

Sustainability Impact

The proposed use within Colma will have a limited sustainability impact. Allowing the use of this site for a landscape contractor yard will allow the Davey Tree Company to be closer to their service area in San Mateo County.

Alternatives

The following courses of action are available to the City Council:

1. Approve the Conditional Use Permit with modified or additional conditions of approval which would allow the proposed landscape contractor use. This alternative may increase or reduce restrictions on the Conditional Use Permit to satisfy specific City Council concerns.

2. Deny the Conditional Use Permit. This alternative is not recommended since it will not allow for the proposed use.

CONCLUSION

Staff recommends that the City Council adopt the resolution approving the Conditional Use Permit and imposing conditions of approval.

ATTACHMENTS

- A. Resolution
- B. Site Plan



RESOLUTION NO. 2017-__
OF THE CITY COUNCIL OF THE TOWN OF COLMA

**RESOLUTION APPROVING A CONDITIONAL USE PERMIT TO ALLOW A MODULAR
OFFICE AND LANDSCAPE STORAGE YARD AT 2300 HILLSIDE BOULEVARD (APN:
011-370-180) PURSUANT TO CEQA GUIDELINE 15303(C)**

The City Council of the Town of Colma does resolve as follows:

1. Background

This resolution was adopted after the following proceedings had occurred:

- (a) The Town has received an application from the Davey Tree Expert Company for approval of Conditional Use Permit to allow a modular office and landscape storage yard at 2300 Hillside Boulevard (APN: 011-370-180)
- (b) Pursuant to Section 15303(c) of State CEQA Guidelines, Class 3, New Construction of Small Structures, the application is categorically exempt from California Environmental Quality Act (CEQA) review.
- (c) A public hearing was held on this matter on February 22, 2017 and evidence was taken at the public hearing;
- (d) The City Council has duly considered said application, the staff report and public comments thereon.

2. Findings

The City Council finds that:

Findings Related to the California Environmental Quality Act (CEQA)

Pursuant to the Section 15303(c) of the State CEQA Guidelines, Class 3, New Construction of Small Structures, the project is exempt. The project is Categorically Exempt from further environmental review because proposed structure is considered a small structure for a use that does not involve the use of significant amounts of hazardous substances and does not exceed 2500 square feet in floor area.

Findings Related to the Conditional Use Permit

- (a) The proposed Conditional Use Permit will be consistent with the provisions of the Colma General Plan and Zoning Ordinance.

Discussion: The General Plan designation for the property is cemetery and the lot is zoned "G" for cemetery and memorial parks. Section 5.02.142 of the Colma General Plan requires Use Permits for corporation yards and other uses which could detract from the green belt theme if they are not designed or sited properly. Additionally, the Colma Municipal Code allows landscape contractor's yards with a Use Permit on lots zoned G.

Provided that the proposed landscape contractor yard complies with the conditions of the Use Permit, the proposed use will not create a substantial visual disturbance from the public roadway or detract from the Town's green belt theme and is consistent with the goals and objectives of the General Plan and Zoning Ordinance.

- (b) Granting the Conditional Use Permit will not be detrimental to the public health, safety or public welfare, or materially injurious to properties or improvements in the vicinity.

Discussion: The Project Site was previously used as an area for a caretaker unit. The area does not appear to be maintained regularly. Allowing the use will likely improve the upkeep of the area. The area is surrounded by mature vegetation and is screened from both the Holy Cross Cemetery (on three sides) and Hillside Boulevard. The proposed use will utilize a currently unused space that is not readily visible from Hillside Boulevard. Additionally, a condition of approval has been included to ensure that none of the landscape waste materials will be composted or be retained on site. Any debris brought from jobsites at the end of the day will be removed from the site within 48 hours. The use will not have a significant negative impact to the public health, safety or public welfare, or be materially injurious to nearby properties or improvements so long as the use complies with the various conditions imposed on the Use Permit.

- (c) Existing property uses, large or small, would not be detrimentally affected by the proposed use.

Discussion: Existing uses will not be detrimentally affected as the proposed use is surrounded by dense vegetation and is conditioned such that no materials will be processed on site. The proposed use will not be readily visible and will not substantially increase the amount of noise generated at the site. Additionally, a condition has been added to restrict the access of the Project Site to the driveway on Hillside Boulevard to ensure that vehicles do not impact the accessibility of the cemetery. Employees will be required to park on site so that street parking is not affected.

- (d) The granting of a Conditional Use Permit will not constitute a grant of special privilege inconsistent with the limitations imposed by the Zoning Ordinance on the existing use of properties, large or small, within the Town of Colma.

Discussion: The granting of the Use Permit will not constitute the grant of a special privilege since the Zoning Ordinance allows for the issuance of Use Permits for landscape contractor yards on lots zoned G based on findings and conditions of approval. Additionally, Use Permits have been granted in the past for nurseries in close proximity to the Project Site, east of Hillside Boulevard which is consistent with the proposed use.

- (e) The City Council is satisfied that the proposed structure or building conforms to the purposes and intent of the General Plan and this subchapter.

Discussion: Landscape contractor's yards are allowed in the "G" Zone subject to the issuance of a Use Permit. The proposed use will not be readily visible from the public right of way or neighboring properties and will not generate a significant amount of noise. Further, the Town's existing greenbelt theme will be maintained through existing vegetative screening that will ensure it is not visible from the right of way as required by

the General Plan. Therefore, the City Council is satisfied that the proposed use conforms to the purpose and intent of the General Plan and Zoning Ordinance.

- (f) The Conditional Use Permit would not constitute a nuisance to neighboring persons or properties.

Discussion: The Project Site is surrounded by the Holy Cross Cemetery with the exception of the side abutting the Hillside Boulevard roadway. The proposed use is limited to storage and an office which is screened by mature vegetation. Any increase in traffic would not be substantial and would likely be unnoticeable to neighboring persons or properties.

3. Conditions of Approval

The City Council approves the Conditional Use Permit to allow a modular office and landscape storage yard at 2300 Hillside Boulevard, subject to the full and faithful performance of each of the general terms and conditions set forth in this Resolution and the following project-specific conditions:

- (a) Allowed Uses. This Use Permit shall specifically allow the operations of the Davey Tree Expert Company, including the placement of a modular office building of less than 1,500 square feet and storage of landscape vehicles and equipment at 2300 Hillside Boulevard as specified in the attached site plan. No extended boom trucks shall be permitted on the site.
- (b) Access. Employees associated with this use shall access the Project Site through the driveway from Hillside Boulevard only.
- (c) Disposal of Landscape Debris. The materials associated with the proposed use shall be processed off site. No landscape debris shall remain on the site more than 48 hours. No composting of material is permitted.
- (d) Nuisances. The Permittee shall not allow any nuisance to be maintained at the premises.
- (e) Signage. The only permitted signage for the use is a sign on the Hillside gate limited to approximately six (6) square feet.
- (f) Permits. The Permittee shall obtain all necessary permits, including Building Permits, prior to construction.
- (g) Minor Changes. Minor changes to the approved use of the site may be approved administratively by the City Planner or designee.
- (h) Trash and Hauling Service. The Permittee must subscribe to a regular refuse and recyclable items collection service for the office (minimum pick-up of once per week) from Republic Waste Services. In addition, a covered enclosure for the residential sized containers shall be provided on-site. If a dumpster is used for off-hauling of landscape debris, a location closed to Hillside entrance shall be provided that is not readily visible from Hillside Boulevard. Pursuant to the Town's Franchise Agreement, dumpsters can only be obtained from Republic

Services. Violation of this provision of this condition will constitute cause for the Town to revoke this permit.

(i) Parking. Prior to issuance of building permits, the Applicant shall submit a Parking Plan. The Plan shall specify locations for 25 parking spaces onsite for employees. The landscape equipment storage area shall accommodate a maximum of 14 vehicles. The parking spaces shall not be converted to any other use without the approval of the City Council. Parking and equipment storage areas shall be on existing paved surfaces or on a minimum of 6" of gravel.

(j) Off-street Parking. Parking on Hillside Boulevard is allowed for emergency parking only.

(k) Business License. The Permittee shall maintain a Town of Colma Business Registration.

(l) Colma Building Department Requirements: The applicant shall comply with all requirements of the Building Department, including obtaining a demolition permit for the existing structure and obtaining a building permit for the set-up of the modular office.

- i. If gravel is used for the parking area, Stormwater BMP's will have to be implemented.
- ii. A demolition permit and hazardous material testing is required prior to demolition of the existing building on site.

(m) Colma Fire Protection District. The applicant shall comply with the requirements of the Colma Fire Protection District including but not limited to:

- i. Address numbers for the business shall be clearly visible from Hillside Boulevard and from the internal driveway in Holy Cross Cemetery.
- ii. A Knox box shall be provided at each gate.
- iii. Fire vehicle access shall be maintained and marked from Hillside Boulevard to the office structure to the satisfaction of the Colma Fire Protection District.
- iv. Fire suppression shall be required to the satisfaction of the Colma Fire Protection District.

(n) USA North. The applicant should contact USA North to assure that there are no utilities that conflict with the proposed improvements (USA North: 811/1-800-227-2600).

(o) Traffic Control Plan. The Permittee shall submit a Traffic Control Plan to the City Engineer for review and approval prior to commencing any work on the project, including demolition and bringing in the modular structure. The Plan shall include at least the following: the route(s) that construction trucks shall use to access the property, identification of the access point(s) to the site, any proposed staging area for trucks waiting to enter the site, traffic management for any work within the improved portion of a public right-of-way, and any proposed traffic controls, such as the use of flag persons, to ensure the safe entry and exit of trucks accessing the project site. Throughout the construction period for the project, the Permittee must faithfully implement the approved Traffic Control Plan.

(p) This Conditional Use Permit shall run with the land and be freely and automatically transferred to each user of the property described herein, subject to each of the specific and general conditions herein. As used in this Conditional Use Permit, the word "Permittee" shall mean each person using the property pursuant to the permit granted herein, including successors to the person first obtaining the permit.

(q) The Permittee must comply with all applicable federal, state and municipal laws, codes and regulations, including the California Building and Fire Codes. Nothing herein shall be construed as authorizing any approvals under, or any exceptions to any other law, code or regulation, or as authorizing any change to the occupancy classification of the premises or any buildings thereon as defined on the California Building Code.; and

(r) The Permittee shall indemnify, pay and hold the Town of Colma harmless from all costs and expenses, including attorney's fees, incurred by the Town or held to be the liability of the Town in connection with this application, or the Town's defense of its actions in any proceeding brought in any state or federal court challenging the Town's actions with respect to this Project.

(s) The Conditional Use Permit may be modified or revoked should it be determined that:

- i. the property is being operated or maintained in a manner that is detrimental to the public health or welfare, is materially injurious to property or improvements in the vicinity, constitutes a public nuisance, or is contrary to any law, code or regulation, or;
- ii. if the Permittee fails to comply with and satisfy the conditions herein.

(t) The Permittee must agree to comply with each and every term and condition herein by countersigning a copy of this Resolution and returning the counter-signed copy to the City Clerk no more than forty-five (45) days following City Council approval of the permit. If Permittee is not the property owner, then the property owner must consent to use of the property on the terms and conditions herein by counter-signing a copy of this resolution and returning the counter-signed copy to the City Clerk no later than forty-five (45) days following City Council approval of the permit. Failure to return the counter-signed copy as specified shall render this permit null and void.

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Certification of Adoption

I certify that the foregoing Resolution No. 2017-__ was duly adopted at a regular meeting of the City Council of the Town of Colma held on February 22, 2017, by the following vote:

Name	Voting		Present, Not Voting		Absent
	Aye	No	Abstain	Not Participating	
Helen Fisicaro, Mayor					
Raquel "Rae" Gonzalez					
Joanne F. del Rosario					
John Irish Goodwin					
Diana Colvin					
<i>Voting Tally</i>					

Dated _____

Helen Fisicaro, Mayor

Attest: _____
Caitlin Corley, City Clerk

NOTICE OF RIGHT TO PROTEST

The Conditions of Project Approval set forth herein include certain fees, dedication requirements, reservation requirements, and other exactions. Pursuant to Government Code Section 66020(d)(1), these Conditions constitute written notice of a statement of the amount of such fees, and a description of the dedications, reservations, and other exactions. You are hereby further notified that the 90-day approval period in which you may protest these fees, dedications, reservations, and other exactions, pursuant to Government Code Section 66020(a), began on date of adoption of this resolution. If you fail to file a protest within this 90-day period complying with all of the requirements of Section 66020, you will be legally barred from later challenging such exactions.

AGREEMENT

Property Owner/Permittee

The undersigned agrees to use the property on the terms and conditions set forth in this resolution.

Dated: _____

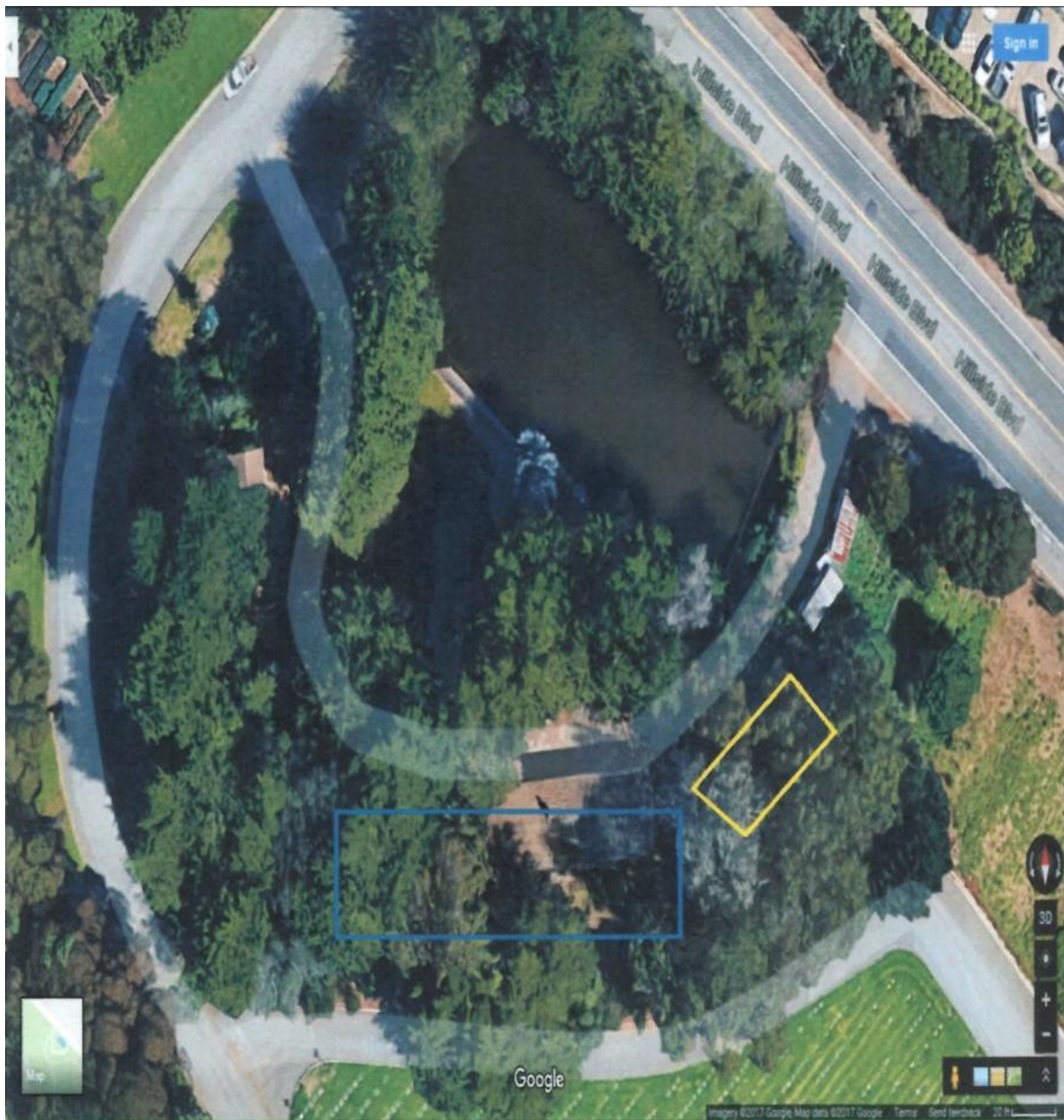
Archdiocese of San Francisco, Property Owner

Dated: _____

The Davey Tree Expert Co., Permittee



EXHIBIT B



Blue – Parking area

Yellow – Proposed location for modular office





STAFF REPORT

TO: Mayor and Members of the City Council
 FROM: Michael P. Laughlin, AICP, City Planner
 Jonathan Kwan, Assistant Planner
 VIA: Sean Rabé, City Manager
 MEETING DATE: February 22, 2017
 SUBJECT: A-1 Recycling & Waste Reduction, Inc. Recycler's Permit

RECOMMENDATION

Staff recommends that the City Council adopt the following:

RESOLUTION APPROVING A RECYCLER'S PERMIT FOR THE COLLECTION
 OF CARDBOARD FROM COMMERCIAL BUSINESSES PURSUANT TO CEQA
 GUIDELINE 15061(b)(3)

EXECUTIVE SUMMARY

The applicant, Tina Hobbs, is requesting a Recycler's Permit on behalf of A-1 Recycling & Waste Reduction Inc. to collect cardboard from Kohl's in Colma. Granting of the permit will allow the Town to collect quarterly reports from the applicant and submit this information to the state to document diversion goals. The only conditions recommended are that the applicant submit the required quarterly reports and maintain an active business registration.

FISCAL IMPACT

There is no fiscal impact associated with the approval of the permit.

ANALYSIS

The Town of Colma is required to comply with the recycling and reporting requirements of the California Integrated Waste Management Act of 1989, including amendments made by AB 939, SB 1016 and AB 341. This state legislation is designed to:

- (1) increase recycling participation rates;
- (2) improve Recyclable material recovery rates;
- (3) improve reporting capabilities to CalRecycle;
- (4) comply with state recycling laws;

- (5) reduce waste to landfill; and
- (6) maintain a cost effective, garbage and recycling collection program for the residents, businesses and institutions of the Town.

In May of 2012, the Town of Colma amended the Colma Municipal Code to allow for a Recycler's Permit. The two pertinent Municipal Code Sections to this application are as follows:

3.05.170 Sale or Donation of Recyclable Materials.

Nothing in this subchapter or subchapter 5.05 shall prohibit the generator of Recyclable materials from selling or donating such materials to a buyer or donee, provided that, if the Town has awarded an exclusive franchise for the collection and disposal of Solid Waste, a generator may not pay any other person other than a Franchisee for collecting, recycling, or disposing of Recyclable materials.

3.05.200 Permit to Collect Recyclables.

Upon finding that it is in the best interests of the Town to do so, the City Council may grant a permit, good for one year, to any responsible person to provide collect Recyclables only from any properties or areas in the Town, and to convey, and transport such Recyclables in, along, or over the public streets, alleys, and highways in the Town. Thereafter, the City Manager may renew the permit each year if the Permittee is not in material default of any provisions in its existing permit and renewal is in the best interests of the Town. A denial of a request to renew a Permit to Collect Recyclables may be appealed to the City Council in accordance with Colma Municipal Code section 1.02.270. The Permittee shall pay the Town an annual permit fee set forth in the Master Fee Schedule.

These code sections allow for commercial businesses to sell or donate recyclable materials, typically cardboard packaging, generated by the business.

The applicant has obtained permission from Kohl's to recycle cardboard. A-1 Recycling & Waste Reduction, Inc. will not receive monetary compensation from this business, as the business is donating or selling the cardboard to them consistent with the Colma Municipal Code, state law, and the Town's franchise agreement. Specifically, Section 2.9(J) of the franchise agreement with Republic Services provides an exception to the exclusive franchise that allows for the donation or sale of recyclable materials.

The applicant has acted responsibly by applying for a Recycler's Permit and Business Registration and paying the required filing fees. Staff is encouraging all non franchised haulers who collect recyclables to obtain a Recycler's Permit so that the quarterly tonnage reports for recyclable goods can be reported to the state, thus assisting in meeting our diversion goals and mandates.

The Town currently has two active recycler's permits from Mr. Isidro Ramirez and Ms. Maria Del Carmen Gonzalez who collect cardboard from businesses at the 280 Metro Center. Mr. Ramirez and Ms. Gonzalez were issued their permits in 2015 and 2016, respectively and have kept them active by maintaining a business registration and by submitting quarterly reports.

Values

The recommended action is consistent with the City Council value of fairness, because it allows for recycling operators to obtain permits from the Town, consistent with state law.

Sustainability Impact

The recommendation to grant the Recycler's Permit is consistent with the Town's goal of reducing materials into the waste stream and to encourage recycling. In addition, the quarterly reports obtained from the non franchise haulers help the Town to stay in compliance with the requirement to report waste diversion to the state.

ALTERNATIVES

The following courses of action are available to the City Council:

- (1) Approve the Recycler's Permit with modified or additional conditions of approval. This alternative may increase restrictions on the Recycler's Permit to satisfy specific City Council concerns.
- (2) Deny the Recycler's Permit. This alternative is not recommended since the applicant has demonstrated compliance with state and local requirements. In addition, if the applicant were to continue to collect items in Colma without City Council approval, the Town would not be able to accurately report diversion rates.

CONCLUSION

Staff recommends the City Council adopt the Resolution approving the Recycler's Permit with the recommended conditions.

ATTACHMENTS

- A. Resolution



RESOLUTION NO. 2017-__
OF THE CITY COUNCIL OF THE TOWN OF COLMA

**RESOLUTION APPROVING A RECYCLER'S PERMIT FOR THE
COLLECTION OF CARDBOARD FROM KOHL'S PURSUANT TO CEQA
GUIDELINE 15061(b)(3)**

Applicant: Tina Hobbs, A-1 Recycling & Waste Reduction, Inc.

The City Council of the Town of Colma does hereby resolve as follows:

1. Background

(a) Tina Hobbs has submitted an application for a Recycler's Permit on behalf of A-1 Recycling & Waste Reduction, Inc. for the collection of cardboard from Kohl's in Colma consistent with Colma Municipal Code Section 3.05.200.

(b) The City Council has considered the application, the accompanying staff report, and all relevant evidence presented at the public meeting.

2. Findings

The City Council hereby finds that:

Findings Relating to CEQA Review

(a) The City Council finds that adoption of this resolution is not a "project," as defined in the California Environmental Quality Act because it does not have a potential for resulting in either a direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment and concerns a permit process that creates a beneficial reporting requirement for recyclable materials. Materials collected at businesses will be recycled either by the applicant, or the Town's franchised waste hauler. Thus, no environmental impact will result as the recycling of the material will occur regardless.

Finding Relating to a Recycler's Permit (CMC § 3.05.200)

(b) Issuance of the permit would be in the best interest of the Town.

Discussion: Issuance of the permit would be in the best interest of the Town. Specifically, the granting of a Recycler's Permit allows for non franchised businesses to recycle materials generated by Colma's businesses where the materials are collected without a fee from the Recycler. Granting of the permit will allow the Town to collect quarterly reports from the applicant and submit this information to the state to document diversion goals. Granting of the permit is also consistent with the Town's Municipal Code, state law, and the Town's existing and proposed franchise agreement. Specifically, Section 2.9(J) of the new proposed franchise agreement with Republic Services provides an exception to the exclusive franchise that allows for the donation or sale of recyclable materials.

3. Recycler’s Permit Granted Subject to Conditions

The City Council hereby conditionally grants a Recycler’s Permit, subject to the following conditions:

- (a) The Permittee shall complete and submit quarterly reports to the Town. Failure to submit the required quarterly reports for any reporting period shall nullify this permit.
- (b) The Permittee shall maintain an active business registration with the Town for as long as the applicant is conducting recycling activities in the Town.
- (c) This Permittee shall only collect from the following Colma business: Kohl’s.
- (d) This permit shall be valid for one year from the date of issuance. Renewal of the permit by the City Manager is required prior to expiration. The City Manager may renew the permit if the Permittee is not in material default of any provisions in its existing permit and renewal is in the best interests of the Town.

4. Terms

- (a) *Permittee.* As used in this Permit, the word “Permittee” shall mean A-1 Recycling & Waste Reduction, Inc.
- (b) *Modification or Revocation.* The Town may modify or revoke this Recycler’s Permit should it determine that the Permittee fails to comply with the conditions herein.

5. Effective Date

This resolution shall take effect immediately upon adoption.

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Certification of Adoption

I certify that the foregoing Resolution No. 2017-__ was duly adopted at a regular meeting of the City Council of the Town of Colma held on February 22, 2017, by the following vote:

Name	Voting		Present, Not Voting		Absent
	Aye	No	Abstain	Not Participating	
Helen Fisicaro, Mayor					
Raquel "Rae" Gonzalez					
Joanne F. del Rosario					
John Irish Goodwin					
Diana Colvin					
<i>Voting Tally</i>					

Dated _____

Helen Fisicaro, Mayor

Attest: _____

Caitlin Corley, City Clerk

NOTICE OF RIGHT TO PROTEST

The Conditions of Project Approval set forth herein include certain fees, dedication requirements, reservation requirements, and other exactions. Pursuant to Government Code Section 66020(d)(1), these Conditions constitute written notice of a statement of the amount of such fees, and a description of the dedications, reservations, and other exactions. You are hereby further notified that the 90-day approval period in which you may protest these fees, dedications, reservations, and other exactions, pursuant to Government Code Section 66020(a), began on date of adoption of this resolution. If you fail to file a protest within this 90-day period complying with all of the requirements of Section 66020, you will be legally barred from later challenging such exactions.

AGREEMENT

Permittee

The undersigned agrees to comply with each and every condition set forth in this resolution.

Dated: _____

(a) Tina Hobbes, Manager
A-1 Recycling & Waste Reduction, Inc.



STAFF REPORT

TO: Mayor and Members of the City Council
 FROM: Paul S. Rankin, Contract Finance Director
 VIA: Sean Rabé, City Manager
 MEETING DATE: February 22, 2017
 SUBJECT: Mid-Year Budget Report and Adjustments to FY 2016/2017 Budget

RECOMMENDATION

Staff recommends that the City Council adopt the following resolution:

RESOLUTION AMENDING BUDGET APPROPRIATIONS FOR FISCAL YEAR 2016-2017

EXECUTIVE SUMMARY

On June 8, 2016, the City Council adopted a budget for the fiscal year which began July 1, 2016 and ends June 30, 2017. As with any plan it is appropriate to monitor results and when appropriate make adjustments. The proposed Budget adjustments are presented along with the regular quarterly financial report. In addition with the completion of half the fiscal year input was solicited from Department Directors on any trends or events that would warrant an adjustment to the adopted department operating budgets.

FISCAL IMPACT

The approval of the budget amendment resolution will not alter the existence of a balanced budget. Details of the financial impacts are discussed as part of the report.

BACKGROUND

The adoption of a budget is a financial plan which is based on estimates and projections. As such, it is appropriate to monitor actual activity throughout the year and when appropriate to formally adopt modifications to the plan. The budgeted revenue is based largely on historical trend information. In the case of a major revenue such as sales tax, the Town contracts with a specialized consultant in order to obtain detailed analysis.

ANALYSIS

Quarterly Financial Highlights

Attachments A is the quarterly report related to revenue and expenditures primarily in the General Fund. The format of the report is intended to provide a high-level snapshot of the fiscal performance for the Town operations. Staff also posts a copy on the Town website. This report contains the results for the second quarter which ended December 31, 2016 and reflects completion of 50 percent of the fiscal year (Attachment A).

Total Operating Budget For Revenue and Expenditures (All Funds)

The following provides a high-level view of the adopted budget for Fiscal Year 2016-2017. This format helps to identify the significance of the General Fund activities compared to the special revenue funds and how the adopted budget included transfers between funds.

FISCAL YEAR 2016-2017 OPERATING BUDGET					
	General Fund	Gas Tax Fund	Measre A Fund	Police Grant (COPS)	TOTAL
REVENUE	\$16,582,712	\$45,200	\$51,250	\$164,050	\$16,843,212
OTHER SOURCES OF FUNDING/(TRANSFERS)	\$0				\$0
TOTAL SOURCE OF FUNDS	\$16,582,712	\$45,200	\$51,250	\$164,050	\$16,843,212
EXPENDITURES	(\$14,013,750)	(\$25,000)	\$0	(\$122,290)	(\$14,161,040)
OTHER USES OF FUNDS/(TRANSFERS)					
Transfer to Capital Projects	(\$550,000)				(\$550,000)
Transfer to Debt Service	(\$303,170)				(\$303,170)
Contribution To Reserves / (Use of Reserves)	\$1,715,792	\$20,200	\$51,250	\$41,760	\$1,829,002

General Fund Revenue

Total revenue budgeted in the General Fund is \$ 16.5 million. The source of this revenue is highly concentrated among four categories (94% is represented in only four revenue types). The following is a table showing the Budget to Actual collections of General Fund Revenue collected in the four largest revenues as of December 31, 2016.

FISCAL YEAR 2016-2017			
	Budget Fiscal Year	2nd Qtr Actual	% of Budget For Period
Sales Taxes	\$10,550,000	\$3,890,756	36.9%
Cardroom Taxes	3,790,000	1,699,512	44.8%
Property Taxes	576,300	289,778	50.3%
Sewer Fees	710,000	370,899	52.2%
Sub-Total Major Revenue	\$15,626,300	\$6,250,944	40.0%
Total All Gen Fund Revenue	\$16,582,712	\$6,729,480	
% of Total Revenue	94.2%	92.9%	

Two increases totaling \$460,000 are being recommended to the General Fund revenue. The performance of both the sales tax and the cardroom tax suggest that it is appropriate to increase the Budget for both. Sales Tax revenue is proposed to be increased by \$200,000. This is largely due to increased auto sales based on data analyzed by HdL (the Town’s sales tax consultant). The estimated budget for cardroom taxes is proposed to be increased by \$260,000 which will result in a total budget near what was actually collected last year.

A minor decrease of \$6,000 is recommended in the Peace Officer Standards Training (POST) reimbursements based on decreased reimbursements from the State. The State recently notified the Police Department that training offered as well as reimbursements are expected to decrease.

General Fund Expenditures

The total budget for General Fund operating expenditures is approximately \$13.6 million. At the mid-point of the year overall expense is approximately 54% of the budgeted amount.

GENERAL FUND EXPENSE	FISCAL YEAR 2016-2017		
	Budget Fiscal Year	2nd Qtr Actual	% of Budget For Period
General Government	\$3,083,070	\$1,763,970	57.2%
Police	6,215,960	3,371,033	54.2%
Engineering / Building / Planning	1,407,000	536,450	38.1%
Public Works Maintenance	1,765,530	1,190,748	67.4%
Recreation Services	961,740	517,124	53.8%
Facility Maintenance	580,450	202,436	34.9%
TOTAL	\$14,013,750	\$7,581,761	54.1%

All Department Directors completed additional review of the performance of individual Department budgets for the first six months. Although minor deviations may have occurred most can be balanced between savings in one line item compared to a small overage in another. The majority of the recommended changes relate to the implementation of new salary schedules.

The budget year to date overall is tracking as expected with half the year complete. Variances above 50% for General Government; Police; and Recreation are mostly due to pre-payment of the PERS contributions for Retirement and seven months of medical premiums. The Public Works category reflects the expense in the first quarter of the full annual sewer service charges. The Engineering / Building / Planning category is primarily contract services and there can be a lag in the billing which results in less than half the budget being expended to date.

Based on approvals of expenditures after the adoption of the budget, additional appropriations are required in the following areas which are also detailed on the Budget Change form included with the Resolution.

- City Council Community Grants – An additional \$9,915 is required to match approved grants.
- Police Retiree Dental – Correction – An additional \$8,130 is required to correct a formula error in the original Budget document that did not add in the line item included in the budget document.
- Revised Salary Schedules – An additional \$273,000 is required to be added to the Budget to account for salary and benefit changes as part of new labor

agreements. These expenses include retroactive costs based on service from the previous year.

Overall the General Fund Expenditure increases total \$291,000, which are fully offset by increases in the General Fund Revenue discussed earlier.

Non- General Fund Budget Changes

The City Council authorized appropriations are made based on the Fund. It is appropriate to review any needed adjustments to the special revenue and capital project funds that are known at this time.

Police Grant Fund – As part of the adopted Budget \$60,000 was included for a Grant Funded Police Motorcycle. The expenditure was to be contingent upon receiving the grant. The Town was not awarded this grant and therefore revenue will be decreased in this fund by \$60,000 as well as a reduction to expenditures in the Capital Project for the same amount. The Operating portion of the State COPS grant will require an \$8,000 increase in expenditures in order to address the changes in the salary schedule.

Capital Project Fund - Measure M - Both revenue and expense related to the purchase of a new street sweeper will be reduced by \$10,795. Staff has completed the purchase for less than the amount budgeted.

Fleet Replacement Fund (Capital Project) – Staff is recommending an appropriation of \$50,000 to proceed with the replacement of one patrol vehicle. The fleet has been impacted by age of the vehicles and advancing the purchase prior to the new fiscal year will provide for more orderly operations. The Town has established a Vehicle Replacement Fund at the end of Fiscal Year 2016 which has an adequate balance to proceed with this purchase.

A summary of the recommended budget adjustments for all changes discussed as part of this report is included in the attached resolution.

Summary General Fund Balance After Proposed Adjustments

The Table on the following page depicts the changes in General Fund Reserve Balance as presented in the Adopted Budget compared to updated numbers based on the Mid-Year Report. This includes the use of the updated beginning balance based on the June 30, 2016 audit report.

Overall the Town maintains a strong financial foundation. The revised projected impact of all the General Fund changes are that the Unassigned portion of the fund balance will increase by approximately \$117,265 over the amount projected in the Budget. The balance will allow the Town Council to consider addressing in the future one-time infrastructure as well as financial planning for outstanding liabilities.

	General Fund As Adopted In Budget 6/2016	General Fund Including Mid- Year Adj
Projected Beginning Balance 7/1/2016	\$22,639,938	\$22,594,248
REVENUE	16,582,712	17,036,712
OTHER SOURCES: (TRANSFERS IN)	0	0
TOTAL SOURCE OF FUNDS	\$39,222,650	\$39,630,960
EXPENDITURES	(\$14,013,750)	(\$14,304,795)
<u>OTHER USES OF FUNDS/(TRANSFERS OUT)</u>		
Transfer to Capital Projects	(\$550,000)	(\$550,000)
Transfer to Debt Service	(\$303,170)	(\$303,170)
Projected Ending Balance 6/30/2016	\$24,355,730	\$24,472,995

BREAKDOWN GENERAL FUND RESERVES

Committed	Debt Reduction	\$600,000	\$600,000
	Budget Stabilization	14,000,000	14,000,000
Assigned	Litigation	100,000	100,000
	Insurance	100,000	100,000
	Disaster Response / Recovery	750,000	750,000
Unassigned		8,805,730	8,922,995
Projected Ending Balance 6/30/2017		\$24,355,730	\$24,472,995

Reasons For the Recommended Action

The adoption by the City Council of a budget adjustment is an appropriate level of fiscal control demonstrating the sound use of public funds.

COUNCIL ADOPTED VALUES

The Staff recommendation is consistent with the Council adopted values of:

- *Responsibility:* Making decisions after prudent consideration of their financial impact, taking into account the long-term financial needs of the agency, especially its financial stability.
- *Fairness:* Support the public's right to know and promote meaningful public involvement.

ALTERNATIVES

The information as presented has been at a high level. An alternative would be to request that staff return with a more detailed presentation of individual line items with analysis by the departments. This would need to be prepared for a future meeting and it would not be expected to result in significant budget changes beyond those discussed in this report.

CONCLUSION

Staff recommends that the City Council adopt the attached resolution approving the budget change.

ATTACHMENTS

- A. 2nd Quarter Financial Report
- B. Resolution Amending Budget Appropriations for Fiscal Year 2016-2017



QUARTERLY FINANCIAL REPORT SECOND QUARTER 2016-2017 (October 1, 2016 – December 31, 2016)

This report provides an overview and summarized information on the Town Finances. For the Town of Colma, the General Fund represents the most significant portion of the annual revenue and expenditures. Therefore, the focus of the report will be on the performance of the General Fund, unless otherwise noted. The format of the report compares preliminary data from the Prior Year actual results to the Current Year Budget / Quarterly Actual.

GENERAL FUND FINANCIAL POSITION

In Fiscal Year 2016-2017 the General Fund includes budgeted revenue of approximately \$16.6 million and budgeted expenditures of \$14.0 million. In addition the General Fund has net budgeted transfers of approximately \$0.9 million. A transfer represents resources in one fund that are transferred to another fund. The primary transfers in the current year budget are for Capital Project funding and Debt Service.

	FISCAL YEAR 2015-2016			FISCAL YEAR 2016-2017		
	Actual Fiscal Year	2nd Qtr Actual	% Actual For Period	Budget Fiscal Year	2nd Qtr Actual	% of Budget For Period
Revenue	\$17,719,195	\$5,589,433	31.5%	\$16,582,712	\$6,729,480	40.6%
Expenditures	(13,410,013)	(7,392,017)	55.1%	(14,013,750)	(7,581,761)	54.1%
Net Transfers In / (Out)	(9,833,630)	0		(853,170)	(642,773)	
Net Change	(5,524,447)	(1,802,584)		1,715,792	(1,495,054)	
Beginning Balance	28,118,695	28,118,695		22,594,248	22,594,248	
Balance Year To Date	22,594,248	26,316,111		24,310,040	21,099,194	

MAJOR GENERAL FUND REVENUE SOURCES

More than 90 percent of the budgeted General Fund Revenues are concentrated in four revenue types. Revenues collected are not evenly distributed from month to month.

	FISCAL YEAR 2015-2016			FISCAL YEAR 2016-2017		
	Actual Fiscal Year	2nd Qtr Actual	% Actual For Period	Budget Fiscal Year	2nd Qtr Actual	% of Budget For Period
Sales Taxes	\$10,851,062	\$2,937,693	27.1%	\$10,550,000	\$3,890,756	36.9%
Cardroom Taxes	4,039,518	1,548,484	38.3%	3,790,000	1,699,512	44.8%
Property Taxes	562,378	281,480	50.1%	576,300	289,778	50.3%
Sewer Fees	836,480	418,523	50.0%	710,000	370,899	52.2%
Sub-Total Major Revenue	\$16,289,438	\$5,186,179	31.8%	\$15,626,300	\$6,250,944	40.0%
Total Revenue - GF	\$17,719,195	\$5,589,433		\$16,582,712	\$6,729,480	
% Major 5 Revenues	91.9%	92.8%		94.2%	92.9%	

As shown in the previous table approximately 40 percent of the General Fund Revenue was collected in the first six months of the fiscal year. A narrative explanation is provided below for key deviations.

MAJOR REVENUE (Continued)

- Sales Tax revenue in the first quarter represents actual retail transactions through September 30th plus advances received for the second quarter from the Board of Equalization. Because the Triple Flip allocation from the State has ended, collections to date are slightly ahead of the 27% reported in the prior year. Based on input from HdL an increase in the Budget is recommended as part of the Mid-Year Adjustments.
- Cardroom taxes can fluctuate from year to year based on a variety of factors. The adopted budget for Fiscal Year 2016-2017 is approximately 6.5 percent below the actual amount collected in the prior year. Through the first six months this revenue source continues to exceed the amount collected in the prior year. A budget increase is recommended as part of the Mid-Year Adjustments.
- Property taxes for the current year reflect the first of two major installments. The amount recorded is slightly more than 50% similar to the previous year.
- Sewer Fees are collected on the Property Tax bill. The fees represent the first of two major installments received from the Property Tax bill payments.
- Based on the amount of sewer fees collected in the previous fiscal year the current year revenue is expected to exceed the budget.

GENERAL FUND EXPENDITURES

Overall, expenditures compared to the prior year performance through the second quarter, total expenses were similar in the current year (FY 2016 = 55.1% and FY 2017 = 54.1%).

COMPARISON OF EXPENDITURES BY PROGRAM AREA

	FISCAL YEAR 2015-2016			FISCAL YEAR 2016-2017		
	Actual Fiscal Year	2nd Qtr Actual	% Actual For Period	Budget Fiscal Year	2nd Qtr Actual	% of Budget For Period
General Government	\$3,194,542	\$2,190,639	68.6%	\$3,083,070	\$1,763,970	57.2%
Police	5,535,529	2,738,418	49.5%	6,215,960	3,371,033	54.2%
Engineering / Building / Planning	1,381,129	498,291	36.1%	1,407,000	536,450	38.1%
Public Works Maintenance	1,970,819	1,285,524	65.2%	1,765,530	1,190,748	67.4%
Recreation Services	864,463	463,764	53.6%	961,740	517,124	53.8%
Facility Maintenance	463,531	215,381	46.5%	580,450	202,436	34.9%
TOTAL	\$13,410,013	\$7,392,017	55.1%	\$14,013,750	\$7,581,761	54.1%

- The 2015-16 General Government expense was skewed due to payment of all retiree medical expense is reported entirely under the General Government category. The 2016-17 Budget allocates this cost among all activities. This accounts for the decrease in percentage of expenditures reported as General Government.

The following table also displays the expenses organized by expenditure type.

	FISCAL YEAR 2015-2016			FISCAL YEAR 2016-2017		
	Actual Fiscal Year	2nd Qtr Actual	% Actual For Period	Budget Fiscal Year	2nd Qtr Actual	% of Budget For Period
Salaries & Benefits	7,131,857	\$4,096,522	57.4%	\$8,129,420	\$4,479,406	55.1%
Operating Services & Supplies	2,272,106	834,495	36.7%	1,690,980	715,869	42.3%
Contractual / Professional Services	2,207,236	902,829	40.9%	2,372,350	965,940	40.7%
Infrastructure Maint Contract Svcs	281,416	132,988	47.3%	336,000	82,748	24.6%
Sewer Services	940,029	918,555	97.7%	890,000	816,630	91.8%
Insurance (Liability/Property/WC)	577,369	506,629	87.7%	595,000	521,169	87.6%
TOTAL	\$13,410,013	\$7,392,017	55.1%	\$14,013,750	\$7,581,761	54.1%
OTHER USES / (TRANSFERS IN)	\$9,833,630	\$0		\$853,170	\$642,773	
EXPENDITURES & TRANSFERS	\$23,243,643	\$7,392,017		\$14,866,920	\$8,224,534	

Overall the expenditures for the first quarter are expected to trend within the adopted budget. Information related to significant deviations are discussed below:

- As shown in the previous table salaries and benefits are the most significant portion of General Fund expenditures. A significant factor which contributes to expenses above 50% after two quarters is the pre-payment of PERS retirement contribution. By depositing a lump sum amount in July instead of monthly payments the Town is able to take advantage of a discount.
- Contract services include a variety of professional as well as service contracts associated with providing Town services. There can sometimes be a lag in the billing from the service provider.
- Infrastructure Maintenance Contract Service costs can be impacted by weather and are not typically distributed throughout the year.
- Sewer Service costs are over 90% of the budget. This is a typical pattern as the collection and treatment system payments to the providers are made early in the Fiscal Year. The remainder of the budgeted expenses would be associated with maintenance expense on the system during the year.
- A significant portion of the Insurance expense has been incurred. This is a typical pattern as most of these costs are insurance premiums. The premium payment for liability and property insurance is due in the first month of the Fiscal Year.

ADDITIONAL GENERAL FUND DETAILS AND INFORMATION

This format was prepared by the Finance Department to highlight in summary fashion key indicators of the Town General Fund Financial performance. Additional Financial Reports and Budgets are also available on the Town website www.colma.ca.gov. This report will be posted on the Town website.

HIGH LEVEL SUMMARY – ALL FUNDS

The Table below provides a summary of “All Funds” and their activity for the two quarters ending December 31, 2016. This report highlights in summary fashion key indicators of the Town Financial performance. As mentioned earlier the General Fund is the most significant to the operations of the Town, however, it is also appropriate to consider the other sources of funding. As shown the balance held in Capital Project Funds is approximately \$11.5 million.

TOWN OF COLMA QUARTERLY REPORT OF ALL FUNDS (PRELIMINARY BALANCE AND ACTIVITY - CASH BASIS) QUARTER 2 - FISCAL YEAR 2016-2017					
FUND TYPE / NAME	BEGINNING FUND BALANCE 7/1/16	Fiscal Year To Date (July - Dec 2016)			YTD BALANCE
		YTD REVENUE	TRANSFERS IN / (OUT)	YTD EXPENDITURES	
General					
11-General Fund	\$22,594,248	\$6,729,480	(\$642,773)	(\$7,581,761)	\$21,099,194
Sub-Total	22,594,248	6,729,480	(642,773)	(7,581,761)	21,099,194
Special Revenue					
21-State Gas Tax Fund	28,012	18,679		(6,605)	40,086
22- Measure A Transportation	58,439	22,744			81,183
29- Police Grants / (COPS)	120,658	63,562		(52,635)	131,585
Sub-Total	207,109	104,985	0	(59,240)	252,854
Capital Project Funds					
31- General CIP	8,772,940		550,000	(763,619)	8,559,321
33- Town Hall CIP Financed \$	4,343,192	12,948		(1,362,676)	2,993,464
Sub-Total	13,116,132	12,948	550,000	(2,126,295)	11,552,785
Debt Service Funds					
43- COP Debt Service	62	10	92,773	(92,235)	609
Sub-Total	62	10	92,773	(92,235)	609
Internal Service Funds					
61-Fleet Replacement	776,421	3,366	0	0	779,787
Sub-Total	776,421	3,366	0	0	779,787
Trust Funds*					
71-OPEB-Retiree Medical	1,094,504	556,218	0	(330,043)	1,320,678
72-Retirement (PARS)	18,914	151	0	(20)	19,045
Sub-Total	1,113,418	556,369	0	(330,063)	1,339,724
GRAND TOTAL	\$37,807,390	\$7,407,157	\$0	(\$10,189,594)	\$35,024,953

* These Trust Funds were established to report funding contributed to an irrevocable trust for retirement benefit purposes. The funds are not available to the Town for General Operating and / or discretionary expenditures.

RESOLUTION NO. 2017-##
OF THE CITY COUNCIL OF THE TOWN OF COLMA
RESOLUTION AMENDING BUDGET APPROPRIATIONS
FOR FISCAL YEAR 2016-2017

The City Council of the Town of Colma does hereby resolve:

1. Background

- (a) The City Council adopted a budget for Fiscal Year 2016-17, on June 8, 2016; and
- (b) On February 22, 2017 at a public meeting the City Council received a Mid-Year Financial Report, which analyzed Revenue and Expenditures over the first six months of the Fiscal Year; and
- (c) The Mid-Year Report identified various adjustments required to the budgeted appropriations based on updated estimates.
- (d) The adopted Budget policy provides that the City Council shall approve the budget amendments identified in the report.
- (e) The approval of the Budget Adjustment shall continue to result in a balanced budget with current year General Fund Operating Revenue exceeding the amount of current Year General Fund Operating Expenses; and
- (f) The Budget Adjustment accounts Revenue and Expenditures associated with a Police Grant which has not been awarded.
- (g) The Budget Adjustments also provide for expenditures from the Vehicle Replacement Fund to replace one patrol vehicle.
- (h) Other adjustments were also presented and contained in the Budget Change Form.
- (i) The City Council has duly considered the Staff Report and public comments, if any, thereon.

2. Finding

The City Council finds that based on changes since the Original Budget was adopted that it is appropriate to have the City Council approve an adjustment to the Fiscal Year 2016-2017 Colma Budget. The City Council finds that the total expenditures in the 2016-17 Budget, after the proposed amendment does not exceed the appropriations limits for fiscal year 2016-17, which is \$40,596,874.75.

3. Amendment to Budget

- (a) The Fiscal Year 2016-2017 Budget is amended as shown in the schedule attached as Exhibit A and by reference incorporated herein.

(b) The City Manager shall insure that the changes are incorporated in the official Finance and Accounting systems as summarized in Exhibit A.

Certification of Adoption

I certify that the foregoing Resolution No. 2017-## was duly adopted at a regular meeting of the City Council of the Town of Colma held on February 22, 2017, by the following vote:

Name	Counted toward Quorum			Not Counted toward Quorum	
	Aye	No	Abstain	Present, Recused	Absent
Helen Fisicaro, Mayor					
Diana Colvin, Vice Mayor					
Joanne del Rosario					
Raquel Gonzalez					
John Goodwin					
<i>Voting Tally</i>					

Dated _____

Helen Fisicaro, Mayor

Attest: _____
Caitlin Corley, City Clerk

**FY 2016/2017 TOWN OF COLMA - EXHIBIT A TO RESOLUTION
BUDGET CHANGE PRESENTED FOR CITY COUNCIL APPROVAL FEBRUARY 22, 2017**

Budget Section Impacted	Account	Increase Budget Amount	Decrease Budget Amount	Reason
REVENUES				
General Fund - Sales Tax	11-31111	200,000		Based on preliminary sales tax reports from Town Consultant- HdL, revenue is expected to exceed budget, largely due to improved Auto Sales
General Fund - Cardroom Taxes	11-31115	260,000		At the time the Budget was adopted Staff had noted a trend in the increase in taxes collected, however, a conservative budget figure was presented. This will establish the current budget near the actual received in FY 2015-2016.
General Fund - POST Training Reimb.	11-35112		6,000	The State has reduced the availability of Peace Officer Standards Training (POST) Training courses.
TOTAL GENERAL FUND - Revenue		460,000	6,000	Net Change Additional \$454,000

Federal Grant (Police Grant Fund)	29-35122		60,000	Budget included an appropriation for a pending grant application to purchase a Police Motorcycle. The Town was not awarded the grant.
Measure M Grant (Capital Project Fund)	31-35131		10,795	The adopted Budget included a total of \$180,000 from Measure M to fund a replacement Street Sweeper. The actual cost of the sweeper was less.

EXPENDITURES

General Fund / City Council / Grants	11-110-60007	9,915		Based on the approved applications for support grants that were awarded by the City Council.
General Fund / Various Departments - FT Salary	11-###-51002	221,000		Adoption of adjustments to salary schedules
General Fund / Various Departments - PERS Ret Misc.	11-###-52001	8,000		Adoption of adjustments to salary schedules
General Fund -Various Departments - PERS Ret Safety	11-2##-52002	26,000		Adoption of adjustments to salary schedules
General Fund -Various Departments - FICA	11-###-52014	18,000		Adoption of adjustments to salary schedules
General Fund / Police-Admin / Retiree Dental	11-210-52018	8,130		Corrects a formula error in the adopted 2016-17 Budget. This line item was inadvertently omitted from the formula
TOTAL GENERAL FUND - Expense		291,045		100% offset by additional revenue

COPS Grant Fund - Operating / Police CSO-Division - FT Salary	29-240-51002	5,000		Adoption of adjustments to salary schedules
COPS Grant Fund - Operating / Police CSO-Division - PERS Ret Misc	29-240-52001	1,000		Adoption of adjustments to salary schedules
COPS Grant Fund - Operating / Police CSO-Division - PERS Ret Misc	29-240-52014	2,000		Adoption of adjustments to salary schedules
TOTAL COPS OPERATION GRANT - Expense		8,000		Will draw from existing balance

COPS Grant Fund / CIP Project - Fleet Replacements	29-987-80002		60,000	The Town was not awarded a grant to purchase a Police Motorcycle.
Capital Project Fund / Fleet Replacement /Auto	31-987-80002		10,795	The cost of a Replacement Street Sweeper was less than the original Budget
Fleet Replacement Fund / Fleet Replacement /Auto	61-987-80002	50,000		There is a need to replace a Patrol unit prior to the start of the next Fiscal Year.





STAFF REPORT

TO: Mayor and Members of the City Council

FROM: Sean Rabé, City Manager
Kirk Stratton, Chief of Police
Brad Donohue, Public Works Director

MEETING DATE: February 22, 2017

SUBJECT: Sterling Park Parking Issues Study Session

RECOMMENDATION

None. This is a Study Session to seek City Council input and feedback on potential solutions to the parking-related issues identified in the Sterling Park neighborhood. No council action will take place; however, staff seeks comments, questions, and feedback from the City Council during the study session. Council's feedback regarding potential parking solutions will be used to craft Preferential Parking Code recommendations for action at a later meeting.

EXECUTIVE SUMMARY

Throughout the past year, staff has heard numerous concerns from the City Council and residents of Sterling Park regarding parking issues. These concerns include an apparent lack of enforcement of parking permits, too many vehicles compared to the number of parking spaces, and problems with the permitting process itself. During the study session staff will present a number of options on how to potentially alleviate some of these issues.

FISCAL IMPACT

None.

BACKGROUND

Parking has been a long-term issue in the Sterling Park neighborhood. In 1998 the City Council adopted a residential parking ordinance intended to address the increase in vehicle parking in the Sterling Park neighborhood due to the Colma BART station parking overflow. The ordinance gave preferential parking to residents from 8 AM until noon, Monday through Friday. While this ordinance addressed commuters' use of on street parking, it did not address the limited amount of parking for all residents.

In 2003, after an extensive parking study by the Colma Engineering Department, some minor changes were made to the ordinance but there was minimal if any effect on the limited amount of on-street parking. In fact, with the exception of the 500 block of D Street and portions of F and Clark streets, the study indicated parking in the neighborhood was very limited for residents.

In October of 2007, Council adopted a parking ordinance that included enforcement of the residential permits on Saturdays. After four years Council asked staff to re-visit the ordinance to determine if there was a need to continue with parking permit enforcement on Saturdays.

In November of 2011, Council adopted a resolution eliminating weekend enforcement. Since then there has been no change to the issuance of guest parking permits in the preferential parking zone in Sterling Park.

ANALYSIS

Guest permits are issued to qualified residents in the Sterling Park neighborhood every two years and are staggered by odd numbered residential dwellings and even numbered residential dwellings. Colma Municipal Code Section 6.02.050 governs the process of issuing permits and states the following, in part:

One Preferential Parking Permit shall be issued for each vehicle registered to a Qualified Resident.

and,

Two Guest Permits shall be issued to each dwelling unit in a preferential parking zone...

Because the code provides for one permit per registered vehicle, there is no limitation on how many permits can be issued per dwelling unit. If a resident had eight cars registered to one address, that resident is legally entitled to eight permits. And because the code provides two guest parking permits per address, the hypothetical example resident effectively receives 10 permits. The Police Department found that approximately 12 Sterling Park residents had more than five permits issued in 2015 and 2016.

In calendar year 2016, 308 guest parking permits were issued to qualified residents. The number of parking permits issued in the calendar year 2016 to even numbered dwellings was 266. In 2015, odd numbered residences were issued 186 guest parking permits and 302 parking permits.

The number of parking permits issued for 2015 and 2016 combined was 568. The number of guest parking permits issued for 2015 and 2016 was 494. Thus, the total number of permits (comprised of both parking and guest parking) totaled 1,062. However, a 2000 study conducted by the Engineering Department determined a total of 564 parking spaces were in the Sterling Park neighborhood – leaving a deficit of nearly 500 parking spaces. The number of actual parking spaces includes parking in front of driveways.

Staff is recommending limiting the number of guest parking permits issued to dwelling units from two to only one. This would decrease the number of guest parking permits from 494 to 247. The total number of parking permits and guest parking permits issued would be approximately 815 as opposed to the current 1,062 (assuming the same number of regular permits were issued). Staff has also discussed only issuing guest permits on an as-needed basis, but staff is not recommending that path forward at this time.

Staff has also investigated placing a cap on the total number of permits issued per address – specifically, a maximum number of four. However, as noted above, only 12 residents in the entire neighborhood had five or more regular permits. Staff believes limiting the number of guest permits is a more effective approach at this time.

Staff will also be looking at additional parking enhancements, including a more automated permitting process (this could be tied to the issuance of guest permits on an as-needed only basis), modification to the parking code (hours of enforcement and other potential changes) and development of additional parking areas.

The Colma Police Department will continue to enforce unlawful acts, parking prohibitions and the vehicle code.

Council Adopted Values

Modifying the existing Preferential Parking Code to better address the needs of the Sterling Park neighborhood is consistent with the Council's value of *Responsibility* because Council is considering the negative impacts of parking issues on the community, and with the Council's value of *Vision* because potential modifications to the code can be an innovative way to enhance quality of life for our residents.

CONCLUSION

Staff is recommending the City Council provide direction to staff on how to proceed with potential modifications to the Preferential Parking Code.

ATTACHMENTS

- A. Current Preferential Parking Code



CHAPTER SIX: VEHICLE AND TRAFFIC CODE

Subchapter 6.02: Preferential Parking

6.02.010 Scope.

This subchapter authorizes the establishment of preferential parking zones (also known as permit parking zones) and includes provisions for issuance of permits, and makes certain actions, such as the sale of a parking permit, a misdemeanor. The specific areas subject to preferential parking permits are set forth in the Parking Code of the Town of Colma.

[History: Adopted ORD 712, 10/10/12]

6.02.020 Findings.

The City Council finds that:

- (a) Commuter vehicles substantially and regularly interfere with the use of the majority of available public street parking spaces in the Sterling Park residential area by adjacent residents and merchants;
- (b) A shortage of reasonably available and convenient residential-related parking spaces exists in the Sterling Park residential area;
- (c) Commuter vehicles being driven or parked in the area of the Sterling Park residential area cause or are the source of unreasonable noise, traffic hazards, and environmental pollution;
- (d) The establishment of preferential parking zones is required to enhance or protect the quality of life in Sterling Park residential area and to make parking reasonably available and convenient for the benefit of adjacent residents and merchants;
- (e) The establishment of preferential parking zones in the Sterling Park residential area will also encourage the use of car pooling and mass transit by commuters; and
- (f) No alternative solution to the problems caused by commuter parking is reasonably feasible or practical.

[History: Adopted Res. 99-19, 5/26/99, effective 6/30/99; Amended ORD 712, 10/10/12]

6.02.030 Definitions.

As used herein, the following words and phrases shall be given the meaning shown:

- (a) "Commuter vehicle" means a vehicle operated by a person whose destination is outside of the Sterling Park residential area;
- (b) "Preferential parking zone" shall mean the streets designated by the City Council for permit parking;
- (c) "Qualified merchant" shall mean a business fronting a preferential parking zone: and

(d) "Qualified resident" shall mean a person who lives in a dwelling unit fronting a preferential parking zone.

[History: Adopted Res. 99-19, 5/26/99; Amended by Res. 2003-28, 6/25/03; Res. 2007-63, 10/10/07; [History: Adopted Res. 99-19, 5/26/99; Amended by Res. 2003-28, 6/25/03; Res. 2007-63, 10/10/07]]

6.02.040 Establishment of Preferential Parking Zones.

The City Council may, by resolution designate certain streets or portions thereof as a preferential parking zone for the benefit of qualified residents and merchants. In a preferential parking zone, vehicles displaying a permit shall be exempt from parking prohibitions or restrictions otherwise posted, marked or noticed.

[History: Adopted Res. 99-19, 5/26/99, effective 6/30/99; amended Res. 2003-28, effective 6/25/03; [History: Adopted Res. 99-19, 5/26/99, effective 6/30/99; amended Res. 2003-28, effective 6/25/03]

6.02.050 Issuance of Permits.

(a) *Applications.* The Police Department shall issue permits, in a form to be determined by the Police Department and consistent with the provisions of this article, for preferential parking to qualified residents and qualified merchants who have completed an application form supplied by the Police Department. Applicants for such permits shall present such proof as may be required by the Police Department of a residence or place of business adjacent to the area designated as a preferential parking zone.

(b) *Preferential Parking Permits.* One Preferential Parking Permit shall be issued for each vehicle registered to a Qualified Resident. One Preferential Parking Permit shall be issued to each non-resident employee of a Qualified Merchant. A Preferential Parking Permit shall remain effective for a period of no more than two years, or until the preferential parking zone for which such permit was issued is eliminated, whichever is less. The Chief of Police is authorized to issue preferential permits on a staggered basis.

(c) *Guest Permits.* Two Guest Permits shall be issued to each dwelling unit in a preferential parking zone, and two Guest Permits to each qualified merchant in a preferential parking zone if there is no green zone in front of such merchant's place of business. Guest Permits shall be valid only during the calendar year in which they are issued. Guest permits shall only be valid when displayed on vehicles not owned or registered to a Qualified Resident, are for use on passenger motor vehicles only and shall not be used for boats, trailers, recreational vehicles, vehicles with a manufacturers' gross vehicle weight rating of more than 12,000 pounds, or vehicles for hire.

(d) *Temporary Permits.* The Police Department shall also issue to any qualified resident or any qualified merchant a Temporary Permit for use by a visitor of the applicant, as follows:

- (1) On an oral request of a qualified resident or merchant, the Police Department may issue a Temporary Permit for one day only, the date of use authorized by such permit being no later than ten days after issuance; and

- (2) On a written request of a qualified resident or merchant showing that issuance of a temporary permit is for the benefit of the resident or merchant and that it is reasonable to request a temporary permit for a period longer than one day, the Police Department shall issue a Temporary Permit for up to thirty (30) days, the last date of such use being no later than forty (40) days of issuance.
- (3) *Conditions of permit.* Each parking permit shall be subject to all conditions and restrictions set forth in this section and of the preferential parking zone for which it is issued.
- (4) *Other Laws and Regulations.* The issuance of a parking permit shall not be construed to be a permit for, or approval of, any violation of any provision of this Code or any other laws or regulations.
- (5) *Fees.* No fee shall be charged for issuance of a permit except that the city council may, by resolution, set a fee for replacement of lost or destroyed permits.
- (6) *Appeals.* Any person who has been denied a permit may appeal that decision to the City Manager by giving written notice thereof within ten (10) days after the decision of the Police Department.

[History: Adopted Res. 99-19, 5/26/99, effective 6/30/99; Res. 2007-63, 10/10/07;

[History: Adopted Res. 99-19, 5/26/99, effective 6/30/99; Res. 2007-63, 10/10/07]

6.02.060 Timed Parking in Preferential Parking Zone.

The City Council may, by resolution, restrict the standing, stopping, or parking of vehicles in a preferential parking zone, and may provide for exemptions from such restrictions.

[History: Adopted ORD 712, 10/10/12]

6.02.070 Unlawful Acts; Punishments.

(a) It shall be unlawful to do, or cause, any of the following, and any person who does or causes to be done any of the following shall be guilty of a misdemeanor:

- (1) To sell, rent or lease, or cause to be sold, rented or leased, for any value or consideration, any preferential parking permit;
- (2) To buy or otherwise acquire for value or use any preferential parking permit;
- (3) To falsely represent himself or herself as eligible for a parking permit or to furnish false information in an application for a permit;
- (4) To copy, reproduce, or otherwise bring into existence a facsimile or counterfeit parking permit, or to alter a parking permit;
 - (A) To display a Residential or Merchant Parking Permit in a vehicle other than the vehicle for which such Permit was issued; or

(B) To remove chalk marks placed on tires by the Police Department.

(b) Violation of any of the provisions of the foregoing paragraph shall constitute a misdemeanor punishable as set forth in section 1.05.010 of the Colma Municipal Code and a public nuisance subject to the provisions of Subchapter 2.01 of Chapter One of the Colma Municipal Code (section 2.01.010, et seq). In addition to any other remedy provided by law or ordinance, upon proof of a violation of this ordinance, the Town may revoke all preferential parking permits issued to the dwelling unit in which the person who violated this ordinance resided or the place of business in which the person who violated this ordinance is employed.

[History: Adopted Res. 99-19, 5/26/99, effective 6/30/99; Res. 2007-63, 10/10/07;

[History: Adopted Res. 99-19, 5/26/99, effective 6/30/99; Res. 2007-63, 10/10/07]